JOURNALS OF THE LEGISLATIVE ASSEMBLY

OF THE PROVINCE OF BRITISH COLUMBIA

SESSION1989-90

Thursday, April 5, 1990

THREE O'CLOCK P.M.

Prayers by Rabbi Avraham Feigelstock.

This being the first day of the fourth meeting of the Thirty-fourth Parliament of the Province of British Columbia for the dispatch of business, pursuant to a Proclamation of the Honourable David C. Lam, Lieutenant Governor of the Province, dated the 23rd day of February 1990, the members took their seats.

The Honourable David C. Lam, Lieutenant Governor of the Province, having entered the House, took his seat on the Throne, and was pleased to deliver the following gracious Speech:

Mr. Speaker and Members of the Legislative Assembly:

I extend greetings on behalf of our Sovereign, Her Majesty the Queen, on the opening of this Fourth Session of the Thirty-Fourth Parliament of British Columbia.

I personally welcome all Members and guests.

Since last meeting, we have been saddened by the passing of two former Members of this Legislature. Mr. James Roland Chabot, represented Columbia River from 1963 to 1986. Mr. Alexander Vaughan Fraser served as the Member for Cariboo from 1969 to 1989. As Ministers of the Executive Council they represented their constituents and the Province with dedication and distinction.

We note the passing of Senator Nancy Bell, of Nanaimo, who served British Columbia in the Upper House of Canada from 1970 to 1989.

We record the passing of the Honourable J.V. Clyne, a lawyer, jurist, business executive, University Chancellor, and a willing advisor to all who sought his guidance during a life long commitment to this Province.

We also mourn the passing of one who, in her quiet way, shaped the lives of two former Premiers of this Province. I refer to Mrs. May Bennett.

My Government has been visited by distinguished guests, among them Prime Minister Kaifu of Japan, President Aquino of the Philippines, Chairman Wan of the People's Republic of China and Their Royal Highnesses Princess Chulabhorn of Thailand and Princess Cristina of Spain. My Government was also pleased to receive many diplomatic representatives accredited to Canada.

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This is your first Legislative Session of a new decade — a decade closing on a new century. Canadians will face many challenges and difficult choices in this decade.

Political and economic readjustment is occurring over the globe. In the past year alone Canadians have witnessed basic changes in many political regimes and philosophies. Walls, and ideologies, which have separated people, crumbled throughout the year. Canadians have applauded new political freedom in some countries and despaired as those freedoms were extinguished in others. We have seen people, and individuals who are the leaders of people, choose and achieve freedom.

It is most meaningful that we reflect on such events on this day — a day our Legislature convenes, within the framework of the constitutional democracy from which

we so benefit, and which we so often take for granted.

We must also be reminded of the needs and challenges facing our own nation. Government, legislators, and individual British Columbians must affirm support for this great and complex country, and embrace initiatives which can keep us together as a nation.

My Government is committed to affirming the value of a strong, unified country, such that our future generations will enjoy the same greatness, and be given the same opportunities, that have been afforded to us. We will strive to maintain the equality of all Canadians, and all Provinces.

We must also work together, within this Province, to choose the right directions and develop economic and social policies to best meet the needs of British Columbians in the

coming century.

Because of the importance and difficulty surrounding these choices, my Government has undertaken an outstanding process of public consultation on all major policy issues affecting our citizens. The British Columbia Roundtable on Environment and Economy has been constituted, to consult with the public and assist in choosing the framework to balance business and environmental policy. My Government has also established a Forest Resources Commission, which will consult and advise on a broad range of resource management and policy issues. Transportation plans, developed through consultation in all of our regions, will guide my Government in the development of provincial transportation systems.

Following public consultation, the Report of the Royal Commission on Education is being implemented. Similarly, the Report of the Justice Reform Committee has been adopted. A Royal Commission will consult on all aspects of health care and services so

that British Columbians can choose appropriate health policies.

Ministers and members of my Government have also sought our citizens' advice on issues of importance to women; seniors; reviews of taxation; an assessment of our parks system; environmental policy; and the needs of our workers, industries, and communities. This positive dialogue will continue.

My Government believes that our citizens should have a more direct voice in fundamental issues, particularly economic issues, of importance to all British Columbians. Accordingly, you will be asked to approve a *British Columbia Referendum Act*.

My Government promised fair electoral reform, and you will be asked to approve a new *Electoral Boundaries Act* to incorporate recommendations of the Royal Commission on Electoral Boundaries.

My Government has chosen to maintain an economic and fiscal approach which, in 1990, allowed the Investment Dealers' Association of Canada to conclude that, "British Columbia sets the example for fiscal management in Canada." Government must not depart from the rigor of firm and sound policies made necessary by today's economic reality.

We enjoy a fragile prosperity. My Government will maintain that prosperity through a disciplined budgetary framework within which economic growth, environmental integrity, job security and social services are maintained.

The budget will also reflect the resolve essential when there are prospects of economic moderation, and uncertainty caused by federal action to unilaterally curtail resources and programs. Federal reductions are particularly onerous given the low level of both support to our provincial programs and federal spending in the Province. Further, the Province must weather the adverse effects of the continuing high interest rate policy of the Bank of Canada, burdensome federal debt and the unnecessary Goods and Services Tax.

Relief of taxpayer burden is a cornerstone of my Government's fiscal plan. Government will introduce an *Assessment and Property Tax Reform Act* to bring greater equity and stability to the property tax and assessment systems in the Province.

British Columbia's economy is strong but that strength can be diluted. The current economic framework must be maintained in the best interests of today's, and tomorrow's, British Columbians.

All British Columbians remember the devastation of the economic collapse of the early 1980s and the tough measures that were required to cure those economic ills. British Columbians do not want to relive those days and months of economic and employment uncertainty, the prospect of extended unemployment and the loss of income and homes. The effects on individuals and families are remembered and Government will choose the right course, a responsible course, to avoid a recurrence of those difficulties.

With economic moderation and some softening in prices for our basic export commodities, we are also witnessing upward pressure on interest rates and public sector wage settlements running well ahead of the private sector. The ingredients for economic distress are all present.

My Government believes that the responsible course is to choose to arrest those problems immediately such that our economic and personal prosperity, while fragile, can be continued. Government can only spend what taxpayers can afford. Public sector wage settlements cannot lead the private sector, and they cannot become the stimulus to renewed inflation. Productivity gains, made at great cost in the early 1980s, must be maintained.

At the same time, my Government recognizes that maintenance of essential programs requires managed growth in the provincial public service. Further, economic adjustments must reflect the correction of historical inequities in our compensation programs. Therefore, my Minister of Finance and Corporate Relations and the Minister responsible for Women's Programs will introduce a framework for a pay equity program for the British Columbia public service and encourage other public sector employers to achieve similar goals.

Accordingly, my Government will introduce legislation aimed at continuing our prosperity, providing for fair compensation adjustments within the capacity of provincial taxpayers, and introducing a Provincial public sector pay equity program.

My Government's concern for employment and income security will result in the establishment of a British Columbia Pension Plan. My Ministers of Finance and Corporate Relations and Labour and Consumer Services will prepare a White Paper detailing this significant new concept and arrange province-wide consultation on this major and innovative policy proposal. A British Columbia Pension Plan has the potential of improving income security for many British Columbians, particularly homemakers, employees of small businesses and lower wage earners, and generally help British Columbians accumulate retirement income in a changing economy.

Government's economic policies will stress attraction of new industry and creation of investment and employment opportunities throughout our regions. Development in all parts of the Province will also relieve the pressures of accelerated economic growth in

Southern communities.

Objectives of the Regional and Economic Development Ministry include maximizing British Columbia's development potential through economic diversification; providing an economic climate conducive to growth through private sector investment; promoting sustainable economic development; and emphasizing communication and consultation with people in all regions.

Over the coming year my Government will strengthen regional initiatives, providing resources to communities and local authorities through programs such as Community Organizations for Economic Development and the recently announced Strong Commu-

nities in the 1990s.

My Government recognizes that there is a vast potential for growth in our Northern regions. Natural resources and dedicated workers are present to build stable and sustainable economies in these regions. The development of port and transportation facilities in the North, and the exploration of mineral, oil and gas rich areas, have potential to fuel a continuing prosperity for Northern and Central British Columbia. The budget will provide for a Power and Gas Line Extension Program to extend services to Northern and Interior communities to stimulate economic activity.

British Columbia's economic well being is directly dependent on foreign trade. Accordingly, the Province is compelled to maintain cost-effective and productive

industries in a competitive international marketplace.

While export dependency remains high, a significant provincial achievement has been diversification of markets for our major products. In 1989, the Province reached an historic point where exports to Pacific Rim countries surpassed exports to the United States while the overall level of trade increased. British Columbia leads Canada in exports to Europe. Government is strengthening trade programs in anticipation of Europe 1992 and the profound changes that will then occur in that massive market.

The British Columbia Trade Development Corporation, established within the last year by my Government, is now working effectively with the private sector to enhance

and expand export opportunities.

Forestry has long served as the economic backbone for British Columbia. My Minister of Forests will continue the Government's policies to balance timber harvesting and conservation to maintain our long term goal of sustainable development. My Government's Forest Resources Commission reflects a commitment to re-examine current forest management issues to ensure policies that will sustain that industry. My Government's programs will improve forest utilization and health, and promote integrated resource management.

The Ministry of Forests will expand the Small Business Forest Enterprise Program to

create more job opportunities and increase manufacturing value.

Reforestation is the key to a successful and enduring forest industry. Over two billion seedlings have been planted in the Province and a billion more will follow in a few short years. Continued representation will be made to the Government of Canada to participate fairly in this important element of forest management, from which all of Canada benefits.

British Columbia is recognized internationally for integrating environmental and economic factors in approving proposals for new mining operations. Our Mine Development Review Process, used for over a decade, ensures a balance between economic and environmental considerations. A *Mine Development Review Act* will be introduced to strengthen that process. My Government will also continue its energy conservation strategy, and introduce an *Energy Conservation Act*.

British Columbia's thriving tourism industry contributed more than \$3.5 billion to the Provincial economy in 1989, and my Minister of Tourism will work closely with communities and industry to ensure continued growth.

Tourism is closely linked to adequate transportation and highways facilities in the Province. Hundreds of British Columbians have assisted the Government in transportation planning for the next decade. Public meetings, throughout the Province, have focussed on the choices facing British Columbians for transportation development. The multi-billion dollar Skytrain and Transit Programs are a critical part of the Province's response to longer term needs.

My Government has also developed a long term plan to renew and bolster our ferry system and assist in revitalizing our shipbuilding and repair industry. We will look to the Government of Canada to reconsider its decision, and long standing commitment, to the Polar 8 Icebreaker. Canada must recognize that support of a strategic shipbuilding industry must be equalized between Eastern and Western industry. Further, it may be more appropriate at this time to protect and promote Arctic sovereignty on behalf of Canada rather than proceed only with a military building program.

Agriculture and fisheries create real wealth for the Province. They are sustainable activities, sensitive to environmental needs. Government is promoting a stronger agricultural economy by fostering entrepreneurship and targetting economic development activities. Programs to encourage quality in all agricultural and fish products will be pursued. Policies respecting land use, to continue a viable agricultural sector, will be strengthened.

The health of the Pacific fishery is of great concern. International developments, without adequate federal planning or response, could diminish this resource. Therefore, efforts of my Government will be intensified to ensure that fishermen, packers and processors have strong future prospects in this renewable industry.

The Province will continue its strong opposition to the international driftnet fishery. Regardless of its location, the driftnet fishery poses an unacceptable, global threat to the marine environment.

A British Columbia Roundtable on Environment and the Economy has been established to advise on policy to achieve a prosperous and sustainable economy, while protecting environmental quality. All British Columbians recognize that the goals of economic development and environmental integrity are mutually dependant.

My Minister of Environment will table an environmental action plan, entitled "Vision 2001", to encourage public consultation and frame environmental policy over the coming decade.

Environmental, fish and wildlife protection will be enhanced through improved policies, strengthening of standards, and monitoring and enforcement of regulations. Environmental protection legislation will be reviewed to ensure that Government has all statutory tools required to encourage sustainable development and environmental protection. The *Waste Management Act* will be amended to deal with identification and remediation of contaminated sites. Legislation will create a Hazardous Waste Management Corporation to develop, with the private sector, facilities for safe handling and disposal of dangerous and toxic wastes.

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My Ministry of Environment will continue building partnerships with federal, local, and neighbouring jurisdictions to protect the environment. The Province responded quickly to the reality and continued threat of oil spills and is proceeding to implement many of the recommendations of the Oil Spill Study. Mr. David Anderson, Special Advisor to the Premier, is to be commended for his diligent work on behalf of the

Province.

Government will maintain its partnership program for reducing municipal solid

wastes by 50 per cent and for the safe handling of bio-medical wastes.

My Government will encourage our universities, colleges, and the private sector to focus on environmental issues, and at the same time, create products and services which will find world-wide application. British Columbia is positioned to be a leader in developing services and businesses focussed on the needs of the global environment. The outstanding success of the Globe '90 Conference and Trade Show is witness to our potential in this area.

The Environment Youth Program trains provincial youth in environmental improvement and emergency response programs. It has been an outstanding success. These young British Columbians have materially contributed to a wider knowledge and understanding of environmental problems. They have been a positive force in responding

to emergencies during the year.

Maintaining and improving the quality of community water supplies is essential during periods of accelerated population and economic growth. Initiatives in the

forthcoming budget will expand funding for such projects.

In protecting our natural environment, Government designated 20 parks, and increased the size of 20 more, to add 216,000 hectares to the Province's park inventory. More people enjoyed British Columbia parks in the last year than ever before. This included Pacific Spirit Park, a new urban park, and one of the largest parks created in any major city in the world.

In this Legislative Session, 23 park boundaries will be secured, adding to the 81 already protected. My Government will pursue the nomination of Hamber, Mt. Robson, and Mt. Assiniboine Provincial Parks as World Heritage Sites. These sites are magnificent show-pieces for the Province and reflect the quality of our natural heritage.

British Columbia's natural beauty is complemented by unique heritage sites and architecture. To preserve these essential elements of our history, my Government will

introduce a White Paper detailing a new Heritage Conservation Act.

Sustainable economic activity drives provincial revenues and allows British Columbians to enjoy an exceptional quality of life. Our ability to underwrite sustainable programs for people requires a strong and stable income stream, flowing from a strong

and diverse economy.

A knowledge-based economy is emerging in British Columbia and human resource development is essential to this modern economy. Human resource development programs are solutions to many pressing social issues; helping families and children out of poverty and disadvantaged groups and immigrants needing assistance. These programs are also important tools in the full and equitable integration of some women into our economic system.

The 1989 First Ministers' Conference requested Provincial Ministers of Education to develop a national human resource strategy. British Columbia is offering strong support in achieving that mandate.

Government introduced a strategy, called Access for All, to strengthen post secondary education. Over 700 additional students were attracted to Cariboo, Malaspina and Okanagan Colleges, which now offer degree programs in partnership with British Columbia's universities.

My Government is committed to a University of Northern British Columbia and has received a Task Force report from northern citizens and experts in higher education. Government will introduce the *University of Northern British Columbia Act*.

The International Year of Literacy for the United Nations is 1990. British Columbia will continue to offer up-grading programs for individuals to attain basic skills.

My Government recognizes the tremendous and continuing contribution of our post secondary institutions — the University of British Columbia celebrates its 75th, and Simon Fraser University its 25th anniversary of years of service and scholarship for British Columbians.

This Province is proud to host the Commonwealth Center of Learning. Educational services, and technologies, can be shared, particularly with developing nations.

Commitment has been made to the policy directions of the Sullivan Royal Commission on Education. Much has been accomplished in working with educators to improve our school system such that our children will achieve their potential. Support will continue for our internationally acclaimed Pacific Rim education initiatives. Young British Columbians will carry a better understanding of the history, culture, and languages of the Asia-Pacific region through the implementation of new curricula.

My Government has announced major changes to provincial education funding to bring added stability, and accountability, to school financing. Legislation will be introduced to initiate this system and empower School Boards to hold referendums to solicit taxpayers' approval for extraordinary spending and allow citizens a direct voice, and choice, over local priorities.

The Science Council of British Columbia, the Premier's Council on Science and Technology, and industry are advising government on science, research and development programs. The forthcoming budget will introduce the most significant concept for underwriting these activities that has been taken by a government in this Province.

My Government is concerned with all matters of access, quality, and affordability in our health care system and, therefore, has appointed a Royal Commission to report in 1991. My Ministry of Health will expand and improve community health services and replace Riverview Hospital.

Discussions will begin with communities and health professionals to consider establishing, on a pilot project basis, comprehensive health organizations. Government will reintroduce the *Health Disciplines Act* to regulate a wide range of health professions and occupations.

An extensive consultation process to examine the concerns of seniors has been completed. British Columbia's senior citizens make a significant intellectual, cultural and economic contribution to the Province and their needs will be addressed as fully as possible by Government.

An aggressive fight against drug and alcohol abuse will be continued. The Cabinet Committee on Drug Abuse and the T.R.Y. program will ensure that our social and law enforcement agencies pursue effective programs to deal with this continuing, invidious problem.

My Government will continue justice reform. The Province's Supreme and County Courts will merge by July 1, 1990, to ensure province-wide accessibility to the Superior

Courts. Provincial court facilities will continue to be expanded and improved.

Programs will be introduced to provide a simplified and less costly means of resolving civil cases. My Government will propose amendments to family law to facilitate resolution of disputes and streamline processes to place cases before the courts. Further, a Statutory Appeals Procedures Act will provide citizens with clearer, more concise procedures to appeal decisions of administrative agencies.

The Ministry of Attorney General will work with our native communities to improve justice services, expand victims programs, and to develop, within the justice system, a greater recognition and appreciation of the unique social and cultural traditions of native

citizens.

The Ministry of Solicitor General will broaden consultations with Native Bands and

Tribal Councils to extend diversion programs.

The Premier's Council on Native Affairs is undertaking on-going discussions with Tribal Councils and provincial native groups to improve social and economic programs. My Government will create the First People's Traditions for Tomorrow Council to administer a program to assist funding native language, heritage and cultural centres in the Province.

Government social policy must increase the opportunity for citizens to make individual choices and foster independence and personal growth. Accordingly, support and incentive programs available to persons receiving income assistance will be strengthened. Programs to bridge the transition to gainful employment will be expanded. More support will be introduced for emergency shelters for the homeless and transition and safe houses for women and children.

British Columbia's buoyant economy has attracted many new residents creating a strong demand for housing. Despite high construction activity, the demand for supported housing continues to outstrip supply. Partnership with the private sector, non-profit societies, and all levels of government, will allow my Government to extend programs to provide adequate housing for all British Columbians.

The British Columbia Housing Management Commission has played a major, positive role in responding to housing needs. Provincial land will continue to be made available for the development of rental homes. My Government will also enhance the Renters' Tax Reduction Program, and introduce amendments to the Residential Tenancy Act. The budget will reveal a strengthening of our comprehensive housing programs.

Provincial initiatives alone cannot solve all accommodation problems and my Government urges local government to extend itself in assisting in meeting housing needs.

With strong economic growth, British Columbia has witnessed record levels of job creation — the highest in Canada. Concurrently, the Province's economy is in transition. Some industries, and communities on which they are dependent, are still subject to economic instability and closures. Accordingly, my Government will introduce a program to assist communities, such as Kimberley. Further, to increase protection to workers, my Government will introduce amendments to the Employment Standards Act to provide appropriate safeguards for employees from large scale lay-offs.

The Province's legislative framework regulating labour relations has achieved many of its original goals. Such legislation must be regularly improved and appropriate

amendments to the Industrial Relations Act will be prepared.

My Government remains committed to working closely with local government. Local communities will benefit greatly from sustained economic growth through strong increases in provincial revenue sharing.

On behalf of the Legislature, my Government extends the warmest congratulations to the people of Penticton, and the athletes of the British Columbia Winter Games. All British Columbians look forward to the Summer Games to be held in Prince George. These Games have enjoyed great success because of many volunteers in host communities and my Government applauds their effort.

That same community spirit is manifest in the planning now underway for the 1993 Canada Games in Kamloops, and the 1994 Commonwealth Games in the communities of Greater Victoria. All provincial communities are working with Government to prepare for the 1991 Year of Music, our largest community-based tourism initiative since EXPO 86.

I am very pleased that my Government has established the Order of British Columbia. This will provide appropriate recognition to those citizens who have served with the greatest distinction and excelled in fields of endeavor benefitting the people of the Province and Canada.

My Government maintains a commitment to recognize and promote the multicultural heritage of British Columbia and Canada. Government is pleased to host a major provincial symposium on multiculturalism in June, drawing delegates from across the Province, to consider community priorities and to highlight our cultural diversity and promote a strong sense of citizenship.

On behalf of all members of this Assembly, I extend my appreciation to employees of the Provincial Government. They serve with distinction, skill and integrity on behalf of this Assembly and the citizens of British Columbia.

Members of the Legislative Assembly — you are charged with the great responsibility of representing, with fairness and purpose, the interests of all British Columbians.

May wisdom and good judgement guide you in your deliberations.

In our Sovereign's name, I thank you.

His Honour the Lieutenant Governor was then pleased to retire.

Mr. Speaker reported that, to prevent mistakes, he had obtained a copy of His Honour's Speech.

By leave, on the motion of the Hon. S. D. Smith (Attorney General), Bill (No. 1) intituled An Act to Perpetuate a Parliamentary Right 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 the Hon. H. Dirks (Provincial Secretary), it was Ordered—
That the Votes and Proceedings of this House be printed, being first perused by Mr. Speaker, and that he do appoint the printing thereof, and that no person but such as he shall appoint do presume to print the same.

The Hon. W. N. Vander Zalm (Premier) moved —

That the Select Standing Committees of this House, for the present Session, be appointed for the following purposes:

- 1. Economic Development, Transportation and Municipal Affairs;
- 2. Labour, Justice and Intergovernmental Relations;

- 3. Tourism and Environment;
- 4. Forests and Lands;
- 5. Energy, Mines and Petroleum Resources;
- 6. Agriculture and Fisheries;
- 7. Health, Education and Social Services;
- 8. Finance, Crown Corporations and Government Services;
- 9. Public Accounts;
- 10. Standing Orders, Private Bills and Members' Services;

which said Committees shall severally be empowered to examine and inquire into all such matters and things as shall be referred to them by this House, and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records, and that a Special Committee be appointed to prepare and report with all convenient speed lists of members to compose the above Select Standing Committees of this House under Standing Order 68 (1), the Committee to be composed of the Hon. C. H. Richmond (Convener), the Hon. W. B. Strachan, the Hon. H. Dirks, the Hon. J. Weisgerber, Messrs. Chalmers, Long and Rabbitt and Messrs. Gabelmann, Rose and Williams.

Mr. Harcourt moved an amendment that the motion be amended by adding:

"11. Privileges and Ethics."

A debate arose.

The House divided.

The amendment was negatived on the following division:

		YEAS — 26		
G. Janssen	Sihota	Cashore	Gabelmann	
Zirnhelt	Williams	Edwards	Harcourt	
Jones	Lovick	Blencoe	Rose	
Perry	Smallwood	Clark	Marzari	
Cull	Guno	D'Arcy	Barnes	
Miller	Barlee	Boone	G. Hanson	
A. Hagen	Pullinger NAYS — 40			
Long	Rabbitt	Richmond	Michael	
Mercier	Pelton	S. Hagen	Messmer	
Crandall	Jacobsen	Veitch	L. Hanson	
Davidson	Johnston	Dirks	Weisgerber	
Peterson	J. Jansen	Chalmers	Parker	
Bruce	Davis	De Jong	Dueck	
Serwa	Fraser	Huberts	Gran	
Mowat	Couvelier	Vant	Strachan	
McCarthy	Smith	Reid	Savage	
Loenen	Vander Zalm	Ree	Brummet	

Ms. Marzari moved an amendment that the motion be amended by adding:

"11. Women's Equality."

A debate arose.

The House divided.

The amendment was negatived on the following division:

McCarthy

Loenen

APRIL 5

Savage

Brummet

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G. Janssen	Sihota	Cashore	Gabelmann	
Zirnhelt	Williams	Edwards	Harcourt	
Jones	Lovick	Blencoe	Rose	
Perry	Smallwood	Clark	Marzari	
Cull	Guno	DArcy	Barnes	
Miller	Barlee	Boone	G. Hanson	
A. Hagen	Pullinger NAYS — 40			
Long	Rabbitt	Richmond	Michael	
Mercier	Pelton	S. Hagen	Messmer	
Crandall	Jacobsen	Veitch	L. Hanson	
Davidson	Johnston	Dirks	Weisgerber	
Peterson	J. Jansen	Chalmers	Parker	
Bruce	D avis	De Jong	Dueck	
Serwa	Fraser	Huberts	Gran	
Mowat	Couvelier	Vant	Strachan	

Mr. *Blencoe* moved an amendment that the motion be amended by adding: "11. Housing."

Reid

Ree

A debate arose.

The House divided.

Smith

Vander Zalm

The amendment was negatived on the following division:

YEAS-25

G. Janssen	Sihota	Pullinger	Boone
Zirnhelt	Williams	Cashore	Gabelmann
Jones	Lovick	Edwards	Harcourt
Perry	Smallwood	Blencoe	Rose
Cull	Guno	Clark	Barnes
Miller	Barlee	DArcy	G. Hanson
A. Hagen		Nays - 40	
Long	Rabbitt	Richmond	Michael
Mercier	Pelton	S. Hagen	Messmer
Crandall	Jacobsen	Veitch	L. Hanson
Davidson	Johnston	Dirks	Weisgerber
Peterson	J. Jansen	Chalmers	Parker
Bruce	Davis	De Jong	Dueck
Serwa	Fraser	Huberts	Gran
Mowat	Couvelier	Vant	Strachan
McCarthy	Smith	Reid	Savage
Loenen	Vander Zalm	Ree	Brummet

Mr. Clark moved an amendment that the motion be amended by adding:

"11. Goods and Services Tax."

A debate arose.

The House divided.

The amendment was negatived on the following division:

		YEAS-25	
G. Janssen	Sihota	Pullinger	Boone
Zirnhelt	Williams	Cashore	Gabelmann
Jones	Lovick	Edwards	Harcourt
Perry	Smallwood	Blencoe	Rose
Cull	Guno	Clark	Barnes
Miller	Barlee	D'Arcy	G. Hanson
A. Hagen			
		Nays - 39	
Long	Rabbitt	S. Hagen	Messmer
Mercier	Pelton	Veitch	L. Hanson
Crandall	Jacobsen	Dirks	Weisgerber
Davidson	Johnston	Chalmers	Parker
Peterson	J. Jansen	De Jong	Dueck
Bruce	Davis	Huberts	Gran
Serwa	Fraser	Vant	Strachan
Mowat	Couvelier	Reid	Savage
McCarthy	Smith	Ree	Brummet
Loenen	Richmond	Michael	

Motion agreed to.

On the motion of the Hon. C. H. Richmond, seconded by Mr. Rose, it was Ordered —

That F. C. A. Pelton, Esquire, First Member for Dewdney Electoral District, be appointed Deputy Speaker for this Session of the Legislative Assembly.

On the motion of the Hon. C. H. Richmond, seconded by Mr. Rose, it was Ordered —

That *Harry De Jong*, Esquire, Second Member for Central Fraser Valley Electoral District, be appointed Deputy Chairman of the Committee of the Whole for this Session of the Legislative Assembly.

The Hon. A. J. Brummet (Minister of Education) tabled the Annual Report of the Ministry of Education, July 1, 1988 to June 30, 1989.

And then the House adjourned at 5.55 p.m.

Friday, April 6, 1990

TEN O'CLOCK A.M.

Prayers by Mr. Mercier.

The Hon. M. B. Couvelier (Minister of Finance and Corporate Relations) presented the Public Accounts of British Columbia for the fiscal year 1988-89.

By leave, the Hon. *M. B. Couvelier* (Minister of Finance and Corporate Relations) moved —

That the Public Accounts for the fiscal year 1988-89 be referred to the Select Standing Committee on Public Accounts.

The Hon. *I. Messmer* (Minister of Parks) tabled the Annual Report of the Ministry of Parks, 1988-1989.

The Hon. C. Gran (Minister of Government Management Services and Minister Responsible for Women's Programs) tabled the following:

Fifty-fourth Annual Report of the business done in pursuance of the *Pension (Public Service) Act* for the year ended March 31, 1989.

Fiftieth Annual Report of the business done in pursuance of the *Pension (Municipal)*Act for the year ended December 31, 1988.

Forty-eighth Annual Report of the business done in pursuance of the *Pension* (*Teachers*) *Act* for the year ended December 31, 1988.

Twenty-first Annual Report of the business done in pursuance of the *Pension* (*College*) *Act* for the year ended August 31, 1989.

Thirteenth Annual Report of the business done in pursuance of the *Public Service Benefit Plan Act* for the year ended March 31, 1989.

Thirty-fourth Annual Report of the business done in pursuance of the *Legislative Assembly Allowances and Pension Act*, Part 2, for the year ended March 31, 1989.

The Hon. C. C. Michael (Minister of Tourism) tabled the Annual Report of the British Columbia Pavilion Corporation for the fiscal year ended March 31, 1989.

Mr. *Clark* rose on an alleged matter of privilege, notice of which had been given to the Chair yesterday.

Mr. Speaker reserved his ruling.

Ms. *Marzari* rose on an alleged matter of privilege, notice of which had been given to the Chair yesterday.

Mr. Speaker reserved his ruling.

Ms. *Hagen* rose on an alleged matter of privilege, notice of which had been given to the Chair yesterday.

Mr. Speaker reserved his ruling.

Mr. Rabbitt moved, seconded by Mr. Bruce -

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of British Columbia, in Session assembled, beg leave to thank Your Honour for the gracious Speech which Your Honour has addressed to us at the opening of the present Session.

A debate arose.

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

And then the House adjourned at 11.27 a.m.

Monday, April 9, 1990

Two o'clock P.M.

Prayers by Mr. Cashore.

Order called for "Oral Questions by Members."

The Hon. J. Reynolds (Minister of Environment) made a ministerial statement relating to the issuance of a pollution abatement order at Woodfibre in Howe Sound.

Mr. Cashore made a statement.

The House proceeded to "Orders of the Day."

Pursuant to Order, the House resumed the adjourned debate on the Address in Reply to the Speech of His Honour the Lieutenant Governor at the opening of the Session.

The debate continued.

By leave, the Hon. A. J. Brummet (Minister of Education) tabled a copy of a letter referred to during debate.

On the motion of the Hon. *J. Weisgerber*, the debate was adjourned to the next sitting of the House.

And then the House adjourned at 5.58 p.m.

Tuesday, April 10, 1990

TEN O'CLOCK A.M.

Prayers by Mr. Peterson.

On the motion of Ms. Boone, Bill (No. M 201) intituled An Act to Establish a University in Northern British Columbia, 1990 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.

Mrs. McCarthy asked leave, pursuant to Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance, namely, the need for the Legislature, on behalf of all British Columbia, to voice its absolute opposition to the imposition of the Goods and Services Tax by the Government of Canada.

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

The House proceeded to "Orders of the Day."

Pursuant to Order, the House resumed the adjourned debate on the Address in Reply to the Speech of His Honour the Lieutenant Governor at the opening of the Session.

The debate continued.

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

And then the House adjourned at 12 o'clock noon.

Tuesday, April 10, 1990

Two o'clock P.M.

The Hon. R. M. Johnston (Minister of Transportation and Highways) rose on a matter of privilege relating to remarks made by the Second Member for Victoria during debate in the House on April 5th.

Mr. Speaker reserved his ruling.

Mr. Speaker delivered his reserved opinion, as follows:

Honourable Members:

At the opening of this morning's proceedings, the First Member for Vancouver-Little Mountain rose, under the provisions of Standing Order 35, requesting leave to move a motion for adjournment of the House to discuss a definite matter of urgent public importance, namely, the Goods and Services Tax legislation presently before the Federal Parliament of Canada.

It has been stated many times in the House that in consideration of such a matter, the urgency of "debate" and not the urgency of the "matter" is what the Chair must consider, and in making this decision the Chair notes that the House is presently engaged in debate on the Address in Reply to the Speech of His Honour the Lieutenant Governor. Accordingly, an immediate parliamentary opportunity exists to debate the matter in question.

The Chair would also observe that motions under this Standing Order must be raised at the earliest opportunity. The measure in question has been under consideration in the Federal House for some days. Accordingly, even if the matter qualified in all other aspects, it should have been brought to the attention of the House on Friday last.

Under the circumstances, I must rule that the Member's request does not qualify under the provisions of Standing Order 35.

C. Stephen Rogers, Speaker

Mr. Speaker delivered his reserved decisions, as follows:

Honourable Members:

On April 6th, the First Member for Vancouver-Point Grey sought to raise a matter of privilege in relation to the tabling of the Public Accounts in the House by the Minister of Finance and Corporate Relations. The essence of the complaint was that not filing the Public Accounts on the morning of April 5, 1990, when the House met to prorogue, violated the terms of a report of the Select Standing Committee on Public Accounts.

It should be noted that the Public Accounts were presented to the House by the Minister of Finance on the morning of April 6th, immediately prior to my hearing the Member, and that notice of the application was given in the House by the Member prior to prorogation. I am satisfied that by giving notice in this fashion, the matter was raised at the first available opportunity.

I have examined the First Report of the Select Standing Committee on Public Accounts, which was adopted by the House on July 20, 1989. The relevant portion reads as follows:

"Recommendation No. 1

"Your Committee recommends that the Government consider the ways and means by which the public accounts for the Province of British Columbia can be made publicly available as soon as possible after the end of the fiscal year for which they have been completed."

The Member claims that this recommendation has been violated and the Minister takes the opposite view. With great respect to the Member, I cannot find in the quoted Recommendation a mandatory direction as to the time of filing but rather a recommendation to consider the method.

Section 8 (3) (c) of the *Financial Administration Act* requires that the Public Accounts "be laid by the Minister of Finance before the Legislative Assembly by December 31 next after the end of the fiscal year, if the Legislative Assembly is then sitting and otherwise within 15 sitting days after the opening of its next sitting."

When compliance with the law is manifestly clear, I cannot find any foundation of a breach of privilege.

C. STEPHEN ROGERS, Speaker

Honourable Members:

I will now rule on the alleged matter of privilege advanced on April 6th by the Honourable Second Member for Vancouver East.

The substance of the Honourable Member's intervention concerns announcements of proposed legislation by a Minister and subsequent communications relating thereto by a member of the Public Service to the principal permanent officers of the municipalities. The Honourable Member suggests that these communications improperly presuppose the passage of legislation by the House, and that thereby the rights and privileges of all Members have been improperly abridged. Further, it is argued that a contempt of the House has occurred because these communications have preceded legislative debate and the implementation by the House of fundamental changes to the property tax system.

The Honourable Member, in his submission, conceded that previous rulings by Speakers on questions of privilege resulting from similar announcements have, by and large, failed. The Honourable Member suggests, however, that his intervention differs in that the communication to municipal officials concern matters of taxation and for that reason he invites the Chair not to follow long-established principles upon which similar, but not identical, applications have been disallowed.

The Honourable Member, in the course of his submission, provided the Chair with references to a number of Speakers' decisions, including a most recent decision of Mr. Speaker Fraser (House of Commons, Ottawa), albeit that in every such decision the Chair had been unable to find any *prima facie* breach of privilege. It is apparent, however, that Mr. Speaker Fraser, in the course of his ruling of October 10th last, did deliver a stern warning that the general public must not be given any impression that proposed changes to the taxation system were a *fait accompli* and that Parliament, in fact, had no role to play in examining and approving any proposed changes. To give such an impression, Mr. Speaker Fraser said, may tend to diminish the authority of the House in the eyes of the public. With that warning, I am in complete agreement, and would deprecate any action that fairly could be seen to derogate from the role of Parliament.

Honourable Members will know that the Chair's responsibility in applications of this kind is to determine whether the matter raised by an Honourable Member warrants the immediate setting aside of the regular business of the House. The Speaker does not rule on whether or not, in fact, a breach of privilege or a contempt has occurred; that question may only be decided by the House itself. I emphasize that the very narrow point that the Chair must decide is whether or not, *prima facie*, material advanced in the application of an Honourable Member satisfies the Chair that the House must immediately set aside all other regular business.

On any given occasion, should the Chair decide this question in the negative, it does not, of course, preclude the matter being raised in other debate at an appropriate time or to be proceeded with by notice of motion in the usual way.

In reaching a conclusion, the Chair has given careful consideration to the decisions cited by the Honourable Member as well as other decisions and authoritative references.

Sir Erskine May's 20th edition, at pages 70 and 71, explains that:

"The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers.' They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its Members and the vindication of its own authority and dignity."

Mr. Speaker Fraser observed that the result is when Members claim that certain actions constitute a breach of privilege, they must specify which privilege is affected. He also noted that "contempts" are, broadly speaking, offences against the authority or the dignity of the House itself, while breaches of privilege involve the protection of its Members from impediments to their functioning as Members of the House.

Dealing first with the specific privileges of the House, the Chair cannot find that the announcements in question affect the privilege of freedom of speech or that any Members have been obstructed in the performance of their duties. The proposed legislation announced by the Minister, when presented to the House, must be debated by Honourable Members, as would any other legislation and nothing appears to have occurred that would prevent Members from attending to their duties in this regard. It is, as Mr. Speaker Fraser found on the similar facts before him, difficult to see how the work of the House has been prejudiced, or any Member impeded in the performance of his duties as a result of what has transpired in the present circumstances.

On the second issue of a possible "contempt" of the House having been committed, I have again examined with great care the observations of Mr. Speaker Fraser in the matter before him and to which reference has been made by the Honourable Member for Vancouver East. The grave concern expressed by the Chair in that instance was that neither departmental officials nor governments ought, in any way, give the general public the impression that proposed changes to the taxation system were a *fait accompli*, and that Parliament has no role to play in examining and approving the changes. The effect of this, it was said, "may tend to diminish the authority of the House in the eyes of the public."

The basis of the grievance considered by Mr. Speaker Fraser was that widespread advertising directed to the public had taken place which clearly assumed that certain Goods and Services Tax measures were in fact a fait accompli when such was clearly not the case. The Chair has been invited to draw a parallel in the matter before me and it is suggested that the present case is even stronger because unlike the situation in Ottawa, the legislation in issue here was not yet before this House. In this regard, the Honourable Member's submission is a cogent one. However, the Chair must give at least equal weight to the following facts, namely: The press release of March 9, 1990, stated that the Minister had "unveiled key portions of the Assessment and Property Tax Reform Act, slated for introduction during the next sitting of the Legislature." It is difficult for the Chair to read into these words any suggestion that the proposed legislation was either a fait accompli or that Parliament would have no role to play in examining or approving the proposed changes. On the other hand, the Circulars dated March 20th and March 29th by a ministerial official might be construed as if the proposed changes were indeed a fait accompli. However, consideration must be given to the fact that the Circular of March 20th referred to the earlier press release of the Minister advising that the legislation was "slated for introduction" to the Legislature and that the Circular was part of an information program to assist municipalities, and went on to set forth various guidelines.

I draw the attention of Honourable Members to the *Journals* of the House, dated July 12, 1977, at pages 196–197, when the Speaker stated that, "Without going into the merits of the case, one can readily conclude that it would be only prudent, if not incumbent, upon a ministry of the government to take preparatory steps in contemplation of the passage of legislation. I cannot see that to do so would impede the House or any member thereof in the performance of their functions."

The Chair must also give weight to the fact that the Circulars complained of were not communications to the general public by way of newspaper advertisements but were, in fact, directed to the principal appointed officers of the municipalities. It would, I feel, be fair to assume that such senior officials of another level of government would be fully aware of the normal legislative process. It would be difficult to conclude that experienced municipal officials were led to believe that this Legislature would not, in due course, be involved in the passage of the legislation.

The Chair cannot therefore conclude that the Circular is analogous to, or as offensive as, widespread advertisements to the general public leading a large segment of the public to believe, or infer, that the Legislature would have no role to play in the process.

For these reasons the Chair cannot find any sufficient grounds to give the Honourable Member's application priority over Orders of the Day, having regard to the facts of the case and the many Speakers' previous rulings on similar matters.

The intervention by the Honourable Member for New Westminster presented on the 6th day of April last, of essentially the same nature, must fail for the same reasons.

In closing, I will again say that the Chair fully agrees with the comments of Mr. Speaker Fraser to the effect that the Chair will, at all times, do its best to uphold the dignity of Parliament whenever and however it may be threatened by matters occurring outside the House, as well, of course, as within the House itself. In this endeavour I am sure the Chair will have the assistance of all Honourable Members, and of equal importance, the understanding and adherence of all public officials who may be necessarily involved in the process of government.

Order called for "Oral Questions by Members."

The Hon. J. Savage (Minister of Agriculture and Fisheries) rose on a matter of personal privilege.

The Hon. L. Hanson (Minister of Municipal Affairs, Recreation and Culture) tabled the following:

The Annual Report of the Assessment Appeal Board of British Columbia for the 1989 calendar year.

The Annual Report of the British Columbia Heritage Trust, 1988/89.

The Hon. C. H. Richmond advised the House that, by agreement, the House would debate the matter raised earlier today, pursuant to Standing Order 35, by Mrs. McCarthy.

The House proceeded to "Orders of the Day."

Pursuant to Order, the House resumed the adjourned debate on the Address in Reply to the Speech of His Honour the Lieutenant Governor at the opening of the Session.

The debate continued.

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

By leave, Mrs. McCarthy moved, seconded by the Hon. M. B. Couvelier -

Be it resolved that the Legislative Assembly of British Columbia is absolutely and unequivocably opposed to the proposed federal Goods and Services Tax and urges the Government of Canada to immediately withdraw the GST legislation, in the interest of all Canadians

A debate arose.

The House divided.

Motion agreed to nemine contradicente.

The Hon. R. Fraser (Solicitor General) tabled the following:

The Annual Report of the Justice Institute of British Columbia, 1988/89.

The 17th Annual Report of the Insurance Corporation of British Columbia for the 12 months ended December 31, 1989.

And then the House adjourned at 6 o'clock p.m.

Wednesday,	April	11,	1990
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Two o'clock p.m.

Prayers by Mr. Rose.

The Hon. A. J. Brummet (Minister of Education) presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

DAVID C. LAM Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 11) intituled School Amendment Act, 1990 and recommends the same to the Legislative Assembly.

Government House, April 10, 1990.

Bill introduced and read a first time. Second reading at the next sitting after today.

Order called for "Oral Questions by Members."

The Hon. S. D. Smith (Attorney General) made a ministerial statement relating to the justice process in the Province of British Columbia and tabled copies of correspondence.

Mr. Sihota made a statement.

Mr. Harcourt made a statement.

The Hon. S. D. Smith (Attorney General) rose on a matter of privilege relating to statements made by the Member for Esquimalt-Port Renfrew.

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

Mr. Speaker delivered his reserved decision on a matter of privilege raised by the Minister of Transportation and Highways yesterday, as follows:

Honourable Members:

Yesterday afternoon, at the two o'clock sitting, the Honourable Minister of Transportation and Highways rose on a matter of privilege relating to remarks made by the Second Member for Victoria during proceedings in the House on April 5th.

The Honourable Minister stated that she had listened to the *Hansard* tapes which had recorded the interjections in question and the Minister was asking, at that time, that the Second Member for Victoria make an apology and withdraw the remarks in question.

The Honourable Member did not tender the appropriate motion at the end of her statement of the matter of privilege, and accordingly, the matter raised does not qualify under the rules of the House.

C. Stephen Rogers, Speaker

The Hon. S. D. Smith (Attorney General) made a ministerial statement relating to the convening of a public inquiry into the processes and personnel within the Ministry of Attorney General.

Mr. Harcourt made a statement.

The Hon. M. B. Couvelier (Minister of Finance and Corporate Relations) tabled Errata to Volume II of the 1988/89 Public Accounts.

The Hon. W. N. Vander Zalm (Premier) tabled a copy of a letter sent by him to the Prime Minister of Canada relating to the Goods and Services Tax being implemented by the Government of Canada.

The House proceeded to "Orders of the Day."

Pursuant to Order, the House resumed the adjourned debate on the Address in Reply to the Speech of His Honour the Lieutenant Governor at the opening of the Session.

The debate continued.

Ms. Boone moved in amendment, seconded by Mr. Jones —

That the motion "We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of British Columbia, in Session assembled, beg leave to thank Your Honour for the gracious Speech which Your Honour has addressed to us at the Opening of the present Session", be amended by adding the following:

"But this House regrets that the Speech was largely a compendium of vague promises of more consultations and more studies on areas of public concern where action is vital, and further regrets that no proposals for conflict of interest resolution and enhanced ethical behaviour requirements for Cabinet Ministers were included in the Speech."

The debate on the amendment continued.

The House divided.

The amendment was negatived on the following division:

Zirnhelt	A. Hagen	Cashore	Gabelmann
Jones	Sihota	Edwards	Harcourt
Perry	Smallwood	Blencoe	Rose
Cull	Guno	Clark	Barnes
Miller	Pullinger	Boone	G. Hanson
		Nays - 35	
Long	Rabbitt	S. Hagen	Weisgerber
Mercier	Pelton	Veitch	Parker
Crandall	Jacobsen	Dirks	Dueck
Peterson	Johnston	Chalmers	Reynolds
Bruce	J. Jansen	De Jong	Gran
Serwa	Couvelier	Huberts	Strachan
Mowat	Smith	Michael	Savage
McCarthy	Vander Zalm	Messmer	Brummet
Loenen	Richmond	L. Hanson	

On the motion of the Hon. C. H. Richmond, on behalf of Mr. Peterson, the debate was adjourned to the next sitting of the House.

And then the House adjourned at 5.40 p.m.