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SESSION 2004

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ONE HUNDRED AND THIRTY-NINTH VOLUME

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- Skills Development and Labour Annual Service Plan Report, 2003/04, 130, 154.
- Small Business and Economic Development Annual Service Plan Report, 2003/04, 130, 154.
- Statement as required pursuant to Section 17 of the *Budget Transparency and Accountability Act*, Industry Training Authority, 18.
- Statement of 2003/2004 Borrowings pursuant to Section 56 of the *Financial Administration Act*, Schedules A and Schedules B, 119.

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 Water, Land and Air Protection Annual Service Plan Report, 2003/04, 130, 155.  
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**HOUSE:**

Adjourned until 2 p.m. today, 96.  
 Bill declared null and void (third reading) and recommitted, 67, 111.  
 Bill to proceed all stages in one day, 24, 55, 92, 124.  
 Continued to sit past six o'clock p.m., 31, 37, 43, 47, 57, 62, 66, 74, 81, 87, 92, 98, 101, 106, 112, 117, 144.  
 Continued to sit past midnight, 93.  
 Division deferred until later today, 60, 72, 104, 105, 116 (2).  
 Observed a minute of silence, 90.  
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**LONG, HAROLD:**

Appointed Deputy Chair, Committee of the Whole, 12.

**MEMBER WITHDRAWS: 98.****MOTIONS:**

Address in Reply, 14.  
 Motion that the House adjourn until notice, 125, 151.  
 Motion 1 — that this House recognize the tremendous potential of the oil and natural gas sector in British Columbia and supports exploring all opportunities to expand this sector, 46, 60.  
 Motion 3 — that this House supports initiatives to promote the safety of Canadian beef and the reopening of the world's borders to our beef products, 28, 36, 116.  
 Motion 4 — that this House recognize the importance of a sound transportation infrastructure to the economy of British Columbia, 138, 148.  
 Motion 21 — that this House recognize the importance of access to broadband technology to the economic development of rural communities, 20, 126.  
 Motion 46 — that this House recognize the economic and environmental importance of the working land base and the need to adopt a balanced approach to its use, 72, 85, 116.  
 Motion 67 — that this House recognizes the need to work with Aboriginal communities to improve the high school completion rate for Aboriginal students, and to promote the pursuit of post-secondary education among Aboriginal youth, 20, 28, 126.  
 Motion 68 — that this House recognizes that support for volunteers encourages both individual and collective responsibility in our society, 36, 46, 60, 116, 126.  
 Motion 73 — that this House support the expansion and promotion of the BC cruise industry, 72.  
 Motion 83 — that this House recognize the positive impacts of team sports on children in developing self-esteem and in teaching life-long healthy habits, 15, 116.  
 Motion 87 — that the Legislative Assembly adopt the sessional order *re* Public Written Questions, 22.  
 Motion 104 — that this House identifies the need to increase Annual Allowable Cuts in order that damaged wood may be salvaged in forest districts decimated by the Mountain Pine Beetle epidemic, 126, 148.  
 Motion 107 — that the Select Standing Committee on Crown Corporations be appointed to review the annual reports and service plans of British Columbia Crown Corporations, 68.

### MOTIONS — *Continued*

- Motion 108 — that the reports of the Auditor General deposited with the Speaker during the Fifth session of the Thirty-seventh Parliament be deemed referred to the Select Standing Committee on Public Accounts, 69.
- Motion 109 — that the Select Standing Committee on Health be empowered to examine, inquire into and make recommendations with respect to finding effective strategies to change behaviour and encourage people to adopt lifelong health habits that will improve their health, 69.
- Motion 110 — that the Select Standing Committee on Finance and Government Services be empowered to examine, inquire into and make recommendations with respect to the pre-budget consultation report prepared by the Minister of Finance, 70.
- Motion 111 — that the Select Standing Committee on Education be empowered to follow up on the 2002 recommendations of *A Future for Learners: A Vision for the Renewal of Education in British Columbia*, 71.
- Motion 114 — that this House encourage the Government of British Columbia to approach its dealings with First Nations, particularly regarding the sale of BC Rail Ltd. to CN, with an emphasis on honesty, clarity and respect, 97, Am., 98.
- Motion 115 — that this House recognizes the benefits of a thriving mining industry and supports ongoing efforts by government to make British Columbia competitive on a global basis in this industry, 116.
- Motion 116 — that this House supports initiatives to encourage development of small hydroelectric and other renewable energy projects, as part of a plan to help make British Columbia self-sufficient again in the production of electricity, 138, 148.
- Motion to appoint a Special Committee to select the BC Public Service Agency head, and Deputy Minister responsible for the Agency, and to hold office as the Merit Commissioner for the Province of British Columbia, 34.
- Motion to appoint a Special Committee on the Citizens' Assembly on Electoral Reform to receive reports on the Assembly's work and report to the House, 35.
- Motion to appoint a Special Committee to review the *Freedom of Information and Protection of Privacy Act*, 35.
- Motion that this House authorizes the Committee of Supply to sit in two sections, section A and section B, 26.
- Motion that the proceedings in regard to the third reading of Bill (No. 3) intituled *Cremation, Interment and Funeral Services Act*, be declared null and void and that the Bill be recommitted forthwith with respect to sections 1 and 68, 111.
- Motion that the proceedings in regard to the third reading of Bill (No. 5) intituled *Budget Measures Implementation Act, 2004*, be declared null and void and that the Bill be recommitted forthwith with respect to sections 25 and 28, 67.
- Motion that this House recommend to the Lieutenant Governor in Council the appointment of Ms. Diane Rabbani as the Public Service Employee Relations Commissioner, Deputy Minister responsible for the Public Service Employee Relations Commission and to hold the office as the Merit Commissioner for the Province of British Columbia, 123.
- Motion that Bill M 202 intituled *Safe Streets Act* and Bill M 203 intituled *Trespass to Property Act* be withdrawn from the Order Paper, 137.
- Motion *re* substitution on Select Standing Committees, 137, 149.

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### PETITIONS:

- Re* laboratory restructuring, 120.
- Re Safe Streets Act* legislation, 142.
- Re* Trans-Canada Highway between Pritchard and Chase, 53.

### POINT OF ORDER:

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**PRIVATE BILLS:**

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No. (Pr 401) — *B.J. Field Service Ltd. (Corporate Restoration) Act, 2004*, 61.

No. (Pr 402) — *Kidd Resources Ltd. (Corporate Restoration) Act, 2004*, 61.

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Statements made by the Solicitor General and the Member for Powell River-Sunshine Coast, 19, (40, 51).

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**PROROGATION:** 153.**PUBLIC WRITTEN QUESTIONS:**

1. Norske Canada pulp mill in Crofton request to burn high-toxicity fuels such as rubber tires, 38.
2. Dedicating 3 per cent tax increase on liquor to programs to combat alcoholism, 38.
3. Federal government proposal to provide a portion of federal fuel-tax revenues to the province, 39.
4. Will new route being considered increase the Sea-to-Sky Highway upgrade budget, 43.
5. “New Era” commitment to dedicate traffic fines to municipalities for policing services, 39.
6. Number of current Cabinet, 75.
7. Private land logging that could harm drinking water in Sunshine Coast Regional District, 75.
8. Revisit budget cuts to Auditor General to enable full accounting of BC Rail sale, 64.
9. Input from municipalities and regional districts regarding 20 per cent take back *re* allowable cut allocation, 76.
10. BC College of Teachers to elect 12 members of the College Council, 76.

**RABBANI, DIANE:**

Appointed Merit Commissioner, 123.

**RESOLUTIONS AND ORDERS:****RESOLUTIONS:**

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**ORDERS:**

Budget debate, 17.

Committee of Supply, 17.

Committee of Supply to sit in two sections, section A and section B, 26.

Election return entered in Journals, 152.

Estimates referred to Committee, 17; supplementary estimates to Committee, 23, 54, 111.

Long, Harold, appointed Deputy Chair of the Committee of the Whole, 12.

Selection Committee appointed, 12.

Weisbeck, John, appointed Deputy Speaker, 12.

Votes and Proceedings printed, 12.

**SANTORI, SANDY:** Resigned seat, 153.**SPEAKER:**

Unavoidable Absence: 42, 44, 67, 102.

**RULINGS:**

Failure to raise a matter of privilege on a Crown prerogative day (Prorogation or Opening Day) does not offend the “first opportunity rule”. Announcement of a tax measure outside the House, when combined with a statement of intention to seek legislative approval, does not constitute a contempt or breach of privilege. Retrospective tax legislation not uncommon in Commonwealth parliaments, 48, (13, 31).

**SPEAKER — *Continued*****RULINGS — *Continued***

Leader of Opposition was within the rules of the House when she reserved her right to raise the matters of privilege due to the fact that both the morning and afternoon proceedings that day (Opening Day) resulted from the exercise of the Royal prerogative of the Crown to summon the House; did not mislead House, a dispute as to allegations of facts between honourable members, 49, (16, 45).

Point raised is much more a matter for debate than it is one of privilege or contempt — dispute of facts, 51, (19, 40).

Whether the form of the bill removes it from the embrace of Standing Order 81; while granting the application, the Chair is of the view that a bill drafted in such a way as to cast too wide a net may not qualify under Standing Order 81, 92.

**STATEMENTS:**

From Her Majesty the Queen in recognition of Commonwealth Day, 37.

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Permissible areas of questioning during Question Period, 59.

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**STATEMENTS OTHER THAN SPEAKER:**

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Bruce, Hon. G., *re* day of mourning for workers who lost lives on the job, 90.

Campbell, Hon. G., *re* Jericho Hill School for the Deaf, 109.

Cheema, Dr. C., *re* Multiculturalism Week, 16.

Cobb, Mr. W., *re* his comments during debate on Bill (No. 52), 115.

Hawes, Mr. R., *re* death of former Member, Lyle Wicks, 14.

Kwan, Ms. J., *re* Multiculturalism Week, 16.

MacPhail, Ms. J., *re* day of mourning for workers who lost lives on the job, 90.

MacPhail, Ms. J., *re* Jericho Hill School for the Deaf, 109.

MacPhail, Ms. J., *re* Mining Week, 117.

Plant, Hon. G., *re* experience of the Sons of Freedom Doukhobor Children in New Denver, 127.

Plant, Hon. G., *re* provisions of section 6 (3) of the *Judicial Compensation Act* and the procedure established therein, relative to Compensation Commission Reports, 137.

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Estimates referred to Committee, 17; supplementary estimates, 23, 54, 111.

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Supply motion (second motion), 23, 54, 124.

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**WEISBECK, JOHN:**

Appointed Deputy Speaker, 12.

**WICKS, LYLE:**

Death of announced, 14.