

Wednesday, November 25, 1987

TWO O'CLOCK P.M.

Prayers by Mr. Speaker.

Mr. Speaker delivered his reserved opinion as follows:

Honourable Members:

On Tuesday, November 24th, the Honourable Leader of the Opposition rose under the provisions of Standing Order 35 to ask leave to move adjournment of the House for the purpose of discussing a definite matter of urgent public importance relating to Government proposals for privatization schemes within the Province.

I wish to thank the Honourable Leader of the Opposition for providing the Chair with notice of his intention, in accordance with Practice Recommendation No. 8.

British Columbia's Standing Order 35 was substantially amended when the rules were revised in 1985 and while the Order has been simplified and abbreviated, the Speaker is still required to decide whether or not the statement conforms to the rules applicable to such motions. The authorities have been consistent over the years stating that it is not the urgency of the matter which the Chair must consider, but the urgency of debate at this particular time. There are numerous precedents, both in our own House and in the United Kingdom, where matters raised might well be considered urgent, but no case could be established to persuade the Chair that the debate should be proceeded with at that particular time.

The basic rules applicable to motions under Standing Order 35 have been stated as follows:

"The matter must be definite; the matter must be urgent; the matter must be of public importance; the matter must involve more than the ordinary administration of the law; the matter must conform to general rules applicable to all motions for the adjournment; the matter must conform to general rules of order." (May, 16th ed., p. 370.)

The Chair adopts these general rules as still applicable to motions under Standing Order 35.

I have examined the statement provided by the Honourable Leader of the Opposition and while the preambles deal with two distinct matters, decentralization and privatization, it would appear from the last paragraph of the material presented that the motion is directed at a single specific matter, that is privatization, and accordingly qualifies generally under the rule that the matter must be definite and involve a single specific matter.

A close examination of the material filed reveals a technical error which may well, in other circumstances, disqualify an application. In the particular circumstances of this case, bearing in mind the spirit implicit in the substantial revisions to Standing Order 35 adopted by this House in 1985, it is the Chair's decision, in this particular case, that the statement will be allowed to qualify under Standing Order 35. Accordingly, I propose to ask the House whether or not the Member has leave to move a motion for adjournment of the House under the provisions of Standing Order 35 for the purpose of discussing a definite matter of urgent public importance, to wit, privatization in British Columbia. In this instance I am declining to read the statement as presented by the Leader of the Opposition because, as stated earlier in my reasons, it is my view the statement is technically flawed.

Honourable Members will appreciate that once I have put the proposed motion to the House, if objection is taken, the question of leave to proceed will be decided on division without debate.

Should leave be granted to move the motion, I will then call upon the House Leaders to present their representations as to when the debate might proceed, bearing in mind Standing Order 35 (6) and 35 (7).

J. REYNOLDS, *Speaker*

Mr. Speaker asked if the Member had leave to move the motion.

Leave granted.

By leave, it was agreed that debate on the motion be deferred until 4.30 p.m., Monday next.

Order called for "Oral Questions by Members."

On the motion of the Hon. *W. B. Strachan*, the House proceeded to "Public Bills and Orders and Government Motions on Notice."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 51) intituled *Mineral Amendment Act, 1987*.

The debate continued.

The House divided.

Motion agreed to on the following division:

YEAS—38

<i>Peterson</i>	<i>Chalmers</i>	<i>Strachan</i>	<i>Pelton</i>
<i>Messmer</i>	<i>Gran</i>	<i>Veitch</i>	<i>Michael</i>
<i>Jacobsen</i>	<i>Hewitt</i>	<i>Long</i>	<i>Parker</i>
<i>S. Smith</i>	<i>Jansen</i>	<i>Mercier</i>	<i>Richmond</i>
<i>Ree</i>	<i>Weisgerber</i>	<i>Dirks</i>	<i>Dueck</i>
<i>Bruce</i>	<i>R. Fraser</i>	<i>Rabbitt</i>	<i>L. Hanson</i>
<i>Serwa</i>	<i>Johnston</i>	<i>De Jong</i>	<i>Rogers</i>
<i>Vant</i>	<i>Davis</i>	<i>Crandall</i>	<i>Savage</i>
<i>Campbell</i>	<i>Couvelier</i>	<i>Loenen</i>	<i>Brunmet</i>
<i>Mowat</i>	<i>B. R. D. Smith</i>		

NAYS—19

<i>Edwards</i>	<i>Sihota</i>	<i>Blencoe</i>	<i>Stupich</i>
<i>Clark</i>	<i>Lovick</i>	<i>Gabelmann</i>	<i>Harcourt</i>
<i>Jones</i>	<i>Smallwood</i>	<i>D'Arcy</i>	<i>Rose</i>
<i>A. Hagen</i>	<i>Guno</i>	<i>Boone</i>	<i>G. Hanson</i>
<i>Miller</i>	<i>Cashore</i>	<i>Skelly</i>	

Bill (No. 51) read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

Bill (No. 48) intituled *Insurance Amendment Act, 1987* was committed, reported complete with amendment.

Bill as reported to be considered at the next sitting after today.

Section 7 of Bill (No. 48) passed on division.

Bill (No. 34) intituled *Health Statutes Amendment Act, 1987* was committed.

The Committee rose, reported progress and asked leave to sit again.

Committee to sit again at the next sitting.

And then the House adjourned at 5.56 p.m.

Thursday, November 26, 1987

TEN O'CLOCK A.M.

Prayers by Mr. Speaker.

The Hon. *E. N. Veitch* (Provincial Secretary and Minister of Government Services) tabled the Thirty-second Annual Report of the business done in pursuance of the *Legislative Assembly Allowances and Pension Act, Part 2, year ended March 31, 1987*.

Mr. *Rose* rose on a matter of privilege relating to an answer given by the Minister of Agriculture and Fisheries during Oral Question Period on Wednesday last.

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

On the motion of the Hon. *W. B. Strachan*, the House proceeded to "Public Bills and Orders and Government Motions on Notice."

Bill (No. 34) intituled *Health Statutes Amendment Act, 1987* was committed, reported complete with amendment.

Bill as reported to be considered at the next sitting after today.

In consideration of section 63 of Bill (No. 34), the Committee divided, as follows:

YEAS—38

Peterson
Messmer
Jacobsen
S. Smith
Ree
Bruce
Serwa
Vant
Campbell
Gabelmann

Mowat
Chalmers
Gran
Hewitt
Jansen
Weisgerber
R. Fraser
Johnston
Davis
Couvelier

B. R. D. Smith
Strachan
Veitch
Long
Mercier
Dirks
Rabbitt
De Jong
Crandall

Loenen
Michael
Parker
Richmond
Dueck
L. Hanson
Rogers
Savage
Brummet

NAYS—16

Edwards
Jones
A. Hagen
Miller

Sihota
Lovick
Smallwood
Guno

Cashore
Blencoe
Boone
Stupich

Harcourt
Rose
Marzari
G. Hanson

In consideration of a proposed amendment to section 8 of Bill (No. 34), the Committee divided, as follows:

YEAS—18

Edwards
Clark
Jones
A. Hagen
Miller

Sihota
Lovick
Smallwood
Guno
Cashore

Blencoe
Gabelmann
Boone
Stupich

Harcourt
Rose
Marzari
G. Hanson

NAYS—38

Peterson
Messmer
Davidson
Jacobsen
S. Smith
Ree
Bruce
Serwa
Vant
Campbell

Mowat
Chalmers
A. Fraser
Gran
Hewitt
Jansen
Weisgerber
R. Fraser
Johnston
Davis

Couvelier
B. R. D. Smith
Strachan
Veitch
Mercier
Dirks
Rabbitt
De Jong
Crandall

Loenen
Michael
Parker
Richmond
Dueck
L. Hanson
Rogers
Savage
Brummet

Section 8 of Bill (No. 34) passed on division.

On the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*, a debate arose, which was, on the motion of Mr. Lovick, adjourned to the next sitting of the House.

And then the House adjourned at 11.58 a.m.

Thursday, November 26, 1987

TWO O'CLOCK P.M.

The Hon. *R. M. Johnston* (Minister of Municipal Affairs) made a ministerial statement relating to a B.C. Transit campaign entitled "Don't Take the Keys."

Mr. *Miller* made a statement.

The Hon. *J. Davis* (Minister of Energy, Mines and Petroleum Resources) tabled the following:

British Columbia Utilities Commission Annual Report, 1986.

Ministry of Energy, Mines and Petroleum Resources Annual Report for the year 1986.

Order called for "Oral Questions by Members."

By leave, on the motion of the Hon. *W. B. Strachan*, the House proceeded to consideration of Motion 91 on the Order Paper.

91 Mr. *Sihota* moved—

Be it resolved that this Legislature appoint a Special Committee of the Legislature to inquire into the matter of the conduct of the personal affairs of the Hon. *S. Hagen*, specifically questions relating to Mr. *Hagen's* disclosure forms and possible conflict of interest arising from his failure to relinquish directorships in three companies active in financial or commercial operations, contrary to Cabinet guidelines, and possible violations of the *Constitution Act*, and report its findings to the House.

A debate arose.

On the motion of Mr. *Harcourt* that the House do now adjourn, the House divided.

Motion negatived on the following division:

YEAS—19

<i>Edwards</i>	<i>Sihota</i>	<i>Blencoe</i>	<i>Rose</i>
<i>Clark</i>	<i>Lovick</i>	<i>Gabelmann</i>	<i>Marzari</i>
<i>Jones</i>	<i>Smallwood</i>	<i>Boone</i>	<i>Barnes</i>
<i>A. Hagen</i>	<i>Guno</i>	<i>Stupich</i>	<i>G. Hanson</i>
<i>Miller</i>	<i>Cashore</i>	<i>Harcourt</i>	

NAYS—36

<i>Messmer</i>	<i>Chalmers</i>	<i>Strachan</i>	<i>Pelton</i>
<i>Jacobsen</i>	<i>Gran</i>	<i>Veitch</i>	<i>Michael</i>
<i>S. Smith</i>	<i>Hewitt</i>	<i>Long</i>	<i>Parker</i>
<i>Ree</i>	<i>Jansen</i>	<i>Mercier</i>	<i>Richmond</i>
<i>Bruce</i>	<i>Weisgerber</i>	<i>Dirks</i>	<i>Dueck</i>
<i>Serwa</i>	<i>Johnston</i>	<i>Rabbitt</i>	<i>L. Hanson</i>
<i>Vant</i>	<i>Davis</i>	<i>De Jong</i>	<i>Rogers</i>
<i>Campbell</i>	<i>Couvelier</i>	<i>Crandall</i>	<i>Savage</i>
<i>Mowat</i>	<i>B. R. D. Smith</i>	<i>Loenen</i>	<i>Brummet</i>

The debate on Motion 91 continued.

The Hon. *C. S. Rogers* (Minister of Transportation and Highways) tabled a document referred to during Oral Question Period on Wednesday last.

The House resumed the debate on Motion 91.

The House divided.

Motion negatived on the following division:

YEAS—18

<i>Edwards</i>	<i>Lovick</i>	<i>Gabelmann</i>	<i>Rose</i>
<i>Clark</i>	<i>Smallwood</i>	<i>Boone</i>	<i>Marzari</i>
<i>Jones</i>	<i>Guno</i>	<i>Stupich</i>	<i>Barnes</i>
<i>Miller</i>	<i>Cashore</i>	<i>Harcourt</i>	<i>G. Hanson</i>
<i>Sihota</i>	<i>Blencoe</i>		

NAYS—36

<i>Messmer</i>	<i>Chalmers</i>	<i>Strachan</i>	<i>Pelton</i>
<i>Jacobsen</i>	<i>Gran</i>	<i>Veitch</i>	<i>Michael</i>
<i>S. Smith</i>	<i>Hewitt</i>	<i>Long</i>	<i>Parker</i>
<i>Ree</i>	<i>Jansen</i>	<i>Mercier</i>	<i>Richmond</i>
<i>Bruce</i>	<i>Weisgerber</i>	<i>Dirks</i>	<i>Dueck</i>
<i>Serwa</i>	<i>Johnston</i>	<i>Rabbit</i>	<i>L. Hanson</i>
<i>Vant</i>	<i>Davis</i>	<i>De Jong</i>	<i>Rogers</i>
<i>Campbell</i>	<i>Couvelier</i>	<i>Crandall</i>	<i>Savage</i>
<i>Mowat</i>	<i>B. R. D. Smith</i>	<i>Loenen</i>	<i>Brummet</i>

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

Earlier today the Honourable Member for Coquitlam-Moody sought to raise a matter of privilege relating to answers given by the Minister of Agriculture and Fisheries during the Oral Question Period yesterday.

The Member quite properly tabled a copy of his statement and a Notice of Motion which he proposed to move in the event a *prima facie* case of breach of privilege was made to the satisfaction of the chair.

The “*Blues*” of yesterday indicate that the Member’s concerns arise out of a series of questions and answers relating to the granting of milk quota. The Member gives a number of facts to argue against the validity of answers given by the Minister. The matter clearly involves much detail and in the Member’s words is “highly technical.” It is readily apparent that both Members differ in their understanding and interpretation of facts affecting this matter.

On a number of occasions, including that of the 14th of June 1985, the Speaker has ruled that, “A dispute arising between two members as to allegations of facts does not fulfill the conditions of parliamentary privilege.” I would refer members to Citation 113 of Beauchesne’s 4th edition.

For this reason I cannot find that a *prima facie* case of breach of privilege has been made.

J. REYNOLDS, *Speaker*

On the motion of the Hon. *W. B. Strachan*, the House proceeded to “Public Bills and Orders and Government Motions on Notice.”

The House resumed the adjourned debate on the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*.

The debate continued.

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

And then the House adjourned at 5.55 p.m.

Friday, November 27, 1987

TEN O'CLOCK A.M.

Prayers by Mr. Speaker.

Order called for "Private Members' Statements."

On the motion of the Hon. *W. B. Strachan*, the House proceeded to "Public Bills and Orders and Government Motions on Notice."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*.

The debate continued.

On the motion of the Hon. *W. B. Strachan*, the debate was adjourned to the next sitting of the House.

The Hon. *W. B. Strachan* advised the House that the House would not sit on Wednesday next.

And then the House adjourned at 12.47 p.m.

Monday, November 30, 1987

TWO O'CLOCK P.M.

Prayers by Mr. Speaker.

Order called for "Oral Questions by Members."

On the motion of the Hon. *W. B. Strachan*, the House proceeded to "Public Bills and Orders and Government Motions on Notice."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*.

The debate continued.

On the motion of Mrs. *Hagen*, the debate was adjourned until later today.

Mr. *Harcourt* moved—

That the House do now adjourn to discuss a definite matter of urgent public importance relating to Government proposals for privatization schemes within the Province.

A debate arose.

The debate concluded pursuant to Standing Order 35 (8).

The House resumed the adjourned debate on the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*.

The debate continued.

On the motion of Ms. *Smallwood*, the debate was adjourned until the next sitting of the House.

The Hon. *E. N. Veitch* (Provincial Secretary and Minister of Government Services) presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

ROBERT G. ROGERS
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 62) intituled *Pension (Public Service) Amendment Act, 1987* and recommends the same to the Legislative Assembly.

Government House,
November 30, 1987.

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

The Hon. *W. B. Strachan* advised the House that the House would adjourn at 4 o'clock p.m. tomorrow.

And then the House adjourned at 5.59 p.m.

Tuesday, December 1, 1987

TEN O'CLOCK A.M.

Prayers by Mr. Speaker.

On the motion of the Hon. *W. B. Strachan*, the House proceeded to "Public Bills and Orders and Government Motions on Notice."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 59) intituled *Miscellaneous Statutes Amendment Act (No. 4), 1987*.

The debate continued.

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

And then the House adjourned at 11.57 a.m.