

Tuesday, April 6, 1982

TEN O'CLOCK A.M.

Mr. Howard rose on a matter of privilege relating to the Estimates of Revenue and Expenditure presented to the House for the fiscal year ending March 31, 1983.

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

Mr. Speaker delivered his reserved decisions as follows:

Honourable Members:

On the last day of the sittings of the previous Session, the Honourable Member for Skeena rose on a point of privilege relating to an answer given by the Honourable Minister of Industry and Small Business Development to a series of questions by the Honourable First Member for Victoria during oral question period. The Honourable Member then indicated to the House a motion intended to be moved if appropriate.

In its terms the motion alleges that the Honourable Minister provided "the House with a misleading answer during question period." The Honourable Member for Skeena cited, in support of the matter raised, references in the 19th Edition of Sir Erskine May appearing on pages 130-131 and 170-173, which references I have carefully examined. I have also examined the questions and answers in question which appear at page 6585 of Hansard for July 7, 1981.

It is stated in the same edition of Sir Erskine May at page 142 that the House may treat the making of a deliberately misleading statement as a contempt and cites Profumo's case wherein the offending member made a personal statement which contained words which he later admitted not to be true. On the other hand, as stated in Beauchesne's 5th Edition at page 12, the precedents are clear that a dispute arising between two members as to allegations of facts do not fulfil the conditions of parliamentary privilege. It is clear from the terms of the motion tendered by the Honourable Member for Skeena that his complaint is founded on an allegation of a misleading answer and a dispute as to allegations of facts between honourable members.

In light of the authorities which I have cited I am unable to conclude that there is a basis of a *prima facie* question of privilege.

H. W. SCHROEDER, *Speaker*

Honourable Members:

At the conclusion of the sitting of the House on December 1 last, the Honourable Second Member for Surrey rose on a point of order, namely, that the Rules of the House had not been observed when the House met at eight o'clock p.m., in that the Mace was on the Table preceding the presence of Mr. Speaker in the Chair.

Sir Erskine May, 18th Edition at page 295, states that during the suspension of a sitting the Mace is left on the Table and under the circumstances the Mace should have remained on the Table during the dinner hour. In this respect the point of order raised by the Honourable Second Member for Surrey was well taken in that the Mace was removed upon the Chair being vacated. However, upon it being ascertained that the Mace had inadvertently been lifted from the Table, it was immediately restored and was properly in place when the House resumed its deliberations.

H. W. SCHROEDER, *Speaker*

By leave of the House, on the motion of Mr. *Leggatt*, Bill (No. M 202) intituled *An Act Respecting the Televising and Other Broadcasting of Debates and Proceedings of the Legislative Assembly of British Columbia*, 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.

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

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

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

And then the House adjourned at 12.20 p.m.

Tuesday, April 6, 1982

TWO O'CLOCK P.M.

Prayers by Major *E. Amos*.

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

On the motion of the Hon. *P. L. McGeer*, the debate was adjourned to the next sitting of the House.

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

The Hon. *P. L. McGeer* tabled the First Annual Report of the Knowledge Network of British Columbia.

The Hon. *C. S. Rogers* tabled the Annual Report of the Ministry of Environment, January 1, 1980 to March 31, 1981, and the Annual Report, 1981, of Technical Committee for the Long Range Transport of Atmospheric Pollutants in Western Canada.

The Hon. *P. L. McGeer* tabled the Third Annual Report of the Science Council of British Columbia.

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

Earlier today the Honourable Member for Skeena rose on a matter of privilege relating to the Estimates presented yesterday to the House on Message from His Honour the Lieutenant Governor. The Honourable Member stated the matter of privilege to be, and I quote: "The matter of privilege is that this particular document, the Estimates for the fiscal year ending March 31, 1983, is misleading in that the information contained in the back of the book is not carried forward and identified in the front of the book." The Honourable Member provided the Chair with a motion intended to be moved by him, if appropriate.

Honourable members will recall that earlier today a ruling was made by the Chair with respect to another matter of privilege raised by the Honourable Member for Skeena based on an allegation that "a misleading answer" had been given in the House to a question during oral question period. As stated in that ruling, the authorities show that a dispute arising between members as to allegations of facts do not fulfil the conditions of parliamentary privilege, although a deliberately misleading statement may be treated as a contempt. The rule applicable to statements made in the House is equally applicable to documents tabled in the House.

In any event, it would be virtually impossible for the Chair to find that the form of the Estimates, as presented to the House, could breach the privileges of the House when the House itself has previously enacted legislation specifically providing that the form of those Estimates of Revenue and Expenditure shall be prepared as directed by Treasury Board for presentation to the Assembly by the Minister of Finance.

Under the circumstances, I am unable to conclude that a *prima facie* case of breach of privilege has been established.

H. W. SCHROEDER, *Speaker*

The Hon. H. A. Curtis made a ministerial statement relating to the format of the Estimates previously presented to the House, and tabled a document entitled, "Province of British Columbia 1982/83 Estimates, Detailed Summaries by Ministry."

Mr. Barrett made a statement relating to the same matter.

1 Mr. Kempf asked the Hon. the Minister of Environment the following questions:

With reference to the operation of the Fish and Wildlife Branch Office in Smithers—

1. How many full-time employees work out of this office?
2. How many part-time employees work out of this office?
3. What is the total breakdown of their job classifications?

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

"1. Number of full-time employees, nine.

"2. Number of part-time employees, *nil*.

"3. Job classification breakdown—In Smithers: Regional Fish and Wildlife Manager, Regional Fisheries Biologist, Regional Wildlife Biologist, Regional Habitat Protection Biologist, Fisheries Biologist, Wildlife Technician, and Habitat Protection Technician.

“Attached to Smithers’ Fish and Wildlife Office: Habitat Protection Technician (Queen Charlotte City) and Habitat Protection Technician (Terrace).

“Administrative support for the Fish and Wildlife program is provided by the Smithers’ regional administration section.

“Additional support services are provided to the Fish and Wildlife staff by the Regional Conservation Officer Service.”

And then the House adjourned at 6 p.m.

Wednesday, April 7, 1982

TWO O’CLOCK P.M.

Prayers by the Rev. *E. E. Austin*.

Order called for “Oral Questions by Members.”

The Hon. *H. W. Schroeder* (Speaker) tabled the following:

Report of the Legislative Library’s activities for the year 1981;

Letter from Dr. Soufy Abou Taleb, Speaker of the Arab Republic of Egypt, acknowledging receipt of the condolences of the Legislative Assembly on the death of President Anwar Sadat.

Statements of Expenditures, Auditor General of British Columbia, March 31, 1981.

Pursuant to Order, the House resumed the adjourned debate on the motion “That Mr. Speaker do now leave the Chair” for the House to go into Committee of Supply.

The debate continued.

Mr. *King* rose on a matter of privilege relating to remarks attributed to the Honourable Minister of Tourism during the Budget debate.

By leave of the House, Mr. *King* read a motion he intended to move in the event the Chair found a *prima facie* case of privilege existed.

Mr. Speaker reserved his decision on the matter of privilege.

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

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

The Hon. *G. M. McCarthy* tabled the Annual Report of the Ministry of Human Resources for the fiscal year 1980–81.

The Hon. *H. A. Curtis* tabled the Report of the Auditor General for the year ended March 31, 1981.

The Hon. *A. V. Fraser* tabled the Annual Report of the Ministry of Transportation and Highways, 1980-81.

And then the House adjourned at 5.58 p.m.

Thursday, April 8, 1982

TEN O'CLOCK A.M.

Prayers by Mr. Speaker.

Ms. *Sanford* asked leave to move adjournment of the House to discuss a matter of urgent public importance relating to unemployment.

Mr. Speaker stated that, while the matter may well be extremely urgent, if the ordinary business of the House already provides an opportunity to discuss the matter, debate of the urgent matter may ensue accordingly.

Mr. Speaker further stated that this long-established precedent should be followed and that a ruling would be delivered to the House in proper form as soon as prepared.

Upon leave being asked to recess the House, leave was not granted.

Order for Committee of Supply called.

The House resolved itself into the Committee of Supply.

(IN THE COMMITTEE)

On the motion of the Hon. *H. A. Curtis*, it was *Resolved*—

From and out of the consolidated revenue fund there may be paid and applied in the manner and at the times the Government may determine

- (a) the sum of \$2,143,337,786 towards defraying the charges and expenses of the public service of the Province, not otherwise provided for, for the fiscal year ending March 31, 1983, and being substantially $\frac{1}{4}$ of the total amount of the votes of the main estimates for the fiscal year ending March 31, 1983, as laid before the Legislative Assembly at the present session, and
- (b) the sum of \$26,975,000 being substantially $\frac{1}{4}$ of the total amount required for the purposes referred to in Section B of Schedule B of the main estimates for the fiscal year ending March 31, 1983.

The Committee reported the Resolution.
Report to be considered forthwith.

On the motion of the Hon. *H. A. Curtis*, the report of the Resolution from the Committee of Supply on April 8, 1982, be now taken as read and received, read a second time, and agreed to.

Committee to sit again at the next sitting.

Order for Committee of Ways and Means called.

On the motion of the Hon. *H. A. Curtis*, it was *Ordered*, "That Mr. Speaker do now leave the Chair for the House to go into Committee of Ways and Means."

(IN THE COMMITTEE OF WAYS AND MEANS)

On the motion of the Hon. *H. A. Curtis*, it was *Resolved*—

From and out of the consolidated revenue fund there may be paid and applied in the manner and at the times the Government may determine

- (a) the sum of \$2,143,337,786 towards defraying the charges and expenses of the public service of the Province, not otherwise provided for, for the fiscal year ending March 31, 1983, and being substantially $\frac{1}{4}$ of the total amount of the votes of the main estimates for the fiscal year ending March 31, 1983, as laid before the Legislative Assembly at the present session, and
- (b) the sum of \$26,975,000 being substantially $\frac{1}{4}$ of the total amount required for the purposes referred to in Section B of Schedule B of the main estimates for the fiscal year ending March 31, 1983.

The Committee rose and reported the Resolution.

Resolution considered forthwith, taken as read and received, read a second time and adopted.

(IN THE HOUSE)

The Hon. *H. A. Curtis* presented Bill (No. 37) intituled *Supply Act (No. 1), 1982*.

Ordered, That the Bill be referred to a Committee of the Whole House forthwith.

(IN THE COMMITTEE)

Resolved, That the Committee rise and report to the House, recommending the introduction of the Bill.

Resolution reported.

Report considered forthwith and adopted.

Bill introduced and read a first time.

On the motion for the second reading of Bill (No. 37) intituled *Supply Act (No. 1), 1982*, a debate arose.

During the debate, pursuant to Standing Order 20, Mr. Speaker ordered the Honourable Minister of Industry and Small Business Development and the Honourable Second Member for Vancouver Centre to withdraw from the House during the remainder of the sitting.

Motion agreed to.

Bill read a second time.

On the motion of the Hon. *H. A. Curtis*, the Bill was referred to a Committee of the Whole House to be considered forthwith.

Bill committed, reported complete without amendment, read a third time and passed.

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

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

(No. 37) *Supply Act (No. 1), 1982.*

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

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

"In Her Majesty's name, His Honour the Lieutenant Governor doth thank Her Majesty's loyal subjects, accept their benevolence, and assent to this Bill."

His Honour the Lieutenant Governor was then pleased to retire.

The Hon. *E. M. Wolfe* tabled the Sixty-third Annual Report of the Public Service Commission of the Province of British Columbia.

The Hon. *J. J. Hewitt* tabled the Annual Report of the Milk Board for the year ended December 31, 1981.

Mr. Speaker delivered his reserved opinion as follows:

Honourable Members:

This morning, the Honourable Member for Comox sought to move, pursuant to Standing Order 35, that the House be adjourned to discuss a definite matter of urgent public importance, namely, the release of high unemployment figures by Statistics Canada.

Standing Order 35 provides a method by which the ordinary business slated for consideration by the House may be set aside so that an opportunity will be afforded to debate a matter where such opportunity would not otherwise arise.

The Orders of the Day indicate that priority has been given at this time to consideration of the debate on the Budget Speech. The scope of debate on the Budget Speech,

particularly in regard to economic matters, is broad, thereby affording an immediate opportunity to discuss the matter complained of.

As the opportunity is immediate there is no necessity for setting aside the ordinary business of the House and, accordingly, the matter would not come within Standing Order 35.

It should be noted that numerous Speakers of this House have ruled that consideration of the rate of unemployment involves an ongoing matter, thereby taking the question outside the scope of Standing Order 35. I would refer to the decision of Mr. Speaker Dowding on a similar application to be found at page 285 of the Journals of this House for 1974.

H. W. SCHROEDER, *Speaker*

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

And then the House adjourned at 12.44 p.m.

Tuesday, April 13, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *Cecil Barner*.

The Hon. *G. M. McCarthy* advised the House of the death of Mrs. Isabel P. Dawson, a former member of the Legislature. Mr. Speaker stated he would convey to the family of the late Mrs. Dawson the condolences and sympathy of the Members of the Legislative Assembly.

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 28) intituled *Compensation Stabilization Act* and recommends the same to the Legislative Assembly.

Government House,
April 7, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 19) intituled *Legislative Assembly Allowances (Limitation) Act* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

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

The Hon. *W. N. Vander Zalm* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 7, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 27) intituled *Education (Interim) Finance Act* and recommends the same to the Legislative Assembly.

Government House,
April 8, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 33) intituled *Mineral Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 7, 1982.

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

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

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

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

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

On Wednesday, April 7, the Honourable Member for Shuswap-Revelstoke rose on a matter of privilege relating to statements made by the Minister of Tourism during debates on that day. The Honourable Member disagreed with the allegations made by the Minister and stated (in part) his position in the following words: "Under these circumstances, I believe that my reputation has been slandered by that Member untruthfully . . ."

The Member, with leave of the House, read the motion he intended to move should a *prima facie* matter of privilege be established.

During the current session, several matters of privilege have been raised and it might be useful at this time to review certain practices which bear upon such matters.

Firstly, I would caution all honourable members against the growing practice of using matters of privilege as a foundation for the use of unparliamentary language, however inadvertent. The description of the alleged offence (and the proposed motion) must be couched in language acceptable to this House.

Secondly, a question has been raised as to whether the proposed motion should be read to the House or simply tendered to the Chair when the matter of privilege has been stated. While the Ottawa practice permits the reading of the motion as part of the complaint, our practice follows more closely the Westminster practice as outlined in the 19th Edition of May, at page 164. While it is noted that the practice in this House has not previously been clearly defined, leave of the House, direct or implied, appears to be a prerequisite for reading such a motion at the time the matter of privilege is first raised. It seems to the Chair that the English rule and the British Columbia practice call for the motion after the Speaker's intervention and, accordingly, until the Speaker finds a *prima facie* case of privilege the motion should not be read to the House but simply tendered to the Chair at the conclusion of the member's statement. The statement of the matter, together with the tendered motion, comprise the material which the Chair must examine to determine whether the matter qualifies, *prima facie*, as a matter of privilege. Accordingly, I rule this to be the correct practice in this House relating to motions founded on a matter of privilege.

The next matter which frequently arises is the question of the Chair's right to reserve its decision. The Chair is unaware of any authority in this House or elsewhere which requires the Chair to render an immediate decision on points of order or privilege, and common sense alone would militate against such a practice. Many points of order and matters of privilege are of grave importance and require lengthy deliberation. To suggest

that such decisions be rendered forthwith or that the whole process of Parliament be brought to a halt while a matter is being considered, is not in accordance with practice in this House or the authorities. I refer the members to a decision of this House recorded in the Journals of May 1980. Honourable members must accept the Chair's assurance that decisions are considered in a careful and expeditious manner. To end all uncertainty on this subject I confirm the earlier decision of the House of the Chair's right to reserve its decision.

Dealing with the specific complaint of the Member for Shuswap-Revelstoke, there is an allegation of improper behaviour at a conference by a person whom the Minister of Tourism describes as follows: "He was, I am told, the campaign manager for the Member from Revelstoke."

The Honourable Member for Shuswap-Revelstoke has advised the House that he received an invitation to the conference in question but that he was unable to attend because of other commitments and he did not send anyone to attend the conference on his behalf.

In short, the Minister says that someone representing the Member from Shuswap-Revelstoke behaved improperly at the conference in question while the Member from Shuswap-Revelstoke says that if anyone behaved improperly at the conference it had nothing to do with him and such an improper allegation amounts to a breach of privilege.

It is the Chair's view that the matter falls squarely into the category of decisions described as disputed facts, and this whole area of privilege was examined exhaustively in several rulings which may be found in the Journals of this House in March of 1975. Also, Beauchesne's 4th Edition at Citation 113 states as follows: "A dispute arising between two members, as to allegations of fact, does not fulfill the conditions of parliamentary privilege." However aggrieved a member may feel, this does not permit the Chair to extend the law of parliamentary privilege.

It is perhaps appropriate to mention here that all honourable members must bear responsibility for their statements made in this House, and it would be indeed unfortunate if reckless statements were made merely because of the immunity a member has while speaking in the Chamber. This immunity afforded each member carries with it a heavy attendant responsibility which every member would wish respected.

Under the circumstance, and in accordance with the authorities quoted above, I am unable to find the complained-of statement amounts to a *prima facie* breach of privilege.

H. W. SCHROEDER, *Speaker*

Upon the question for leave of the House to move a motion by the Honourable Member for Shuswap-Revelstoke, leave was not granted.

And then the House adjourned at 5.59 p.m.

Wednesday, April 14, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *James Barton*.

By leave of the House, the Minister of Tourism made a statement.

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

Mr. *Barrett* moved in amendment, seconded by Mr. *Howard*—

That the motion that "Mr. Speaker do now leave the Chair for the House to go into Committee of Supply" be amended by adding the following: "but this House regrets that in the opinion of this House the Honourable Minister of Finance, as a result of extravagant budgetary increases of more than 40 per cent in the past two fiscal years and by encouraging uncontrolled budgetary overruns totalling more than \$1 billion, has not only contributed to the economic difficulties in this Province but has failed to take steps to preserve the jobs of workers in basic industries such as forestry, pulp, paper, mining and smelting; has neglected to mobilize our human and natural resources toward a strategy of full employment embracing manufacturing and secondary industry; has failed to establish policies helpful to small business people; and also has made no attempt to relieve our citizens of the onerous burden of continued increases in the cost of living."

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

The Hon. *J. J. Hewitt* tabled the Ninth Annual Report of the Insurance Corporation of British Columbia for the year ended December 31, 1981.

The Hon. *E. M. Wolfe* tabled the First Citizens' Fund Administration Report, Approved Applications from January to December 1981.

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

And then the House adjourned at 6 p.m.

Thursday, April 15, 1982

TEN O'CLOCK A.M.

Pursuant to Order, the House resumed the adjourned debate on the amendment to the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate on the amendment continued.

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

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

And then the House adjourned at 11.57 a.m.

Thursday, April 15, 1982

TWO O'CLOCK P.M.

Prayers by Pastor *Alfred J. C. Johnson*.

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the amendment to the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate on the amendment continued.

By leave of the House, the Hon. *J. H. Heinrich* tabled the following:

Labour Relations Board of B.C. Annual Report, 1981.

Workers' Compensation Board of British Columbia 65th Annual Report for the year ended December 31, 1981.

The debate on the amendment continued.

During debate, by leave, the Hon. *E. M. Wolfe* tabled a document entitled, Size of Public Service in B.C., 1872-1981.

The debate on the amendment continued.

On the motion of Mr. *Davis*, 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. on Monday next.

By leave of the House, on the motion of the Hon. *G. B. Gardom*, the House proceeded to consideration of the following:

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

As we approach April 17, this most significant and historic day when the Queen of Canada, Elizabeth II, proclaims the *Canada Act 1982*, a made-in-Canada constitution, which establishes our country constitutionally as it has been in fact, a completely

sovereign and independent nation, we, the members of the Legislative Assembly of British Columbia reaffirm our commitment to our country, united from sea to sea, and our allegiance to the Crown, and we urge our fellow Canadians everywhere to associate themselves with these commitments and to oppose any forces that may seek to weaken or divide our federation or our provinces.

A debate arose.

Motion agreed to *nemine contradicente*.

And then the House adjourned at 5.47 p.m.

Monday, April 19, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *Daniel Noonan*.

Order called for "Oral Questions by Members."

Mr. *Barrett* rose on a matter of privilege relating to an answer given by the Minister of Finance during Oral Question Period.

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

Pursuant to Order, the House resumed the adjourned debate on the amendment to the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate on the amendment continued.

By leave, the Hon. *C. S. Rogers* tabled an invitation to a public meeting involving B.C. Place.

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

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

The Hon. *A. V. Fraser* tabled the Annual Report of the British Columbia Steamship Company for the year ending December 31, 1981.

The Hon. *D. M. Phillips* tabled the Annual Report and Financial Statements of the British Columbia Cellulose Company for the year ending December 31, 1981.

And then the House adjourned at 5.57 p.m.

Tuesday, April 20, 1982

TEN O'CLOCK A.M.

Pursuant to Order, the House resumed the adjourned debate on the amendment to the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate on the amendment continued.

Upon the question being put on the amendment, the House divided.

Amendment negated on the following division:

YEAS—23

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

NAYS—30

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

The debate continued.

On the motion of the Hon. *L. A. Williams* the debate was adjourned to the next sitting of the House.

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

And then the House adjourned at 11.57 a.m.

Tuesday, April 20, 1982

TWO O'CLOCK P.M.

Prayers by Father *Ivan Futter*.

The Hon. *T. M. Waterland* tabled the Five-year Forest and Range Resource Program 1982-1987.

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

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

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

Pursuant to Order, the Hon. *E. M. Wolfe* (Provincial Secretary and Minister of Government Services), presented the following report:

REPORT

LEGISLATIVE COMMITTEE ROOM,

April 20, 1982

MR. SPEAKER:

Your Special Committee appointed on November 23, 1981, to prepare and report lists of members to compose the Select Standing Committees of this House for the present Session begs to report that the following are the lists of members to compose the Select Standing Committees for the present Session.

STANDING ORDERS AND PRIVATE BILLS—Messrs. *Strachan* (Convener), *Mussallem*, *Richmond*, the Hon. *J. Davis*, P.C., the Hon. *H. A. Curtis*, the Hon. *P. J. Jordan*, the Hon. *C. S. Rogers*, the Hon. *E. M. Wolfe*, Mrs. *Dailly*, Messrs. *Barnes*, *D'Arcy*, *Hanson* and *Lauk*.

PUBLIC ACCOUNTS AND ECONOMIC AFFAIRS—Messrs. *Hall* (Convener), *Brummet*, *Ree*, *Ritchie*, the Hon. *J. R. Chabot*, the Hon. *A. V. Fraser*, the Hon. *P. S. Hyndman*, the Hon. *R. H. McClelland*, the Hon. *P. L. McGeer*, the Hon. *J. A. Nielsen*, the Hon. *D. M. Phillips*, Messrs. *Barber*, *Howard*, *King*, *Lauk*, *Lea* and *Stupich*.

AGRICULTURE—Messrs. *Ritchie* (Convener), *Davidson*, *Mussallem*, *Richmond*, *Strachan*, the Hon. *J. J. Hewitt*, the Hon. *W. N. Vander Zalm*, Messrs. *Gabelmann*, *Nicolson*, *Stupich* and Mrs. *Wallace*.

MUNICIPAL AFFAIRS AND HOUSING—Messrs. *Segarty* (Convener), *Ree*, *Richmond*, *Strachan*, the Hon. *J. R. Chabot*, the Hon. *B. R. D. Smith*, the Hon. *W. N. Vander Zalm*, Messrs. *Barber*, *Gabelmann*, *Lorimer* and *Passarell*.

LABOUR AND JUSTICE—Messrs. *Strachan* (Convener), *Segarty*, the Hon. *J. R. Chabot*, the Hon. *J. H. Heinrich*, the Hon. *P. S. Hyndman*, the Hon. *P. J. Jordan*, the Hon. *B. R. D. Smith*, Messrs. *Hanson*, *Howard*, *Macdonald* and Ms. *Sanford*.

HEALTH, EDUCATION AND HUMAN RESOURCES—Messrs. *Brummet* (Convener), *Ritchie*, *Segarty*, the Hon. *J. H. Heinrich*, the Hon. *G. M. McCarthy*, the Hon. *J. A. Nielsen*, the Hon. *B. R. D. Smith*, Ms. *Sanford*, Messrs. *Cocke*, *Lauk* and Ms. *Brown*.

TRANSPORTATION AND COMMUNICATIONS—The Hon. *J. Davis*, P.C. (Convener), Messrs. *Brummet*, *Ree*, *Richmond*, the Hon. *A. V. Fraser*, the Hon. *J. J. Hewitt*, the Hon. *D. M. Phillips*, Messrs. *Hanson*, *Lockstead*, *Lorimer* and *Mitchell*.

ENVIRONMENT AND RESOURCES—Messrs. *Segarty* (Convener), *Brummet*, the Hon. *J. Davis*, P.C., the Hon. *J. R. Chabot*, the Hon. *J. J. Hewitt*, the Hon. *R. H. McClelland*, the Hon. *C. S. Rogers*, the Hon. *T. M. Waterland*, Messrs. *D'Arcy*, *Howard*, *King*, *Skelly* and Mrs. *Wallace*.

CROWN CORPORATION REPORTING COMMITTEE—Mr. *Richmond* (existing Committee includes Messrs. *Kempf*, *Brummet*, *Mussallem*, *Ree*, *Ritchie*, *Segarty*, *Strachan*, the Hon. *J. Davis*, P.C., Mrs. *Dailly*, Messrs. *Howard*, *Leggatt*, *Levi*, *Macdonald* and *Nicolson*).

Respectfully submitted.

E. M. WOLFE, *Chairman*

The report was taken as read and received.

By leave of the House, the Hon. *E. M. Wolfe* moved that the report be adopted.

A debate arose.

Mr. Speaker stated that on a motion for the appointment of a Select Committee, it is not in order to discuss the names of the members who it is proposed shall compose the Committee; May, 17th Edition, at page 636.

Motion adopted on the following division:

YEAS—28

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

NAYS—24

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

And then the House adjourned at 6.04 p.m.

Wednesday, April 21, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. A. Calder.

Mr. Howard rose on a matter of privilege relating to the publication of a letter on a subject which is referred to in a Notice of Motion appearing on the Order Paper.

Mr. Speaker stated he would reserve his decision.

Order called for "Oral Questions by Members."

The Hon. J. J. Hewitt made a ministerial statement relating to the import into Canada of a product from Argentina.

Mr. Barrett made a statement relating to the same matter.

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

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

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

The Hon. H. W. Schroeder tabled Special Report No. 4 of the Ombudsman (The Certificate of the Attorney General).

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

On Monday last, the Leader of the Opposition rose on a point of privilege and alleged that the Minister of Finance had misled the House through making two conflicting statements.

One statement was referred to as being made "to the House on Budget Day and to be found at page 40". I have checked the Hansard Report for April 5, 1982, and cannot find the statement referred to by the Leader of the Opposition, nor can I find that any document containing the statement referred to has been tabled in the House.

The second statement referred to by the Leader of the Opposition was contained in answers to questions given in the Oral Question Period during last Monday's sitting:

Mr. Barrett: I have a question for the Minister of Finance. Has the Government decided that the long-term borrowing for B.C. Railway will be used to fund interim borrowing during 1981-82 and 1982-83 for construction of the Tumbler Ridge branch line?

Hon. Mr. *Curtis*: There are a number of matters with respect to funding of British Columbia Rail activities which are still in the developmental stage in so far as the Government is concerned, and I am afraid I cannot assist the Member further on that particular point. It is a matter of developing policy.

Mr. *Barrett*: Would it be incorrect, based on your answer, for any member of this House to state flatly that the Government has decided that the long-term borrowing forecast for B.C. Railway will be used to fund interim borrowing during 1981-82 and 1982-83 for construction of the Tumbler Ridge branch line?

Hon. Mr. *Curtis*: Mr. Speaker, I can give the Member no guidance on that particular question at this point.

On Monday, when the complaint was raised, I noted that the Minister of Finance was not in the House to answer the complaint. Traditionally, before making a complaint against a member, it is a correct practice to give him notice so that he may be present, or in the case of a document, to present the same so that it may be read.

Sir Erskine May's Parliamentary Practice, 16th Edition, states that it is a contempt of Parliament to deliberately mislead the House. The same text indicates that a complaint founded upon a document or publication may only be heard where the complaining party lays upon the Table the document or publication complained of. On February 19, 1974, Mr. Speaker ruled that the proceedings on a point of privilege could not be entertained unless the publication was before the House. In the case at hand, no document has been filed with the House.

In the absence of the document complained of, the Chair cannot consider its contents, nor can it compare them with the answers complained of, and accordingly, if the Member wishes to pursue the matter further, it will be necessary to use the Order Paper.

H. W. SCHROEDER, *Speaker*

Mr. Speaker stated that he would take under advisement the practice of the House to be followed when leave of the House is sought to place before the House a motion or intended notice of motion of which the House has no previous knowledge.

And then the House adjourned at 6.04 p.m.

Thursday, April 22, 1982

TEN O'CLOCK A.M.

On the motion of Mr. *Barnes*, by leave of the House, it was *Resolved* that the Members of the Legislative Assembly of British Columbia extend their congratulations to the Vancouver Canucks for their victory over the Los Angeles Kings in the Smythe Division of the Stanley Cup quarter-finals.

Mr. *Lea* rose, pursuant to Standing Order 35, and asked leave to move adjournment of the House to discuss a matter of urgent public importance, namely, the negotiation of federal subsidies for the operation of certain British Columbia ferry routes.

Mr. Speaker stated that an immediate opportunity for discussion of the matter would occur during the next order of business but that he would reserve his decision.

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

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

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

And then the House adjourned at 12.02 p.m.

Thursday, April 22, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. Canon *D. R. Chassels*.

Order called for "Oral Questions by Members."

Pursuant to Order, the House resumed the adjourned debate on the motion "That Mr. Speaker do now leave the Chair" for the House to go into Committee of Supply.

The debate continued.

During the debate Mr. *Leggatt* raised a matter of privilege relating to the remarks made by the Minister of Industry and Small Business Development on Tuesday, April 20 last.

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

The debate continued.

Motion agreed to on the following division:

YEAS—30

Brummet
Mussallem
Segarty
Strachan
Davis
Kempf
Nielsen
Fraser

McGeer
Phillips
Curtis
Bennett
Gardom
Williams
McCarthy
Wolfe

Davidson
Ree
Richmond
Ritchie
Vander Zalm
Jordan
Hewitt

Heinrich
Smith
Rogers
McClelland
Chabot
Hyndman
Waterland

NAYS—21

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

Order for Committee of Supply.

(IN THE COMMITTEE)

The Committee rose and reported progress.
Report to be considered at the next sitting.
Committee to sit again at the next sitting.

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

And then the House adjourned at 5.43 p.m.

Friday, April 23, 1982

TEN O'CLOCK A.M.

Prayers by the Rev. *K. M. Collison*.

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 18) intituled *System Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 20) intituled *Income Tax Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 24) intituled *Financial Administration Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

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

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

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 25) intituled *Ferry Corporation Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

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

Mr. *Macdonald* asked leave to move a motion.

Leave was not granted.

Order for Committee of Supply called.

Pursuant to Order, the House again resolved itself into the Committee of Supply.

(IN THE COMMITTEE)

The Committee rose and reported progress.
Report to be considered at the next sitting.
Committee to sit again at the next sitting.

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

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

During the debate, Mr. *Nicolson* rose on a matter of privilege relating to the Bill.

Mr. Speaker stated he would reserve his decision.

On the motion of Mr. *Lauk*, 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. on Monday next.

And then the House adjourned at 1.02 p.m.

Monday, April 26, 1982

TWO O'CLOCK P.M.

Prayers by Mr. Speaker.

Order called for "Oral Questions by Members."

Order for Committee of Supply called.

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

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

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

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

And then the House adjourned at 6 p.m.