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Official Report of
DEBATES OF THE LEGISLATIVE ASSEMBLY
(Hansard)

WEDNESDAY, NOVEMBER 7, 1973

Afternoon Sitting

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WEDNESDAY, NOVEMBER 7, 1973

The House met at 2 p.m.

Prayers.

MR. C. LIDEN (Delta): Mr. Speaker, I would ask the Members to join with me in welcoming a class of students from the North Delta Senior High School, along with their teacher, Miss Barker.

HON. G.V. LAUK (Minister of Industrial Development, Trade and Commerce): Mr. Speaker, I understand that at lunch you had the pleasure of entertaining some of our Pages in the House. They have been very hard-working this session and they have done their duty far beyond what was expected of them.

I have a note from Leona, Laurie, Louise and Keith who are presently in the gallery with some of the Tuesday shift. I thought that this would be an opportunity for the House to thank the Pages for a job well done.

MRS. P.J. JORDAN (North Okanagan): Mr. Speaker, I'm sure you will be pleased to know that we have a young couple, Mr. and Mrs. Cayford, in the gallery this afternoon who are visiting from Armstrong. They are dairy farmers and I think they are an example of the fine young people we have in British Columbia that are starting out in an exciting industry. I wish the House would all join with me in welcoming them.

HON. L. NICOLSON (Minister Without Portfolio): Mr. Speaker, I notice two people in the gallery today who have connections with the Nelson-Creston riding, Mr. David Tees, graduate of L.V. Rogers Senior Secondary

School, and Alderman Mike Jesson, City of Nelson. I wish the Members would join me in welcoming them here today.

MR. G.B. GARDOM (Vancouver–Point Grey): Mr. Speaker, I would like to ask all Members to extend a most cordial welcome to the Liberal Party's loss and the press gallery's gain, Mr. Barrie Clark.

MR. J.H. GORST (Esquimalt): I draw the attention of the House today to students in the gallery from Belmont Fisher Secondary School, accompanied by their teacher, Jim London.

MRS. D. WEBSTER (Vancouver South): Mr. Speaker, I would like the House to join me in welcoming a member of our gallery — not the press gallery — who has been in attendance constantly throughout this session. She probably has as perfect a record as any Member in this House: Mrs. Ruth Johnson.

Oral questions.

RESTART DATE FOR CAN-CEL SULPHITE OPERATION

MR. H.A. CURTIS (Saanich and the Islands): Mr. Speaker, to the Minister of Lands, Forests and Water Resources, with respect to the Can-Cel operation at Prince Rupert: I wonder if he could indicate to the House the tentative date by which the recovery plant for the Can-Cel sulphite operation will be operative.

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): I'm afraid I don't have any detailed information with respect to the question, and I take it as notice, Mr. Speaker.

MR. CURTIS: Supplementary: could the Minister perhaps undertake to notify me by memorandum on this matter within the next few days — a week?

HON. MR. WILLIAMS: Yes, I certainly will follow it up with the Member, Mr. Speaker.

BCR SAFETY MEASURES

MR. D.M. PHILLIPS (South Peace River): Mr. Speaker, I would like to address a question to the president of the British Columbia Railway. In achieving the headlines regarding the British Columbia Railway, with regard to its safety, does the Premier realize that the railway may be open for great liability claims if the safety factor is brought into question, leads to employee injury? What has he ordered the railway to do by way of...?

MR. SPEAKER: Order, please. There are no two questions at the same time in this House, or in any House. What is your first question? Which one do you want the Minister to answer?

MR. PHILLIPS: Well, I want the Minister to answer the question: what instructions has he given in regards to precautions on the railway, with regard to the safety factor — that he has brought up himself?

HON. D. BARRETT (Premier): Mr. Speaker, I've asked the railway to use all necessary safety caution. In considering the information that's available — in some instances the traffic on some parts of the track is down to below 15 miles an hour.

It's necessary to observe all the safety precautions because of the situation we found the railway in. If there is a court case, that's a matter for the court to decide. But certainly the railroad is exercising all caution, especially with the information we have.

MR. PHILLIPS: A supplementary question, Mr. Speaker. Is the Premier and the president of the railway double-talking? He said in the House the other night that he issued no orders with regard to safety on the railway. He

said that in the House. But now he tells me he has issued orders. Would the Premier please make it straight what's going on?

MR. SPEAKER: Order. The question is argumentative and is therefore not....

MR. PHILLIPS: Argumentative? The Premier said in the House one thing, and now he says today another thing. I would like to know what's going on.

HON. MR. BARRETT: Mr. Speaker, on a point of order: I recall, when the question was asked by the Member, saying that I had urged the railway to take all safety precautions. That's the recall of my statement, Mr. Speaker.

MR. PHILLIPS: Let's get things straight here.

MR. SPEAKER: Let's not engage in a debate, please.

MR. PHILLIPS: The Premier said clearly that he had issued no orders with regard to safety on the railway.

MR. SPEAKER: Order, please. These matters are on record in the House and are not subject, therefore, to debate at this time in question period. Would the Hon. Member please be seated?

MR. PHILLIPS: Just a moment, Mr. Speaker; a supplementary question. I would like to know if the Premier has issued specific orders with regard to safety on the railway so that the employees.... I'm concerned for the employees of the railway, and I'm also concerned for the shippers of goods on that railway. Has he issued specific orders?

HON. MR. BARRETT: Mr. Speaker, I have requested that the railway take all safety precautions at all times.

Interjections.

MR. SPEAKER: Order, please. The answers have been given to those statements. Order, please!

AN HON. MEMBER: There must be another full moon. (Laughter.)

STEEL PRICE INCREASE

MR. G.S. WALLACE (Oak Bay): Mr. Speaker, could I ask the Premier if he has any plans to deal with the serious situation arising out of the unilateral action of Western Canada Steel in increasing the price of steel to contractors, who are now finding themselves in severe financial difficulties because of the unilateral raise in price during the life of a contract?

HON. MR. BARRETT: Yes, Mr. Speaker, I welcome the question. There is an intensive report being prepared for the Minister of Trade and Industry. I find it difficult to understand, since we have had the great new awareness about the sanctity of contract in free enterprise in British Columbia, that a free enterprise firm would enter into such actions. I thought that the sanctitive contract meant a great deal to free enterprisers.

Nonetheless, Mr. Speaker, I'm anticipating the report from the Minister of Industrial Development, Trade and Commerce (Hon. Mr. Lauk). I hope that they don't destroy contracts because that may upset free enterprise.

CAPITAL COST EXPENDITURES OF INSURANCE CORPORATION OF B.C.

MR. GARDOM: To the Minister of Transport and Communications, Mr. Speaker. Has the Hon. Minister instructed anyone or authorized anyone to determine the capital cost expenditures of the Insurance Corporation of

British Columbia to date?

HON. R.M. STRACHAN (Minister of Transport and Communications): There's a question on the order paper by the same Member referring to that particular topic.

MR. GARDOM: For six weeks! Still no answer.

MR. SPEAKER: Then the question is out of order in oral questions.

COMPETITION FOR FERRY CONTRACTS

MR. D.A. ANDERSON (Victoria): Mr. Speaker, may I ask the Minister of Transport and Communications perhaps for the last time whether or not Canadian firms were given the same opportunity of competing on the same ferry contracts as was awarded to Nickum Spaulding of Seattle on October 23 of this year?

MR. SPEAKER: That has been asked before in this House has it?

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MR. D.A. ANDERSON: Yes, Mr. Speaker, as you have pointed out to me on numerous occasions when I asked this question previously. If I don't get an answer, I have to keep asking the question.

MR. SPEAKER: I think you understand the rules better than that, Hon. Member. You know that once a question has been asked you can't keep repeating it in an infinite variety of forms — under *Beauchesne* at page 147. Now is the rule right or are you right?

MR. GARDOM: Mr. Speaker, it's up to the Minister. He wants to make a statement.

MR. SPEAKER: Does the Hon. Minister want to reply?

HON. MR. STRACHAN: Mr. Speaker, I have made a cursory examination this morning of the two documents the Member tabled in the House yesterday. My initial reaction is that they justify the decision I made. I want to compare them very carefully and I will take this as notice.

MR. D.A. ANDERSON: Mr. Speaker, this question, as you correctly point out, was first raised by me the day after the contracts were let on October 24 — page 909 of *Hansard* repeated by me on page 1061 of *Hansard* on October 30; repeated again November 1, on page 1159 of *Hansard*; repeated since then in November a number of times. In view of the fact that this goes to the very heart of the accuracy of the Minister's statement which he made in this House on September 24, when he stated flatly that the same thing was asked...

MR. SPEAKER: Order, please. I would draw the attention of the Hon. Member to *Beauchesne*, page 148, the item shown there, number T: "The Member must not impugn the accuracy of information conveyed to the House by a Minister." Now that offends against the rule and I ask the Member to desist.

MR. D.A. ANDERSON: Mr. Speaker, on a point of privilege.

MR. SPEAKER: It can't be a point or privilege on the question of a rule. Maybe a point or order.

MR. D.A. ANDERSON: Well, take it as a point of order if you wish, but on a continued refusal of requests of this House to be provided with information on public contracts and public tendering, which has extended over many months, and in view of this continued refusal and since the evidence tabled in this House furnished by the Minister....

MR. SPEAKER: Your answer is not by debate in question period. You know the alternative, which is that

you file a motion. You should do it by motion; the House is otherwise not aware of what you're doing.

MR. D.A. ANDERSON: I'll be happy to put it by motion.

MR. SPEAKER: Will you please do so?

MR. D.A. ANDERSON: I've reluctantly, Mr. Speaker, been forced to this position by your ruling and by the continued obstinacy of the Minister.

MR. SPEAKER: Excuse me. It's not a question of the rules.

PROBABLE CLOSURE OF EVANS PLYWOOD PLANT

MR. WALLACE: Mr. Speaker, could I ask a question of the Minister of Lands, Forests and Water Resources, in view of the obvious concern expressed by the Vancouver District Labour Council regarding the Evans plywood plant which is liable to close down? I know I did ask this question earlier, Mr. Minister, but I keep receiving telegrams. I wonder if the Minister has any more up-to-date information he could give in his dealings or his plans to keep the plant open.

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): I don't think I can provide the House with any further information at this stage, except that I would like to make the point, Mr. Speaker, that this company did have cutting rights in the coast area of the province, a tree farm licence, and they chose to sell those cutting rights. I think that obviously that's caused some complications for them.

BY-ELECTION IN COWICHAN-MALAHAT

MR. PHILLIPS: Mr. Speaker, I would like to ask the Premier if the by-election in Cowichan-Malahat is going to be on the same date as the one in North Vancouver-Capilano?

HON. MR. BARRETT: I didn't hear him. Did he say Langley? (Laughter.)

MR. SPEAKER: I don't think that ironical questions are the subject of oral question period. I think the Member knows that.

EDUCATION STUDIES

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MR. WALLACE: I'd like to ask the Minister of Education, with regard to the various studies being done and particularly the working paper on university governments just issued, whether there are plans that these studies should go before the committee on education prior to legislation.

HON. E.E. DAILLY (Minister of Education): There are not any plans for that procedure for dealing with those studies. The basic idea behind those commissioned studies is to take them before the public, and you are certainly a member of the public.

MR. WALLACE: A quick supplementary question, Mr. Speaker. Could I ask the Minister then if it is more than likely in her view that it is not necessary to go to committee, or has any decision for or against going to committee been taken?

HON. MRS. DAILLY: No decision for or against has been taken.

CURTAILMENT OF THE USE OF FEDERAL LIP GRANTS FOR TEACHER-AIDES

MR. H.W. SCHROEDER (Chilliwack): This question is for the Minister of Education. Was there any consultation with any of the school boards or with the B.C. School Trustees Association before the imposition of the curtailment of the use of federal LIP grants for teacher-aides?

HON. MRS. DAILLY: No, there was no consultation on that particular letter prior to its being sent out. We believe that consultation should be a two-way street. In this particular issue we had school boards which had been entering into agreements through LIP grant projects without our knowledge of the amount of money concerned or the number of projects, which put us in a very untenable position in the department.

"INSIDER" TRADES IN STOCK MARKET

MR. GARDOM: I'd ask the Attorney General, if I could catch his ear — he's approaching his seat now — whether or not he has now determined if there were any "insider trades" in the stock Geostar Resources Ltd. after it went bankrupt and traded for 16 days on the Vancouver Stock Exchange.

HON. A.B. MACDONALD (Attorney General): Mr. Speaker, following the Member's question of two days ago....

MR. GARDOM: No.

HON. MR. MACDONALD: Yesterday?

MR. GARDOM: It was five weeks ago, and again yesterday.

HON. MR. MACDONALD: Yes, the original one. On each occasion I've sent the message over. Today I inquired again as to whether they had a report on any inside trading and the answer was that they had no such report but they were still examining the situation. So I'll be glad to receive the same question in two or three months' time.

MR. GARDOM: Do you think you'll find out by then?

HON. MR. MACDONALD: We don't want to rush the Securities Commission. (Laughter.)

Presenting reports.

Mr. Liden from the Special Committee on Privileges presented the committee's report, which was read as follows and received:

The Legislative Committee Room, November 7, 1973.

Mr. Speaker:

Your Special Committee on Privileges, appointed November 5, 1973, begs leave to report as follows:

The committee met on November 6, 1973 at 11 a. m. and heard several witnesses, considered documents filed and excerpts from *Hansard*. All evidence presented was considered by the committee and your committee concluded that the Minister, the Hon. R.M. Strachan, did not lie to the House.

All of which is respectfully submitted,

Carl Liden, Chairman.

MR. FX RICHTER (Leader of the Opposition): Mr. Speaker, on a point of privilege, will transcripts of the

hearing be made available to the members of that committee?

MR. SPEAKER: I would understand so. It's my understanding that under our standing order, on the request of members of the committee — that section which deals with *Hansard* transcripts in our standing orders — any member of the committee may request a transcript and the Speaker will order one. So that, of course, is so.

MR. J.R. CHABOT (Columbia River): Mr. Speaker, on the same point, I'm wondering. I was presented here a few moments ago with the minutes of the Special Committee on Privileges, established November 5 in the....

MR. SPEAKER: Order, please. Were you a member of the committee?

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MR. PHILLIPS: Certainly.

MR. SPEAKER: Well I am trying to find that out.

MR. CHABOT: Yes, I was. I'm wondering if these minutes have been tabled along with the report to the House. If not, I think they should....

MR. SPEAKER: We know nothing of what happens in committee. All this House can do is receive a report. That report has been received by motion of the House and that's all there is to it. There's no further point that I can see....

MR. CHABOT: Maybe the chairman would like to table the minutes as well. I'm sure the House would give him leave, Mr. Speaker.

MR. SPEAKER: Oh, I'm sure....

MR. CHABOT: I am sure the House would give him leave, Mr. Speaker.

MR. SPEAKER: Order, please! I'm sure the House would.

May I point out to the Hon. Member that where a report has been presented by the chairman, if there are any minutes to be entered in the House, that must be done in the report by resolution of the committee in the committee itself. We know nothing of what happens in the committee and it should be contained in the report.

I would refer you to *Speakers' Decisions* in that regard. Speaker Whittaker — now Mr. Justice Whittaker — in the *Journals*, 1943, at page 56, his decision is found in Vol. 3 of our *Speakers' Decisions* at page 39. If you look at that you'll see that the committee must....

MR. CHABOT: Page?

MR. SPEAKER: Page 39 of Vol. 3 of our *Speakers' Decisions*.

I point out that before this House can deal with the question of any minutes of evidence, you must include it in your report, and it must be appended to your report with a resolution showing that any minutes of evidence were to be submitted to the House.

That has not been done. That not being done, there is no further business before the House.

MR. CHABOT: Speaking to the presentation of the report....

MR. SPEAKER: Order, please! There's nothing to speak to.

MR. CHABOT: I'd like to ask leave to table the minutes of the committee on privilege.

MR. SPEAKER: Order, please! It would be irregular to do it unless the committee resolved to do it and the committee included it in the report which is read and received by this House on a motion. Now, can you say that that is so?

MR. CHABOT: Shall leave be granted?

MR. SPEAKER: Order, please! Would the Hon. Member inform the House, who were not present in the committee? (Laughter.) Would the Hon. Member be seated?

MR. CHABOT: I'm sure it would be very informative to the House to have these minutes, and I'm sure someone will make the necessary move to ensure that there's enlightenment in this House of what took place in that committee.

HON. MR. BARRETT: I move we proceed to orders of the day.

Motion approved.

Orders of the day.

HON. D. BARRETT (Premier): Mr. Speaker, report on public bills and orders. Report on Bill 7, Mr. Speaker.

AN ACT TO AMEND THE MILK INDUSTRY ACT

Bill 7 read a third time and passed.

HON. MR. BARRETT: Report on Bill 11, Mr. Speaker.

LABOUR CODE OF BRITISH COLUMBIA ACT

Bill 11 read a third time and passed.

HON. MR. BARRETT: Report on Bill 40, Mr. Speaker.

AN ACT TO AMEND THE PAYMENT OF WAGES ACT

Bill 40 read a third time and passed.

HON. MR. BARRETT: Report on Bill 48, Mr. Speaker.

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DEPARTMENT OF CONSUMER SERVICES ACT

Bill 48 read a third time and passed.

HON. MR. BARRETT: Report on Bill 70, Mr. Speaker.

PETROLEUM CORPORATION ACT

Bill 70 read a third time and passed on the following division:

YEAS — 33

Hall	Macdonald	Barrett
Dailly	Strachan	Nimsick
Stupich	Hartley	Calder
Nunweiler	Brown	Sanford
D'Arcy	Dent	Lorimer
Williams, R.A.	Cocke	King
Lea	Young	Radford
Lauk	Nicolson	Skelly
Gabelmann	Lockstead	Gorst
Rolston	Barnes	Steves
Kelly	Webster	Liden

NAYS — 15

Chabot	Richter	Jordan
Smith	Fraser	Phillips
McClelland	Morrison	Schroeder
Bennett	Anderson, D.A.	Williams, L.A.
Gardom	Curtis	Wallace

HON. MR. BARRETT: Report on Bill 71, Mr. Speaker.

WEED CONTROL ACT

Bill 71 read a third time and passed.

HON. MR. BARRETT: Report on Bill 75, Mr. Speaker.

PUBLIC SERVICE
LABOUR RELATIONS ACT

Bill 75 read a third time and passed.

HON. MR. BARRETT: Report on Bill 80, Mr. Speaker.

AN ACT TO AMEND
THE MINES REGULATION ACT

Bill 80 read a third time and passed.

HON. MR. BARRETT: Report on Bill 81, Mr. Speaker.

MEDICAL CENTRE
OF BRITISH COLUMBIA ACT

Bill 81 read a third time and passed.

HON. MR. BARRETT: Report on Bill 82, Mr. Speaker.

AN ACT TO AMEND
THE MENTAL HEALTH ACT, 1964

Bill 82 read a third time and passed.

HON. MR. BARRETT: Report on Bill 95, Mr. Speaker.

AN ACT TO AMEND
THE COAL MINES REGULATION ACT

Bill 95 read a third time and passed.

HON. MR. BARRETT: Report on Bill 100, Mr. Speaker.

HUMAN RIGHTS CODE
OF BRITISH COLUMBIA ACT

Bill 100 read a third time and passed.

HON. MR. BARRETT: Report on Bill 107, Mr. Speaker.

AN ACT TO AMEND
THE MINERAL LAND TAX ACT

Bill 107 read a third time and passed.

HON. MR. BARRETT: Committee on Bill 99, Mr. Speaker.

AN ACT TO AMEND
THE MOTOR-VEHICLE ACT

House in committee on Bill 99; Mr. Dent in the chair.

Sections 1 to 14 inclusive, approved.

Title approved.

HON. R.M. STRACHAN (Minister of Transport and Communications): Mr. Chairman, I move that the committee rise and report the bill complete without amendment.

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Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 99, *An Act to Amend the Motor-Vehicle Act*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on Bill 113, Mr. Speaker.

MR. F.X. RICHTER (Leader of the Opposition): A point of order, Mr. Speaker. Is it not usual to ask leave of the House to go through two steps of a bill within the one day?

MR. SPEAKER: Well, if we do, but this was not on report. Rather, this was not an amendment to this bill today. It's actually one step. If we come across that, I would certainly ask leave of the House, and if the Members will refer it to me, I will do so at the time if there's any problem of going through two stages in the same day.

AN ACT TO AMEND THE VITAL STATISTICS ACT

House in committee on Bill 113; Mr. Dent in the chair.

Sections 1 to 3 inclusive approved.

Title approved.

HON. D.G. COCKE (Minister of Health Services and Hospital Insurance): Mr. Chairman, I move the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 113, *An Act to Amend the Vital Statistics Act*, reported complete without amendment, read a third time, and passed.

HON. MR. BARRETT: Committee on Bill 115, Mr. Speaker.

AN ACT TO AMEND THE COMPANIES ACT

House in committee on Bill 115; Mr. Dent in the chair.

Sections 1 to 8 inclusive approved.

Title approved.

HON. A.B. MACDONALD (Attorney General): I move that the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 115, *An Act to Amend the Companies Act*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on Bill 116, Mr. Speaker.

PUBLIC SERVICE ACT

House in committee on Bill 116; Mr. Dent in the chair.

Section 1 approved.

On section 2.

MR. D.A. ANDERSON (Victoria): Section 2 (a). This is a curious section in light of the argument put forward by the government yesterday dealing with confidential relationships. May I ask whether "two-way" would apply to caucus employees of the NDP backbench?

Interjection.

Section 2 approved.

Section 3 approved.

On section 4.

MR. D.A. ANDERSON: The previous Act called for the commissioners to have experience within the public service for 10 years. I wonder whether the Minister would like to indicate the reason for the change — whether there's been some dissatisfaction with the previous practice. What are his plans in terms of continuing to have people on the commission who have had experience of actually operating as civil servants?

HON. E. HALL (Provincial Secretary): The fact of the matter at the moment, Mr. Chairman, is that the Civil Service Commission is a three-man commission of which we have lost two; and at the moment it is operating under some severe restrictions. Namely, we have lost the services of Mr. J. Edward Brown upon his retirement, and we've lost the services of Mr.

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Rickenson on his retirement. They were the two commissioners, and Mr. Art Richardson is the commissioner.

It is our intention, as you know, to have five — and we are opening it up to people who do not necessarily just have 10 years' experience in the civil service or in the service of the province. We are hoping to certainly make sure that the majority of the five members are indeed time-serving, experienced people, but I'm hoping to have at least one who has got some experience from outside, some experience with some of the more determined and hard-nosed bargaining tactics and procedures that we know they are going to have to face in the coming years.

I think that somebody who has had some experience in dealing with the trade union movement, particularly in the public sector, such as CUPE or some other association which is not a public element would be useful addition to that commission. I have no particular people in mind. That, I think, would be up to the.... That's the best answer I can give to the Member at this point.

MR. D.A. ANDERSON: Then it's three-two; three with experience and two from outside.

HON. MR. HALL: Oh, it's certainly not less than three from inside. It will more likely be four-to-one — much more likely four-and-one.

Section 4 approved.

Sections 5 to 14 inclusive approved.

On section 15.

MR. D.A. ANDERSON: I don't quite understand section 15. It appears to me that if someone is put on the redundant list, or if there is not a job for them at the moment, they go into some pool or other. What I want to know is whether they continue to remain as civil servants during such time as they are awaiting reassignment. It might mean that they are simply left without pay, for example. I doubt it, but it might mean that they were left without pay

during that period when you are searching for another slot to slip them in. I wonder whether the Minister will comment on 15.

HON. MR. HALL: They will remain in the service. They will be so classified and of course will have to be reported by departmental paper to the Treasury Board, for one thing. I know it's a little bit bureaucratic, but we have to make sure that these people surface in some way or another.

It is very important that the organizational plans of any department, once accepted by Treasury Board, are adhered to, and shifting of plans, which may cause the creation of supernumeraries, are dealt with in as speedy a fashion as possible. This ensures notification, they're kept on strength with a transfer as and when vacancies occur. But that shoulders a monthly charge — probably against about 81, I think it is, in the Finance department. That little extra piece of change.... We have about 81 in the Finance department — which is some millions of dollars.

Sections 15 to 48 inclusive approved.

On section 49.

MR. D.A. ANDERSON: Mr. Chairman, I noticed in the copy of *The Provincial*, dated September, 1973, an article which said that there is going to be.... And this article's entitled "Sorry, Canadians Only Need Apply."

"Provincial employees who aren't Canadian citizens have two months to obtain citizenship or face dismissal from the government service." And there have been instances during the last year of people in the Highways department having been released because they were not Canadian citizens. It goes on to say:

"That's the word from the civil service commission in its September 7 letter to the union, and it says, 'The commission's policy with respect to non-citizens already employed is that they be given two months' notice to obtain citizenship and if they do not obtain it in this time, they be released.'"

This section here continues along that line, as it goes for preference for Canadian citizens, and it goes on to talk about "no qualified Canadian citizens applying for the position...the commission may appoint another person as a temporary appointment."

As I understand the section it would mean that just as soon as a Canadian turned up with the qualifications, the previous person, who might well be a landed immigrant — he might be approaching citizenship — would be released. Yesterday we discussed at some length the human rights code which prohibited discrimination on the grounds of place of origin. I wonder whether we're not in a conflict here in a situation where a person has been employed because of failure to find a Canadian qualified; then they're employed by the civil service, they have every intention of becoming a Canadian citizen, but they cannot become one until their time is up, and they would then be released if a Canadian turned up.

I would think that under the human rights code, they might well have cause for complaint. In light of the fact that we passed that bill in this Legislature only yesterday, I wonder whether the Minister would like to comment on the difficulties that are going to be faced.

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While he's on his feet, perhaps he'd comment upon the people who are British subjects — in the previous Act we had British subjects or Canadian citizens — who maybe have been employed by the government for many years but for emotional reasons or any other have failed to give up their British subject status and have failed to take out Canadian papers. Will those people be required to take out papers, even though they may have 20, 25 or 35 years service with the British Columbia provincial civil service?

HON. MR. HALL: I think there are three parts to the question. May I say, first of all, that we've moved a bit more speedily than I thought we would have done this morning and I've only just got the note that the civil service commissioner, who I thought should be on the floor of the chamber today, has just arrived — in case I need any help.

His question No. 1 dealt with a newspaper story or a magazine story in the official journal of the B.C. Government Employees Union. I'm advised that that story is incorrect. It's not a correct translation of the policy. I'm assured that it's not really a correct translation of the letter.

MR. D.A. ANDERSON: There was a quotation from the letter.

HON. MR. HALL: Yes. However, let's leave that to one side for a moment. I don't think I should be brought to task in a way about what a union newspaper says about something when we've got the Act in front of us. We'll clear that up some other way, but I'm having it investigated in case there was an ambiguity in the letter from the civil service commission to the union.

The second question was: does section 49 mean that a person, who has some particular qualifications that cannot be found among the Canadian citizens in British Columbia, once employed, may lose his or her job because somebody comes along who has the capabilities? The answer to that is no. I think there are two meanings to the word "temporary." There's permanent temporary in the sense of the classification, and there's temporary in the sense of time.

I think you're reading it in the sense of time, that the person's only there as a temporary affair — temporary in the sense of one day, two days, three days. Is he or she there in the case of "not permanent," which is a classification? However, there would be no vacancy and they would not lose their job because somebody suddenly turned up brandishing a sheaf of qualifications. Once the competition is finalized, the competition is finalized. They must have some security of tenure, so the answer is no.

Thirdly, is there any discrimination in terms of the Human Rights Act? I think not. There's a preference here. Now that may be discrimination on the positive side. I don't want to get into semantic debates with the Member, who has shown himself rather adept at semantic debates. But it seems to me that if we can't expect that the service of this province and this country be staffed by members, citizens of this province and this country, I really don't.... I think that that's the first call on the public purse. If that's discrimination, all right, so be it.

The last question is: will somebody who now is simply a British subject and not a Canadian citizen lose their job by virtue of the fact of that? The answer is no. But in future, all employment will be based on Canadian citizens preference.

MR. D.A. ANDERSON: No retroactivity?

HON. MR. HALL: No retroactivity whatsoever.

Sections 49 to 60 inclusive approved.

On section 61.

MR. D.A. ANDERSON: Section 61 deals with suspension. In this section, the Minister and, in his absence, the Deputy Minister:

"may suspend from the performance of his duty any employee who is guilty of misconduct, negligence, or incompetence in the performance of his duty, or who is charged with a criminal offence that would render him unsuitable to perform his duty."

I realize it's a very difficult thing, but I wonder whether or not this violates the principle that a person remains innocent until proven guilty and whether or not this type of decision for a man to be pulled out of his job at the time he's charged — maybe quite incorrectly charged — would not again be an attack upon the person and a denial of natural justice. I don't know whether it's a standard provision in the previous Act; I didn't notice it when I looked at the previous Act. I wonder whether the Minister would comment upon that.

HON. MR. HALL: I think, Mr. Member, that this is taken from the kind of language that was used in the *Public Schools Act*, whereby we felt that if a person was charged with a serious offence, we should render to that

person some protection until the disposition of the case. There's no suggestion here that if found innocent there wouldn't be full restitution in every sense of the word plus retroactivity. I think that's the genesis of the suspension section.

MR. D.A. ANDERSON: But the immediately following paragraph, Mr. Minister, points out that

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he'll lose his pay when charged, as of the time of being charged, not as of the time of being convicted. While I agree that if he's innocent he'll get the money that's owed to him, it seems a little unjust to go after a fellow when charged but not convicted to have his pay stopped as of the time that he is charged. Pardon me, Mr. Chairman, I'm on 62, but the two sections really must be taken together.

HON. MR. HALL: I think section 61 deals with the salary that can be paid even if the person is found guilty. But I think if the person is found innocent, there's no suggestion is there, in 62, that anything other than full restitution take place?

MR. D.A. ANDERSON: What point, in finding he isn't guilty, would...?

HON. MR. HALL: It's the Minister, Deputy Minister or the public service grievance board and that means that it's got full collective bargaining for those members of the public service. They would come under the public service grievance board, as indeed would members not on collective bargaining. So you've got the grievance board, which is comprised of one person representing the employee, one the employer and then the chairman.

Sections 61 to 67 inclusive approved.

On section 68.

MR. D.A. ANDERSON: I have an amendment to put in after section 67 with consistent renumbering. It's in my name on the order paper and I'll give it to you here. The purpose of this, Mr. Chairman, is to make sure that in no way an employee, a civil servant, is denied his right to take part in an election, to become a candidate, to work for someone and to contribute money to someone.

The only restrictions I place on this in my amendment is that the candidate for election doesn't do these things at the time he is on the public payroll, and that he doesn't make use of his position in the civil service to canvass for votes.

This section is a particularly important one because while the *Human Rights Act* grants people rights in terms of political belief, this section deals with political activity and there's a distinction there.

The Hon. Premier has often mentioned that he got fired for political beliefs. I think he's wrong; he got fired for political activity.

It is that point that I wish to raise in this amendment. I am delighted to see that cheerful smile on the Provincial Secretary's face which indicates that he is going to accept this.

It is a good provision, granting full political rights to civil servants. I trust that this amendment, and with your indulgence, the consequent amendment in 69, which simply declares that an employee who is declared elected as a Member of the Legislature or Member of Parliament simply ceases to become an employee as of the time that he is declared elected.

I would, therefore, move this amendment.

HON. MR. HALL: Mr. Chairman, I want to first of all assure the Member that we are in total agreement with the principle underlying his amendment. In fact, that is already policy as announced by the Treasury Board to the Civil Service Commission immediately we took over this office — in case there was any misunderstanding left

or any doubt in anybody's mind.

It is our view that this is covered by the *Human Rights Act*, as mentioned by the Member. But more specifically, we believe this kind of amendment or statement should indeed cover all the workers of the province, not just the civil service. It is our intention to incorporate the body, the principle, which is well enunciated by the Member for Victoria in the elections Act which we think is the proper statute for that to find itself in. Therefore, giving that Member that assurance, I will not accept, on behalf of the government, the amendment at this time.

MR. D.A. ANDERSON: Well, Mr. Chairman, I appreciate the Hon. Provincial Secretary's words. In my view the *Human Rights Act* deals more with political belief than it does with political activity.

AN HON. MEMBER: The elections Act.

MR. D.A. ANDERSON: No, no. He mentioned the *Human Rights Act* as well as the elections Act. It is this point which is important. The Hon. Premier has often talked about political belief. In actual fact, his political beliefs, had he kept them to himself, would never have worried the previous administration or his immediate employer, had he kept them to himself. It was political activity that he found himself in difficulty over.

HON. MR. BARRETT: Who said that?

MR. D.A. ANDERSON: According to your own statements.

HON. MR. BARRETT: No, no, no. You don't know the case.

MR. D.A. ANDERSON: Well, had you kept your views to yourself, then obviously no one was going to catch you on political activity.

HON. MR. BARRETT: Mr. Member, I don't want

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to take the House's time, but I will show you how unfair they were with me — and I'll stake this job on it.

MR. CHAIRMAN: Order, please.

MR. D.A. ANDERSON: Well, we realize, Mr. Chairman, that the Premier often regrets this job. He's always talking about his previous profession and we are going to do our best to put him back into it. (Laughter.)

As far as the statement....

HON. MR. BARRETT: I've never left it, although you're a more difficult caseload.

MR. D.A. ANDERSON: As far as the suggestion by the Provincial Secretary that it should be in the elections Act, and this Act only deals with civil servants, well that's perfectly correct; it is only the *Civil Service Act*. Why shouldn't we put it in here now? When the elections Act comes up — God knows when it is coming up, I don't know. Perhaps I shouldn't say God. Perhaps He knows as well as some Members of the government. I don't know when it is coming up. Perhaps we could put this in, and if there happens to be a civil servant who wishes to be a candidate in a by-election — who knows? — it might come up in the next few months. That person will then be protected by this amendment well before the elections Act is amended — unless the Minister wishes to suggest that the elections Act is coming up right away. I would think this would be a useful thing. It would do no harm. I am glad to see you now looking much more agreeable to this suggestion.

HON. MR. BARRETT: Mr. Chairman, I raised this with the Provincial Secretary myself because I do have a peculiar interest. And I want to thank the Hon. Member for Victoria for bringing this amendment forward.

The answer I got from the Provincial Secretary, which I accept as valid, is that this same protection should be

given to all employees — that no one, regardless of where they work, should they wish to run, should be discriminated against. We should encourage people from the private sector and from the public sector to stand for office. That protection should be for all people.

In the instance between now and the elections Act if there is a by-election and there is a civil servant who is caught in this squeeze, I want to announce publicly that it will be government policy to ensure that that civil servant is protected. If that affects your potential candidate in North Vancouver–Capilano, please convey to him or her that they will be given leave of absence without pay. I would hope the private sector would follow the same policy, and we will write it in the elections Act. To put it just in this Act alone doesn't go far enough. So I accept the Provincial Secretary's assurance; I thank the Member for his amendment. I am looking forward to the action from the Provincial Secretary.

Amendment negatived.

MR. D.A. ANDERSON: I withdraw the amendment standing in my name on the order paper which I believe I sent to you — 69 makes no sense without 68.

Sections 68 and 69 approved.

On section 70.

MR. D.A. ANDERSON: I would like to add another section between section 69 and 70, which you will find on the order paper. This deals with a problem that we face from time to time, in particular when governments change. That is: you have people who have been employed in a confidential capacity by a Minister, or indeed by the Leader of the Opposition or some other person who is considered to be political. The person may have been employed for many years in this capacity. Suddenly, despite the fact that they have been operating as a somewhat glorified civil servant, they get turfed out on their ear.

I am not suggesting anybody who has taken a political appointment should not recognize the fact that there are risks involved. I do feel there are people who are perfectly qualified who have been working in Ministers' offices — I can think of people working for the present cabinet who are excellent people, good choices, who, if the cabinet and government were defeated, might well be thrown out on their ear. This should not happen.

In my view they should be given the option if they are qualified, to come into the provincial service at a level equivalent to what they had before. Obviously, if they are not qualified, simply got their job because they were a friend of the Minister or had known him for a number of years, or because they do his constituency work, you are dealing with something else.

But where you are dealing with a particularly competent and capable person, and the Civil Service Commission feels that the person could be usefully employed to the benefit of the public of British Columbia in the civil service, despite the change of government, in my view, that person should have some opportunity of getting into the provincial service.

I would like to add a new section 70 which points out that a Minister may appoint his executive assistant and other persons required in his office, and a person who is so hired ceases to be an employee 30

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days after the Minister is defeated but they can, within a year, be appointed without competition and in priority to other people who have had none of this government experience to a position in the public service for which in the opinion of the commission that person is qualified.

The reasons for this, of course, are that the Civil Service Commission has the control over who comes in. It's not an automatic right. We, therefore, will gain, I believe, competent people in the civil service who might otherwise simply be lost to the government.

I might also add that this would apply to a person working for an opposition party as well as the government party.

HON. MR. HALL: This sums up the difference of viewpoint, I guess, Mr. Chairman. The government doesn't find this amendment acceptable. We believe that those good people who will become cabinet Ministers' executive assistants, who become caucus assistants or research officers....

MR. GARDOM: Or the hacks.

HON. MR. HALL: Or the hacks, if you like — the ones you've been catcalling about, the ones you've been raising questions about, about the salaries and all that sort of thing. We believe they are political animals, Mr. Chairman, and they live and die with their Ministers.

HON. MR. BARRETT: You are not supposed to swear in this House. (Laughter.)

MR. CHAIRMAN: Order.

HON. MR. HALL: As far as I am concerned the philosophies of this government are different from the last one. It's different from the mandarins that hung around Ottawa for 40 and 50 years. We believe this government should be served by the best possible people it can get — identified as good people, as political people and they live and die with this government.

That's why we have been open about it. That's why we have put up with some of the rubbish that's come over from the other side of the House. If we wanted to waste the time of the House, we'd go through the Acts, we'd go through the lists, and we'd find all the people who have been buried, all the people that are still hanging on to bits of jobs because we decided that we would start the way right and not go on a punitive course that's already been threatened by people on the other side to the people who are in this category that is referred to.

It is a difference of philosophy and we don't accept it.

Interjections.

MR. CHAIRMAN: Order, please. One speaker at a time.

MR. D.A. ANDERSON: Mr. Chairman, the reference to "hacks" is understandable, but it is inappropriate to this amendment. The amendment is to deal with competent people. I am quite sure the Attorney General has competent people in his office. I don't think that his assistant is anything but competent. The same with the Provincial Secretary.

I'm not dealing with political appointments who perhaps got their jobs for other reasons. That's clear and I hope that's fully understood. But when a person comes in and, through no fault of his own, the government is defeated, there may well be a situation where he would like to continue in the civil service because that's essentially the type of work he has been carrying on. His abilities, I don't think, should be lost to the civil service if he so wishes.

The control mechanism is, of course, the Civil Service Commission. If the fellow or woman cannot read or write, I presume the Civil Service Commission might turn him or her down. If the person is unqualified, they will turn him down. But where the person is someone whom the Civil Service Commission thinks to be usefully employed, why should they not be given this opportunity of entry at a level commensurate with their experience and ability?

Amendment negatived.

Sections 70 to 78 inclusive approved.

Title approved.

HON. MR. HALL: Mr. Chairman, I move the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 116, *Public Service Act*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on a great bill, Mr. Speaker, 117.

COMMUNITY RECREATIONAL FACILITIES FUND APPROPRIATION ACT

The House in committee on Bill 117; Mr. Dent in the chair.

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On section 1.

MR. G.S. WALLACE (Oak Bay): Mr. Chairman, I certainly agree with the Premier that this is a great bill. I think it's one of the best bills this government has brought in. Members can haw-haw as they like on any side of the House; so far as I'm concerned this is a tremendous bill.

AN HON. MEMBER: Hear, hear!

MR. WALLACE: I'm not a little biased for Oak Bay has probably done as well as any community in the whole province in deriving money from this fund. I admit that openly...

AN HON. MEMBER: No politics. No politics.

MR. WALLACE: ...and say that I'm very pleased and think it's a good bill. I'll even go further, Mr. Premier, and pay you the personal compliment of a statement you made yesterday in debate when I was out of the House on another committee....

AN HON. MEMBER: Don't do that; I'll break down in tears if they.... (Laughter.)

MR. WALLACE: You reconsidered a situation on a compatible and comparable form of recreation, namely the playing of golf and the situation facing our golf courses. The Premier has made a statement which at least shows that he seriously reconsidered the position he took in this House not too long ago. I think on an issue such as recreation, and on an endeavour to get people out and get them involved in physical fitness programmes and in any kind of outdoor sport, this is a preventive medicine aim and it will have that very realistic result, I'm sure.

I just want to go clearly on record as supporting this bill and also recognizing the fact that the Premier has made a statement showing that he's aware, as a result of a lot of information put before him by individuals right across the province — this was not any pressure group; it was a cross-section of many, many people who put the evidence to the Premier — and he changed his position accordingly. I think that that deserves recognition in this House.

HON. MR. BARRETT: Mr. Chairman, I made it very clear though what the requirements were....

MR. G.B. GARDOM (Vancouver–Point Grey): February 14.

HON. MR. BARRETT: Beg pardon? Oh, it's not Valentine's Day. February 22, George Washington's birthday. A filibuster? (Laughter.) I was almost going to move the committee rise. (Laughter.)

Mr. Chairman, the conditions are: 1. It must be dedicated forever as open space; that is, the golf course....

AN HON. MEMBER: How long is that?

HON. MR. BARRETT: Forever? About as long as we'll be in government. (Laughter.)

AN HON. MEMBER: That won't be long.

HON. MR. BARRETT: That won't be long?

MR. D.M. PHILLIPS (South Peace River): That's only three years.

MR. CHAIRMAN: Order, please! section 1 of the bill.

HON. MR. BARRETT: Well, they haven't replaced their divots.

1. That it remain in perpetuity as an open space, preferably as a golf course. If they ever abandon the use of the golf course, then as a park. As long as it is not subdivided.

2. That it be open to the public. Now, this poses a problem to the exclusive private clubs. They've got to decide how they're going to handle this. I'm open to proposals and I'd be interested in hearing their proposals how they hope to handle it.

For instance, if they tell the government that there is a section set aside for lawn bowling for senior citizens and other activities, and they make a case that they are open to the public on a reasonable basis, then we're willing to listen. The first requirement is a must for all of us.

The spontaneous request from the community was very interesting. When I asked for community expression I got it, and the main argument was the environmental one. We buy it on that basis.

MR. R.H. McCLELLAND (Langley): Just a couple of questions. I must say that the official opposition is certainly in favour of this bill, and we'll take all the money we can get in Langley.

There are provisions in the *Municipal Act* presently which allow for the freezing of taxation for golf courses. In light of your comments, Mr. Premier, through you, Mr. Chairman, are those provisions going to be kept, because the conditions certainly aren't as stringent as those that you've suggested in the House today and last night?

HON. MR. BARRETT: No. The designation that exists in the *Municipal Act* will be kept, But I do not believe that all taxpayers should subsidize a specific activity that's privately-owned. I'm not being rigid

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about it; if they wish to come and present a case of a guaranteed minimum time and availability, then we'll write it in legislation and protect them right across the province.

MR. McCLELLAND: But you're saying they can still apply under the *Municipal Act*.

HON. MR. BARRETT: Oh, they can still apply under the *Municipal Act*, sure. Very few of them have done that, but we make it more available.

MR. RICHTER: Mr. Premier, just a point of interest. I am quite in accord with your provisions except that I see a technical matter here.

Each golf course has a capacity. If you're going to extend the membership completely wide open, it will virtually become useless because nobody will be able to play unless by appointment so many days ahead. I wonder if this transgresses?

HON. MR. BARRETT: Well, Mr. Chairman, there is a problem right now. That's why I said yesterday, "first come first served on the time available." I don't want the House to govern or create solutions or try to find solutions for each golf course's problem. They have a different traffic pattern. They must have an association out there; I would welcome the association or group of people to come together and advise the government how to handle this. If they haven't got room and they make the case that they haven't got room, that's fine, that's understandable.

MR. H.A. CURTIS (Saanich and the Islands): Mr. Chairman, if we could move away from the specifics of golf courses for just a moment. When we were discussing this in second reading yesterday there was one point which I neglected to mention. It's a pleasure to every once in a while be able to compliment the government when one feels that it is acting in a correct and proper manner.

We do see evidences of bureaucratic hang-ups and delays from time to time. I would like to speak to the House, through you, Mr. Chairman, with respect to the speed with which the applications have been processed. One could be cynical and suggest that it's a speed that would be reminiscent of the few weeks before a general election is held, but that obviously was not the case. To the best of my knowledge, as applications were received they were processed by the appropriate departments and the grants were approved with all possible haste. I think that is a matter of some importance.

HON. MR. BARRETT: I want to thank the Hon. Member. I want to say that we resisted the temptation to use this as a political vehicle as has been the pattern in the province.

AN HON. MEMBER: Ho hum.

HON. MR. BARRETT: Ho hum. Well, they can say that all they want.

The Minister has accepted the applications on the dates that they've come, processed them adequately and not used them as a political vehicle. Nor is there any question of requests from the riding and nor do we find situations where government MLAs announced projects in opposition Members' ridings. We're not going to call an election just because we've got this bill in the House — that's another thing.

On top of that, as a matter of fact, I would hope that when these facilities are open, the local MLA, regardless of party, would be invited; and when the opening ceremony is there, that the local MLA, regardless of party, is up there on the platform as a person who helped get the job done. I've got 12 years of openings in my riding. Mind you, there were so few in my riding because of other reasoning....

MR. PHILLIPS: Poor MLA.

HON. MR. BARRETT: Poor MLA. The former Minister of Highways, one P.A. Gaglardi, came into my riding and said to the chamber of commerce, who I don't get too many votes from, "If you keep on voting for Barrett you ain't going to get wolves in this riding." That's what he said. And where is Phil today? He's out working for delegates. I'm pleased with this bill, Mr. Chairman.

Section 1 approved.

Title approved.

HON. MR. BARRETT: Mr. Chairman, I move that the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 117, *Community Recreational Facilities Fund Appropriation Act*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on Bill 118, Mr. Speaker.

WEATHER MODIFICATION ACTIVITY ACT

House in committee on Bill 118; Mr. Dent in the chair.

Sections 1 to 4 inclusive approved.

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Title approved.

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): Mr. Chairman, I move the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 118, *Weather Modification Activity Act*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on Bill 119, Mr. Speaker.

House in committee on Bill 119; Mr. Dent in the chair.

Sections 1 to 6 inclusive approved.

Schedule approved.

Title approved.

HON. MR. MACDONALD: Mr. Chairman, I move that the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 119, *Vancouver Enabling Act, 1973*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Committee on Bill 120, Mr. Speaker.

STATUTE LAW AMENDMENT ACT, 1973 (SECOND SESSION)

The House in committee on Bill 120; Mr. Dent in the chair.

On section 1.

MR. GARDOM: The Hon. Attorney General promised the Legislature, Mr. Chairman, that he would sing for his supper in this bill, and we expect to receive from him an explanation of all of the sections.

HON. MR. MACDONALD: All of the sections?

MR. GARDOM: Right.

HON. MR. MACDONALD: In explanation of the first section, No. 1 speaks for itself.

Section 1 approved.

On section 2.

MR. GARDOM: Explain section 2.

HON. MR. MACDONALD: It speaks for itself.

MR. GARDOM: We heard that last year and we found out that we lost the PNE overnight. (Laughter.) I just want to make sure that we don't find Vancouver amalgamating with Pouce Coupe or some small subtlety like that, which is just a minor type of amendment. So I tend to think that....

AN HON. MEMBER: Who is your lawyer?

MR. GARDOM: That's a professional confidence, and the poor fellow is not in the best of retainers these days, anyway, so I perhaps couldn't suggest that. But I would like to hear from the Hon. Attorney General on this section and on the other one. I think he owes it to the Members.

HON. MR. MACDONALD: Mr. Chairman, section 2 in (a) and (b) clarifies the *Automobile Insurance Act* by making it very clear that we can't affect contracts made, say, in the City of Toronto or somewhere else. It's merely clarification. The repeal of clause (g), which is well known to this House, of section 49 is simply done because that section is also in the *Motor-vehicle Act* as section 2. It's supererogatory, therefore.

Section 2 approved.

On section 3.

MR. GARDOM: The *Credit Unions Act* appears continuously through the bill so maybe one general explanation would suffice for all of the Members and we could take it mutatis mutandis from that point on.

HON. MR. MACDONALD: Well, Mr. Chairman, I'm glad the Member asked about this because it is an exciting departure in that we are making credit unions equal to banks in respect to receiving money. Sometimes they are just ordinary deposits — like the City of Vancouver can use the credit union to deposit money in, just as it can use the Royal Bank of Canada

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or some other bank.

Sometimes it's trust funds, as you will see in some of the sections, which can be deposited in credit unions. In a whole range of Acts we are equating the credit union movement of this province, which is a very stable, expanding and exciting movement, with private commercial enterprises in terms of their ability to receive deposits, whether just ordinary bank deposits or, as I say, trust funds of real estate agents and things of that kind. There are a whole bunch of sections like that.

MR. GARDOM: I think it would be useful to the Members, Mr. Chairman, if the Attorney General explained — and since this is quite a departure from...what will I say?...accepted banking methods and principles, I think it's a good one — but I think it would be very useful if the Attorney General would explain to the Members and to the people of the province whether or not there are any restrictions upon the lending capacities of credit unions, and to what extent.

I gather that they have a far greater leeway in lending rights than do banks. Is it true that they can lend on

deposits? Is it true that they can lend on anticipated receivables?

HON. MR. MACDONALD: Well, Mr. Chairman, the credit union movement, of course, is subject to the inspector of credit unions, who is a provincial government employee. And they're subject to the Credit Union Reserve Board and its rules and regulations with respect to lending. Of course that board also reinsures all of the loans and deposits made within the credit union movement. That's the blanket of control and safety which is similar to, say, the *Bank Act* of Canada applying to commercial banks.

MR. GARDOM: Are they all subject to the Canada Deposit Insurance Corporation?

HON. MR. MACDONALD: None of them are. They're thinking about that.

MR. GARDOM: I beg your pardon?

HON. MR. MACDONALD: None of them are, but that is one way the credit union movement might go — the insurance on the first \$20,000 of deposits. At the moment the insurance is all through the Credit Union Reserve Board, but we are thinking in terms of a new *Credit Unions Act*. One of the matters that's being discussed within the credit union movement is whether or not they should also take advantage of that federal legislation.

MR. GARDOM: Well, I strongly recommend that they do so, Mr. Chairman, to the Attorney General, because at least we did find in the Commonwealth Trust situation that people who did have deposits were protected to the extent of this \$20,000. It's very, very valuable protection and I think the credit union movement should certainly do everything within their power to see that depositors receive that kind of protection under the Canada Deposit Insurance Corporation.

Sections 3 and 4 approved.

On section 5.

MR. J.R. CHABOT (Columbia River): Section 5, Mr. Chairman, is the section that places in the hands of the Minister expropriation powers which previously rested with the responsibility of the Lieutenant-Governor-in-Council. It means now that the Minister of Public Works, on his own initiative, is placed in a position of sole responsibility for the purpose of expropriation. It appears to be a continuation of the trend for central power in the hands of Ministers, moving it not only away from this Legislature, as we've seen from time to time, but now we see it being moved away from the Lieutenant-Governor-in-Council, which is the cabinet.

It is a consolidation of power, tremendous power, awesome power, in the hands of individual cabinet Ministers in this section 5. It has been indicated very clearly and very well put by the Member for Kamloops (Mr. G.H. Anderson) just last night when we were discussing in committee a particular matter relative to the Minister of Transport and Communications (Hon. Mr. Strachan). He said, very eloquently, that the Minister got all mixed up in the heat of debate. He suggested that in the heat of debate that Minister was all mixed up.

I want to say to you, Mr. Chairman, that I consider that the Minister of Public Works (Hon. Mr. Hartley) is all mixed up without the heat of debate. These are tremendous powers to give to a Minister, who I consider to be all mixed up, and they shouldn't be included in section 120.

I remember full well the hue and cry from that little government over there when they sat over here, when certain powers of this description were sought by the Department of Rehabilitation and Social Welfare. There was a tremendous scream at these awesome powers. Now that they're government we see it time and again, removing powers from the Legislative Assembly, removing powers from the Lieutenant-Governor-in-Council and placing them in the hands of one cabinet Minister.

This section should not pass and should not be included in this omnibus bill.

HON. MR. MACDONALD: The Minister already

has the power to expropriate; there is no change in that respect. At the moment, every little purchase, every construction of a shack in the course of public works has to go through the Lieutenant-Governor-in-Council. It is just to enable those small matters to take place without going through the process of an order-in-council in terms of a very small purchase or a very small construction project. That's the reason for the amendment.

MR. CHABOT: The Attorney General has suggested that these powers are here to resolve any little matter. These powers apply to the full power of expropriation, regardless of whether it's small, medium or large. I suspect that the cabinet meets twice a week, and I would think the powers should remain with the cabinet rather than with the Minister. I think that's more appropriate than taking on these abundant powers in the hands of one Minister.

Section 5 approved on the following division:

YEAS — 31

Hall	Macdonald	Barrett
Dailly	Strachan	Nimsick
Stupich	Calder	Nunweiler
Brown	Sanford	D'Arcy
Lorimer	Williams, R.A.	Cocke
King	Lea	Young
Radford	Lauk	Nicolson
Skelly	Gabelmann	Lockstead
Gorst	Rolston	Barnes
Steves	Kelly	Webster
Liden		

NAYS — 13

Chabot	Richter	Jordan
Smith	Fraser	Phillips
McClelland	Morrison	Schroeder
Anderson, D.A.	Gardom	Curtis
Wallace		

MR. CHABOT: When reporting to the Speaker, would you please inform him that a division took place on section 5 and ask leave for recording the division in the *Journals* of the House?

Sections 6 to 19 inclusive approved.

Title approved.

HON. MR. MACDONALD: Mr. Chairman, I move the committee rise and report the bill complete without amendment.

And, Mr. Chairman, I would like to suggest that the division which occurred on section 6 be reported to the Speaker and he be asked if we may have leave from him to record the names and how people voted.

MR. CHABOT: There was no division on section 6.

HON. MR. MACDONALD: Five, five.

Motion approved.

The House resumed; Mr. Speaker in the chair.

MR. CHAIRMAN: The committee reports the bill complete without amendment and further reports that a division took place in committee on section 5 and asks leave of the House that this be recorded in the *Journals* of the House.

Leave granted.

Bill 120, *Statute Law Amendment Act, 1973 (Second Session)*, reported complete without amendment, read a third time and passed.

HON. MR. BARRETT: Adjourned debate on second reading of Bill 64.

SOME HON. MEMBERS: Oh, oh.

DEPARTMENT OF TRANSPORT
AND COMMUNICATIONS ACT
(continued)

MR. SPEAKER: The Member for Prince Rupert (Hon. Mr. Lea) adjourned the debate.

AN HON. MEMBER: He's not here.

MR. SPEAKER: The floor is open. The Hon. Member for Langley.

MR. R.H. McCLELLAND (Langley): Thank you, Mr. Speaker. It's quite some time ago that we adjourned debate on this bill. As I recall the proceedings on the day the Minister introduced the bill, he referred to it, as usual, as a simple, little, housekeeping bill. Some housekeeping this is!

The Minister also referred to the report on communications from the federal people. We have no quarrel with that report in that section where the Minister said that the provincial government could have a role in the regulation of telecommunications to a certain degree.

But that report also said that there must be a national dimension maintained in any kind of a role that the provincial government has. I would suggest that that must be very carefully maintained at all

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times.

The Minister also referred to an organization of communications Ministers which he indicated was happening. But it's my understanding, Mr. Speaker, that the federal government has not agreed to any kind of a formal organization of communications Ministers. In fact, the federal government has been very clear that it will only entertain at this time an informal arrangement, strictly informal. So the communications Ministers of Canada are still a very informal group without any recognition. They're still illegitimate as far as the federal government is concerned.

I don't have the same degree of confidence in the Minister that the Conservative House Leader (Mr. Wallace) expressed in the debate on this bill. There is this same insidious thread running through all of this government's bills, Mr. Speaker. One hates to continue using the same terms, but there's no other way that you can do it except to say that this bill, like many other of the bills that have been presented in this session of the Legislature, rests total power

once again in the hands of the Minister without any reference to this Legislature. It also gives the Minister title to unrestricted spending, once again, Mr. Speaker, without any reference to this Legislature.

The concern has been expressed on many occasions in this House that we're rapidly becoming a meaningless body because of this thread that has been running through the legislation put forward by this socialist government, that thread of total power and total authority to unlimited spending without reference to the Legislature.

There seems once again to be an incredible hunger, Mr. Speaker, to intrude into the private sector in all matters with which this government concerns itself. Once again it has been given an open door to the Treasury to pour taxpayers' money down the drain in all kinds of endeavours, including those endeavours which do deal with both communications and transport.

The Member for Cariboo (Mr. Fraser) referred to the fact that the bill gives the Minister power to enter into all kinds of arrangements and to take over all kinds of private businesses without reference either to the Legislature or to any kind of fair play or compensation. The Member for Cariboo referred specifically to Greyhound Bus Lines and wondered if the Minister has the right under this bill to take over Greyhound. If so, the new slogan for Greyhound Lines might be, "Go Greyhound and leave the driving to Super-Bob."

I wonder which business the Minister does have his eyes on at this time. I wonder too, Mr. Speaker, looking at this bill, where this government's director of transit fits into all of the deliberations. Victor Parker made a statement to the City of Vancouver not too long ago that the government planned to get into the business of trans-oceanic cruise ships. When we asked that question in the House of the Minister of Municipal Affairs (Hon. Mr. Lorimer) we were told that it was a big joke, that there wasn't any plan to get into that kind of business.

But now we see this bill, and certainly this bill allows the government to get into that kind of business. I wonder why the director of transit made those comments to the City of Vancouver if he didn't in fact know that this bill was coming up. Perhaps we are going to get into the transoceanic cruise ship business.

Mr. Speaker, if the ferry system is any example of the management expertise of this Minister, any future endeavours that this government might get into are in serious trouble.

Is rapid transit going to be brought under this department? It would seem that it's in the wrong area right now in the Municipal Affairs Department. Considering the terms of this bill, is the Minister going to be the Minister of rapid transit as well as the Minister of ferries and the Minister of greyhound buses and the Minister of television stations and the Minister of radio stations and the Minister of local newspapers?

Interjection.

MR. McCLELLAND: I wasn't aware that the Minister had been appointed high commissioner to Scotland. Is that correct, Mr. Member? No? Oh, it's coming.

Why does the bill establish transportation and communication services for departments of the government? What does that mean: "establish transportation and communication services for departments :of the government."? Is each department now going to have its own propaganda mill? Does that mean we're going to have a jet for every Minister now instead of just for flying Bill?

It seems that the Minister is going to have the power, Mr. Speaker, to get into the television business as well, at least through cablevision. I think we have a right to ask in this House what the Minister's plans are in the area of cablevision.

There's a great danger, Mr. Speaker, in regard to government involvement in this area, particularly government involvement by this government which has shown that it cannot be trusted in many areas. I certainly don't believe that it can be trusted in the area of cablevision.

Has the government, and will the Minister tell us, Mr. Speaker, whether the government has entered

negotiations with Ottawa regarding the division of communications jurisdiction with the province? Mr. Speaker, I don't only want this Minister to tell me whether he's been involved with Ottawa in those negotiations; has any Minister or any person from this

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government been involved with Ottawa regarding the division of communications jurisdiction with the province?

Has the government entered into negotiations with Ottawa either through the Canadian Radio and Television Commission or through some other independent agency or person? Has the government entered into negotiations to develop a provincially-operated CATV service?

Many of the members of this government, Mr. Speaker, have shown a great degree of interest in cablevision. I include backbenchers and cabinet Ministers as well. To quote, Mr. Speaker, from the *Vancouver Province*, headed, "Cablevision Takeover Tops MLA's Want List:"

"B.C. should take over cablevision stations, natural gas production and distribution systems, and get into the recycling business, an NDP Member told the Legislature Wednesday. Harold Steves of Richmond, speaking during the budget debate, said the first step in the cable TV takeover should come through regulation of existing operations under a government-controlled B.C. Telephone Company. He said the government could use the phone company as its agent to regulate lease arrangements for cablevision stations and eventually they would be taken over."

Here's another quote from *The Vancouver Sun*, headed, "Cable TV Profit Study, Macdonald Tells Legislature."

"The government is looking very carefully at the cable television business and the considerable profits it makes, Attorney General Alex Macdonald said Wednesday. 'We are actively studying and pursuing that subject. We want to know exactly what our powers are.'" We'd like to know what those powers are as well."

Here's another item from the *Victoria Times*. "B.C. Wants To Control Cablevision," it's headed.

"The provincial government wants to acquire control of telephone and cablevision services in order to reduce rates and improve services in outlying areas of the province. Public Works Minister Bill Hartley today released a statement which is a reply to a position paper developed by Gerard Pelletier, the federal Minister of Communications. Hartley said the province is interested in obtaining jurisdiction over telephone and cablevision facilities because rates being charged are too high and quality is too low."

So there has been a lot of activity and a lot of interest expressed by the Members of this government dealing with the subject of the takeover of cablevision in the Province of British Columbia. I believe that we deserve an answer to the question of whether or not active negotiations have taken place in fact with Ottawa and whether or not those negotiations have developed into any kind of a programme which the Minister will announce in closing debate on this bill.

Private cable operators, Mr. Speaker, have come in for a lot of abuse by the Members of the NDP backbench and the government. But it's not generally known that British Columbia has been a world leader in the development and promotion of community antenna television systems. Canada is one of the most heavily cabled countries per capita in the world right now. The B.C. pioneers can take a good deal of credit for the rapid growth of CATV services not only in our own area but all over the world.

There are over six million Canadians now viewing their family television sets via cable. Victoria and Vancouver are the most heavily cabled of them all with 85 per cent of the people in this area now receiving television by cablevision.

It's interesting to note, Mr. Speaker, that British Columbia shares the honour with a couple of other areas in Canada as the birthplace of cable TV in 1952. Premier Cablevision of Vancouver is a prime example of a pioneering and energetic private company which started with not much more than an idea, developed that idea far beyond its own locale, spreading Canadian know-how to many parts of the world. They should be credited for that.

Mr. Speaker, the cablevision companies that I refer to are among the companies in British Columbia which have been seriously damaged by this government's attitudes and public statements affecting the stock market.

Cablevision companies, while reflecting a rapid rate of growth from a profit point of view and from an expansion point of view, have had serious problems with their common stock because of the uncertainty created by this government. And those companies have a right to know where this government stands and what negotiations it has already entered into.

The charges, Mr. Speaker, that private cablevision companies are ripping off the community are plain and utter nonsense. The private cablevision station in Vancouver, for instance, offers free TV channels for all to use. And that channel is open to all. The Premier has made a big thing out of saying that any community facility should be made available to all people; there's an example of a private company which has opened its doors to all community groups and interests, and makes those facilities freely available.

Hundreds of citizen groups in both Vancouver and Victoria have been given access to television where they would not normally have had such access. The same is true, Mr. Speaker, of nearly all ethnic groups, which have the free access to the private cablevision television stations. That's a situation that is rapidly expanding as well, because fully one-third of all of

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Canada's cable companies now transmit programmes originating locally in the companies' own studios. And that number is growing daily.

Right now, and perhaps some of the Members of this government have taken part, Vancouver cablevision, channel 10, is running a series dealing with political life in British Columbia — a very effective series and a very important series to the people of the lower mainland of British Columbia. It was conceived and produced by two university students and provides a valuable addition to the political education of the people of British Columbia. And it's being provided at no charge by a private cablevision company.

Cablevision in our part of the world has offered us a valuable public service and, given a minimum of government interference, will continue to develop.

The unlimited possibilities of this relatively new form of communication are boundless. Possibilities for the future are really mind-boggling — not just for the future, Mr. Speaker, but for right now with regard to cable television, especially with the development of two-way multi-channel systems — pay TV, adult education, and regular scholastic courses, along with any number of entertainment and sports programmes for special interest groups.

This kind of cable TV, Mr. Speaker, is here right now; it's not something out of science fiction. In fact they're ready to go now; all they need is approval from various government bodies. Once this policy for CATV is adopted, the systems are all go.

The government as well, Mr. Speaker, has shown serious interest in cable television for educational purposes. We find no fault with that because we feel that cable television holds a tremendous possibility for good in this area. But we must be very careful with the method in which we use cable television if we're going to get involved with it at all. I can refer to the example of the educational television in Ontario which the members of the House committee set up by yourself, Mr. Speaker, were privileged to attend last winter.

At least in my opinion, we saw a fascinating example of extravagance and waste at a very level — even putting this government to shame, which is difficult to do. But nevertheless, we saw a cable television system with — I forget what the budget is, perhaps the Member for Prince Rupert (Hon. Mr. Lea) would help me out on that — but I think it was \$40 million a year; really only a distribution company doing a very bad job for that \$40 million a year.

The Members who were on that committee will remember getting an example of a sexy soap opera which that educational television outfit had developed — I don't know what it had to do with education — but nevertheless, they had developed that kind of programme. The Members will also recall that the minute we walked in the doors of their very expensive offices — offices as expensive as the Minister of Human Resources' (Hon. Mr. Levi's) offices in the buildings here — the Members will recall that the first thing we were given was a little bottle of perfume, which was called Channel No. 19, I think, because their channel number was 19. Out of their \$40 million budget, I think they had \$12 million budgeted for perfume. Certainly not very much budgeted for good educational television.

So, Mr. Speaker, I just suggest if this government has designs on entering itself into educational television through this communications bill, that it be very careful and weigh all of the possibilities very carefully.

Mr. Speaker, I'm also concerned with the distribution of television coverage of this House. It's also a question of serious concern with regard to this bill. Will the new Minister, for instance, be responsible for those communications services as well? And if so, what are his plans in those areas?

Interjection.

MR. McCLELLAND: Distribution of television coverage, live, I presume, of the proceedings of this House.

We've already seen, Mr. Speaker, the committee which was dealing with the matter of television communications from this House which made recommendations with regard to lighting in this chamber and also with regard.... In fact, the recommendations were that we do provide television coverage of this House providing that we could do it without either disturbing the decorum of the House or disturbing the comfort of the Members.

I submit, Mr. Speaker, that we've already seen an example of the comfort of the Members being seriously disturbed in even the small examples that we've had of television coverage that we've had so far. I refer to the lights, which are, on occasion, blinding and very difficult to live with. I refer as well to the scaffolds which have been set up from time to time in the chamber, over which we must clamber and it makes it very difficult to get to our seats. So, I wonder, is the Minister going to be responsible for that kind of television service?

How will the Minister divide his responsibilities with the Speaker? Where do the Speaker's responsibilities end and where will the new Minister's responsibilities begin? Will there be consultation with the Minister of Transport and Communications (Hon. Mr. Strachan) before the Speaker announces any new government policy on television, either coverage or distribution of the proceedings of this House, or times for television proceedings? — any kind of government policy?

The Speaker, Mr. Speaker, has expressed great

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concern about so-called "editorial selectivity," I believe were his words, vested in the media. He has completely ignored, and this is for the Minister's information, the recommendations of the special committee on television broadcasting, and has completely misunderstood the committee's intent of free access by the media to proceedings of this House.

Frankly, Mr. Speaker, I'm frightened that in future communications policies, the obsession expressed by the Speaker and other Members of this government about editorial selectivity by the press will be replaced by editorial interference by this government. In fact, the statements made, both by the Speaker and by other Members, seem to indicate that the directions.... And I refer to the second report under the *Legislative Procedure and Practice Inquiry Act*, which says: "acceptance of a cropped, edited, revised, abridged, replayed television in the hands of a new breed of political editors who happen to use scissors instead of a blue pencil to build their version of parliament must be resisted firmly and finally."

Now is that the opinion of the Minister of Transport and Communications? Because if we are to set up any communications system, either to distribute legislative TV or radio coverage, or for any other reason, Mr. Speaker,

the government should and must keep its hands off lest we really end up prostituting the concept of a free press in this province. Because I'll take my chances, Mr. Speaker, with the press rather than the editorial selectivity of the Minister of Transport and Communications.

Once again, Mr. Speaker, this bill, like all of the other major bills which have come before this House, is an erosion of the duties and responsibilities of this Legislature. Power is being conferred by order-in-council once again. The Act itself, Mr. Speaker, should outline the duties, the powers and the functions very clearly so that reference to this Legislature is maintained at all times.

Mr. Speaker, we're tired of seeing such awesome discretionary powers being vested in these cabinet Ministers. We don't trust these Ministers with those kind of wide-open powers. We cannot support the kind of legislation that is so obsessed with total Ministerial powers and which seems so obsessed with developing a communications system in British Columbia which will not have reference to the Legislature, which has serious possibilities for editorial interference by the Members of this government.

I don't believe for one moment that this government, given the chance to interfere with the free press, would not, in fact, interfere with the free press in this country.

MR. GARDOM: Well the significance of the opposition's argument to this bill, Mr. Speaker, I think is best summarized by a thoughtful analysis of the unique — to use a rather bland word — remarks of the ex-media man, the Minister of Highways (Hon. Mr. Lea), now Minister of the Crown, and one who has the sworn obligation, as have all of us in here, to do the best job he possibly can for not only those of his own dictates and passions but for all of the people of B.C.

One has to bear in mind with that statement, Mr. Speaker, that we have a minority government here in one great sense, and it has compromised the majority of the wishes of the people of B.C. — it received a minority of votes: 38 per cent.

But emanating from that is a majority of power. One would think with such a sensitive mandate that the 62 per cent apparently gave to the 38 per cent, the power was a thing to be exercised by this government with caution, with a most careful consideration and, I'd say, with the greatest of temerity. But this isn't the situation. We've run into the unbridled course and that appears to be the clear direction of this government, The Minister of Highways, when he spoke in second reading of this bill, indicated that if he had his way, bias would play a part. If he had his way, bias would play a part.

Now presumably by that he would mean that if he had his way his bias would dictate government intervention, government power plays or government control, government dissemination of government policy, government news — owned-and-controlled media.

He also inferred that the only fear he had really from exercising this very terrifying bias was his fear of being removed from his office. He said only that fear, and this appears to be his one check and his one very small balance.

So one must ask then, Mr. Speaker, how very easy would it be for the Minister of Highways or any other government Member to compromise that one check and balance — the fear of being removed from office. And to what extent would he be prepared to compromise his now-expressed attitude to parliamentary democracy to one which would overcome the obstacle that is in his way at the present time? Would he indeed turn, shall we say, on the electoral process to prevent his being removed from his only worry, that of losing office?

Now I consider these to be very scary sentiments that were expressed by the Minister in this chamber, and indeed very frightening prospects for the 62 per cent of the people in the Province of British Columbia who not only do not subscribe to but utterly reject the raw-power postures that have been enunciated by that Minister, and have been enunciated in this House in the legislation throughout this session.

I think the Minister of Highways is certainly entitled to one credit and that is for the frankness of

his expression; but I would say total discredit for the philosophies that he enunciated.

Lord Acton knew pretty well what he was talking about when he said, "Power corrupts and absolute power corrupts absolutely." So why, indeed, does the government choose within this legislation to give itself that absolute mandate? And why does it grant such powers to its Minister, who may have the ability to succumb or lack the capacity to face all of the temptation, which temptation was so demonstratively expressed by the Minister of Highways?

This type of opportunity for abuse should be statutorily restricted. We should have a democratic hand on the brake here, Mr. Chairman, and certainly see that we have democratic checks and a democratic balance.

But this doesn't seem to be the lifestyle of this government to do that. Because by the regulating and structuring and power of the cabinet mechanisms that they're constantly enacting day by day, they are running roughshod over the concepts of these needs for a democratic society.

Now you say "structure society." You want to do that, as 38 per cent of the people deem fit; regulate as the 38 per cent of the people in B.C. deem fit; govern all of society by order-in-council as about one half of the 38 per centers over here decide to order; wean off the value and the democratic check of open debate and slough off legislative confidence.

It's been the pretty obvious direction of this government throughout the session that they wish to see the doors of the courts closed as much as possible — no prerogative writs, lack of appeal, no rights against the very vicious powers of expropriation which have come up in a variety of the statutes that we've considered, and still no right for the individual to wage his lawsuit against the Crown.

We must suppose, Mr. Speaker, to extend the policies that have been enunciated to this point, the next one would be to see that the young are force-fed with doctrinaire socialism, and with this bill they will certainly have the raw power to do just that; to control, if they deem appropriate, the dissemination of news and to make subservient to the press.

Now all of these measures smack of the advent of a totalitarian state. If the government feels that this is wrong, then don't provide the powers. Accept I'd say, graciously, at least, the warnings that have been emphasized from the opposition benches — and unfortunately also so clearly emphasized by your very own speakers — of the potential for abuse.

Failing that, I think they've got to accept the criticism, Mr. Speaker, that this bill is just another very demonstrative and classic example of the erosion of basic human rights that daily is besetting British Columbia, from Red Square here to Victoria.

MR. D.A. ANDERSON (Victoria): Mr. Speaker, I rise to speak on second reading of this debate.

I am somewhat appalled by the amount of power which this Act is giving to the Minister and to his cabinet. I realize that this point has been made before. I realize that there has been plenty of discussion already, both on October 30 and tonight, on this particular problem. But the fact of the matter is that we have here before us one of the worst examples of the type of legislation which we have consistently opposed in this Legislature and which we will continue to consistently oppose.

It has been said by the Minister introducing this bill that it is a housekeeping bill. Really and truly, if that's his attitude, that frightens me very much, because it is not a housekeeping bill.

It's a bill that gathers together a tremendous number of functions of the provincial government which he listed in his speech to which I listened with great interest back in October; a great number of different government departments dealing with varying aspects of communications and transportation.

The fact of the matter is that the bill just doesn't do that. The bill in its interpretation section sets up the Minister with enormous powers, infinitely more than simply the collection of the previous bits and pieces which, as he correctly pointed out, were scattered throughout a number of other government departments.

I draw your attention to the interpretation section — definitions of communications, of transport — how it takes in virtually everything. Word of mouth, I think might well be taken in, too, when you consider that it means any manner, any means, any method by which information is transmitted.

It goes on: sound picture signals, electronics, et cetera, just about everything, every way of communicating is under that particular provision. And we have not heard any explanation from this Minister, or the Minister of Highways who spoke as well, as to the need for taking such extensive powers to the Minister. Had there been such explanation given, we could then discuss this in specific terms as to whether it was justified; when no explanation has been given we obviously are going to have to oppose this bill in principle.

We go on in the Act and we find that sections 5 and 6 increase and increase enormously the powers granted to this Minister. The combination of the definition section, and the powers of the department and the powers of the Minister add up to really something quite awesome and something which has not yet been justified by any statement of the Minister or by any statement by the Premier or by any statement of any other Minister.

I point out, Mr. Speaker, that the real powers in this Act are not given to the department; the real powers in this Act are given to the Minister — and

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he's capable of acting in his own right — and with the Lieutenant-Governor-in-Council, in just about any manner that he sees fit, under the general heading of communications, excepting only of course areas where the Parliament of Canada has exclusive control.

The departmental powers are few, and it's curious indeed that this bill is intitled the *Department of Transport and Communications Act*; it should be the "Minister of Communications and Transport Enabling Act," because that's essentially what the Act does.

In section 7 there is even the power to carry on investigations, to go in and question civil servants in a way which I don't think any other bill that we have seen has suggested, or indeed any Act that I know of which is on the statute books at the present time. Once again, no explanation as to why these extensive powers are needed.

Mr. Speaker, when we have put these views forward previously the government has come up with the argument, as it came up with it from time to time in this debate, which is essentially, "Trust us." We don't know why we need these wide powers either — it is essentially their argument. "But if we have them, we can use them if we need them, and if we don't have them, well, we might one day need them." It is a circular argument and it really gets us nowhere.

The point is that in this Legislature we should be, as far as possible, questioning legislation so that the rights of the citizens of the province are infringed upon as little as possible when we hand over powers to Ministers. Because when you hand over power to Ministers, as sure as night follows day you are infringing upon the general liberties of the citizens of the province. That is a fairly simple proposition.

Yet in this Act we go further and further and further in handing over such powers to Ministers without any real explanation at all.

You know, the government's made fun of our concern. But in situations like this, the loss of individual liberties does not occur all at once with any great hue and cry in any specific Act. It occurs by erosion. That is essentially what we are seeing with the legislation which the NDP has brought down this session, last session and, of course, the first session — erosion, little by little. Power is taken until finally, of course, the rights left in the hands of individuals are slight.

We feel — and this is a philosophical difference — that the right should rest within the individual citizen, that he should have his powers or his right as unfettered as possible, except for the public good. When you take something away from him, when you start controlling, when you start regulating, when you start handing over power to Ministers or to commissions or to boards or to any other body, it has to be explained. Otherwise, we in this Legislature are taking away something from the people which they have now and which in future they will not have.

It's easy to make fun of this proposal or this attitude that we in the opposition have — certainly we in this party have. It's simple to criticize it. The fact of the matter is that this has happened time after time in these bills. If the arguments are repetitious, the fact is that the bills are repetitious in this sense, and the fact is that the principle is so important that we cannot help but to constantly bring it up.

In this bill TV, radio, word-of-mouth, all these things, are under control of one man. We have seen in the States the way the new electronic media can be tampered with by an administration who, rightly or wrongly, felt somehow that their views were not being properly presented by the media, felt rightly or wrongly that they were somehow persecuted and beleaguered and to even the score they had to make use of the illegal powers so that they could even things up.

The Republican Party in the States felt that because the press, in their mind, was basically Democrat in instinct — and I think they are right there — the fact is that they had to even things up by having extra information. They used the electronic media. They used the new technology — all the things that we are talking about in section 1 of this particular Act — the new types of things to try and even things up. If that isn't a very good reason for keeping to the minimum the amount of government interference in this area, I just don't know what is.

We have seen examples in the States that this power has been misused and we have, I think, got a pretty good example of why we should not extend, without any reason, the powers of Ministers in the general area of communications, telecommunications and transportation.

The argument that we can somehow trust the government, an argument that they put forward frequently, we cannot accept. In general terms I would argue that you can trust no government because you can't tell whether the individual people who you might personally respect, admire and trust will remain in office. I don't know how long the present Minister will remain in office. I don't know how long any other Minister will remain in office. There's no way we can tell.

So the argument that a Minister can be trusted because he is himself an individual of ability and competence and quality is, of course, absurd. Ministers change. Governments change. You never can tell who might take over. Only if you write the Acts properly and get away from these foolish excuses can you have some certainty that over time the public, who have to suffer the actions of these people, will get what they expect and what they should in terms of justice.

Mr. Speaker, this department was going to take

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over communications and it is also taking over transportation, such as ferries and other things of that nature. I have had quite a bit to say over the last two months on this question. I personally do not feel, under the circumstances, in view of the fact that we as representatives of the public and those of us who live on the Island are representatives of the public who make tremendous use of these ferries, that we have received in any way, shape and form from this Minister adequate explanation of what he has been proposing to do and what contracts have been given out and what approaches the ferry service is adopting.

I have no wish to go over at great length the problems that have occurred. But we feel that when we have a Minister at the present time taking enormous powers to himself, it is as well to look upon the record of the Minister in dealing with some of these areas that come under this new Act where we feel he has failed to be fully candid with the House.

I've mentioned to him, I've questioned him on this: back on September 24 I asked him a fairly specific question. I asked him whether or not tenders had been called so the British Columbia naval architects would have an opportunity to compete with foreign naval architects, American naval architects, on the design of the new ferries. I got a commitment from him, I thought.

I quote him now to you back from *Hansard* of that time. He said "Competitive estimates have been obtained from Victoria, B.C., naval architects CELL, which is Case Existological Laboratories Ltd., for design fees for a trailer ship and a 274-car ferry." And he added, "the same thing was asked of another firm and we find the amount of money being asked to provide this and the time required to do the job is much less with the firm whose plans were in this place the other day," which of course was the firm of Nickum Spaulding.

It took me a page of questioning to find out — five questions, I believe — that Nickum Spaulding had at that time been paid money by the people of British Columbia, people's money to the tune of \$10,000, for design sketches. Then later on we find out, of course, on October 24 that the American firm had received the contract.

Well, I fail to see why it is not possible for the Minister to make sure, by way of a statement in the House, by way of a reply to a question, to make sure that the actual report that he quoted to me, a report dated May 24....

MR. SPEAKER: Order, please. What does this have to do with the principle of the bill? I point out that one of the rules of the House is that you do not discuss the ordinary administration of the government in discussing the principle of the bill. It is a well-known principle.

MR. D.A. ANDERSON: Well, Mr. Speaker, unfortunately, when you have such an all-embracing bill and the bill incorporates the full ferry service, I think it's as well to point out that if this Minister is to continue to be responsible, heaven forbid, for the ferry service, we are at liberty to comment upon his stewardship of the ferry service to date.

MR. SPEAKER: I quite disagree and so does *May*.

MR. D.A. ANDERSON: Well, the fact of the matter is that we are asked, Mr. Speaker, in legislation such as this where we have extensive powers being granted to Ministers, simply to "trust the government," and I am trying to point out to you why we can't do it.

Now if you say you can quote no previous experience, I wonder why you haven't ruled the Premier out of order so often when he has referred in so many bills to the previous administration? I would think that when he refers to the history of the previous administration, he would have been a year out of date. Well, I'm only a couple of months out of date.

MR. SPEAKER: May I point out to the Hon. Member that the question of changing a policy from a previous administration is quite apart from discussing the present administration of a department, which is not part of the principle of the bill.

MR. D.A. ANDERSON: Well, Mr. Speaker, if the ferry service is to be brought under this bill, surely it is possible to comment on the administration of it.

MR. SPEAKER: That's not what *May* says. I'll get you the quotation if you like.

MR. D.A. ANDERSON: Right.

MR. SPEAKER: Meanwhile, you can go on with something else.

MR. D.A. ANDERSON: Well, the fact of the matter is that we've had this situation where we are asked to trust the Minister.

We have a situation where he stated in the House that all would be given an opportunity to compete. Yet the companies concerned have failed, failed totally, to agree. Indeed, they state flatly that they have had no opportunity

to compete on these contracts. This is the administration of the department that we are talking of now.

MR. SPEAKER: Hon. Member, I have already indicated that it would be contrary to the rules but you persist in debating it. Now, surely either the rules

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prevail or you prevail.

MR. D.A. ANDERSON: Well, I think both can prevail if given the opportunity of discussing this particular problem. When you have such wide-ranging powers and when you take virtually everything under one heading, where the Minister describes it as simply a "housekeeping bill" and "a minor thing" — "trust us" that's the old slogan, trust them — surely it's incumbent upon me to give indications of why you can't trust them, why we can't go ahead with this legislation granting such wide powers, why we need further checks and balances in this legislation and why the principle of unfettered powers in the Minister is wrong.

That's all I'm asking: that I be permitted to proceed with the discussion of a specific instance, admittedly, but a specific instance that points out clearly that with this government and with this Minister there has not been the type of candid release of information and the type of backing-up statements made in the House, by release of public or what should be public documents, that would lead us to believe that this Minister, or indeed any other Minister, can be trusted with this type of power.

It's simple to say, and I can believe what you have said — that you cannot discuss examples of administration under the general heading of the bill. It's a pretty simplistic proposition, but we've heard it time after time, as examples of a general theme, and I fail to see why I cannot introduce it at this stage on those grounds.

MR. SPEAKER: I've already indicated why you cannot — the rules that we, in this House, follow.

MR. D.A. ANDERSON: Well, Mr. Speaker, I'll switch from this, but let me end by saying that when you have a situation where the most wide-ranging powers are being demanded for a Minister, and that Minister knowingly or otherwise — and I certainly trust it was otherwise — has misled the House on contract details, unwittingly perhaps, but nevertheless misled us on the information that you won't let me put forward, I feel it is extremely curious for that Minister and the government to ask for more powers to be placed in his hands.

If we in this Legislature cannot question and get replies in question period, cannot raise issues during debate, why on earth are we handing over to a Minister even more powers to cover even more things up? I'm sorry, Mr. Speaker, but the principle of this Legislature having the right to discuss issues such as this I think is important, and I would hope that it will be possible for me, when I continue to discuss this bill, to point out that past performance does not justify confidence for the future. If I can't do that I really wonder what the purpose of second reading is all about.

The principle of this bill is excessive powers in the hands of Ministers who can't be trusted with it. That's the principle to me.

It's clear — read the definitions section. Read what they say about communications: "Any method, manner... by which information is transmitted, imparted, or exchanged..." except, of course, where it's exclusively federal. See what they say about transportation — anything there at all. See what's said about the powers of the Minister — virtually unfettered.

I can't think of an Act where we've granted more power to a Minister over more areas of human activity than this bill involves.

The point that I'm trying to make is that we get absolutely no satisfaction on behalf of the public when this Minister is questioned. Even documents relating to public money — large sums of public money — are not revealed. We get no satisfaction at all when we try and raise this in debate, and the result is that there's no way we can accept

this type of legislation.

The legislation is bad for two reasons — first, because I don't think you can hand this type of Minister this type of power, and secondly, even if he were the type of person to whom you might entrust such power, no man should be given such power. I'm giving you examples of why.

I'm looking now at the press release issued by the Minister on the construction of ferries. There's a substantial involvement of many, many millions of dollars — \$13 million each for the car ferries, \$9 million for the trailer, for a grand total of \$35 million. This is the Minister's own press release.

In the House he states that these things will be put up for public tender and that there will be an opportunity for Canadian firms to compete; in practice it didn't happen. In practice the design portion, at least, of the \$35 million total package has gone, without tendering, outside the country on the specious argument that if they take it to an American firm it won't be bound by the British Columbia Department of Highways' own book dealing with the percentages they can charge for design.

This I find exceptional, this I find curious, this I find is the type of thing that means to me that no further power should be given to that Minister.

Why? Because I don't think he has answered in the House responsibly to Members' queries.

Why? Because I don't think that this Legislature, if these powers are given to that Minister, will have any more control over the other areas of communications and transportation than they have had under the areas that were previously under his jurisdiction.

I see you leafing through *May*, Mr. Speaker. I agree with you that it's not for specifics, so much as for an example of the general problem.

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Interjection.

MR. D.A. ANDERSON: Right. Well, I'll continue then with this. The fact is that we have not had candid replies to these questions. Every opportunity has been given the Minister....

MR. SPEAKER: Order, please. I think I've already informed the Member that he's not to refer to specific administrative matters in the department when debating the general principle of the bill in second reading. And that is clearly set out.

MR. D.A. ANDERSON: The general principle of the bill is handing extensive powers to the Minister. And his attitude is demonstrated.

MR. SPEAKER: His attitude is not a subject of discussion. The subject of discussion is the general principle of the bill.

MR. D.A. ANDERSON: Mr. Speaker, I trust you rule all government Ministers out of order when they make statements such as....

MR. SPEAKER: Order, please! This is the third time I've drawn you to order, which is quite a lot, I think.

MR. D.A. ANDERSON: Well, when we're discussing a bill dealing with what Ministers might or might not do under it, and when you accept from the government Ministers the statements that, "Oh, don't worry about that — we won't use those powers," which we've heard this session, surely we in our turn can comment upon the powers that are incorporated in the bill and point out that past experience with these specific Ministers makes it perfectly clear that they should not be trusted with more power of this nature.

HON. D.G. COCKE (Minister of Health Services and Hospital Insurance): On a point of order, he's dealing with personalities, not a Ministry. This Ministry isn't set up for one person. This Member continues to deal in personalities and he knows he's out of order.

MR. J.R. CHABOT (Columbia River): On what basis do you make that statement?

MR. SPEAKER: Order, please. The Member has been drawn to order three times.

MR. D.A. ANDERSON: One ray of hope has entered into this debate. The Minister of Health indicates that perhaps the Minister of Communications and Transportation (Hon. Mr. Strachan) may not remain so for long — it is a ray of hope.

MR. SPEAKER: Order, please. The Hon. Member is again indulging in what appear to be personal allusions in the debate.

MR. D.A. ANDERSON: I would point out that many times in this debate it's been pointed out, Mr. Speaker, that Ministers can change. And under the circumstances I think it would be a beneficial change, because of previous experience.

MR. SPEAKER: Order, please. The Hon. Member is again indulging in personal allusions in this debate, and it's unparliamentary, as he knows.

MR. D.A. ANDERSON: The Act, Mr. Speaker, is here. I've given my reasons why I do not feel under any circumstances we can accept excessive powers granted to this Minister. There's no reason why we can accept the blanket assurance of the government that they can be trusted — none whatsoever. I would point out that this party will be opposing this bill on second reading, and also on third. There is no way we can accept this type of legislation.

I can quote my hon. friend, who in turn was quoting Lord Acton. This type of absolute power is bad for government. The story about power corrupting, and absolute power corrupting absolutely, is correct.

If people will not accept this type of legislation, I feel we can prevent the government from making mistakes such as they appear bent on doing. There is no way that these types of powers should be handed over, because if we continue to hand over powers of this nature to Ministers the Legislature which represents the ordinary people of British Columbia, which are their representatives, will have no function whatsoever, because the power will not be here but elsewhere.

Furthermore, from past experience we know full well that attempts to find out what is taking place, attempts to question on administrative matters, on the very things that we have handed away to Ministers, will meet with nothing but evasion.

MR. D.M. PHILLIPS (South Peace River): Mr. Speaker, I have just a few words that I want to say in this debate. I want to say first of all that I'm disappointed that the Minister's being so presumptuous on this particular bill.

Here we are this afternoon debating the bill on second reading. What did I receive in the mail the other day? A piece of stationery from the Minister. Mr. Speaker, what was on the headlines? The heading? It was "Department of Transport and Communications." Mr. Speaker, there's no such department!

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Don't you think, Mr. Speaker, that's being presumptuous on the part of the Minister?

You know, the thing that really bothers me about this bill, Mr. Speaker, is the fact, and I think this is really where it's at, that we're bringing into effect a department, putting a man in charge of it who is already overtaxed and who is already overworked.

The Minister shows the strain of his work at the present time. This is the real crux of this bill, Mr. Speaker,

because the Minister is already showing the strain of his duties. You know, Mr. Speaker, it wouldn't matter if it were you, or me, or my father, or your father, or your uncle. No man, Mr. Speaker, no man can take the fantastic responsibilities and duties as are being given to this Minister — unfortunately, I feel, for the Minister because it is overtaxing his system.

You know, Mr. Speaker, I'm not much of a farmer, but I wouldn't take a racehorse and put it behind a plough. No way.

MR. LEWIS: You don't put him behind the plough.

AN HON. MEMBER: You don't know the front of a horse from the back.

MR. PHILLIPS: I mean the front of the plough. (Laughter.) In front of the plough. I'm sorry. Well, I said I wasn't a farmer. I said I wasn't a farmer. Because a racehorse is not used to pulling the heavy load that he would have to pull once you hook him to the plough, Mr. Speaker.

This Bill 64, this Department of Transport and Communications, puts a fantastic load behind the Minister, that he's going to have to pull. Mr. Speaker, I fear for the Minister's health and I fear that this government is slowly killing the Minister with these fantastic responsibilities that they are giving to this man.

Mr. Speaker, the powers in this bill, and it's already been brought out in this House this afternoon, but the powers in this bill are awesome. Awesome! I wouldn't even want to give these powers to a man who has had 20 years in the capacity of an executive running a large company. I wouldn't want to do that. But here we are, Mr. Speaker, giving it to a man who has been 20 years in government, in opposition, being able to say whatever he felt like saying and not having to be responsible for it. And that's the crux of this whole bill, Mr. Speaker.

AN HON. MEMBER: And he blows under pressure.

MR. PHILLIPS: You know, the government says, "Well, trust me, trust me." But can we take that position here this afternoon because of the circumstances? It's not only the bill it's the circumstances that surround the bill and the circumstances that surround the Minister. What I fear for, Mr. Speaker, is not only the Minister but I fear for the people and the taxpayers of British Columbia.

Here's the Minister in charge of airplanes — a jet fleet, which he hasn't been used to running. He's the Minister in charge of a ferry fleet. One of the largest ferry fleets in the world. Mr. Speaker, that's what he has now. Plus setting up — and I want you to consider this, Mr. Speaker — plus setting up the largest insurance corporation in North America.

Now, just consider those fantastic things — they even make me tired to think of them, Mr. Speaker, the responsibilities that that Minister now has makes me tired just to think about it. Setting up the largest insurance corporation in North America, and he can still smile.

HON. MR. STRACHAN: Right on!

MR. PHILLIPS: Do you know how he does it, Mr. Speaker? Do you know how he does it? I'll tell you how he does it, Mr. Speaker. He does it badly.

Now under the bill, Mr. Speaker, added to these awesome responsibilities that the Minister already now has, he's going to be responsible for taking over the British Columbia telephone system. Now I'm telling you, that just makes me almost want to sit down...

AN HON. MEMBER: Sit down then!

MR. PHILLIPS: ...because I get so tired.

SOME HON. MEMBERS: "However!"

MR. PHILLIPS: However, that's only one of the powers under this bill. I'm just going to be a few more moments. (Laughter.) That's only one of the powers under this bill, Mr. Speaker.

AN HON. MEMBER: You keep making vague promises. (Laughter.)

MR. PHILLIPS: But I want you to visualize, I want you to grasp the situation as it now exists. You've got the fantastic responsibilities that he now has, we've added to that the takeover of B.C. Tel, but that's only the beginning under this Act.

Now add to that setting up a cablevision system in British Columbia. I don't know how much experience the Minister has had. I know he's been on television a lot. I don't know whether that gives him the ability to set up a cablevision system and run it or not. I don't know. Another great responsibility. And you know if it isn't done properly the people of this province could be fed propaganda right out of this

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very Legislature. But I know the Minister wouldn't do that intentionally, don't you, Mr. Speaker?

All right. Now add to setting up a cablevision system in British Columbia, taking over the radio stations in British Columbia, taking over the TV stations in British Columbia, and taking over the newspapers in British Columbia. Now I'll tell you if that isn't going to weigh a person down with responsibility, Mr. Speaker...the Minister should be 10 people.

But that's only to do with communications, Mr. Speaker. Now let's talk for a moment about transport. The powers given to the Minister in this Act mean that he can take over the airlines of British Columbia. He could take over not only the running of the British Columbia Railway but the CPR and all the other railroads in British Columbia. That's the power that's given to him in this Act, Mr. Speaker. All the business. All the trucking companies.

Again, Mr. Speaker, I fear for the Minister's health. It's just too much to put on one man, particularly a man of his age. I think the government is being cruel to this man. I really do. All the backbenchers there on the socialist side should stand up and defend this Minister. They should defend him.

Mr. Speaker, in this bill there is power beyond imagination. It is an insidious, dangerous bill. I will have to vote against it.

HON. MR. BARRETT: Oh, no!

MR. PHILLIPS: And add to that, Mr. Speaker....

HON. P.F. YOUNG (Minister Without Portfolio): Stop reading those old speeches.

MR. PHILLIPS: Stop reading it? Oh, well this is 11 (b). After that, Mr. Speaker, they want to make him president of the British Columbia Railway. You know that railway in spite of everything is very well run. I guess, Mr. Speaker, if you added up some of the engineering reports on this railway, you know, Mr. Speaker, that railway has been very well run. It's been very well run. All the engineering reports, Mr. Speaker, that have come in say that the railway has been very well run. All the engineering reports. Now under this bill, the Department of Transport and Communications....

AN HON. MEMBER: It's not that bill.

MR. PHILLIPS: But you have the power to take it over and all I want to say is when you take it over all the engineering reports that have come in to date show that it has been a very well engineered railway. Read the reports. I hope the press reads the reports and I hope the president of the railway reads the reports. Because it's all there.

But Mr. Speaker, I think that we should take a recess on this bill, and that's why I would like to make a

motion that the bill be read on this day six months hence, to give the Minister the opportunity, himself, to check into the awesome powers he takes unto himself.

He's being presumptuous in saying that the bill is going to pass. He's already got the stationery printed. But I think, Mr. Speaker, that the Minister should go lay another egg because we just can't swallow this one. Not on this side of the House. We just can't swallow it. It's too big and it doesn't even taste good in our mouths. This bill is too much power. Again, it takes out of the Legislature its function.

I hope the Minister will accept this bill and give the backbench an opportunity to realize what awesome responsibilities he's taking unto himself.

MR. SPEAKER: Hon. Member, may I interrupt just to ask the Hon. Member to sign the amendment.

MR. PHILLIPS: Yes, Mr. Speaker.

You know what's going to happen, Mr. Speaker? The reason I'd like to see this bill hoisted for six months is because I don't think the Minister is going to be in this House in six months. I think he's going to be a B.C. agent-general in London. That's my honest opinion.

Interjections.

MR. SPEAKER: Order, please, Do you wish to have debate now on your proposed amendment?

MR. PHILLIPS: Yes, Mr. Speaker, and I'm just going to close my own little debate here. In six months we'll know who the Minister is going to be; it'll be a replacement and it'll probably be someone from, I'd say, the top four benches of the cabinet. It'll be somebody who has already got some responsibilities, someone with experience. Maybe one of the backbenches. You backbenchers pay attention because there's going to be an opening. When the Premier stands up and says, "Pass through the hatchway," you all do it because he watches.

HON. MR. WILLIAMS: It didn't do you any good. (Laughter.)

MR. PHILLIPS: Too little, too late. (Laughter.)

But anyway, I like the Minister personally and I wouldn't even be entering this debate if I didn't really feel sorry for him in this position and fear for his health. I hope the Minister of Health will give him a physical check-up when he's through and put the little gymnasium here in the parliament buildings so that if he does stay here, he can work out every day.

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MR. SPEAKER: Is there any debate on the amendment?

HON. MR. STRACHAN: I just want to say, Mr. Speaker, that I cannot accept this proposal to hoist this bill for six months.

MR. D.E. SMITH (North Peace River): The amendment is that the bill be read six months hence which is a traditional means of hoisting a bill. Basically those of us in the official opposition feel that there are a great deal of powers in this bill that do not need to be there and are not included in other bills which have been passed by other jurisdictions in other provinces — as a matter of fact, bills referred to by the Hon. Minister when he opened second reading on this particular bill.

In particular, he referred to the Province of Ontario and the Province of Quebec as jurisdictions more advanced than B.C. with respect to communications Acts and similar Acts. I went to the library to find out just what other provinces do have in the way of legislation similar to that which was proposed by the Minister in this bill. I find there are statutes in effect in the Province of Ontario and the Province of Quebec.

But it's interesting to note, Mr. Speaker, in the Province of Ontario the statute is merely a bill to amalgamate administrative functions of the Department of Highways and the Department of Transport. It deals mainly with public commercial vehicles. Certainly it does not in any way encompass the wide-ranging powers that we are faced with in the bill that's now before us.

The Province of Quebec does have a Department of Communications and they have had for some little time. Their Act is somewhat similar to the Province of British Columbia except that it is very definitive in the terms and the regulations and the things that the Minister who is empowered to enforce that Act can do in the Province of Quebec.

Mr. Speaker, one of the reasons why I feel the bill should be hoisted for six months is so that the Minister can take advantage of the opportunity to look at the statutes from the Province of Quebec and see what they have in effect in that province as compared to what he is proposing for the Province of British Columbia.

It's interesting to compare provisions in the Act that we have before us this afternoon with the Act from the Province of Quebec because, while they are similar in some respects, they certainly vary to a great degree in the power that is given to the Minister in the bill. The whole thrust is much different than the bill we have before us.

I think it's interesting to read the interpretation of communications in our bill and then compare it to the powers that they have in the Province of Quebec. Quebec says in their interpretation section that the expression "communications" — and this is a recent amendment, Mr. Speaker, because the bill was amended after it was first brought into the House:

"For the purposes of this Act, the expression 'communications' includes the broadcast, transmission and reception of sound, pictures, signs, signals, data or messages by wire, cable, waves or any electronic, magnetic, electromagnetic or optical means."

In that respect, I submit that it is very similar to the bill that is before us. But that is where the similarity with the Province of Quebec and the bill that we have before us part company. In this bill, the Minister for some reason has used very similar phraseology to the bill that is enforced in the Province of Quebec down to the point of optical means of broadcasting. But from that point on, we depart.

It's very clear that the intent of this bill includes, "the apparatus, instrument, facility, equipment, wires, cables, pole lines, and conduits used in connection therewith; but does not include any form of communications over which the Parliament of Canada exercises exclusive jurisdiction."

I would submit, Mr. Speaker, that the Minister has by this bill shown an intent not only to control communications media in the Province of British Columbia but also to actively participate and become active in the field of providing the facilities by one means or another.

It's a stated policy that the NDP wish to take over the B.C. Telephone. Certainly involved in this bill are the powers to do that. It also gives them the powers to set up any message or communication media of their own that they so desire.

It's clear, when you compare functions in this bill with the Province of Quebec, that there's a wide discrepancy. In the Province of Quebec, it's clearly spelled out that the functions of the Minister shall be to prepare a communications policy for the Province of Quebec and to propose such policy to the government, to implement such policy and supervise the application and coordination and the carrying out thereof. In other words, it is a regulatory bill but it spells out in specific terms the powers of the Minister. In our bill:

"The duties, powers, and functions of the minister extend to and include all matters relating to transportation and communications that are assigned to the minister by this or any other Act or by the Lieutenant-Governor in Council, and that are not, by law or by the Lieutenant-Governor in Council, assigned to any other minister, or department, branch, or agency of the Government of the Province."

It becomes far more than a regulatory bill when you take the powers outlined in that Act and

compare them to a similar Act from the Province of Quebec.

Similarly, the duties of the Minister and the scope of the Minister are outlined in the Province of Quebec, and they're specific. I suggest that one good reason for hoisting this bill would be that the Minister clearly define in specific terms, as they have done in the Province of Quebec, what he really intends to do under the bill.

For instance, in the Province of Quebec they outline the jurisdiction of the Minister and they spell it out in specific terms:

"The Minister shall supervise the communications network established in the Province of Quebec and promote the establishment, development, adaptation, and efficiency of such communication networks;

"execute or cause to be executed research, studies, inquiries, and inventories on communications generally and on communications networks established in the province;

"obtain from the government departments and public bodies the available information respecting their programmes, projects and needs in the fields of communications;

"establish communication services for all the government departments, and coordinate such services with those established by the public bodies;

"see that the laws and regulations respecting communications are carried out."

This is a clear definition of the intent of the Act in the Province of Quebec.

I submit when you compare that to the purposes and functions of the department as outlined in clause (5) of this bill that the Minister takes upon himself extreme powers that are not necessary in this or any field in the Province of British Columbia.

While certain parts of it are similar, the purposes and functions of the department under the bill that is before us today are:

"(a) to prepare and develop comprehensive policies respecting transportation and communications of the Province and to make reports and recommendations to the minister respecting the implementation of such policies;

(b) to initiate investigation survey, research, study, inquiry, or inventory respecting transportation and communications facilities and future requirements for the Province, and to collect, and circulate information acquired thereby..."

To that point the bill which we have before us and that which was adopted some time ago by the Province of Quebec are very similar. But in this bill the Minister goes on to "establish transportation and communication services for departments of the Government of the Province, and for that purpose to obtain from such departments information respecting their programmes, projects, and requirements in the field of transportation and communications..."

MR. SPEAKER: Excuse me, Hon. Member, I hate to interrupt but is this to do with the advisability of hoisting the bill? Otherwise we will have to debate the whole bill over again.

MR. SMITH: Hoisting the bill.

"(d) to administer all Acts and the regulations assigned to the Minister pursuant to section 4, and discharge such other duties as may be assigned to the minister by the Lieutenant-Governor-in-Council."

It would seem to me, Mr. Speaker, that when you read the duties and powers we have assigned to a Minister by this bill and compare them, as the Minister suggested we might do, to similar legislation in other provinces, it is very clear that it is not merely a means of the government establishing ground rules for the protection of the public.

This bill is intended to allow the Government of British Columbia, without ever coming back to the Legislature for permission, to not only regulate and control but to actively engage in any form of mass communication that they may desire. It's there in ancillary powers of the Minister outlined in section (6). While I don't intend to read them all, it certainly gives him power to purchase, lease or otherwise acquire any real or personal property.

The Minister of Lands seems to think that's a good idea.

[Mr. Liden in the chair.]

Well, certainly it's not a requirement to bring about uniform regulations and control in the field of communications in this or any other jurisdiction in Canada.

Interjection.

MR. SMITH: If the Minister wishes to comment in the debate, he'll have his time and place to take part in it. He's been a very silent Minister during most of this debate — as a matter of fact, during most of this session, including during the question period, Mr. Speaker.

I submit that what we have here is a bill that provides powers not necessary. For that reason I support the motion to hoist the bill to allow the Minister time to reconsider some of the excessive powers that he has taken unto himself, whether he recognized it or not, at the time the bill was being drafted.

When you take it in relation to other bills before us, this is something that was not necessary — at least

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the powers that he has in this bill are not necessary to control and regulate communication systems in the province.

It's unfortunate, Mr. Speaker, that we have to move an amendment to hoist the bill as the only means that we have available to the official opposition to try to get the Minister to reconsider what he really is doing when he asks for approval in principle of Bill 64.

He cannot deny that there are powers in this bill which, if he wishes to exercise them, are far beyond powers granted to any other jurisdiction in the province or in any other province in Canada. It's not required; it's unnecessary power invested in the hands of a Minister who we do not think is capable of exercising those powers to the best interests of the people who live in this province.

For that reason I certainly support the amendment to have this bill read six months hence and give the Minister time to reconsider the bill and bring in one that really intends to give the government only those powers that they need to exercise in this field.

MR. D.A. ANDERSON: We in this party, Mr. Speaker, accept this amendment and are going to vote for it. We feel the government, when it introduced this bill by way of the speech of the Minister, certainly did not demonstrate that it understood the extent of the powers involved, the extent of the erosion of civil liberties of individual British Columbians involved in this bill. The explanation was inadequate. The legislation itself is far too sweeping to go through as the government apparently would like.

At least the six-month hoist gives the government another opportunity to reconsider, to put in specific legislation as opposed to general powers, to bring it in again in the next session — which presumably will take place sometime in February or March. In other words, bring in a bill which is specific, clear, defined; a bill which indicates why they want powers and how they're going to use powers; a bill which Members of the Legislature can grant to the executive without fear that it might be misused.

This particular bill in no way satisfies any of the normal requirements of legislation. It is simply enabling legislation for a Minister and for a department — to a much lesser degree the department — to do virtually what he

wishes in a tremendous range of fields. We cannot accept it. Therefore we feel the amendment gives an opportunity for the government to avoid its present dilemma of putting forward such a bill. This bill therefore would disappear and a new and proper bill based on other legislation from other provinces perhaps — if our own draftsmen are not capable of putting forward a good bill — and another bill based on other legislation could come before us.

But there is no way that this bill which is so sweeping, so broad, this bill which is so destructive of the individual rights of British Columbians, should be passed at this session.

MR. G.S. WALLACE (Oak Bay): Mr. Speaker, I will try not to be repetitive. We will support the amendment for much the same reasons, but perhaps with one additional reason. There is a very important national-provincial conference at the end of this month which the Minister will be attending. And there has been comment in the media and the press as to whether or not this kind of power which is invested in Bill 64 is even constitutional.

Until the actual agreement or understanding can be worked out between the federal and provincial levels of government as to how much authority or how much designation of authority the federal government is willing to delegate to the provinces.... This is a very contentious issue, I realize, but in the light of the fact that the provinces are eager to discuss this with the federal government, and since there is this meeting within a few weeks time — frankly, in our opinion, we cannot understand any sense of urgency in having this bill passed right now, unless of course the government does have some very definite intent of acquiring certain enterprises in the communications or transportation field. Maybe the Minister would care to comment on that.

But if this is only a general statement of intent and enabling legislation, we can't see why it's so important that it should be passed at this present time. And with this further reference to the national-provincial conference and the light that it might shed on the delegation of power which in turn relates to the power in this bill, we feel reading the bill six months from now would be an excellent idea and we support the amendment.

Amendment negatived on the following division:

YEAS — 13

Chabot Fraser	Anderson, D.A.
Richter Phillips	Williams, L.A.
Jordan McClelland	Gardom
Smith Morrison	Wallace
Schroeder	

NAYS — 33

Hall	D'Arcy	Skelly
Macdonald Dent		Gabelmann
Barrett	Lorimer	Lockstead
Dailly	Williams, R.A.	Gorst
Strachan	Cocke	Rolston
Nimsick	King	Anderson, G.H.
Stupich	Lea	Barnes

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Calder	Young	Steves
Nunweiler	Radford	Kelly
Brown	Lauk	Webster

AN HON. MEMBER: Mr. Speaker, I ask that the division be recorded in the *Journals* of the House.

DEPUTY SPEAKER: The Hon. Minister closes the debate on second reading of Bill 64, *Department of Transport and Communications Act*.

HON. MR. STRACHAN (Minister of Transport and Communications): I have been waiting for some time to wind up this debate. You know, Mr. Speaker, I listened very closely to the rather repetitious phrases that were rolling from across the aisles — a real plethora of repetitious phrases. And as I listened, Mr. Speaker, it became obvious that the Members hadn't read the bill, because the bill itself makes it very clear the limitation placed on the powers of the Minister.

Interjections.

DEPUTY SPEAKER: Order. Please proceed.

HON. MR. STRACHAN: Thank you very much, Mr. Speaker. I appreciate the courtesy I'm getting from across the way.

They haven't read the bill because when you read the bill carefully, Mr. Speaker, if you read it at all, you discover that the powers that this bill is asking for are the residuary powers remaining to the province after the parliament of Canada has exercised its exclusive jurisdiction.

MR. PHILLIPS: He'll probably take over Ottawa.

Interjections.

HON. MR. STRACHAN: The province cannot operate in any jurisdiction not assigned to it by the Government of Canada. I want to assure the Member for South Peace River (Mr. Phillips) that he can stop worrying about my health. At my wife's insistence, I went to a specialist in town who examined me 15 years ago. A couple of months ago I went there....

Interjections.

AN HON. MEMBER: What's the psychiatrist's name? (Laughter.)

HON. MR. STRACHAN: If I can find an extra-special psychiatrist, then I know where there's a very needy patient — right over there, if not a number of them. But I was given a clean bill of health. He was absolutely amazed at my arteries, my blood pressure, and he said, Mr. Speaker, and I want you to get the message....

MR. WALLACE: He said, "It's all that good scotch." (Laughter.)

MR. PHILLIPS: He said, "You'll self-destroy in six months." (Laughter.)

HON. MR. STRACHAN: As a matter of fact he sent a special message to the opposition. He said, "Your political opponents will be most unhappy when they find out how healthy you are."

I now move second reading.

Motion approved on the following division:

YEAS — 34

Hall

Macdonald Barrett

Dailly	Strachan	Nimsick
Stupich	Calder	Nunweiler
Brown	Sanford	D'Arcy
Dent	Lorimer	Williams, R.A.
Cocke	King	Lea
Young	Radford	Lauk
Nicolson	Skelly	Gabelmann
Lockstead	Gorst	Rolston
Anderson, G.H.	Barnes	Steves
Kelly	Webster	Lewis
Liden		

NAYS — 13

Chabot	Richter	Jordan
Smith	Fraser	Phillips
McClelland	Morrison	Schroeder
Anderson, D.A.	Williams, L.A.	Gardom
Wallace		

SOME HON. MEMBERS: Record it.

HON. MR. STRACHAN: Mr. Speaker, I ask leave to refer this Bill 64 to a Committee of the Whole House for consideration forthwith.

Leave granted.

Bill 64 read a second time and referred to a Committee of the Whole House forthwith.

DEPARTMENT OF TRANSPORT AND COMMUNICATIONS ACT

The House in committee on Bill 64; Mr. Dent in the chair.

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On section 1.

MR. D.A. ANDERSON (Victoria): In section 1, the Minister has departed substantially from definitions which are contained in other Acts. I wonder whether he'd like to indicate to the House, in particular under section 1 under communications, precisely why he has gone as far as he has, farther than the Acts of other provinces that I've had a look at, and whether he'd like to indicate what prompted him to have it written in this way.

HON. R.M. STRACHAN (Minister of Transport and Communications): I wrote it in this way because it's the wording that I thought was fairly comprehensive wording. If it comes to us by residuary measures from the Parliament of Canada, it allows us to operate in that way.

I think the House will recollect that some years ago the previous administration tried to take for the PUC (Public Utilities Commission) the control and regulation of cablevision. When it went to the Supreme Court of Canada, it was ruled that the province didn't have that right because it was not a residuary power accruing to the

province.

Now, what is going to happen in the meeting and what will arise out of the meeting later this year it's hard to say, but this province is following other provinces. I would ask the Member to refer to the many speeches made by the Conservative Minister in charge of communications in the Province of Ontario; my thinking parallels very closely the thinking of the Conservative Minister in the Province of Ontario.

With regard to the recognition of the place that communication is going to play in the province in the future, added to that is the fact that in this province, especially in the northern and outlying areas of the province, there has been almost a neglect of the telecommunications methods and, on occasion in some places, there are private companies trying desperately to bring telecommunications to those areas, unsuccessfully. I think we have to recognize that in the future it will be a social measure.

My thinking agrees very closely with that of the Conservative Minister of the Province of Ontario and this legislation allows us to proceed in that way.

Sections 1 to 3 inclusive approved.

On section 4.

MR. G.S. WALLACE (Oak Bay): Mr. Chairman, a very quick question which really follows from the comment that the Minister has just made.

Section 4 deals with duties and powers which should be assigned to the Minister by this or any other Act. I wonder if the Minister could quickly give us some outline of the requests that he on behalf of this province will be making to the federal government to outline those particular powers now in federal hands which he feels should be delegated to the provincial authority. Could he tell us quickly just in which spheres and with what degree of transfer of power he's looking forward to?

HON. MR. STRACHAN: Yes, I'm just in the process of preparing a paper now. It should go to the conference; it's not ready yet. All the provinces are agreed there should be some provincial recognition and some provincial input into the area of telecommunications. They're pretty general things.

Sections 4 and 5 approved.

On section 6.

MR. D.A. ANDERSON: Section 6 is the ancillary powers of the Minister's; it gives him extensive powers.

I would like to know whether we really need the subsections (b) and (c) indicating that the Lieutenant-Governor-in-Council can "purchase, lease or otherwise acquire any business or commercial or industrial enterprise relating to" any aspect of "transport or communications;..." Seems very wide-ranging. I wonder what limitations the Minister has in mind. Apparently we can't have the legislation limited in this House. Perhaps we can have some indication of this Minister's mental limitations when it comes to dealing with subsections (b) and (c) of section 6.

HON. MR. STRACHAN: I thought I had explained that in my opening remarks. Several times in the last 10 to 15 years, the provincial government has had to take over at the request of private operators — ferry systems for instance. Those particular ferry systems, I could rhyme them off — there's the one they gave to Orr Island, one to Saltspring Island, and others up the coast — usually at the request of the operators. As a matter of fact, I have a request from the one of the private operators still operating up coast — would I please take over his ferry. This section allows us to do that.

As I indicated earlier, there are whole areas of this province that have no cablevision of any kind. There's no doubt in my mind that, in the future, demands from those people in those isolated areas will force the province into participating in carrying communications to those areas. This gives me the power to do so.

MR. WALLACE: Mr. Chairman, a quick question in relation to 6 (b) which provides the power to

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acquire any business or commercial industrial enterprise, et cetera. Again, in light of this whole question of division of powers, does the Minister consider that this power in this bill is constitutional to this degree that you could take over a federally incorporated company?

HON. MR. STRACHAN: The caveats are included in section 1 where it says: "does not include any form of communications over which the Parliament of Canada exercises exclusive jurisdiction." We've the legal interpretation of that limitation. Reading every section of this bill, you must always keep in mind that section which says: "but does not include any form of communications or transportation over which the Parliament of Canada exercises exclusive jurisdiction."

Added to this is the whole constitutional division of powers which accrues to the federal government and the limitations placed upon the provinces from interfering in a large number of companies in the province.

MR. WALLACE: To be more specific then, does the Minister then consider that section 6 (b) would not permit this province to take over B.C. Telephone?

HON. MR. STRACHAN: I'm not a lawyer, and I really couldn't give you a legal opinion on that. I couldn't give you a legal opinion on it.

Section 6 approved.

On section 7.

MR. D.A. ANDERSON: I had a suggestion that in section 7 (c) we might delete because it appears to me that here the Minister is getting powers here over civil servants which seems in excess of that normally granted Ministers. He can "order that any employee or agency of the Crown, or any person employed in the public service of the Province, answer questions and supply information for the purpose of investigation or survey." I wonder whether those powers are justified. Perhaps the Minister can indicate to me that they are; if not, I would amend and have this subsection deleted.

HON. MR. STRACHAN: I would suggest that you read the clause that you're speaking of. It refers for the purpose of clause (b) section 5 and that's all; only for section 5 (b).

Interjection.

HON. MR. STRACHAN: It is "to initiate and carry out any investigations, survey, research study...for the Province, and to collect and circulate information acquired thereby."

MR. R.H. McCLELLAND (Langley): Mr. Chairman, I'd like just to ask the Minister what the position is in relation to the *Telecommunications Utilities Act*, and the commission that it contemplates setting up. How will such a commission fit with this section and with section 5 as well? Was there some sloppiness in the drafting of this bill, or what's the relationship between those two?

HON. MR. STRACHAN: There's no problem there.

Sections 7 and 8 approved.

On section 9.

MR. D.A. ANDERSON: Mr. Chairman, section 9 deals with regulations. Wherever you have the question of regulations, I believe it is important that the regulations which are put forward are in accordance with the words of the Act and not in accordance with the intent.

Intent is a much wider situation and if we're to have this bill, which is already far too wide, interpreted in an even broader fashion by throwing in the words, "according to intent," we're making the regulatory power even more extensive than necessary. I would move that the words "according to intent" in section 9, lines 1 and 2, be deleted, the effect of which would be to mean that the government and the Minister would be required to pass regulations in accordance with the words of the Act.

HON. MR. STRACHAN: Mr. Chairman, I can't accept that amendment because section 9 is very clear. I would ask you to remember it all must be kept in the concept of the rule of law in the Province of British Columbia which does not allow any government to pass regulations contrary to the law itself.

Amendment negatived.

Sections 9 to 13 inclusive approved.

Title approved.

HON. MR. STRACHAN: Mr. Chairman, I move the committee rise and report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 64, *Department of Transport and*

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Communications Act, reported complete without amendment, read a third time and passed on the following division:

YEAS — 34

Hall	Macdonald Barrett	
Dailly	Strachan	Nimsick
Stupich	Calder	Nunweiler
Brown	Sanford	D'Arcy
Dent	Lorimer	Williams, R.A.
Cocke	King	Lea
Young	Radford	Lauk
Nicolson	Skelly	Gabelmann
Lockstead	Gorst	Rolston
Anderson, G.H.	Barnes	Steves
Kelly	Webster	Lewis
Liden		

NAYS — 13

Chabot	Richter	Jordan
Smith	Fraser	Phillips
McClelland	Morrison	Schroeder
Anderson, D.A.	Williams, L.A.	Gardom

HON. MR. BARRETT: Mr. Speaker, I move the House proceed to motions and adjourned debates on motions.

Motion approved.

HON. MR. BARRETT: Motion 25, Mr. Speaker.

MR. D.E. SMITH (North Peace River): Mr. Speaker, on a point of order.

MR. SPEAKER: Would you state your point of order?

MR. SMITH: Yes, my point of order is that the other day when we moved to motions and adjourned debates on motions, I believe the Speaker advised me that it was incorrect to take motions on the order paper except as they appear on the order paper and in the rotation they appear. Now we have the Hon. Premier calling motion 25 which is obviously far down the order paper from those that appear before that number, and I'd like your advice, Mr. Speaker.

MR. SPEAKER: Private Members' motions must be taken up in order and that's set out in our standing orders. Government motions can be taken up in the order the House Leader determines and that's always been traditional.

MR. SMITH: I would just ask you to quote what standing order of the House you are referring to please?

MR. SPEAKER: I'm turning over the pages as quickly as possible. (Laughter.)

HON. D.D. STUPICH (Minister of Agriculture): Mr. Speaker, while you're looking and now that everybody has found resolution 25 and everybody knows what it's about and everybody has agreed that it's something that should go ahead, I move...

MR. SPEAKER: I'd point out to the Hon. Members.... Order, please! This is Wednesday which is private Members' day and we've had a motion to bring on motions and adjourned debates on motions, and it states here — and I draw this to the attention of all Members — "All items standing on the orders of the day except government orders, shall be taken up according to the precedence assigned to each on the order paper." That's standing order 27. Secondly, "Whenever government business has precedence government orders may be called in such sequence as the government may think and the right is reserved to the administration of placing government orders at the head of the list on every day except Wednesday and Thursday."

The situation today, I would respectfully draw to the attention of the House, is it's private Members' day and it follows in my respectful submission that they must be taken up in order of precedence and in order as they appear on the order paper, unless otherwise agreed by the House.

HON. MR. BARRETT: Mr. Speaker, I ask leave of the House to proceed to motion 25.

Motion approved.

HON. MR. STUPICH: Mr. Speaker. As I said earlier, everyone has found it, everybody knows which one it is, and I think all have agreed that this is one committee, quite apart from the good work it did between the spring and fall session, that should be kept active, that didn't complete the tasks assigned for it, and would like to continue that work. The committee members have agreed and I move resolution 25 (See appendix).

MR. PHILLIPS: Mr. Speaker, I just want to say that we accept and will support this motion. I just hope that the terms of reference are broad enough to cover the job that has to be done and we certainly will support it.

Motion approved.

HON. MR. HALL: Mr. Speaker, I beg leave to ask for a suspension of the rules of the House in order

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that I may move a motion regarding the sessional allowances to one of our Members, a copy of which has been presented to each of the parties represented in the House.

Leave granted.

HON. MR. HALL: Mr. Speaker, I move that whereas Robert Evans Skelly, Esquire, Member for Alberni, has been unable to attend all the meetings of the present session owing to his attendance at the Commonwealth Parliamentary Association conference from September 13 to 22, 1973, and whereas it is just and reasonable that Robert Evans Skelly, Esquire, be paid the full sessional allowance, therefore be it resolved that pursuant to section 68 of the *Constitution Act*, being chapter 71, Revised Statutes of B.C., 1960, the full sessional allowances, expenses and other allowances payable to Members of the Legislative Assembly for the current session be paid to Robert Evans Skelly as required without any deduction by reason of his aforesaid attendance at the said Commonwealth Parliamentary Association conference.

MR. PHILLIPS: Can we afford it?

MR. SPEAKER: I wonder if the Hon. Member (Mr. Skelly) should abstain from voting.

Motion approved.

HON. MR. BARRETT: Mr. Speaker, I've been advised that His Honour is close to the precincts of the chamber and I would suggest that we have a short recess.

MR. CHABOT: Before we have a recess, Mr. Speaker, I think the Premier left the impression with the House that all the questions on the order paper would be answered.

AN HON. MEMBER: No, no!

MR. CHABOT: There are 55 — an all-time record — questions unanswered. The Minister of housing (Hon. Mr. Nicolson) failed to answer questions.

HON. MR. BARRETT: Mr. Speaker, I'm glad the Member brought it to my attention. Before we have a recess I would ask the Ministers to file further answers to questions.

MR. CHABOT: Will they all be answered?

HON. MR. BARRETT: We won't have as many left as the former administration.

MR. CHABOT: There are 55 — an all-time record than in the House before.

MR. SPEAKER: Order, please!

Interjections.

MR. PHILLIPS: You've been cut off — gagged. (Laughter.)

HON. MR. BARRETT: I'm on. I've still got the floor. Mr. Speaker, the Ministers would like to table answers.

MR. SPEAKER: Order, please!

Interjections.

HON. MR. BARRETT: I have the floor.

MR. SPEAKER: I can only assume that one of you had the floor and the other didn't, but I'm not sure who it is. (Laughter).

HON. MR. LORIMER: I file an answer to question 189 which was on the orders of the day for the first time today.

HON. MR. STRACHAN: I file an answer to question 115...

SOME HON. MEMBERS: Hurrah!

HON. MR. STRACHAN: ...146, 181.

HON. J. RADFORD (Minister of Recreation and Conservation): I file an answer to question 183, Mr. Speaker.

MR. CHABOT: I didn't see the Minister of housing stand in his place and give answers....

MR. SPEAKER: I see you standing. I don't know whether it's in order.

MR. CHABOT: What, no answers?

MR. SPEAKER: Order, please! I think the Hon. Member for Saanich had a statement he wished to make.

MR. H.A. CURTIS (Saanich and the Islands): Mr. Speaker, I ask leave to make a statement.

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Leave granted.

MR. CURTIS: Mr. Speaker, the statement is simply with respect to the seen and unseen *Hansard* staff who have served us again this session, as far as I'm concerned, very, very well. I'm sorry that at the conclusion of the spring session no one had the opportunity, or took the opportunity, to express appreciation, not only to the Chief of *Hansard* but to the *Hansard* staff itself.

HON. MR. BARRETT: I would ask the House for recess so we could greet His Honour the Administrator.

The House took recess.

The House resumed at 6:15 p.m.

His Honour the Administrator entered the chamber and took his place in the chair.

DEPUTY CLERK:

An Act to Amend the Medical Grant Act.

An Act to Amend the Veterinary Medical Act.

An Act to Amend the Agricultural Land Development Act.

Beef Grading Act.

An Act to Amend the Milk Industry Act.

An Act to Amend the Oleomargarine Act.

Farm Income Assurance Act.

An Act to Amend an Act Respecting Medical Services.

Labour Code of British Columbia Act.

An Act to Amend the Adoption Act.

Sessional Reports Suspension Act.

An Act to Amend the Corporation Capital Tax Act.

An Act to Amend the Pacific Great Eastern Settlement Act.

An Act to Amend the Income Tax Act.

An Act to Amend the Corrections Act.

An Act to Amend the Coloured Gasoline Tax Act.

An Act to Amend the Real Estate Act.

An Act to Amend the Department of Commercial Transport Act.

Veterinary Laboratories Act.

An Act to Amend the Department of Health Services and Hospital Insurance Act.

An Act to Amend the Payment of Wages Act.

An Act to Amend the Human Tissue Gift Act.

Agricultural Credit Act.

Domestic Animal Protection Act.

Livestock Protection Act.

Department of Consumer Services Act.

Department of Housing Act.

Personal Information Reporting Act.

Department of Transport and Communications Act.

An Act to Amend the Distress Area Assistance Act.

Farm Products Industry Improvement Act.

An Act to Amend the Succession Duty Act.

Petroleum Corporation Act.

Weed Control Act.

Public Service Labour Relations Act.

Department of Mines and Petroleum Resources Act.

Geothermal Resources Act.

An Act to Amend the Mines Regulation Act.

Medical Centre of British Columbia Act.

An Act to Amend the Mental Health Act, 1964.

An Act to Amend the Provincial Home Acquisition Act.

An Act to Amend the Taxation Act.

An Act to Amend the Supreme Court Act.

Pacific North Coast Native Co-operative Loan Act.

An Act to Amend the County Courts Act.

An Act to Amend the Soil Conservation Act.

An Act to Amend the Coal Mines Regulation Act.

An Act to Amend the Municipal Act

An Act to Amend the Queen Elizabeth II British Columbia Centennial Scholarship Act.

An Act to Amend the Motor-vehicle Act.

Human Rights Code of British Columbia Act.

An Act to Amend the Mineral Act.

An Act to Amend the Public Service Superannuation Act.

An Act to Amend the Municipal Superannuation Act.

An Act to Amend the Teachers' Pension Act.

An Act to Amend the Hospital Act.

An Act to Amend the Revised Statutes Act, 1966.

An Act to Amend the Mineral Land Tax Act.

An Act to Amend the Registered Nurses' Act.

British Columbia Railway Company Grant Act, 1973.

An Act to Amend the Vital Statistics Act.

An Act to Amend the Public Schools Act.

An Act to Amend the Companies Act.

Public Service Act.

Community Recreational Facilities Fund Appropriation Act.

Weather Modification Activity Act.

Vancouver Enabling Act, 1973.

Statute Law Amendment Act, 1973.

CLERK: In Her Majesty's name, His Honour the Administrator doth assent to these bills.

HON. J.L. FARRIS (Administrator): Mr. Speaker and Members of the Legislative Assembly: Due to the absence from the province of the Honourable the Lieutenant-Governor, who is attending a meeting of Lieutenant-Governors convened by His Excellency the Governor-General in

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Ottawa, I have, for the first time, the occasion to address you as Administrator of the province.

In closing this, the third session of the thirtieth parliament of British Columbia, I wish to express my appreciation, and the appreciation of His Honour, for the earnest attention and careful consideration that you have given to the numerous and important matters that have come before you.

You have considered, and today, by my assent in the name of Her Majesty, enacted 68 bills of wide-ranging and fundamental importance.

It is commendable that you have established three new departments — Consumer Affairs, Housing, and Transport and Communications. A new *Department of Mines and Petroleum Resources Act* has also been passed.

In His Honour's address on the opening day of this session, His Honour outlined the government's wish that the Members direct their attention, firstly, to the urgent problems of agriculture; secondly, to a new labour code for British Columbia; and, thirdly, to an extensive legislative programme from the Department of Mines and Petroleum Resources. In addition, His Honour referred to Members for particular attention the public service labour relations code and proposed amendments to the *Municipal Act*, *Public Schools Act*, and pension legislation.

I am gratified that, in view of the magnitude and complexity of the legislative programme that has been placed before you, not only were these major matters attended to and resulted in enactments, but other vital matters were included in the fall programme of this parliament. Special reference is made to the *Pacific North Coast Native Co-operative Loan Act*, which will assist the Pacific North Coast Native Co-operative to acquire fishing vessels for its members and will enable the co-operative to develop a cannery for the benefit of, and run entirely by, the Indian citizens of the Province of British Columbia.

I also refer to the *Petroleum Corporation Act* and the *Personal Information Reporting Act* of the Attorney General; the *Community Recreational Facilities Fund Appropriation Act* of the Minister of Finance; the *Medical Centre of British Columbia Act* of the Minister of Health Services and Hospital Insurance; the *Human Rights Code of British Columbia Act* of the Minister of Labour; and the *Public Service Act* of the Provincial Secretary. In addition, amendments to a number of existing Acts of various departments were made.

Therefore, I wish to thank you for the enactment of a legislative programme that I am certain will bring a new scope and outlook to the business of this province and the welfare of its citizens.

Hon. Members, in relieving you of your labours at the close of this session, I trust that the blessing of divine providence will accompany you to your respective homes throughout the province.

HON. E. HALL (Provincial Secretary): Mr. Speaker and Members of the Legislative Assembly, it is His

Honour the Administrator's will and pleasure that the Legislative Assembly be prorogued until it please his Honour to summon the same for the dispatch of business.

This provincial Legislative Assembly is hereby prorogued accordingly.

His Honour the Administrator was pleased to retire from the chamber.

The House prorogued at 6:26 p.m.

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