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Official Report of
DEBATES OF THE LEGISLATIVE ASSEMBLY
(Hansard)

THURSDAY, JUNE 19, 1975

Afternoon Sitting

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THURSDAY, JUNE 19, 1975

The House met at 2 p.m.

Prayers.

HON. W.S. KING (Minister of Labour): Mr. Speaker, I ask leave of the House to make a brief statement.

Leave granted.

HON. MR. KING: Mr. Speaker, I would like to correct an erroneous impression I left in the debate of the day before yesterday, the afternoon sitting of June 17, and again in that evening sitting. The remarks appear at pages 594-3, 595-1 and 601-3 of the Blues.

I indicated that perusal of public accounts for the year 1965 indicated that Railway Appliance Research Ltd. received \$10,000 payment from the British Columbia Railway. That, Mr. Speaker, is untrue. That did indicate that

payment had been received from the B.C. government, but not the B.C. Railway. I made similar references at other points that inferred that payment had been received from the railway.

I have no evidence whatsoever that payments were ever received by Mr. Swanson from the railway, and hence I wanted to correct that impression. Now there is no question but my position was made clear that if such payment were received from the railway while Mr. Swanson was the chief engineer under the Department of Commercial Transport and hence the regulatory authority over the railway, that undoubtedly would be a conflict of interest. But I have no evidence whatsoever that Mr. Swanson received payment of that kind. Thank you.

MR. SPEAKER: Thank you. That will be noted, of course, in *Hansard*. I think it is probably too late for the edition that took place, but I'll check into that as well. Corrections can be made in a subsequent issue, and it will be shown today.

Any introductions? Nobody in the gallery?

Oral questions.

ERROR BACKLOG IN ICBC COMPUTER

MR. R.H. McCLELLAND (Langley): My question is to the Minister of Transport and Communications. About a year ago, the Minister will recall, there was some concern about error backlogs in the computer system at ICBC with perhaps some 400,000 individual items being rejected by the computer, Would the Minister confirm that that is a continuing problem and that there may be an effective backlog today of at least 300,000 individual items, individual applications?

HON. R.M. STRACHAN (Minister of Transport and Communications): I would have to check that out.

MR. McCLELLAND: Mr. Speaker, while the Minister is checking that out, would the Minister also check out whether there are 80,000 errors left over from 1974, and could the Minister tell us what the additional cost to ICBC will be to handle all of these applications by hand?

INVESTIGATION OF AMBULANCE DISPATCH SERVICE

MR. D.A. ANDERSON (Victoria): To the Minister of Health: could the Minister indicate whether he's launched an investigation of the ambulance dispatch service in the light of the fact that the ambulance dispatched to the scene of an accident where a man was killed at Goldstream two days ago was dispatched from a more distant station than the volunteer Langford crew which was on duty at the time, resulting in a 20-minute delay in the ambulance reaching the scene of the accident?

HON. D.G. COCKE (Minister of Health): Mr. Speaker, certainly, I'm looking into the matter. One of the problems with any new service is the normal administration problems that do develop. With a global service across the province, naturally you're going to run into unfortunate circumstances. But generally, I've found that across the province the response to the service has been tremendous. If a situation as the Member describes was avoidable, then I certainly am sorry that it did occur.

MR. D.A. ANDERSON: I thank the Minister for that statement. I wonder at the same time whether he could look into the more general problem of the ambulance crews being unfamiliar with the territory to which they're assigned. Finally, would he look into the co-ordination between the volunteer services which are still being provided in some parts of the province and the professional, full-time crews which are dispatched by the ambulance dispatch headquarters?

HON. MR. COCKE: Mr. Speaker, our province is a province that varies in density, and some areas lend themselves to the volunteer ambulance administration. As you know, we've changed the volunteer concept

somewhat, because they are paid per trip and have to be available on that basis. So in developing this kind of programme, there are those grey areas of — should it be one, or should it be the other?

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Mr. Speaker, one thing I'd like to say is that generally, according to the reports and all the mail I get, the service has been tremendously well accepted and has also provided some kinds of services that were never available prior.

LIQUOR ADMINISTRATION BRANCH TRANSFER FROM VICTORIA TO VANCOUVER

HON. E. HALL (Provincial Secretary): Yesterday I took as notice three questions: two from the Liberal leader (Mr. D.A. Anderson) and one from the Conservative leader (Mr. Wallace). I have answers to the two questions from the Liberal leader. I would like to report to the House in answer to those questions. First of all, the question of the transfer of the Liquor Administration Branch from Victoria to Vancouver. Discussions concerning the relocation of the Liquor Administration Branch employees have been going on for well over six months in the department itself, and have not been the subject of any meetings or negotiations between the component of the BCGEU and the Public Service Commission. It's all been within the department itself. Not all employees have elected to move to Vancouver. The Liquor Administration Branch will be located in Vancouver in the present Broadway facilities. The Liquor Control and Licensing Branch will remain in Victoria. Those employees who elect not to move to Vancouver have been guaranteed other employment in government service. I should tell the Members that there's no question at this time of any use of aircraft for commuting. That would not be allowed, unless there was some particularly individual case for some small period of time to tide us over — some normal labour-management easement to get over the difficulties.

REASON FOR CORRECTIONS DEPUTY LEAVE OF ABSENCE

Second reason. Regarding the Deputy Minister in the Attorney-General's Branch in charge of corrections, Mr. Edgar Epp: Mr. Epp met with the Attorney-General last Monday. That's the Monday of this week, three or four days ago, at which time he was requested to take a three-month leave of absence. He was advised that when he returned to public service, it would not be with the corrections branch. At that time he was told the reason for this action was that there's been a loss of confidence in his ability to manage the corrections branch.

AMBULANCE DISPATCHING FROM LANGFORD FIRE HALL

MR. G.S. WALLACE (Oak Bay): Mr. Speaker, I'd like to ask a supplementary to the Minister of Health on the ambulance service question and preface it by saying that I agree with him that the initial results of the service are good. But when he's looking into the issue raised by the Liberal leader, could he also look into the question...or is he aware of the fact that the Langford fire hall is not allowed to dispatch an ambulance without first of all phoning the Richmond Road downtown centre, even though the RCMP who live next door, can lean over the fence and say that they need an ambulance right now at such and such a location. They have to get on the phone and contact the Richmond Road office prior to sending off the ambulance. They're not allowed to send off the ambulance and then.... Now this kind of thing seems picayune, but when you're dealing with accidents where minutes make a difference, and telephones don't always function right on the button.... Was the Minister aware of that kind of problem which is causing distress to the volunteer firemen and to the staff?

HON. MR. COCKE: Mr. Speaker, in the ambulance service we made a decision that there would be dispatching on a centralized basis. If we decide that one small area within a major area does their own dispatching, then you might very well be served with two ambulances going to the same call, and at the same time having someone in dire distress, within the same area, not being served at all.

Mr. Speaker, as I say, it's a relatively new service and I'm pleased that the Members are bringing up these questions, because they'll all be put before our administrators in this area.

MR. H.A. CURTIS (Saanich and the Islands): On the same subject to the Minister. With regard to ambulance service, province-wide, under the Emergency Services Commission I wonder if the Minister could confirm that although the service became a provincial function as of July 1 last year, a number of regional districts have not yet received — according to very recent information — operating funds or capital funds or reimbursement for capital expenditures. Specifically, Bulkley-Nechako, Central Kootenay, Comox-Strathcona, Kootenay-Boundary and Fraser-Fort George are just a few. Is there some delay in transmittal of funds?

HON. MR. COCKE: Mr. Speaker, we are now in the process of picking up all of these capital expenditures. I know of no real delay in operating expenditures other than one or two that have been brought to my attention which weren't billed properly. But as far as capital, our authorization has gone forward. The approvals are being given to picking up the capital assets of the ambulance services. You mentioned a number that are relatively peripheral. It's unfortunate if they're not one of the

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first, but I'm sure that they will be receiving their just dues shortly because certainly I know it's going on presently.

PARKING OUTSIDE LEGISLATURE

MR. G.B. GARDOM (Vancouver-Point Grey): It's too beautiful a day, Mr. Speaker, to be adversarial, so I've got a kindly little question for the Minister of Public Works. This has nothing to do with the battle of the tiles which he's waging with Mr. Jim Nesbitt, but one which I've been waging with him. Last year the Minister of Public Works informed this House that steps would be taken to remove the parking privileges from the front of these buildings. The cars are still there. They're fouling up the scenery and they're seriously impairing the aesthetic qualities of these very lovely buildings. I can assure all Members that Mr. Rattenbury never contemplated that the front of this assembly would become a third-rate parking lot.

I think it's high time the Minister gave his assurance to this House and to the many thousands — indeed hundreds of thousands — of visitors who come to this province and take pictures of these buildings that he will eliminate parking today.

MR. SPEAKER: That was quite a speech!

HON. W.L. HARTLEY (Minister of Public Works): That was a pretty good speech. I should be able to give a short answer to that. The first step is that we've inaugurated a wonderful bus service. I realize that people living in the Empress don't even have to use the bus, but they shouldn't park their cars in front; they should park it elsewhere.

MR. GARDOM: No, no! Get rid of the parking.

HON. MR. HARTLEY: The first step is a proper bus system. I think you can appreciate that with the increased number of public servants and the increased services that this government is giving to all the people there are more cars. We are concerned about this.

MR. GARDOM: Get rid of it!

HON. MR. HARTLEY: I appreciate the Second Member for Point Grey raising it again. When we have other parking space, the cars in the front will be removed.

MR. GARDOM: Well, a supplemental if I may, Mr. Speaker. A supplemental.

MR. SPEAKER: Congratulations! A supplementary.

MR. GARDOM: A supplemental. Is there any Member in this House who's prepared to put his hand up right now and say he favours parking in front of these buildings?

There's your answer, Mr. Minister. There's your answer, Not one Member. Get rid of them today!

MR. D.A. ANDERSON: A supplementary.

MR. SPEAKER: Have you a car outside?

MR. D.A. ANDERSON: No, my car's not outside, Mr. Speaker. I'd like to ask the Minister who among the flacks in his department is responsible for the captions to that photo and picture display in this building which gives the Minister the credit for putting up that barricade around the tiles instead of Jimmy Nesbitt? I think that he should certainly give credit where credit is due, and I think that while I might congratulate him on that nice purple rope that he's suddenly discovered and his new wooden supports for it, I think that he should take disciplinary action against the person who gave him credit when the credit was due to Jimmy Nesbitt. (Laughter.)

HON. MR. HARTLEY: Mr. Speaker, I'm very pleased to give the press under Mr. Nesbitt full credit and the leader of the Liberal Party credit for having raised it here at different times. I'm pleased that you acknowledge that great progress is being made in the renovations of these buildings.

GOVERNMENT HIRING FREEZE

MR. A.V. FRASER (Cariboo): Mr. Speaker, we'll get down to some serious business here now. I have a question for the Minister of Lands, Forests and Water Resources. In view of the freeze placed on the Forest Service for hiring additional staff some two months ago, and in view of the fact the Forest Service has several vacancies that require filling, will the Minister advise the House that the freeze will now be lifted so the Forest Service can be permitted to fill the many vacancies that now exist in this very essential public service?

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): The matter is something that is always under review, Mr. Speaker.

ACCIDENTS CAUSED BY CHILDREN ON MINIBIKES

MR. WALLACE: Mr. Speaker, I wonder if the Minister of Health could tell the House if he is aware of any particular increase in the number of injuries being treated in the province because of the use by

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children under the age of 16 of mini-motorbikes.

HON. MR. COCKE: Mr. Speaker, I will have to take that question as notice.

ROCK-SCALING IN FRASER CANYON

MR. D.A. ANDERSON: To the Minister of Highways, Mr. Speaker. Could I ask the Minister, in light of the tourist traffic which is increasing, whether the department intends to carry out any further rock-scaling on the Jackass Mountain section of the Fraser Canyon highway this summer?

HON. G.R. LEA (Minister of Highways): I'll take that as notice, Mr. Speaker.

WORK ON MAYNE ISLAND FERRY TERMINAL

MR. CURTIS: To the Minister of Transport and Communications with regard to the Village Bay ferry

terminal on Mayne Island in the Gulf Islands. In a memo dated June 17 of this year, just two days ago, one of the Minister's executive assistants, Mr. Peter Loudon notified me — and I thank him through you, Mr. Minister, for the notification — of the following: "This project is now being re-examined."

Would the Minister inform the House if this work is being reduced in scope? Considerable construction has taken place there. What precisely is meant by the term "This project is now being re-examined"?

HON. MR. STRACHAN: I'll have to "re-examine" it to find out.

Orders of the day.

HON. E. HALL (Provincial Secretary): By leave of the House, I move we move to public bills and orders, Mr. Speaker.

Leave granted.

HON. MR. HALL: Mr. Speaker, may I ask then for a report on Bill 8?

LIMITATIONS ACT

Bill 8 read a third time and passed.

HON. MR. HALL: Report on Bill 77, Mr. Speaker.

ATTORNEY-GENERAL STATUTES AMENDMENT ACT, 1975

Bill 77 read a third time and passed.

HON. MR. HALL: Mr. Speaker, Bill 86 on orders of the day says "not printed." I am having the Queen's Printer look into that at this moment. Therefore may we move to Bill 87, Mr. Speaker? Report on Bill 87.

CORONERS ACT

Bill 87 read a third time and passed.

HON. MR. HALL: Report on Bill 93, Mr. Speaker.

LIQUOR DISTRIBUTION ACT

Bill 93 read a third time and passed.

HON. MR. HALL: Report on Bill 99, Mr. Speaker.

LIQUOR CONTROL AND LICENSING ACT

Bill 99 read a third time and passed.

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

PROVINCIAL COURT ACT

Bill 100 read a third time and passed.

HON. MR. HALL: Committee on Bill 102, Mr. Speaker.

HEALTH STATUTES AMENDMENT ACT

The House in committee on Bill 102; Mr. Dent in the chair.

Sections 1 to 5 inclusive approved.

Title approved.

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

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 102, Health Statutes Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. E. HALL (Provincial Secretary): Committee on Bill 104, Mr. Speaker.

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RENTERS RESOURCE GRANT AMENDMENT ACT, 1975

The House in committee on Bill 104; Mr. Dent in the chair.

On section 1.

MR. D.A. ANDERSON (Victoria): Mr. Speaker, on this bill we were promised, by the Premier, some amendments to deal with the problem of senior citizens not getting the full \$50 of the resource grant.

It is a complicated business, but what is happening here, as I understand it, is that when you take out the homeowner grant for senior citizens, and a special homeowner grant, and then you get into the resource grant, there is absolutely no way a senior citizen can collect anything more than 60 per cent of the \$60 he should be collecting. I wonder whether or not the Minister responsible for this, the Minister of Housing, could give us some special insight and light on what they are going to do to get that resource grant up again.

Interjection.

MR. D.A. ANDERSON: Oh, is there an amendment coming up? Oh, I'm sorry. Perhaps you could explain how these two Acts work together, Mr. Minister of Housing.

HON. L. NICOLSON (Minister of Housing): Mr. Chairman, this Act is quite independent of the school tax resource grant. The amendment is to another Act — I can't remember the name of it — but one that is in the name of the Minister of Finance.

Section 1 approved.

Sections 2 to 4 inclusive approved.

Title approved.

HON. MR. NICOLSON: I move the committee rise, report the bill complete without amendment.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 104, Renters Resource Grant Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MR. HALL: Committee on Bill 105, Mr. Speaker.

WORKERS' COMPENSATION AMENDMENT ACT, 1975

On section 1.

HON. W.S. KING (Minister of Labour): I move the amendment standing in my name on the order paper. (See appendix.)

On the amendment.

MR. H. STEVES (Richmond): I am very pleased to be able to support this amendment. It makes the Workers' Compensation provisions for fishermen retroactive to January 1 of this year. It particularly applies to a very tragic occurrence dealing with a family in my riding, a family well known in the community, where the father and two sons were lost at sea early this spring. They were not covered by compensation, and this has left the wife and family members, the surviving members of the family, very shattered with the loss of their loved ones and also in need of financial help.

This small amendment will not alleviate that loss to the family, but it will help in some way to alleviate the financial burden caused by this tragic occurrence.

The people I am referring to, the Goshko family, are neighbours of mine in the Steveston area, and well known in the community. Mr. Goshko, as a matter of fact, was very active in the Conservative Party. I can recall many interesting discussions on politics that I had with him over the years, and I knew the family well.

I am very, very pleased, Mr. Chairman, that the Minister agreed to make an amendment so that this family would be able to benefit by the new legislation we are presenting to the government today, and that in the future all fishermen, when tragic occurrences occur, will know at least that their families and loved ones will be looked after in the future. At least when they go out to sea they know they will have some assurances that if mishaps occur, such as happened in the past spring, their families will not go wanting in the future.

I am very pleased to support this, Mr. Chairman, and happy to congratulate the Minister for bringing it in.

MR. G.S. WALLACE (Oak Bay): Mr. Chairman, I would like to add my appreciation of this amendment. A representative of the Fishermen's Union called in my office, not in relation to the incident mentioned by the Member for Richmond, but simply pointing out that the speed with which this legislation could be introduced is all important. The halibut fleet is at sea right now, and by the end of June all the fleets will be fishing.

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This particular union representative, no doubt feeling that he would get a sympathetic ear in the Conservative Party — that has been mentioned already today in relation to the fishermen — felt that he should give me the message. I was meaning to ask the Minister how soon the legislation would be proclaimed, but I guess proclamation is not important if this amendment, which is retroactive, will apply. But perhaps the Minister will say when the bill will be proclaimed.

HON. MR. KING: Mr. Chairman, there is a problem in terms of proclamation of the total extension of coverage to fishermen. Obviously, it is a new area of coverage. The Members will note that for those independents and for those fishermen who were not either employees, and therefore covered in a compulsory way, or those independents who had obtained voluntary coverage, the Act provides that we deem someone, the purchaser of the fish, to be the employee for purposes of compensation.

Obviously, under that kind of arrangement there is a good deal of administrative work that has to be done inside the board to determine assessment ratings and so on. I can't give any precise timeframe as to when the totality of the extension of coverage to fishermen will be achieved.

I can assure the House that the chairman of the board has assured me that they will give it top priority and proceed post haste to give effect as soon as possible. In the meantime though, there were certain tragedies which occurred and there is the possibility of additional tragedies. In those circumstances I have introduced the amendment to retroactively cover fatalities from January 1 on up to this point there was only the one fatality, which the Member for Richmond (Mr. Steves) has mentioned, who was not covered either in the voluntary or compulsory way. Of the, I believe, 13 or so fishermen who drowned in the current fishing season, one of those casualties belonged to a foreign fleet, so would not qualify in any event. But we want to assure that, certainly in the cases of fatalities and in the case of permanent and serious disability, coverage will be extended retroactively so that no one is penalized or suffers during the interim while the board is gearing up to change the system to comprehensive coverage for everyone in the fishing industry.

MR. L.A. WILLIAMS (West Vancouver–Howe Sound): Mr. Chairman, two questions to the Minister. In determining the January 1, 1975, date, did the Minister or the board make any assessment of loss of life prior to January 1, 1975, to determine whether we are not unfairly excluding someone who might have died in the previous year? I know we can't go back to the beginning of time with this, but I wonder if the Minister could indicate that some care was taken to ensure that we didn't inadvertently exclude someone who might also be entitled to enjoy the coverage on the same basis the Minister has announced.

Secondly, can the Minister indicate whether or not this amendment is indicative of a direction being taken by the Workers' Compensation to provide a much broader coverage of workers in the province than has ever been the case before. I am thinking about other people who are currently in non-compensable occupations. Are we moving to extend this coverage? I think that there are injuries and deaths occurring in the course of work which are affecting people who don't fall directly within the classifications of the Act.

HON. MR. KING: Mr. Chairman, I thank the Member for his concern for other areas. I am not really familiar with other areas, except one which we are now studying. It's an area where there is quite a limited number of people and, again, a problem in determining employer-employee relationships. I think we will be able to move there, hopefully, within the next year. It is a little more complex, quite frankly, than the fishing industry.

The excuse that has always been given for not extending coverage to the fishermen was that it was too administratively complicated. I am now confident that the board has worked out a proper criterion. It is going to take some time to establish the regulations by which the effect is given and to ensure that they are ready to change over from the existing process.

You see, one of the complications that comes in is that some of the people at sea now have already taken out voluntary coverage. We have to ascertain the amount of that, to what point in time they have paid those voluntary payments and whether or not there will have to be rebate once the new system is effected under compulsory coverage and so on. So that kind of administrative change-over is necessary.

As I say, if a Member has a particular concern on areas that he can identify in terms of people who are now excluded, I'd be interested in having them from him. We are looking at a number, but they're certainly not as wide as the fishing industry.

Amendment approved.

On section 1 as amended.

MR. STEVES: Mr. Chairman, on the section as a whole, I'd like to say again that I'm pleased that this amendment is being brought in. I used to fish myself, and I worked in a fish cannery. I was raised, of course, in a fishing community and quite often saw personal friends, or parents of friends either perishing at sea or being badly hurt in fishing accidents, people being caught up in nets and wrapped around the

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drums and so on, and having limbs broken and being badly harmed. So I'm pleased to see that, after we've been trying for years to get some kind of compensation for the fisherman, both from the previous provincial government and from the federal government, to little avail.

What I would like to ask the Minister at this time is with regard to those that are on voluntary coverage. I think there may be some amount of confusion as to whether people would go onto the voluntary coverage this year once this bill was introduced initially in the House. I wonder if the Minister has something to say as to the timing — aside from the death benefits which are now retroactive — of when the general coverage will be coming in, so that fishermen who may not have applied for their voluntary coverage should be encouraged to do so. If the Minister were to make some statement to that effect, perhaps the fishermen would be aware that they are not yet covered, and that they should get coverage until such time as the Act is proclaimed and able to be put into effect.

HON. MR. KING: Mr. Chairman, I can tell the House that it's impossible to give total effect to the extended coverage in time for the commencement of the fishing season. So this is one reason why I felt it imperative to act in extending retroactive coverage to the fatalities and to the serious disabilities. I have instructed the board immediately on passage of this bill, to contact not only the shore fisheries, but the fisheries at sea with every avenue available to them, so that the fishermen of the province will be alert and aware as to how they should be phased into the system and so that we don't leave anyone there without voluntary coverage prior to the appropriate moment for the changeover.

Section 1 as amended approved.

Sections 2 to 7 inclusive approved.

On section 8.

MR. D.A. ANDERSON: There's a point here, Mr. Chairman, which I wonder if the Minister could clear up. It appears that section 8 deals with section 33(5)(d) and it appears where someone is conscious but requires to have.... The board nevertheless puts aside the money involved. If the person thereafter dies, the money doesn't go to the estate; it would remain with the board. Would this be the case under that section? Or would the estate be entitled to the money?

HON. MR. KING: Mr. Chairman, this section is a bit of a complicated one. The board has encountered problems here and seeks to clear up the situation. The present Act doesn't make it entirely clear what the authority of the board is or what the board is supposed to do with regard to compensation payments when a worker is receiving total custodial care for long periods of time.

The normal system is that custodial care is paid for as an item of medical aid, but compensation payments are made to the worker and are normally used for the maintenance of his family, or the maintenance of his home outside of the institution. But there's a difficulty of what should be done when the worker has no family outside the institution and no home elsewhere, and that the institution has, in effect, become his home. The amendment clarifies the authority and the responsibilities of the board in that kind of situation, to consider the circumstances of the individual and to apply whatever portion of his compensation to his comfort in the institution, where there are no benefits and where, otherwise, the totality of his payments would accrue to an estate where there are no dependents.

In other words, the board should have the jurisdiction and the flexibility to apply some of those payments to

the expenses of his custodial care, to the comforts of the worker, rather than just paying it out to be distributed to a non-existent estate in some distant future. Now obviously there has to be some discretion in the particular circumstances of the case; so it's enabling to that extent.

MR. D.A. ANDERSON: I thank the Minister for that explanation, but there may very well be a person who's not had children or family in the traditional sense, and he would otherwise like to have this money that would go to his family in normal circumstances to his heirs and successors. I wonder whether the Minister would object to an amendment which would delete everything following "or in case of a permanent disability," et cetera, et cetera, et cetera — after all, the discretionary power is still with the board — and add there "or otherwise to his estate." This would tend, I think, to give a little more flexibility in the very rare cases the Minister describes coming to pass.

If he is amenable, or indeed, while he is thinking about it, I'll propose the amendment. It's just to add the words "or otherwise to his estate" just after (d). So it would read: "Periodic payments of compensation...in a case of temporary disability of the worker may be accumulated by the board for payment to the worker on his recovery or otherwise to his estate."

HON. MR. KING: Was that "or otherwise to his estate"?

MR. D.A. ANDERSON: Yes.

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HON. MR. KING: Well, of course, that's really implicit in the Act. The whole point of the amendment is to give the board some flexibility in terms of allowing them to expend those funds as support for the custodial care and support for the comfort of the worker. As it is now under the Act, they have no option but to let that money accrue to the estate. So that's already inherent and I don't think it requires an amendment, Mr. Chairman.

MR. D.A. ANDERSON: Waive the amendment then. I withdraw it.

MR. CHAIRMAN: The amendment is withdrawn.

Section 8 approved.

Sections 9 to 11 inclusive approved.

On section 12.

MR. D.A. ANDERSON: Mr. Chairman, section 12 amends section 73. If you look down to section 73(3), it has: "Decisions of the board relating to procedure, administration or any other matter not specified in the subsection (2) shall be made by the chairman...." I wonder why we're granting these powers to the chairman instead of to a quorum of the board, which is, of course, two. The board, in my mind, should not be downgraded and the chairman's position boosted, which is the essence of this. I would request the Minister to consider an amendment to delete in 73(3) the words: "or any other matter not specified in subsection (2)." Then of course you add the word "and" between "procedure" and "administration."

The reason is that there is a tremendous amount of autonomy to the chairman and this would allow the chairman, apart from procedural or administrative matters, to make decisions in many areas which have been the area of the board and require a quorum of two commissioners. Any decision in this area might affect labour relations. It might well, in theory at least, allow the chairman to conduct labour negotiations for the board without any prior consultation with the other commissioners or indeed anybody else knowledgeable in the field. It might affect major internal organizational changes, it might affect changes to board property, it might affect publicity, it might affect financing. In all those areas I believe that a quorum of two of the commissioners rather than the chairman should be involved. I think that the Minister would agree that this amendment would be very, very helpful.

On the amendment.

HON. MR. KING: Mr. Chairman, I would disagree with the reasons proffered for the amendment. In reality, what is being done here is an accentuation of what has been the arrangement for many, many years. It was never spelled out in legislation. The Workers' Compensation Board is becoming an extremely large corporation with over 800 employees. The Hon. Liberal leader (Mr. D.A. Anderson) is quite correct — they bargain collectively with their employees.

MR. D.A. ANDERSON: There were 1,100 employees as of....

HON. MR. KING: Right. It's gone much beyond that now. Many of those are regional, but in terms of the administration of the board in Vancouver, it's very large. I think the number of employees in that location or in the immediate Vancouver area is probably between 600 or 800.

The terms of reference of the board for dealing with many of the matters the Member referred to are spelled out in specific sections of the Act. I think the House can appreciate that it would become administratively impossible and chaotic if the authority of the chairman were diluted in any way to the extent where he had to consult on every one of the thousands of issues that are raised daily in terms of policy statements, in terms of instructions and direction to staff if there had to be convened a meeting among the three commissioners.

It is spelled out clearly in section 2 that the rehabilitation and compensation and assessment areas are clearly matters for a majority of the commissioners to sit and decide policy on. Really all it is is an affirmation of the system that has prevailed for many years.

MR. D.A. ANDERSON: Mr. Chairman, in an attempt to sway others unconvinced by the Minister's words, I would point out that the chairman does indeed have full administrative responsibility in the remainder of subsection (3) which I have not amended. It would read: "Decisions of the board relating to procedure, administration...shall be made by the chairman or as the chairman shall direct." But in the case of all other matters not specified in subsection (2), I think we are widening the whole field far too much.

Subsection (2) reads:

"Decisions of the board on the final disposition of any appeal relating to a claim for compensation, a rehabilitation expenditure or an assessment, and decisions on the content of regulations under sections 59 and 60, shall be made by a majority of the commissioners present...."

So that is clear. Two commissioners constitute a quorum.

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We are leaving procedure and administration to the chairman with my amendment. I agree that the Minister is perfectly correct. There are lots of people. He said more than 800 — in actual fact, I believe that as of December 31, 1974, there were 1,162.

HON. MR. KING: But not in Vancouver.

MR. D.A. ANDERSON: Not all in Vancouver. Of course not. But all under the chairman and commissioners.

It would appear to me that to give this discretionary power to the chairman would not be a continuation of past practice, but would be indeed a reduction in the role of the board vis-à-vis the chairman. I would most strongly urge Members to support my amendment.

Amendment negated.

Section 12 approved.

Section 13 approved.

MR. CHAIRMAN: The Minister on a section to follow section 13.

HON. MR. KING: I move the amendment standing in my name on the order paper, Mr. Chairman.

On the amendment.

MR. WALLACE: Mr. Chairman, the amendment repeals the Blind Workmen's Compensation Act. We have talked earlier in this session about the fact that blind workers have felt that they have every right that other workers do and that their conditions of work and so on should not be under the exclusive jurisdiction of the CNIB. I notice that in the bill we are repealing by this amendment it also says: "Upon the recommendation of the board, the Lieutenant-Governor-in-Council may designate any other organization or institution to exercise the powers and perform the duties," et cetera.

What I am wondering, Mr. Chairman, is if the Minister could tell us where the blind workman will be in the period of transition between the repeal of this bill and presumably changes which are being studied by a committee at the present time, I understand.

HON. MR. KING: Mr. Chairman, the point is that we have had an investigation made regarding the number of blind workers in the Province of British Columbia and what their reaction was to the present rather autocratic control that was legislatively vested in the CNIB. We found an overwhelming reaction against that kind of control. I think it should be said that undoubtedly that legislative control initially was well-intentioned and well-motivated. It came in another era. Perhaps at that time there was some justification for it, but not in today's society, of course. Things have changed. Blind workers have come to a decision, and I believe rightly so, that they have a disability and they should be treated in the same way as any other worker who suffers a disability. So it is anticipated that through the normal rehabilitative processes of the board, we can bring great help.

There is nothing to prevent the CNIB from playing a very positive role of assistance also. It simply means that it won't be visited upon a captive group but that there will be a voluntary relationship.

I think that under this system it may well be that the rehabilitative branch of the Workers' Compensation Board will perhaps extend the kind of interest and the kind of coverage that should be extended to blind workers.

We are very interested in, and in fact I had a paper published a short time ago in the workers' compensation monthly publication on, this whole question of does the employer's obligation end simply through payment of disability payments, or does he have some continuing social obligation to a worker who is partially or even totally disabled on the job in terms of the rehabilitative process, in terms of trying to find an opportunity for that partially handicapped individual to get back into the mainstream of society? We have some dialogue going on that.

I hope that the board will be paying a great deal of attention in the future not only to workers who contract some industrial disease or who lose a limb, but blind workers also.

I don't think the amendment, which simply abolishes the Blind Workmen's Compensation Act, jeopardizes the level and the opportunity for services and rehabilitation that blind people now have.

MR. D.A. ANDERSON: Mr. Chairman, I was most interested in the Minister's comments, because recently the Association of Concerned Handicapped sent me a copy of a report entitled "The Unmet Needs of Blind Canadians: the British Columbia and Yukon Division." It was a fascinating study and I think that while it is critical of the CNIB there are areas of this report where the CNIB is praised, and rightly so. In one area in particular it talks about vocational counselling. I wonder whether the Minister has any special ideas about what might happen in the area of vocational counselling for blind people.

There are 3,800 blind persons in this particular area and about 1,000, I might add, were consulted when this report was put together; so it's a pretty good report. The greatest need for the blind person apparently is employment, and apparently at the present time there's no vocational training

programmes for the blind available in British Columbia. So we're into a situation where there is clearly a great deal to be done. I wonder whether the Minister could indicate to us what the changes will be in terms of his department, what the beefing up will be.... I should say the Workers' Compensation Board. What will the beefing up be to take over from the CNIB? What will be done in the area of vocational counselling and in particular rehabilitative training?

The subject might well be discussed — I'm discussing it somewhat gingerly — under the estimates, perhaps, of the Minister of Health (Hon. Mr. Cocke) or Minister of Human Resources (Hon. Mr. Levi). But certainly as we are now wiping out an Act, a specific Act, for blind people, as we are now seriously affecting the role of the CNIB, I wonder whether we could have just a little bit of latitude and allow the Minister to comment upon programmes that he might have in mind for, in particular, vocational training and, secondly, for rehabilitation of blind people.

HON. MR. KING: Mr. Chairman, I don't think I'd agree that we're eliminating any interest or any participation by the CNIB simply by eliminating the Blind Workmen's Compensation Act. What we are doing is eliminating the virtual control that that organization had over the lives of blind people. That does not mean that the CNIB cannot continue to play a positive role in terms of the kinds of services they have historically provided the blind people. It just means that in the future blind people will have an opportunity to find their own jobs if they so choose, without being vetoed by any organization.

Now I did indicate that the board will undoubtedly, in light of this amendment, be looking at the extent of their rehabilitation programme for blind people, and will undoubtedly seek to co-ordinate their facilities and their programmes with those already offered by the CNIB. So the blind people will have the best opportunity to seek counselling and to seek rehabilitation and also to seek assurance that they will have some job opportunities.

Now we can counsel these people all we want and we can rehabilitate them. But unless someone is prepared to hire them, we haven't solved the problem. I indicated to the House that we're having a hard look at what the obligations of society both in the private and public sector should be in terms of making employment opportunities available for these people.

MR. D.A. ANDERSON: The Minister, I think rightly, pointed out that the CNIB will continue to play a useful role and has in the past. I'm sure that even those who are critical of it would not wish it to disappear. But there are about 700 employable blind people in the province. Their annual income is for men about \$5,600; for women it's only \$2,700. That's pitifully small, below the poverty line. I wonder whether — again I'm showing a slight bit of latitude in this debate — we could get from the Minister of Labour, who really is responsible for these 700 employable blind people, not any other Minister, since these people are employable...whether he would indicate to us what steps he's thinking of in terms of vocational training, in terms of leaning on corporations. Perhaps some of those large, monolithic Crown corporations that are in existence in this province might be squeezed by the Minister of Labour — he's so good at squeezing people — and forced to hire, or at least encouraged to hire, blind people. When blind women are earning only on the average \$2,700, they have a major social problem, a major area of discrimination — double discrimination in all likelihood. I'm sure the Minister is as concerned about that as anybody.

He might just throw in a few little comments, Mr. Chairman, about the handicapped persons income allowance, and whether or not some flexibility can be worked into that so that indeed it would be possible to use that as a supplement rather than as it is now, a rather bureaucratic impediment to work, because if you get a job and you are at the wrong income level, it is a dollar-for-dollar deduction and it becomes pointless to go through the frustrations of working when you are blind, or at least it becomes much less of an incentive.

So those sort of quick points: (1) What is he doing as Minister of Labour to hire or get hired the 700 blind people in the province? (2) What is he doing to make sure that the income discrimination that exists at the present time is wiped out? (3) What is he doing to make sure that those who deserve it get the handicapped persons income allowance? What is he doing to make sure that it is administered in a flexible manner? If I had a fourth, I have forgotten.

HON. MR. KING: Well, the point is well taken, Mr. Chairman. We have, in fact, a study underway. I think the Member will recall that in the debate on my estimates the question was raised regarding the employment, the contract that a certain lady in Victoria here, who is herself handicapped, got. She is commissioned to do a report for the Department of Labour with respect to affirmative action plans, if you will, within the government service — not only through the Public Service Commission but with respect to Crown corporations also. That pertains not only to blind people but handicapped people, for whatever reason.

I'm informed by my colleague the Minister of Transport and Communications (Hon. Mr. Strachan) that he in fact has a blind person running the data processing machines in his department, and I certainly welcome that.

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I think it is quite true, and I think it is very important, that the government set an example to the private sector. I mentioned the paper that was published in the Workers' Compensation Board monthly publication — I forget the name of it at the moment....

AN HON. MEMBER: *The Reporter.*

HON MR. KING: Yes, *The Reporter.* I would suggest to the Members that they read that. It is rather an interesting, provocative article regarding the various advantages and disadvantages of an employer obligation to continue to employ some of these people who are injured and disabled partially.

So we are looking at that, and I expect that we will receive a considerable feedback from the private sector, from the trade unions, and so on, with respect to that kind of proposition. In the meantime, the government is doing something very positive through the employment of Helen Austin to ensure that there are no unnecessary obstacles in government to the employment of handicapped and blind also.

With respect to the wage levels of blind people, I would suggest that that was one of the obvious reasons for the abolition of the Blind Workmen's Compensation Act, because that organization did have control over the kind of jobs that blind people could undertake. We found that as a rule they were pretty well relegated to the sheltered-workshop kind of employment where, in certain cases under previous legislation, not even the minimum wage was available. So we've had to take a pretty broad look at what, as I say, was undoubtedly well-intentioned protection for these people initially, but protection that was far too all-pervasive and far too autocratic, and which mitigated against the best interests of the handicapped people, in my view. So there are a variety of those things we have had to look at and are in the process of straightening out.

Now when we assess, through the board, the kind of services we have to counsel and to train blind workers to get back into the work force, then we are going to have to assess very carefully the job opportunities that are opened up for them. I would far sooner proceed on a persuasive, voluntary basis in trying to re-establish these people. But industry in the private sector must be sensitive; otherwise we will have to look at more compelling methods.

MR. D.A. ANDERSON: Well, Mr. Chairman, the Minister has been most responsive and I don't want to continue to push this, but we have at the present time no real vocational training programmes for blind people in British Columbia. I hope the Minister will pay serious attention to this, bear it in mind and keep Members informed.

I have a personal interest. For the last decades of her life my grandmother was blind. I feel that the Minister could do a great deal in this area. I urge him to do it, and I trust we will be informed of affirmative action.

I congratulate the Minister of Transport and Communications (Hon. Mr. Strachan) for his interest in this and making sure that blind people are employed in his department. More interest of that nature is needed in the government and in the private sector, and I just commend him for taking that interest.

New section 14 approved.

Title approved.

HON. MR. KING: Mr. Chairman, I move the committee rise and report the bill complete with amendments.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 105, Workers' Compensation Amendment Act, 1975, reported complete with amendments to be considered at the next sitting of the House after today.

HON. MR. HALL: Committee on Bill 108, Mr. Speaker.

MOTOR-VEHICLE AMENDMENT ACT, 1975

The House in committee on Bill 108; Mr. Dent in the chair.

Sections 1 to 3 inclusive approved.

On section 4.

MR. N.R. MORRISON (Victoria): Mr. Chairman, section 4 is a section which removes sections 29 to 35 of the old Act and replaces them with similar numbers. It is section 30 of that section 4 V which I would like to refer at this moment. That is the section which says that a dealer shall not sell or exchange, offer, or advertise for sale a motor vehicle without registering it.

I've had considerable conversation with a number of dealers who are concerned with this section. They are concerned about a number of items. First of all, it's a cost item; it involves an additional cost to the dealer because he must register each new vehicle as it is received. Then there is an additional cost as that vehicle is then transferred to its, theoretically, first owner — in this case it will now be a second owner. It means that he has to send someone from his staff

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down to the registration office to, in fact, get the number, even though they are simply getting the first registration number for it. Then they have to come back and record that number somewhere in their files so there is no possibility they could end up by double-registering. That could easily happen if that number is mislaid or applied to the wrong vehicle. So there is not only the cost of the registration, there is the cost of the transfer when it is sold to — I don't know whether you want to now call it its first or its second owner because in this case I guess you're going to call the dealer the first owner. Therefore the next individual who buys the new car — is he a first or a second owner? There's the cost of the people doing it — the extra paperwork that's required for it. So the cost is a factor.

The other problem is, I am informed, that, sort of on an average, return in getting that registration back from Victoria is about 90 days. So a vehicle that arrives this morning in a dealer's place of business, and is unloaded from the truck transport, or wherever it came from, is then registered. Before he, in fact, gets the paperwork back there could be quite a long delay. That vehicle could be prepared for delivery and delivered on Friday, but he still doesn't have the paperwork back which enables him to transfer it again to the second or the first owner, depending on how you want to look at it.

I'm curious as to what purpose it serves, because dealers obviously don't want to keep new vehicles in stock any longer than they have to. This appears to be some delay for them.

The third item which is causing a lot of concern is that when the vehicle is sold to its, again, first or second owner, it's the obligation of the owner to see that it is insured and transferred. But there's no way that the dealer can be assured that the customer, in fact, has done so, short of going back to the motor vehicle registration office and asking to determine who the then-registered owner is. Even that normally takes three days and on a rush basis takes two, plus an additional cost. So they're concerned as to why the need for this section. They can't see any reason or

that it improves the system; they can't see that it improves the ownership of it. It just seems to be an additional cost item with no real rhyme nor reason to it. I'd like to leave that in the Minister's hands if he could give us an answer for it.

I have some other items on this section, but I think on this one it might be simpler if I sit down and he gives me an answer. Then I'll proceed.

HON. R.M. STRACHAN (Minister of Transport and Communications): Section 30 requires the motor dealer to register but not licence the vehicle prior to offering it for sale. This will refer to new vehicles and to vehicles coming from other jurisdictions on which there is not a record kept by the motor vehicles branch. They require that it be registered and such a record created.

It will provide for the examination of vehicles coming from another province before they are offered to the public. It will create the documents of registration to be carried in the vehicle at any time it is operated on the highway. A record of the vehicle, of course, may be used to identify stolen vehicles and will show the continuity of ownership of the vehicle by identifying the motor dealer who first registered it. It's part of the process that....

As you know, one of the first things I did on motor vehicles was get rid of a lot of the red tape which was related to salesmen, licensing of salesmen and so on. I don't really believe in red tape just for the sake of red tape. I am told that this will give added protection on what is a growing problem — car thefts are increasing. This will help the branch with its complete records.

MR. MORRISON: Thank you, Mr. Minister. I appreciate what you're saying. I hope you understand that the dealers don't, at this point, agree that it will, because of the time delays in the registration and the time delays in getting the documentation back.

Even though it may be a used vehicle which is brought into the province and registered, the odds are that if it's stolen within the first week of arriving, you wouldn't find it anyway because you're not going to have the documents back in time to have them in the vehicle. I know in my own case, I have one where it took nearly six months before I got it back, and I wouldn't have got it if I hadn't gone following after it.

The next item which I would like to talk about is item 34(a). That's concerning the change of the dealers' licence now going to the Consumer Services department. Again, they're a little concerned as to the need to have another department become involved in the dealer licensing and looking after that department. They're concerned about the extra fee which would be charged. It's my understanding now that there is no extra fee charged to licence the dealer. In fact unless he buys a licence plate for a vehicle, a D number, there's no fee charged to licence a dealer. So they wonder why the need for that.

Although they wouldn't want me to suggest that there is some likelihood that this could be used as a club over the dealers, there's always that possibility. They want it to go on the record that they hope that's not what it's designed for. I assured them I didn't think it was, and I'm sure the Minister will confirm that that has nothing to do with it. But again, they would like some explanation as to the reasoning behind that transfer to another department — out of the motor vehicle administration, and now into the Consumer Services department.

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HON. MR. STRACHAN: I can assure them that there's no intent and no application of this Act will be used as a club over the dealers. It was something that was discussed between the two departments. Again, as we know, and we know from other sections, there is some protection requirement to the public, related to motor vehicles. They are commercial operations, and both departments were of the opinion that the dealer, who is a retail business really, could be better served under the Consumer Services department than under the motor vehicle branch. The licensing and so on will still be handled from the motor vehicle branch. But it is a commercial enterprise, selling something, and we thought it would be better under Consumer Services than the motor vehicle branch. By proclamation, at a time suitable to both, it will take place.

MR. MORRISON: Could I assume then, that it's probably the intention that any retail business ultimately will come under Consumer Services. Is this the beginning of a long trend of control, regulation and licensing of all consumer businesses? I see one shaking his head and the other nodding.

HON. MR. HALL: You asked two questions. (Laughter.)

MR. MORRISON: The answer, I think, should be the same to both.

Further on, in section 34(c), as I mentioned in second reading, concerning the odometers, I appreciate what the Minister is attempting to do. But I think it should somehow get to the onus that even the owner of a vehicle cannot turn back the odometer prior to trading that vehicle in, or prior to offering it for sale to someone else. That loophole still exists, as I understand it, that as an individual, if you own a car you can take it out and have the odometer adjusted then offer your vehicle for sale or as a trade-in on the purchase of another vehicle. There's no onus upon the man who adjusted the odometer but there could be some liability upon the dealer who sells it later if the customer finds that it has been done. That loophole is still there, and I think that it is one that has to be looked at pretty carefully.

HON. MR. STRACHAN: I think there is protection there. It says: "No person shall disconnect or tamper with the odometer..." Then subsection (2)...

MR. MORRISON: Two is the one I refer to.

HON. MR. STRACHAN: Yes. "No person shall alter, or cause to be altered, the odometer with which the motor-vehicle is equipped for the purpose of misleading, or with the intent to mislead, a prospective purchaser of the vehicle as to the registered mileage of the vehicle on that odometer." I think that's it — "no person." It's as simple as that.

MR. MORRISON: You would then say that if he were offering it as a trade-in, that it's not.... Okay. I hope that's the intent, and I hope you've covered that loophole.

MR. STRACHAN: That's the interpretation — no person is no person.

MR. MORRISON: Well, that's not the interpretation we got back from our....

MR. WALLACE: I sometimes feel that I'm a no person around here, but that's just an observation, not to do with this section of the bill.

Mr. Chairman, I'm just interested, as a non-expert in this field, about 34C(4) where it states: "...the owner or dealer...is personally liable to the penalties prescribed for the offence as a principal offender..." Now one of the common jokes often made when you're talking about the integrity of a person is: "Would you buy a second-hand car from that person?" It seems to me there are many people within the business of selling motor vehicles, but there's usually only one dealer. I guess this section clearly means that if I'm a dealer, and I employ 50 salesmen, and one of these salesmen, unknown to me, tampers with the record of mileage on the vehicle, then I'm personally liable. I can, to some extent, see what this section is trying to do. I've checked the former Act and there's nothing like this in the Act as it now reads. The section on the odometer is just basically l(a) and (b) of the new section.

I wonder if the Minister really feels that a dealer and owner should be responsible personally to-this degree for the variety of people specified under subsection (4), which says: "Where an offence is committed by an employee, servant, agent worker of, or any other person entrusted by the owner or dealer with the possession of the motor vehicle." That is a very wide definition of just about anybody and his brother who could be in possession of the vehicle at a certain time. They tamper with the odometer — and then I, as the owner or dealer, get nailed because this other person broke the law. There may be some evidence the Minister has to offer to justify the introduction of this section, but it seems to me a perilous path to be going on to hold an employer or a car dealer so totally and completely liable for possible breaches of the law by his employees.

I have been trying to think of other examples in other sectors of the business world where you are held responsible to this degree. I know we can be held responsible for mistakes that employees make under your supervision, for example, but when an employee

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chooses to break the law, I just wonder if it is fair to hold the employer responsible.

HON. MR. STRACHAN: The one other example I know of is of course the liquor control Act, where the owner of the hotel loses his license because some employee has broken the law.

I don't know about the Railway Act, which my colleague talks about. I suppose it's a difficulty faced in many areas. You have to be sure that the employer accepts responsibility so he can't say he didn't know about it and get off free. It doesn't relieve the individual. I imagine any court would look pretty carefully at what had happened in determining or apportioning blame.

It used to be that every salesman was licensed by the department; we abolished that a year or so ago. As long as the man who runs the business has a license, that is all that is required. I think that was the situation here: every salesman had to have a license, and records were kept of him in the motor vehicle branch. It is my opinion that the dealer, the man who owns the business, is licensed and he is responsible for what happens within his business. So he can't, as in the liquor Act, say he didn't know it was happening.

Now it doesn't relieve the individual who did it. I expect, as does happen in the liquor Act, that any court would look at it very carefully in assessing the likelihood of the owner being a party to an illegal act.

MR. WALLACE: Just a quick follow-up. I don't quite agree with this analogy of the liquor control situation, because there is sometimes a measure of discretion in determining whether a person is of drinking age and whether he is producing his own ID card or facsimile or what-have-you, whereas here we are dealing with a willful, calculated action of an employee to break the law in order to make a sale, which is basically what it comes down to.

I am very apprehensive when we consider that the court will exercise discretion, and we always hope courts will, but the way this section is written.... Again, I am not a lawyer, but if we are going to read plain English, it says that the owner or dealer is personally liable; it doesn't say "is personally liable at the discretion of the courts" or some such extenuating phrase, it just says that the owner or dealer shall be deemed to be a party to the offence so committed, and is personally liable.

Now I don't think there is any mistake in that English at all. It is as clear as day that if I in ignorance employ a crooked salesman, I can land up being penalized and so on for an action that I had no part of and did not contribute to and didn't even know about. So I wonder if one couldn't consider putting in the words "may be held personally liable" or some extenuating word that at least doesn't make it sound as though regardless of the circumstances the dealer is liable. I would like to see some phrase that under circumstances the dealer may be held personally liable. I wonder if the Minister would consider that.

HON. MR. STRACHAN: I would like to see it tested the way it is. Let's see what happens. I would prefer to leave it the way it is and we'll see how it operates. If it proves inoperable or obviously unjust then of course we will take action.

MR. MORRISON: I was leading up to the fact that there is still the loophole that the individual could do so and therefore the dealer who handles this vehicle unknowingly could personally become liable — not even corporately liable, which would be bad enough. Here is a case where an individual could knowingly do what he is doing, trade that vehicle in to a dealer who sells it unknowingly to an innocent purchaser, and ultimately the dealer becomes responsible for an act over which he had absolutely no control. That was the item I was leading up to on this section.

I do think the Minister should take a good, long look at it, or give us some assurance that should this thing be

tested in court, it was not the intention that an individual should be placed in that position where he is personally liable for things over which he has no control.

HON. MR. STRACHAN: In the case you gave where some individual could turn the odometer back and then trade the car in....

MR. MORRISON: It happens every day.

HON. MR. STRACHAN: This is only "some servant, agent, or worker of, or any other person entrusted by the owner or dealer with the possession of the motor vehicle...."

MR. MORRISON: But you still don't know.

HON. MR. STRACHAN: The dealer would not be in that position at the time the odometer was turned back. The individual who turned it back was going to bring it and trade it in, so he wasn't "a servant of," he wasn't entrusted with the car by the dealer. It was his car. I would say the dealer is perfectly clear...

MR. MORRISON: It is still an area of doubt.

HON. MR. STRACHAN: ...if the act takes place before the individual goes to trade it in.

MR. L.A. WILLIAMS: Mr. Chairman, the point raised by the Member for Oak Bay is an appropriate one and I suggest to the Minister that the solution that the Member put forward and indeed the solution that the Minister himself referred to could be very

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simply cured by adding the words "prima facie" before the word "deemed." Then it is implicit that while there is a prima facie liability, it is one which the dealer can discharge on proof. If he is charged and he has an answer, he can make it. He is not automatically deemed to be guilty because of the acts of his employee. If he can't answer the charge, then of course his guilt is as complete as it would be under the words as they presently stand. It only gives him the right to establish it.

Therefore, Mr. Chairman, I would like to move that in this new section 34(c)(4), in the fourth line, the words "prima facie" be added before the word "deemed."

On the amendment.

HON. MR. STRACHAN: I am reluctant to accept the amendment, Mr. Chairman, because I accepted an amendment to a piece of legislation last year and I was quite sure in my own mind what that amendment that I accepted from across the way would do, and it did exactly what I was quite sure it would do. It put me in a position where a group who had a responsibility simply told me that they were going to walk away from that responsibility. So I am reluctant to accept amendments because the staff have looked at it. I can assure you that if it doesn't work out.... Dealers have to accept responsibility.

MR. L.A. WILLIAMS: Don't commit yourself for a minute please, Mr. Minister.

HON. MR. STRACHAN: No, no.

MR. L.A. WILLIAMS: Perhaps I could say one more word.

HON. MR. STRACHAN: Go ahead.

MR. L.A. WILLIAMS: Mr. Chairman, this is a matter which concerns the vicarious responsibility of an employer for the acts of his employee. The common law is quite clear as to what the consequences may be. We have other similar statutes in this province. I refer specifically to the Real Estate Act, for example, whereby, in the event

of a breach of the statute by a salesman, the owner, director, officer who is in charge of the real estate office out of which that salesman works is, by statute, made prima facie responsible for the offence and punishable as a principal offender. The reason those words "prima facie" are there is because there may be circumstances in which the owner, director, officer — whatever the case may be — has a defence based upon lack of knowledge, willful disobedience of orders by an employee, et cetera. That is all the words "prima facie" do to the constitution of the employer as being a principal offender. Without those words, there is an absolute liability on the owner and he is precluded from making his defence.

I am not suggesting that a dealer should not be responsible for his work force, for his employees. A dealer, if he has got mechanics who are performing this kind of responsibility, should certainly be accountable. But if it is done without the knowledge of the dealer, the dealer happens to have a fairly large operation and he finds that some employee has been doing this at some other place of business, then I don't think he should automatically be made guilty for the offence. If he knowingly allows the practice to continue, then of course he should be, and even with the addition of the words "prima facie," he would be counted the principal offender.

HON. MR. STRACHAN: No. I will certainly give it a good look and watch it very closely in its months of operation.

Amendment negatived.

MR. MORRISON: Continuing on on section 4 — 34E(2):

"A dealer shall at all times during business hours, on request of a peace officer, or person authorized in writing by the registrar, permit the peace officer or authorized person to enter the dealer's place of business to inspect the books, records and files of the business, and to enter any premises in which any vehicle owned, possessed, or controlled by the dealer for purposes of the dealer is kept or stored, and to inspect all vehicles on the premises."

I can understand why you might want someone to come and inspect the vehicles, why you might be concerned about the registration. But it's pretty broad coverage that any officer walking in off the street or any person authorized should be instructed to look at the books and records. I want to know why that sort of broad coverage is necessary.

HON. MR. STRACHAN: Well, evidently it's a repeat of authorization that's now in the existing legislation.

MR. MORRISON: We didn't agree with it then.

HON. MR. STRACHAN: It's a repeat of existing authorization that's been moved into this section rather than where it was. "At all times during business hours." You know, I think we have to be reasonable people. The peace officer usually would have a reason to want to inspect the records or the books.

MR. MORRISON: I could understand if you asked

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for an accountant or somebody like that, but....

HON. MR. STRACHAN: Well, you know, there are a lot of offences related to the motor vehicle, or related to the use of a motor vehicle.

MR. MORRISON: I appreciate that.

HON. MR. STRACHAN: As I say, the authorization has been there right along. I don't know of any undue use it's had. When you were in business, did a peace officer ever walk into your business and want to inspect your books?

MR. MORRISON: No, never.

HON. MR. STRACHAN: No. So it's the same.

MR. MORRISON: But he didn't have the power to, either, if he'd asked to then.

HON. MR. STRACHAN: Pardon?

MR. MORRISON: He probably didn't have the power to then.

HON. MR. STRACHAN: Oh, he did. This authorization is already in the existing statutes. It's just being moved.

Sections 4 and 5 approved.

On section 5A.

HON. MR. STRACHAN: I move the amendment standing in my name on the order paper — section 5A.

Section 5A approved.

On section 6.

MR. D.A. ANDERSON (Victoria): Mr. Chairman, section 6 is a brief section which says that section 121 is amended by striking out the definition of bicycle and substituting: "bicycle means a device having any number of wheels that is propelled by human power and on which a person may ride."

Well, this offends my sense of correctness of the English language.

HON. MR. STRACHAN: I got that yesterday....

MR. D.A. ANDERSON: Yes, well, the Hon. Member is about to speak. He has an amendment. I have an amendment. I do think that we must make it perfectly clear that a multicycle may well be deemed a bicycle for the purposes of the Act; but a tricycle may well be deemed a bicycle for the purposes of the Act. But to say a bicycle means that is to cause large numbers of children to realize that we just don't know what we're talking about, that we've never passed any English courses in school.

I think that the Hon. Member for West Vancouver–Howe Sound (Mr. L.A. Williams), who I believe has an amendment to put forward — he nods affirmatively — has some excellent proposals. If his isn't accepted, I'll try one too. I think this is just bad English.

MR. L.A. WILLIAMS: Debate of yesterday arose in this matter. I've had a large number of calls from constituents of mine and from other Members' constituents who are very skilled at riding the unicycle. Only one wheel! It takes a great deal of skill, and they're offended that they should be included with those people who are bicycle riders who have two wheels and even tricycle riders who've got three wheels. I just think, aside altogether from how offensive it may be to the English language, that we are really downgrading the great skill it takes to mount yourself on that precarious perch and go forward and backwards and round in circles on a single wheel. Therefore I propose a very simple amendment that in the third line we delete the word, in quotes, "bicycle" and we substitute the word, in quotes, "cycle."

AN HON. MEMBER: Hear, hear!

MR. L.A. WILLIAMS: A cycle would mean any device having any number of wheels that may be propelled by human power. Then I think that unicycle riders, bicycle riders and tricycle riders and all others may not be offended by the section.

HON. MR. STRACHAN: Again, you throw these things and we don't know what it's doing to some other section of the Act; motorcycles, you know....

MR. L.A. WILLIAMS: It can't be a motorcycle, because that's not propelled by human power.

Interjections.

HON. MR. STRACHAN: We'll leave section 6 for a while and go on to the other sections.

Sections 7 to 13 inclusive approved.

On section 6.

Interjections.

HON. MR. STRACHAN: I just want to be sure it's not doing....

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MR. L.A. WILLIAMS: I understand the Minister's point.

The House resumed; Mr. Speaker in the chair.

MR. CHAIRMAN: Mr. Speaker, the committee reports progress and asks leave to sit again later this sitting.

Leave granted.

HON. MRS. DAILLY: Committee on Bill 112, Mr. Speaker.

PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT, 1975

The House in committee on Bill 112; Mr. Dent in the chair.

Sections 1 to 18 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 112, Public Service Superannuation Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. E.E. DAILLY (Minister of Education): Mr. Speaker, committee on Bill 113.

MUNICIPAL SUPERANNUATION AMENDMENT ACT, 1975

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

Section 1 to 16 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 113, Municipal Superannuation Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MRS. DAILLY: Mr. Speaker, committee on Bill 114.

TEACHERS' PENSIONS AMENDMENT ACT, 1975

The House in committee on Bill 114; Mr. Dent in the chair.

Sections 1 to 14 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 114, Teachers' Pensions Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MRS. DAILLY: Mr. Speaker, committee on Bill 115.

COLLEGE PENSION AMENDMENT ACT, 1975

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

Sections 1 to 9 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 115, College Pension Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MRS. DAILLY: Mr. Speaker, committee on Bill 116.

PUBLIC SERVICES MEDICAL PLAN
AMENDMENT ACT, 1975

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

On section 1.

MR. D.A. ANDERSON: I wonder whether the Provincial Secretary could assure the House that in cases where these amendments come into effect and people are barred by the Lieutenant-Governor-in-Council from taking advantage of the medical plan in question it will always be the best medical plan that they will be left with. In other words, if they are under some outside plan at the present time and they come into the public service and the public service plan is there, will it always be a question of choosing the most comprehensive and richest plan in terms of the actual individual concerned?

HON. MR. HALL: Yes, that was negotiated into that contract.

MR. D.A. ANDERSON: Thank you.

Section 1 approved.

Section 2 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 Services Medical Plan Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MRS. DAILLY: Mr. Speaker, committee on Bill 117.

PUBLIC SERVICE GROUP INSURANCE
AMENDMENT ACT, 1975

The House in committee; Mr. Dent in the chair.

On section 1.

MR. D.A. ANDERSON: Mr. Chairman, I did pose a question to the Provincial Secretary yesterday. The question was about life insurance and whether or not it would be possible to have more than one policy. The Provincial secretary is clearly anxious to answer that question of yesterday and I wonder whether he could do so at this stage.

HON. MR. HALL: During second reading of the bill, Mr. Chairman, the leader of the Liberal Party questioned why the amendment made provision for rescinding the eligibility of employees covered by a contract of group life insurance other than under this Act. By way of explanation, I should point out that under the present provisions, all employees of the government, Members of the Legislative Assembly, and other contributors to the Public Service Superannuation Fund are covered by a single contract with coverage and premiums that have been determined by the Lieutenant-Governor-in-Council. The master agreement between the government of B.C. and the British Columbia Government Employees' Union, the registered psychiatric nurses and the Registered Nurses

Association of B.C. has made provision for the establishment of a joint committee to study the provision of a mutually acceptable plan to cover group life insurance and other benefits in order that the members of these groups may have some share in determining the level of coverage, cost sharing, the carrier, and other matters related to such plans. When such mutually acceptable plans are developed for these groups, there will be a continuing need to provide group life coverage for those now covered by the contract on this Act who are not members, who have not been involved in that process. This amendment will give the negotiating parties freedom in developing a mutually acceptable plan while continuing to provide coverage for those persons who are not members of the groups, like excluded personnel, personnel officers, those excluded both by statute and negotiation. We have got to move ahead in locked step until we come up with some better ideas.

Mr. Chairman, at the same time yesterday on the same bill, the Second Member for Victoria, the Liberal leader, asked a general question regarding coverage in terms of pensions and insurance and so on. I perhaps should have handled it earlier, but let me answer it now if I may. The Member inquired regarding the position of common law wives under these general umbrellas.

MR. D.A. ANDERSON: Common law spouses. You can't use that "wife" term any more — you'll be accused of sexism.

MR. GARDOM: No, spice — it's plural.

HON. MR. HALL: I'm sorry. Common law

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partners. When an employee is active — before the pension is granted — the employee has the option of nominating the common law partner or any other person to receive a refund of the credit in the fund should the person die before the allowance is granted. This payment would be in lieu of a monthly pension to the partner, to the spouse. In the absence of such a nomination, if the employee dies before the allowance is granted, the spouse is automatically granted a pension for life if the employee has served for 10 years or more. At retirement, the employee has a full choice of plans and may include any person, including a common law partner, as a joint beneficiary. At that time the pension is adjusted in accordance with the choice of plan. Where that plan is joint life and last survivor, the agent or the person selected as a joint beneficiary or the superannuation allowance is then taken into account.

Section 1 approved.

On section 2.

MR. MORRISON: I wonder if the Minister could give us a little general comment on this section 2 about rescinding the eligibility of employees. Is there any way that an employee who is rescinded could have a hearing or some recourse if there were some hard feelings concerning it? It does give the cabinet great powers. I see that even the eligibility of individual MLAs and employees is included, so I would like some general comment on that section.

HON. MR. HALL: I'm not so sure the wording we could use could contain all the Member's worries, but frankly if somebody has agreed to take some other course of action, there has to be a remedy to get them out from this umbrella. That is what section 2 of this bill and section 4 of the original Act do.

What we are saying is that given the action taken by a group of employees, the Lieutenant-Governor must have the power then to terminate the eligibility of those people who ask for it.

MR. MORRISON: Then it is by request.

Section 2 approved.

Title approved.

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

amendments.

Motion approved.

The House resumed; Mr. Speaker in the chair.

Bill 117, Public Service Group Insurance Amendment Act, 1975, reported complete without amendment, read a third time and passed.

HON. MRS. DAILLY: Mr. Speaker, adjourned debate on second reading of Bill 135.

PUBLIC SERVICE LABOUR RELATIONS AMENDMENT ACT, 1975

(continued)

MR. GARDOM: I would like to make some comments about this bill, this amended statute, Mr. Speaker.

I wish to make it abundantly clear that some of the provisions contained in it I am in favour of, but I am continuing contrary to the principle that there should continue to exist the privilege for strike and the privilege for lockout in essential services. I think until and unless society is prepared to accept without challenge and without complaint a collision course to chaos it has got to develop some more contemporary and needful concepts and mechanisms to enable society to effectively function, and for that purpose governments must lead and not just silently and inarticulately, and shall I say perpetually, vegetate and watch the potential for a crisis slowly formulate.

The news and the headlines over the past while have not been good. We have found some 600 air traffic controllers in this country shutting down air traffic, inconveniencing hundreds and thousands of people, causing layoffs, and thousands and hundreds of thousands, if not millions, of dollars of general economic loss to the country. We found the grass cutters in our own province shutting down our schools. We found the ICBC work stoppage mangling the insurance programme that this government, oddly enough, is so very proud of. ICBC has been a complete headache to this government from the very start, in a financial bog from day one. Already it is experiencing a \$36.5 million loss and far, far greater losses will be contemplated as a result of the procedures that are underway at the present time.

There is no earthly reason that I can see, Mr. Speaker, why the grass cutters and the custodians should not be under arbitration provisions as are the teachers and the trustees in this province. Also, ICBC is a new plan and a new programme, and the employees all came there of their own volition, and most of them I'd say would have been new to the public service, if not all of them. They are not participating in a high-risk or exceptionally onerous type of endeavour. It is a service industry, and there is no reason why those employees could not have come to that organization accepting the same terms and the same conditions of employment as do teachers and as do trustees.

I'm talking, of course, about compulsory

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arbitration instead of the continuing threat of work stoppage, lock-outs and strikes, and the cessation of those services completely disrupting the effective functioning of society. Bills are not being paid, jobs are not being done, justice is not being administered, and the spin-off suppliers and services have all been affected with their pay cheques.

Rights and privileges change, Mr. Speaker, and this is the concept that the government has got to consider. They are not static rights and privileges; they are dynamic. What was formerly considered to be a right to drive has, by virtue of the interdependence of society, the multitude of motor vehicles and the damage that they can cause, become a privilege. I say the right to strike and the right to lock out in the public sector has similarly become a privilege.

I say that any concept and interpretation less than that would be a dereliction of the philosophy and overall concept of public service, because public service is supposed to mean service of, for and by the public. The public sector has got to function in order to permit not only the private sector to exist but all society to exist. I make no bones of the fact, Mr. Speaker, that we have got to have operating without question in those areas which are essential for the well-being and the health and the safety and the commercial life of all of our people.... I am talking about the public sector here which this bill is of course concerned with, Mr. Speaker.

The news and the headlines don't bode well at all. The outgoing president of the B.C. Teachers Federation, whom I hope is expressing more of his own views — and if there are any of the views of the federation I would assume that they would be by far the minority opinion of the B.C. Teachers Federation said this referring to the *Province* of June 16, 1975:

"The outgoing president of the B.C. Teachers Federation called Sunday for the formation of a B.C. council of public sector unions to co-ordinate contract and political demands. Besides co-ordinating demands for wages and working conditions MacFarlan said he felt the council could push for political change. It would not be a matter of joint negotiations but the general council could formulate overall policies as to rights of collective bargaining, MacFarlan said."

If his concept and the concept of CUPE...and here's a quotation here:

"The B.C. division of the Canadian Union of Public Employees will try to improve co-ordination between locals in future contract bargaining, but at the same time as the union was banding together it called for the provincial government to prevent municipalities from forming co-ordinated bargaining units."

A union spokesman said it wouldn't be fair for municipalities to do this because it would mean elected bodies delegating their responsibilities to non-elected ones. But if the concepts of Mr. MacFarlan and of CUPE are to be accepted, Mr. Speaker, are they not paving the way to complete and almost utter general stoppage in the public sector?

If it happens, who will be protecting the citizen, and who will be protecting the taxpayer? There is going to be an ultimate right to hold the taxpayer up for ransom but no right to the taxpayer to withhold taxes.

Is that to be his only and ultimate remedy? If we are going to have to run into those kinds of alternatives, Mr. Speaker, the only way to prevent complete close-ups would be the withholding of taxes and the refusal to pay them and there would be no way to enforce collection, because those whose responsibility it would be to enforce collection of taxes would not be there to do it. Quite frankly, Mr. Speaker, if society has to face that, that would be an exercise in anarchy.

This afternoon I overheard the Minister of Labour in one remark saying that government should set an example to the private sector. Indeed it should, but it is not, because governments are compounding the problem. Government employee unions versus governments are not supposed to buckle governments or hamstringing the operation of public service and services that in the main are required by law. They are paid for by law and payment for the same are enforced by law, because if the taxpayer doesn't pay his taxes he can lose not only his land, his goods and his assets but he can face the loss of his liberty as well. But to this point the taxpayer doesn't even have the barest of assurance that the public services he is legally compelled to pay for will be provided. It is a coin, Mr. Speaker, with two sides but with indeed very, very different sides.

I would like to refer here to another quotation of Mr. Anthony Westall, I believe it was, in the *Daily Colonist*. It's a recent article and it talked about the situation in Britain. He says this:

"Three guesses to identify the source of this current quotation. 'British trade unionism has thus become a formula for national misery!' The London Times at its most reactionary? Wrong. The federation of British industries, which is the voice of big business? Wrong. An aging Tory Member of the House of Lords? Wrong. The quotation is from a remarkable article in *The New Statesman*, the most respected journal of the left in Britain, by the former editor, Paul Johnston. In what must strike most members of the Labour Party as the most appalling heresy, Johnston declares trade unionism is killing socialism in Britain and it is time socialists did something about it. Johnston goes on.

"The trade union movement may be dressed

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up with economic committees and so forth but its only real purpose is to bargain for better wages within an all-powerful capitalistic system.

"The British trade union movement has now been taken out of that context and placed in an entirely new one. Yet it is still carrying on doing the only thing it knows how to do — ask for higher wages. As it has beaten all of its opponents, and, as it is for all practical purposes the state, it naturally gets them. A subject government prints the money and the result is inflation on an unprecedented scale."

Surely to goodness we can benefit in this province from that horrifying experience in Britain.

The article goes on: "In fact, the once and future leader of the party, Ed Broadbent..." Mr. Westall tends to have written off the Member for Vancouver-Burrard (Ms. Brown). I guess you're a little too far left for him.

"In fact, the once and future leader of the party, Ed Broadbent, used to advocate industrial democracy until the unions made it clear they didn't want any of that nonsense. The unions see themselves as adversaries of management, and if industrial democracy worked out, they might be out of business."

But when unions, Mr. Speaker, are the adversaries of management, and management is the people, then something surely has got to be done to mollify that concept.

Now Senator Ed Lawson came out with a pretty remarkable statement. He's now referred to as Lone Voice Lawson. He says this: "We have a responsibility as trade union leaders to warn our members of impending economic disaster." There certainly, indeed, is a message there for this B.C. government as well.

Now there was an article in the *Colonist* bearing the headline: "Do we want to bring the province to a stop?" It's written by Warren Carogotta, I trust that's the correct pronunciation.

"The 35,000 members of the B.C. Government Employees Union will have to decide whether they want to bring the province to its knees as a part of a massive confrontation to back wage demands in the coming round of negotiations with the government,' the union's general secretary said here Saturday. John Fryer, addressing 235 delegates attending the union's 31st bi-annual convention said the union has powers almost beyond comprehension. Do we want to bring this province to a stop?"

Then he urged caution, and I say great commendation to Mr. Fryer for doing that.

"The only way we're going to negotiate the same type of contract as last year is through massive confrontation. How high do we want to aim? We have to ask ourselves that question. Our power is almost beyond comprehension."

Now, Mr. Speaker, should anyone have that kind of a power? The taxpayer does not have that kind of a power.

"We need some authority,' he says, 'to mount the barricades quickly.' The delegates endorsed several resolutions giving the union's provincial executive increased control over strikes and policy negotiations. Under a resolution passed with little discussion, and little opposition, delegates gave the executive the power to authorize a strike of any of its union's 14 components."

So now I suppose the power is there to have strike by executive.

"The executive also gave the authority to determine the number and location of picket lines. The intent of the above policy, the resolution said, is not to restrict positive action or stifle militancy within the BCGEU, but rather to protect the union and the membership as a whole."

Well, I would suggest it's stifling moderation, this kind of a resolution. We find this union exercising ultra-delegatory powers the same was as the backbenchers of this government are doing unto their own cabinet.

Mr. Speaker, would not binding arbitration be a more satisfactory and a more remedial mechanism? It has successfully worked: it has been tried, it has been tested with the teachers, with the trustees and for the taxpayers

under the Public Schools Act. It is acceptable; it has done a job in this province.

In the event — hopefully, the unlikely event because we have very, very law abiding citizens in this province — of a work stoppage, a strike or a lockout following a binding arbitration proceeding, which I think would be exceptionally unlikely, should it not be the function of government to compile information, and publicly disseminate it, indicating the effect that the work stoppage in question could have in the public interest?

Mr. Speaker, times are changing, but the attitude to the requirement and the need for public service, which is a greater need today than it ever has been because the public are so reliant upon its public services function, has not changed at all. It's old fashioned; it's not working today.

I would strongly urge the government.... And I know that this will be unacceptable to them. We differ in philosophy there. I know that it's going to be unacceptable to them. Their philosophy is inconsistent. They don't seem to have any quarrel whatsoever with the situation of the teachers, the trustees and taxpayer. But move it one step forward, as they could have readily done with ICBC and provided arbitration there, and that would have been

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a condition of service for all of those new employees coming into that organization. Then the government wouldn't be in the soup that it's in today concerning that strike, and the public would not be suffering the degree of hardship it's suffering as the result of that work stoppage.

Mr. Speaker, it's time that we tried new ways.

MR. D.A. ANDERSON: Mr. Speaker, it's nice that the Hon. Second Member for Vancouver–Point Grey has not forgotten all of his Liberal speeches.

MR. GARDOM: You forgot to mention that they rejected it at the convention. (Laughter.)

MR. D.A. ANDERSON: The point to be made deals with exceptions to collective bargaining. With this bill we are at the present time extending the exemptions to a number of other categories of people.

We had the experience in this House of coming back on August 9 to settle a strike in the public sector in what has to be an emergency service, namely firemen. At the time we got doubletalk from the Minister of Labour (Hon. Mr. King) who said that the right to strike would not be taken away, but it would not be exercised because a three-week cooling-off period would be brought in — and that three-week cooling-off period would not be a cooling-off period, it would be a three-week period to assemble the Legislature so that we could pass legislation before any strike could take place.

The conclusion was obvious: this government will not permit firefighters, policemen or others in essential services of that nature to strike. Yet they are continuing the fiction that they will allow them to strike. The result is that there is no proper system of compulsory arbitration, there is no proper system to set up, quietly before any difficulties arise, the mechanism to deal with a dispute when tempers are short and tempers are frayed.

When they get this bill before the House in committee stage — after all, we are extending the principle of exemptions — I urge the government to consider widening the number of persons who are excluded from collective bargaining in this area.

The government itself has made perfectly clear that essential services will not strike. I just refer you once more to that debate we had and the doubletalk of the Minister of Labour. It is, therefore, unfair and unjust to continue to suggest that people have that right, because a right that cannot be exercised is no right at all.

I trust that at the committee stage we are going to see the Minister come in with further amendments under this section because it is clear that his experience has been that the exemptions must be widened. I would have thought that our experience in the summer with the firefighters has made it clear that the exemptions should be

widened to at least include certain of the essential services — firemen, ambulance crews and policemen.

MR. L.A. WILLIAMS: Mr. Speaker, very briefly I wish to associate myself with the remarks and the position presented to the House by the Second Member for Vancouver–Point Grey (Mr. Gardom). I think the time has clearly long since passed when we can continue to allow the public service union — this also includes those unions that are engaged with other levels of government as well — to have the freedom which has been allowed in the private sector.

We have, I think, a clear example in this particular bill of the confrontation which is about to begin between the provincial government and the union of its employees. The statements quoted by the Member for Vancouver–Point Grey, appearing in the *Colonist*, with respect to the remarks made by the general secretary of the B.C. Government Employees' Union, must be read very carefully. You will note that in formalizing the present union policy, the B.C. Government Employees' Union has endorsed giving to the union's provincial executive increased control over strike policy and negotiations, and gave the executive power to authorize a strike of anyone of the union's 14 components, a matter which the government is, in this particular bill, frustrating.

I'm not going to deal with this section, I will in committee, but we have an amendment in this bill which runs headlong against the union's policy which was formalized by resolutions at their recent meeting. With this kind of confrontation implicit in this bill, I think we can seriously wonder what will happen in the negotiations which are about to commence between the Government of British Columbia and the employees' union.

I read Mr. Fryer's remarks. I trust that what he said was his clear meaning, that he was indicating caution to his union members with respect to the demands which they will be making for this coming year. It is possible, Mr. Speaker, to read into what Mr. Friar says something more than just a caution to the union members — indeed, a threat to the government.

Mr. Fryer said the union has, and I am quoting: "...powers almost beyond comprehension." Is this the kind of power we are giving to this union under this legislation — powers almost beyond comprehension? Certainly no union in the private sector has powers almost beyond comprehension.

Mr. Fryer continued: "Do we want to bring the province to a stop?" That's the kind of power this union now has, and it seems to me that it is inappropriate for this government, indeed any government, to clothe a union organization with the power to bring the province to a stop.

Now while Mr. Fryer was cautioning his members,

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as he says he was, he goes on to point out in his remarks to the convention that things are going to be more difficult in the coming year than they were in the last. I trust that is the case. I trust that the province, in this coming year, is going to be less open-handed in the way in which it gave in to the unions during this last year and will take an entirely different position with regard to negotiations in the coming year.

Mr. Fryer, anticipating that, goes on to say: "The only way we are going to negotiate the same type of contract as last year is through massive confrontation." Now massive confrontation to me, Mr. Speaker, means the expression of a willingness on the part of the union to use these powers which are almost beyond comprehension, powers that could bring the province to a stop.

We have experienced in this city and in other communities in this province the consequences of strikes in the public service at the local level. We have seen the consequences of those strikes. We have seen the consequences when one municipality saw fit to give in to the union and to provide them with wages and working conditions which were apparently not acceptable to other local governments in the area. The consequence of that for those other governments has been to increase the cost of running local government, a cost which can only be paid by the local taxpayers.

The people of this province, whether they live in municipalities or in unorganized territories, have got in their possession today their tax bills, and they are recognizing what the cost of government means to them. If the indications which come to me are any judge, I gather that the taxpayer is distinctly dissatisfied with the way in which government is conducting itself and, in particular, the way in which government is conducting itself in relation to members who are employed in the public service.

We have seen the giving in of this government to the ferry workers. We have seen the giving in of this government to the workers in the public service. We are seeing the consequences of that in the demands which have been made upon other Crown corporations, the recent settlements in B.C. Hydro and the strike that is currently going on today in ICBC when, in my view, exorbitant demands are being made by that union on that Crown corporation.

Indeed, I would not hesitate to suggest, Mr. Speaker, that the offer that has been made by management in the case of ICBC is indeed exorbitant. The government should be concerned. ICBC was established just a year and a half ago. The salaries were determined by taking a careful examination of salaries which were paid in B.C. Hydro, in MacMillan Bloedel, B.C. Telephone and, I believe, one other major industrial concern in British Columbia, and the beginning salaries were established for ICBC on that basis. During the time that there was a dispute between a number of unions as to who was going to represent the employees of ICBC, the government went to the Labour Relations Board and got approval for increasing those salaries by 10 per cent. On top of that we now find the government being prepared to offer 28 per cent, and the union demanding much, much more.

Mr. Speaker, we need the public service, there is no question about that. But we need a public service only within our ability to pay that public service. It seems to me that in this bill the government is again avoiding its responsibility in coming to grips with the problem that faces the public service at the provincial level, and thereby to show an example as to what must take place at the local level.

I'm not suggesting that the members of the public service should not be properly paid for the services they perform. No question about that at all. There is no question that people in the public service, for comparable jobs, should receive pay similar to what they are paying in the private sector. But when we are warned by people in the private sector that what the government has done is to place the private sector of our economy in some jeopardy, where the wage rates that have to be paid in the private sector may result in us being unable to compete...

AN HON. MEMBER: Oh, come on!

MR. L.A. WILLIAMS: ...in the world markets. The Provincial Secretary says it's wrong and we know it.

AN HON. MEMBER: Go back to Britain!

MR. L.A. WILLIAMS: It is made abundantly clear by the people who are currently negotiating in the private sector that the direct consequence of what this government has done is to raise the level of expectation among all workers, and indeed we are full flush into what the Premier of Manitoba calls a wage hysteria.

The government has the obligation and it has the opportunity of resolving this difficulty so far as the public service is concerned by establishing formulas by which people in the public service can have their wages and working conditions subject to periodic adjustment. But it does not need to give to any group outstanding powers, powers to shut the province down, in order to bring about that result.

What the government has done, Mr. Speaker, is to place itself in the position that if it does not give in to the demands of a union, then that union is in a position to stop the functioning of this province. Government has therefore given away what is really its primary responsibility; to ensure that this province functions for the benefit of all the citizens and is not

run for the benefit solely of a union group.

MR. SPEAKER: The Hon. Provincial Secretary closes the debate.

HON. MR. HALL: Mr. Speaker, I'll attempt to respond to the basic points that were raised by the Members of the opposition.

Basically, the two Members who are independent raised the same point, I think. That is that nobody in the public service should have the right to strike. They also say that they should, however, have the right to fair wages commensurate and comparable with the private sector. That's what they've said.

They thrashed a man of straw; they deliberately intermingled their words about right to strike and right to get wages. They choose their words rather carefully. Indeed, they choose their words with almost as much care as they choose their press cuttings.

I'd like the Member to make the same speech, only instead of brandishing the *Vancouver Province* in his hand, brandish *The Vancouver Sun*, which published Mr. Fryer's remarks. You would have no speech, Mr. Member. You would have no speech.

It seems to me that careful selection of alarmist propaganda doesn't do anything for the public service, for the public good or the continuation of the kind of relationships that we have managed to build over the last 10 months in the public service. As a matter of fact, if you read the *Sun*...and I'm going to read the *Sun*. I'm not quoting Mr. Fryer, I'm quoting a newspaper just as you quoted it. Mr. Fryer...

Interjection.

HON. MR. HALL: I listened quietly. Just shut up for a minute and listen to somebody else.

Mr. Speaker, Mr. Fryer advised the members to scale down their expectations for a master agreement to replace the one that expires on September 30. Now you could have read that cutting, I suppose, but you chose not to do. Because you choose to pick one over another, really your remarks shouldn't take an awful lot of time in answering.

Mr. Speaker, the first speaker, the Second Member for Vancouver–Point Grey (Mr. Gardom) said they should comport themselves like schoolteachers, like other people who don't have the right to strike. Mr. Member, where were you when the teachers went on strike? What were you saying when the teachers went on strike? You said: "Do what the teachers do. Don't go on strike." But the fact is that the teachers went on strike, and there's no way you can stop people going on strike if they really want to go on strike. You know it and everybody else knows it.

In places where they've done just what you wanted them to do, the rate of strikes has gone up. Just look at the figures. Your own Members in 1966, '67, '68, '69, '70 and '71 said the same things. The then Member for North Vancouver–Seymour (Mr. Clark) said the same thing. Your leader...I can't remember which one that was — that would be the senator, Mr. Perrault — said the same thing. You've all abandoned the Liberal Party. You've abandoned Mr. Trudeau, who also happens to say exactly what I've said. So I suppose you've really found your spiritual home — nowhere — in the sense that you can now take the best of the cuttings, the best of the speeches and the best of your actions.

Now the Member for West Vancouver–Howe Sound (Mr. L.A. Williams) said: "I want the Provincial Secretary," if I may paraphrase his remarks, "to pay good wages, to pay comparability." I did it and you've hit me over the head. (Laughter.) I did exactly what you said. There isn't one single component in the negotiations of the BCGEU that is ahead of the private sector in terms of comparability. And you know it. You know it. So in other words....

AN HON. MEMBER: You gave in.

HON. MR. HALL: He says I gave in. I did exactly what he wanted me to do! I did exactly what he asked me to do. I gave them comparison with the federal civil service, and you say I went too far. Now you say that we gave

in. Now you say that the private sector has now been faced with incredible demands because of what I did. Nonsense! You thrash strawmen. You strike poses. You carefully choose your words to deliberately leave a confusion in this House that the right to strike means that the government gives in.

This government has said over and over again what its position is; the Minister of Labour has said it as well. If the essential public service of this province is threatened, this government will act. It has acted; you know that. That's what the Liberal Party used to say; I don't know what it says now. I can't even find it.

AN HON. MEMBER: It's mute.

HON. MR. HALL: It's mute, really. Mr. Speaker, the fact of the matter is that those people that that Member says are now without the right to strike do go on strike. In Australia they go on strike; in all the jurisdictions where they prevent it they go on strike.

At the same time he says that we're inconsistent. He says we're inconsistent because we allow compulsory arbitration and that by allowing compulsory arbitration we're not fulfilling our basic philosophy as socialists, as people who believe in free collective bargaining. Mr. Speaker, the free collective bargaining aspect of the teachers is agreed to by the

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teachers. Anybody who comes along and says they are prepared to accept that kind of arbitration, who sits down at the free and full collective bargaining table and says they're prepared to accept binding arbitration — binding, non-binding, third party, final-offer election — so be it. We'll sign the contract, whatever is agreed to around the table. Mr. Speaker, that's not being inconsistent at all.

We looked at the situation where the health of the community of Kamloops was threatened and we acted; we looked at the situation where the safety of the lower mainland was threatened and we acted. We'll act in every single case where the public safety is threatened.

Then at the same time that he says the teachers are okay because they opted for compulsory arbitration, he will also, if he chooses to go through his newspaper cuttings, come in here under the Education estimates and say that the salaries the teachers are getting are exorbitant. You say the same thing; you say whatever you want. Pick your newspaper cuttings. Do what you want.

Mr. Speaker, I move second reading.

Motion approved on the following division:

YEAS — 36

Levi	Williams, R.A.	Cocke
King	Lea	Young
Radford	Nicolson	Nunweiler
Skelly	Gabelmann	Gorst
Hall	Dailly	Strachan
Hartley	Calder	Brown
Sanford	D'Arcy	Dent
Rolston	Anderson, G.H.	Steves
Webster	Lewis	Liden
Smith	Bennett	Fraser
Richter	McClelland	Curtis

Morrison Anderson, D.A. Wallace

NAYS — 3

Gardom McGeer Williams, L.A.

Division ordered to be recorded in the *Journals* of the House.

Bill 135, Public Service Labour Relations Amendment Act, read a second time and referred to Committee of the Whole House for consideration at the next sitting after today.

HON. MRS. DAILLY: Adjourned debate on second reading of Bill 136.

PUBLIC SERVICE AMENDMENT ACT

(continued)

MR. SPEAKER: The Hon. Member for Columbia River adjourned the debate. Does anyone wish to speak on second reading of this bill?

HON. MR. HALL: I move second reading, Mr. Speaker.

Motion approved.

Bill 136, Public Service Amendment Act, read a second time and referred to Committee of the Whole House for consideration at the next sitting after today.

HON. MRS. DAILLY: Mr. Speaker, second reading of Bill 127.

DEPARTMENT OF LANDS, FORESTS AND WATER RESOURCES AMENDMENT ACT

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): Mr. Speaker, the bill before us is a modest bill. It is a bill designed to provide for the establishment of British Columbia Steamships, a bill designed to provide for and enable us to rehabilitate the CPR lands in the Inner Harbour here in Victoria and to develop and rehabilitate the Reid Centre lands here in the Inner Harbour in Victoria.

It is a bill designed to enable the development of a great recreation and commercial ski facility and Alpine village at Blackcomb and Whistler in the Squamish Valley, and it is a bill essentially designed to bring the lands branch of British Columbia into the twentieth century.

AN HON. MEMBER: Hear, hear!

HON. R.A. WILLIAMS: The opportunities in terms of the developing of plans for Whistler are exciting. The Minister of Municipal Affairs (Hon. Mr. Lorimer) has already brought in what we consider to be companion legislation for the resort municipality of Whistler so that at long last we can catch up with the lack of activity of government in that area and the proper development of ski and resort facilities.

AN HON. MEMBER: Ohhhh!

HON. R.A. WILLIAMS: We have already limited logging in the Blackcomb-Whistler area in order to deal with the opportunities that we have. Of course, the companion legislation of the Minister, of Municipal Affairs provides for the development of utilities so that it can work well with this legislation.

In Whistler, there has indeed been careful work. At

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Whistler, there has been the involvement of the Department of Municipal Affairs, the Department of Lands, Forests and Water Resources, the Department of Recreation and Conservation. We have only recently hired an outstanding advisor, Mr. Al Rein, probably the outstanding person in the field in western Canada. We have also hired Colorado consultants with respect to that development.

Just these two reports here give an indication, in terms of this as a ski resort potential in the Squamish-Pemberton valley corridor, give an indication of the kind of homework that is now being done in terms of developing policies in our recreation areas and critical land areas in British Columbia.

Now the next reasonable step, Mr. Speaker, is the establishment of a Crown corporation to follow through with respect to a ski village at Whistler, the town centre and the ski facilities.

I suspect that part of the problem, and part of what upsets the opposition. Mr. Speaker, is that one can't help but compare, say, their approach to ski opportunities in the province, with our own.

What about the activities at Cypress Bowl, the kind of activities that the former Minister of Lands and Forests was happy to bless? He was prepared to consider and accept the giveaway of the site. He was prepared to accept clear-cut logging in the Cypress Bowl basin, so that in fact it was destroyed to some extent for ski purposes. He was prepared to accept the idea of Bahama's backroom boys being involved in ski projects such as Cypress Bowl. As a result, a massive cleanup was necessary in Cypress Bowl. We've already had a major tree-planting programme cleaning up the mess, the residue from the last government, for the last two years, cleaning up the clear-cut mess that they left behind.

Another example was Brougham Ridge. Brougham Ridge, where no bonding was required of the private developer, where there was no ski analysis carried out, where it is obvious that it wasn't a viable ski opportunity at Brougham Ridge and it was endorsed by the former Minister and where in fact there's been bankruptcy and great losses in various parts of the private sector.

The only other one that was in the same area was Powder Mountain, and that was really a junior Cypress Bowl and got stopped part way in the clearing process, We found as a result of analysis in that basin, Mr. Speaker, that the greatest potential is at Blackcomb Mountain, and that is the natural town centre site. We have done our homework, both within the Municipal Affairs Department in terms of a comprehensive plan for the basin and with respect to the ski facilities as well.

We believe that the basin should be developed publicly, Mr. Speaker, but with many individual enterprises as well, so that we can have a rich variety within the basin, so that we can develop the Lost Lake recreation site as a major recreation facility, but under the umbrella of a public corporation working with the new resource municipality.

The intent is that there should be no more Cypress Bowls in the province, there should be no more Brougham Ridges, there should be no more Powder Mountains. We intend, too, to see this legislation used in the beautiful Inner Harbour here in Victoria.

What have we now spent in the Inner Harbour, Mr. Speaker? We've spent something around \$2 million for the Reid Centre site, and something over \$2 million for the Canadian Pacific Railway site. Over \$4 has already been spent in terms of protecting the great asset of the Inner Harbour of Victoria.

Not content with that, Mr. Speaker, we believe that, more needs to be spent and this bill allows that.

We believe a Crown corporation is the best means to handle the problems we face in these two areas, and this bill allows that. Again, in the inner harbour, just like Whistler-Blackcomb, north of Vancouver, we can see a variety of uses and a variety of development and developers, but again with the umbrella of a development agency which is

publicly owned.

That's the way we see it in terms of receiving an optimum return for the public, both in this city and in Whistler and in Greater Vancouver, and protecting open space as well.

The *Princess Marguerite*, herself, should be seen as we see it, as an asset of the Victoria harbour and it should be integrated with the renewal of the old CPR land.

I suspect, Mr. Speaker, that the greatest concern of the opposition is that this bill will again result in a success. Isn't that the real concern of the opposition? Isn't this why legislation such as this is such a threat to you on the other side of the House? Come on, let's look at the record. No wonder you're upset. We've taken the discards of the private enterprise system and turned them into genuine public assets. The great fear of the opposition is that the *Marguerite* and the lands in relation to it, and that the lands at Whistler, will be turned into gold again, and that the people of the province will benefit.

The kinds of returns to the people of British Columbia from the Canadian Cellulose operation and Ocean Falls are really only the beginning in terms of the opportunities that exist in the province. I suspect that the greatest fear in the opposition is that the *Marguerite* will work, that the Inner Harbour redevelopment will work, that the Whistler Basis-Blackcomb development will work, that the Alpine Village Development will work, that they'll work and they'll also make money and provide services to the people of British Columbia. But that doesn't fit your ideological formula does it?

But that doesn't fit your ideological formula. That isn't the way the public enterprises are

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supposed to operate in your terms of reference.

SOME HON. MEMBERS: Oh, oh!

HON. R.A. WILLIAMS: The *Marguerite* is a great success story already and that's why it's so hard to swallow. Many of you, the press, local people...is the Member for Victoria going to vote against the *Marguerite*? Let's hear it.

MR. CURTIS: Bring in the *Marguerite* bill.

HON. R.A. WILLIAMS: Are you going to vote against the *Marguerite*? Let's hear it. Stand up against it. Stand up against it.

Interjections.

HON. R.A. WILLIAMS: No, you've already been on it; you've already enjoyed it.

I remember the Member for Saanich (Mr. Curtis) sort of ostentatiously coming up in the ballroom of the *Princess Marguerite* ...

HON. G.R. LEA (Minister of Highways): In work clothes. In work clothes. (Laughter.)

HON. R. A. WILLIAMS: ...and saying "It really is a great success and I must compliment you for that." He did it right in the middle of the ballroom floor. It reminds me of that line about the Russian on the ballroom floor in "My Fair Lady" but I won't use that. (Laughter.)

Interjections.

HON. R.A. WILLIAMS: At any rate he made the point and he said: "You know, the questions I've been asking about the costs of the *Marguerite* are not negative questions. I haven't been using question period in a

negative way. I was only curious" — "I haven't been using question period in a negative way. I was only curious." Well, I really did appreciate that performance.

Let's face it, what's been done with respect to the *Marguerite* is a significant achievement on the part of the many people that were involved. What has happened was the refitting of a ship that was going to be abandoned; we developed new exciting colour schemes for it — in effect, the *Marguerite* overnight has almost developed a trade mark in this harbour in our capital city. We turned a huge car deck into a lounge. We created new facilities in terms of helping the handicapped, mothers — special facilities throughout the ship.

As we see it, Mr. Chairman, that's the way public enterprises should work.

AN HON. MEMBER: Right on!

HON. R.A. WILLIAMS: Look at the kind of timetable we had. Look at the kind of impossible, difficult timetable we had with respect to the *Marguerite*.

The commencement of negotiations between the Lands Department and the CPR commenced at the end of February — February 26 — and a basic agreement was reached March 14. A formalization of the agreement on paper was established March 31. The announcement of the purchase: April 1. The official signing: April 4. The acceptance by Marathon Realty: April 7. Acceptance by the CPR: April 8. Went into dry dock in Vancouver at Burrard: April 17. The crewing commenced in April and throughout May. The pre-inaugural run was May 31 and the inaugural run June 1.

So the official signing was April 8, with final acceptance by the CPR on April 8, and by June 1 we were operational between Vancouver and Seattle — not an insignificant achievement for any enterprise either public or private.

What have the results been, Mr. Speaker? What have the results been?

MR. L.A. WILLIAMS: Tell us about the corporation or the company.

HON. R.A. WILLIAMS: And let us remember in terms of the results, because I think what the public cares about both in this town and around British Columbia is results and what they are getting is results.

AN HON. MEMBER: Right on!

HON. R.A. WILLIAMS: Let's remember that the CPR was able to do its preliminary work down the coast throughout the season in the pre-season period. We never had that kind of opportunity because we didn't acquire the vessel until April. But let's look at the results already.

The number of passengers carried for the period from June 2 to June 16 between Seattle and Victoria: 16,207 passengers carried between Victoria and Seattle.

In addition, we established a service between Port Angeles and Victoria as well just recently and some Members attended that inaugural run. The number carried on that run: 3,537. A total in this two-week period, in the pre-peak season period, of 19,744 people — people most of whom would not probably have come to Victoria and strengthened the economic base of southern Vancouver Island.

The number of vehicles carried, cars, motorcycles, and other vehicles is 1,939.

The total revenue for the two-week period was

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\$194,309.81 — in the pre-period before the peak season which commences as most of you know, the beginning of July.

What does it mean for the economy of the capital city of British Columbia? It probably means well over \$5 million — new dollars — in the capital city of our province alone. It makes all the difference in terms of survival and not surviving as a merchant in downtown Victoria throughout the summer season. It means jobs — jobs for the people on the ship; spinoff jobs in relation to the entire operation of British Columbia Steamship Corp.

Let's remember that the CPR was prepared to abandon all this. That that kind of revenue for this capital city would have been lost and that kind of opportunity and adding some diversity to the lifestyle of this city would have been lost as well.

You know, what has been especially interesting for me as an observer to this situation and one involved is to look at the response of the media to this statute, because it tells us something about the way the media are building up steam against this government.

We should compare this statute here with some of the Social Credit statutes of the past. We should really look at some of the Social Credit statutes of the past. They are interesting enough in themselves, but even more interesting is the way the media responded to them in that day. Maybe a good one to look at would be the British Columbia Hydro and Power Authority; that could be a really interesting one to look at. Now they brought in a statute in 1962 with respect to B.C. Hydro. That was the time of the takeover.

Interjection.

HON. R.A. WILLIAMS: No, we didn't vote against that statute. Maybe we should just have a look at that one, because that statute was fairly clear in terms of some of the powers that the Social Credit government of the day was prepared to accept.

They said, well, the Public Utilities Act shouldn't apply to B.C. Hydro. They said sections of the Power Act shouldn't apply, the Municipal Act shouldn't apply. They said the Companies Act shouldn't apply, they said the Securities Act shouldn't apply, they said that no licence fees should have to be paid, no taxes should have to be paid, and so on. That is the kind of statute they brought in in 1962. Those were the powers at the time.

In addition they came out with a statute in 1964, a new charter for British Columbia Hydro. That is also well worth looking at. You look under section 14 in terms of powers for B.C. Hydro. Here are the kind of powers they have. They can apply for and obtain and exercise any franchise licence, right or privilege that may be conferred or obtained under any Act of Canada or any province, and they can purchase, subscribe or underwrite, guarantee the subscription, otherwise acquire and deal in, sell and dispose of stocks, shares, bonds, debentures, debenture stocks, notes, securities, evidence of indebtedness of any corporation and any stocks, funds and securities of any government, municipality or any other authority, and they can issue securities in exchange for any obligations assumed by the authority or exchange for securities of any other corporation, firm or person representing such obligations and enter into any covenants or agreements considered necessary or for the purpose, et cetera, et cetera; by agreement or otherwise take part in or take over the management, supervision or control in whole or in part of the business or operations of any corporation, firm or purchase — and on it goes.

Well, you can call it what you like: sweeping, awesome. That was what the government of the day deemed to be reasonable and desirable in relation to British Columbia Hydro and Power Authority. You know, the really impressive thing, Mr. Speaker, is how the media responded to those sweeping, awesome powers that are there in the 1964 statute with respect to B.C. Hydro.

I suppose a really good newspaper to look at in terms of the response to that kind of statute would be the old dowager lady of journalism in British Columbia, the Province. I think it was called the *Daily Province* in those days. It is really interesting, because the first response was on February 1, 1964, and it didn't hit page 1. I am surprised: it was actually on page 15. If you'll all put on your eyeglasses or lorgnettes, you just might find it here on page 15.

The headline is a real screamer in terms of those awesome powers. What does it say? As you all know, the legislative reporter of the day was the esteemed journalist and now publisher, Mr. Paddy Sherman. What is the banner headline? It's a two-column headline with respect to the statute. Why, it is: "Routine Bills Delayed by

Demand for Debate." Routine bills! (Laughter.) Ho-Hum, just more sweeping powers of old W.A.C.

Well, maybe there was more. Why, yes. On February 8, the story made page 2, but it had slipped down to one column not two. On February 8, that was it, and you'll have to get better glasses for this one. It says: "New Bills to Ensure B.C.E. Grab." It's not until the third paragraph that the story regarding the 1964 bill is told. The other bill is a whole new charter for B.C. Hydro.

Well, then, finally they got around to debating it in the House, the great debate in the House, and it made page 13 of the dowager newspaper on March 11, and it was two columns again. It said: "Hydro Act Passed But Not Without Last-Gasp Attack." It simply notes that it was passed and it also notes that there wasn't a division and that the only person that

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spoke against it in a slight degree was a Mr. Allan McFarlane, the Member, I believe, for Oak Bay of the day, a man who has now got his just rewards. So the bill simply passed by a voice vote. There was no division. And that's the kind of play the dowager newspaper gave it.

Well, that was in the "news." Now the big question. What about the editorials? Surely this wild, radical Social Credit government that was after such sweeping powers would be condemned by newspaper writers on the right. The *Province* surely would have banner material in its editorial pages, as they do with this little NDP government.

Interjections.

HON. R.A. WILLIAMS: But no, the answer is no. Do you know what they were debating? Do you know what was No. 1 on the editorial pages of the day? The burning issue for the *Province* — and I am sure it would have been for the *Colonist* as well — was: will it be the red ensign or will it be the maple leaf that is the flag in Canada? That was issue No. 1 on all of the editorial pages of the day.

Well, then you ask yourself: okay, that was the official editorial position of the media with respect to these powers; what about the columnists? We have the odd columnist around. But the dean of the columnists in those days again was Mr. Paddy Sherman. As one concerned about excess of powers of government, one would have expected Mr. Sherman to have made it very clear where he stood on this issue. We find that Mr. Sherman basically was covering other material. But it was important material and one can't fault him for that. It indicates the kind of human qualities of the journalists of the day.

His main article in that period was this one, and it was entitled: "Can Spring Be Far Behind?" (Laughter.) This was the big news from the No. 1 columnist and political savant in Victoria of the day. He said:

"This first dispatch from the beachhead of spring as it thaws a toehold on British Columbia will be rejected out of hand by Canada and most of British Columbia. While determined local boosters over there" — that is Vancouver — "may be hunting the odd snowdrop and crocus, I must confess to counting 13 different sorts of flowers in bloom one morning." (Laughter.) "Not 13 flowers — 13 different sorts of flowers. The advancing scouts for the green army take many disguises.

"A blind man sang quietly with his face to the sun, his white cane tapped the curb occasionally, but mainly its tip turned airy arabesques. He was walking near the diamond crushers at Government House. Lawns were shimmering with softening frost. Each drop refracted the low-slung rays of the sun, and the sheen was exquisite."

There was the occasional reminder of politics.

"A gentle lady with a scarf-filled face was feeding gulls in her garden, urging them to be quiet and behave. In the tree next door poised a hawk, looking ready to break up the party over a trifling scrap of something. But a robin fluttered around an ornamental ball atop a pillar. (Laughter.) I put my face at the other side and waited for his return, and the rude language the robin used when he almost walked into me easily qualified him for membership in the Legislature. (Laughter.)

"It was all refreshing and removed a little of the jaundice from the eye and ear as we returned to the forced draughts of hot

air that do duty as spring in the House. However, perhaps this report from the banana-belt is not so premature after all. The word here from some up-country Members is that in some places up there the snow is down to the last dozen feet."

Now there was the No. 1 political reporter of the day in his free-opinion position in the newspaper giving his stirring opinions about political life and the wide, sweeping, awesome powers of the British Columbia Hydro and Power Authority Act. That's the way it was in those days.

Well, so much for past history, Mr. Speaker. But let's remember this: about 94 or 95 per cent of British Columbia is Crown-owned land.

AN HON. MEMBER: And you want to own it all.

HON. R.A. WILLIAMS: The Lands department of British Columbia for many years, far too many years, has been little more than an old-style homestead agency, little more than a kind of Bob Cratchett agency under the former government, because that's what the former government wanted. Even with this tremendous economic base, the land of the province, they still kept the operation in an 1890 tradition. It was that 1890 tradition of the former government that, in terms of its attitude to the lands branch, got them into their classic problem like the Cypress Bowl mess, which the Hon. Premier covered more than once in debate from the other side of the House when he was Leader of the Opposition.

Mr. Speaker, this bill is designed to bring the lands branch into the 20th century. It's designed to give them modest tools to work with — modest indeed, Mr. Speaker, compared with the giants in the land industry: the giants like CPR, the giants like Marathon Realty, the giants like the German, the United Kingdom and Asian interests that are now in the land business in this country. So these are the beginnings in terms of modest tools to bring the lands

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branch forward.

Interjections.

HON. R.A. WILLIAMS: So, Mr. Speaker, if the opposition is opposed to the *Princess Marguerite*, then they should speak against this bill and they should vote against this bill. If the opposition is against the redevelopment of the CPR lands, the redevelopment of the Reid Centre lands, then they should speak against this bill and they should vote against this bill. If this opposition is against the development of Blackcomb Mountain and an alpine village for the people of greater Vancouver, then they should speak against this bill and they should vote against this bill.

AN HON. MEMBER: Right.

HON. R.A. WILLIAMS: If they prefer the old Sacred Cypress Bowl way, then they should speak against this bill and they should vote against this bill.

SOME HON. MEMBERS: Ohhh!

HON. R.A. WILLIAMS: But if you want to take B.C. and the lands department out of the chaos of the past, and if you want to harness the opportunities that exist in the Reid Centre and on the CPR lands and the Whistler basin, then there's no choice, Mr. Speaker — they're going to have to vote for this bill. I move second reading.

MR. A.V. FRASER (Cariboo): Mr. Speaker, I enjoyed the remarks of the Hon. Minister, going back 10 or 15 years and not really dealing with what is in this bill at all.

Interjection.

MR. FRASER: This Minister under this Bill 127 is given awesome powers. (Laughter.) Mr. Speaker, he already has the powers under....

Interjections.

MR. FRASER: This Minister is definitely the senior Minister in the cabinet. He has power now over lands, forests, water resources; he's the senior director of the B.C. Hydro and Power Authority; he's their director of condominiums; he's chairman of the Environment and Land Use Committee. What he needs the powers in this bill for is beyond me, because I feel that he already has all the powers necessary. He referred to the B.C. Hydro and Power Act of 1961. What he didn't tell you is that his party at that time voted unanimously for all this legislation. So I don't think that that was any big issue.

He went into a flower dance here too for the flower children, but I don't think that had anything to do with Bill 127.

He said that this bill dealt with the incorporation of the B.C. Steamship Co., the development of the Inner Harbour, the development of the Reid Centre in Victoria, the ski facility at Whistler, and the reorganization of the lands branch. Regarding the B.C. Steamships, this bill is attempting to legalize an already illegal act, which was certainly illegal when it happened. That steamship is operating illegally and they're now trying, through part of the sections of this bill, to legalize it.

I don't think, Mr. Speaker, that any legislation like this should be placed in any Legislature in the free world. (Laughter.) It just makes a mockery out of democracy. If every government department was given the authority that's given in this bill, there wouldn't be any reason for the Legislature to sit at all.

SOME HON. MEMBERS: Oh, oh!

MR. BENNETT: That's right.

MR. P.C. ROLSTON (Dewdney): You can do better than that, Alex.

MR. FRASER: This bill, Mr. Speaker, which the Minister skirted all around and didn't refer to at all, as a matter of fact, permits this Minister to borrow as much as \$10 million on each corporation without legislative approval. I refer to that specifically because that's why I said earlier that there's no reason for the Legislature to sit if every Minister of the Crown had the powers that this bill calls for.

How many Crown corporations have \$10 million, Mr. Speaker? The bill doesn't say that. It specifies a sum but it gives it a blank cheque to incorporate as many as 100 if he wished and get \$10 million from the Treasury.

HON. D.G. COCKE (Minister of Health): It's aggregate and you know it. Why do you stand there and say that?

Interjections.

MR. FRASER: It's quite evident from.... There goes that Minister of defence again. You know, I'll say the same thing to you, Mr. Minister, as the Member for Columbia River (Mr. Chabot) said to you the other night.

HON. MR. COCKE: Read the bill!

MR. FRASER: I've read the bill. Have you read it?

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HON. MR. COCKE: Yeah!

MR. SPEAKER: Order, please. I wonder if the Hon. Members would direct their attention to the Chair and not to each other.

HON. MR. COCKE: Tell him to read the bill.

MR. FRASER: Thank you, Mr. Speaker, but get that Minister of defence quietened down. He doesn't have the microphone.

MR. SPEAKER: I'll try to hush him, too. (Laughter.) Hush!

Interjections.

MR. SPEAKER: Thank you.

MR. FRASER: It is quite evident from the language of this statute that this bill could be designed to handle Crown lands in a way never thought of in the present Land Act.

I might comment here that — I believe the Minister referred to it — but already the Crown owns 94 or 95 per cent of the land, and they now have all the legislation they need to deal with those. I really think what this legislation refers to is that it will help them acquire 100 per cent of the land in the province. The authority is there if they wish to use it, I might say, regarding the land Act which the Minister referred to as so antiquated and that we want to come up to the 20th century, I don't feel that way at all about the Department of Lands, Forests and Water Resources. I think they are a very adequate department, or were, until this Minister took charge. He has every town planner in western Canada in the Lands department, and they are making the decisions rather than the senior people there. Another thing that has happened, in view of this infusion of town planners, is the fact that the rates on all existing Crown leases have gone up as much as five times to our citizens. When this happened, not dealing with reality, they had to take a look at it, and I will say that they rolled back the Crown leases on residential lots to double what the fees were before. But they started out trying to gouge these lease holders with as much, in some cases as a tenfold increase, and certainly four and five times in the case of commercial and industrial property.

Mr. Speaker, we today in British Columbia have resort owners going out of business because of the policies emanating from the Lands department since the government changed in 1972. I don't want anybody to tell me too much about the Lands department because I have no end of problems with the Lands department every day of the week.

The other matter here is that it doesn't provide in this bill for disposing of Crown lands by public auction. The provisions in the section in this bill dealing with publication are so broad as to permit this Minister to enter into the publication field on a large scale, if he so wishes.

Mr. Speaker, this bill also permits the Minister to enter into all forms of shipping, including ship-building if he has the mind to do it, and I wouldn't leave it past this Minister to probably go into that in a large way in the not-too-distant future.

There has been a lot written in the press and so on about this bill, but this bill should be renamed The Bob Williams Inc. Bill because of the powers that it gives him in the various sections. The blank-cheque descriptions that we have given to other bills could certainly be doubled in this bill. What I am concerned about is the authority it gives the Minister to create these Crown corporations with \$10 million for each one. That's not all.

AN HON. MEMBER: In the aggregate.

MR. FRASER: In the aggregate. They can also be given \$250,000.

The provincial government can further buy \$4 million worth of shares in each Crown corporation. This is without approval of the Legislature, and in some cases, even without the approval of the Lieutenant-Governor-in-Council.

I would say this is the biggest and most important bill that has come before this Legislature, certainly since this government has taken over, and maybe for years before that. As I said earlier, the government's Lands department owns 95 per cent of the land. In this bill, why don't they spell out what they are going to do? It doesn't spell it out in here where they are going to spend the money on Crown land. It means that they can spend it on 95 per

cent of the area.

I don't think the opposition would have as much to worry about on this bill if it specified all the areas that the Minister referred to, but they are not specified in here — such as B.C. Steamship Co. and the Inner Harbour. There is nothing to stop them from going into a ski operation in Prince Rupert or Prince George or anywhere else, and draw the money from the public treasury — or go into any type of business, as far as that goes.

HON. R.A. WILLIAMS: You're against ski resorts in Prince Rupert.

MR. FRASER: Certainly, we are not against ski resorts. But I am not sure I am in favour of them when you're the big boss of 'em.

AN HON. MEMBER: It's okay if you did it, but not okay if we did it.

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MR. FRASER: In reading from this bill:

(1) "The Minister, with the approval of the Lieutenant-Governor-in-Council, may incorporate a company under the Companies Act for the purpose of carrying out any or all of the objects set forth in section (2).

(2)(a) "The objects a corporation incorporated under subsection (1) may be to purchase, acquire other than by expropriation, hold, administer, maintain, lease, mortgage, and dispose of real property or a ship or motor vessel, and to operate a ship or motor vessel so acquired for shipping, ferry, and related purposes,

(b) "to undertake such planning, development, and management of Crown land or a ship or motor vessel as, in the opinion of the Minister, will yield to the province optimum economic and social benefits,

(c) "to engage in any other business necessary or incidental to the operation of a shipping or ferry service or relating to the real or personal property acquired or used in connection therewith."

So it really means, Mr. Speaker, that this Minister can go into any business he sees fit. Also:

(d) "to enter into agreements with, or accept grants or fees for services from persons, municipalities, or regional districts, the Government of Canada, another province, or the United States of America, or a state of the United States of America, or any of their agencies, for the purposes of this section,

(e) "to take whatever action, or do any thing necessary to operate a ferry and shipping service or to comply with the law of Canada, a province, or of the United States of America, or a state of the United States of America, or any of their departments or agencies, respecting the operation of a ferry or shipping service and related services."

You can see the blank cheque that that gives them to deal with anybody everywhere in whatever manner he feels.

(f) "to engage in the business of preparing, printing, distributing, and selling maps, charts, mapping services, publications...."

There goes the poor old *Province*.

HON. R.A. WILLIAMS: Oh, it's just like the Queen's Printer.

MR. FRASER: That's right in here. We were referring to the *Province* earlier, but it could mean here that they could certainly get rid of them.

"...or photographs to other departments of government, Crown corporations or the public...."

HON. MR. COCKE: Isn't that sinister?

MR. FRASER: Yes, right.

"The Minister with the approval of the Lieutenant-Governor in Council may incorporate such additional corporations under the Companies Act, an Act of Canada, an Act of another province, or the United States of America, or of a state of the United States of America...."

He can incorporate any of these, Mr. Speaker, without any referral at all to the Legislature. All he has to do is refer to the Lieutenant-Governor-in-Council, and we know what happens when he refers anything to the Lieutenant-Governor-in-Council — there are never any questions asked and, believe me, his wishes are adhered to immediately.

HON. R.A. WILLIAMS: Want to bet?

MR. FRASER:

"The corporation or corporations may borrow money in an aggregate amount not exceeding \$250,000 without the approval of the Legislature or the Lieutenant-Governor-in-Council, and, in addition may borrow money in an aggregate amount not exceeding \$10 million...."

AN HON. MEMBER: What does this aggregate mean?

MR. FRASER:

"...with the approval of the Legislature or the Lieutenant-Governor-in-Council, and any director who votes in favour of a by-law authorizing the corporation to borrow in contravention of this paragraph is guilty of an offence."

Interjections.

MR. FRASER: The Lieutenant-Governor-in-Council may (a) "on behalf of the Crown, purchase shares in the corporation for an amount not exceeding in the aggregate, \$4 million, "

That is with the approval of the Lieutenant-Governor-in-Council; nothing to do with the Legislature at all. (b) "advance money to the corporation for temporary or long-term purposes upon such terms and conditions as he may approve,

(c) "make temporary loans to the corporation upon such security and upon such terms and conditions as he may approve."

So you can see from this, Mr. Speaker, these are all points that this Minister didn't refer to at all when he introduced this bill. I thought it should be spelled out

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what extra things are in here, and which he didn't refer to.

There are a few more things in here, and one is: "Where there is a conflict or inconsistency between the Companies Act and this Act respecting a corporation, this Act prevails."

In other words, the Companies Act has no binding force at all on this, where it has on so many other enterprises in the Province of British Columbia.

Mr. Speaker, I feel that there is no way that this party can support this bill with the powers that it gives this Minister who already has powers beyond any other Minister of the Crown, including even the Premier of the province. For that reason you will not find us voting for the bill.

It is shrouded in here...I don't think anybody on our side is opposed to the *Princess Marguerite*, but this bill should spell out in it what it is going to take over, not have broad powers that can apply in any enterprise throughout the province. It doesn't say in here that this is just for the *Princess Marguerite* or just for the development of the Inner Harbour of Victoria. It doesn't say that. It does say that he can do these sort of enterprises anywhere in the Province of British Columbia. This Legislature is entitled to know where this is going to happen, and at least have the right to debate it before it does happen.

So for that reason, Mr. Speaker, we certainly don't intend to support this bill, and we intend to debate it fully.

HON. MR. COCKE: You would support the Mafia in Cypress. That's the kind of thing that you support.

AN HON. MEMBER: Cyprus?

HON. MR. COCKE: Cypress Bowl, remember? Quite a different thing.

MR. D.A. ANDERSON: Mr. Speaker, the Minister gave us one of his fine performances and again I'd like to congratulate him. He read out that lyrical prose of that well known poet Paddy Sherman, and made a fine rendition. We could hear those birds chirping away and we knew that Sherman as usual had his mind on politics in B.C., and was making one of his consistently accurate political predictions.

But in terms of the legislation it didn't help us a great deal. The legislation has been read and I thought perhaps the Minister would come in, today, give us a little bit of hint as to amendments, indicate that certainly the powers would be limited here and there, indicate that the bill would be altered in such a way that you could on the one hand agree with his contention that the *Marguerite* should be in service and that the inner harbour property should not disappear from public use, but at the same time support legislation which was limited enough to indicate that this was, indeed, the sole and major object of the legislation.

There wasn't really very much about what will be done. There wasn't very much about past illegality with respect to the *Marguerite* or lands in terms of payments of public funds without legislative headings. There was not a word, really, on powers — except the facetious remark about the previous administration and its legislation. There was very little indeed about the limitations on borrowings under the \$10 million.

The Minister stated that what counts is success. The public will applaud success. That's what counts. Nobody really gives two hoots whether or not the means is attractive or otherwise. But what counts only is success. That is the Minister's attitude. He has adopted it. He's quite sure the public has adopted it. He probably inherited it from previous Ministers or from at least observing previous Ministers. But it's an attitude which I don't think the House should share.

Certainly, may I quickly say that I and I'm sure other Members on this side of the House hope that he does succeed. We hope that you do succeed, Mr. Minister, with the *Marguerite*. We hope that you succeed with your corporations which are ancillary to the *Marguerite* service.

I think it would be close to unpatriotic, and I think it's an accusation which is an accusation almost of treason to suggest that we here hope that your efforts will fail and that the City of Victoria and the Province of British Columbia will result in enormous losses and trouble over a service such as this.

I can remember when first approached by a committee of the Victoria city council on this question of the *Marguerite*; and they wanted me as the local Member to come here; I was up town when we had this meeting — and go after the Premier. You know: "Go and give him a hard time. Force him to take over the *Marguerite*." And I assured them that was the wrong approach and that the way to get the *Marguerite* taken over by the government was to inform the Premier of the great success of the Royal Hudson and how only he was the man who really understood the past of the province and the historic need for transportation ...

HON. R.A. WILLIAMS: No, no! No, no!

MR. D.A. ANDERSON: No, no...the Minister of Lands, Forests and Water Resources said he too, he too is a man who understands this. (Laughter.)

Well, all right. But I did tell the chamber of commerce

HON. R.A. WILLIAMS: See the Member for Esquimalt (Mr. Gorst).

MR. D.A. ANDERSON: Oh, the Member for

Esquimalt. So easy to overlook. I'm sorry, Mr. Minister. But I did suggest to the chamber of commerce that the approach should be to go down and tell the Premier that here was a great opportunity for restoring a vessel to its earlier splendors; putting it on the route in much the same manner as the Royal Hudson had been done. Indeed that apparently is what took place, although the Minister of Lands, Forests and Water Resources tends to minimize the role of the Premier in this.

He didn't indicate to us, in his speech, whether or not he'd had any instructions from the Premier as to whether the ship should be taken over. He didn't indicate either whether another Minister, the Minister of Transportation and Communications (Hon. Mr. Strachan) had been involved, and whether or not that great scenario starting off — the time sequence which he gave, week by week, day by day; that dramatic example of government efficiency and brisk, businesslike ministerial decisiveness — whether this only followed six months of indecision and failure on the part of some other colleague of his.

I thought a word or two about that might have been in order, too. Because, surely the first date mentioned by the Minister — the 26th — was not indeed the first attempt by the government to get hold of the CPR ship and their land.

I thought the Minister might have indicated about price. He talked about the cost of the Marathon land, he talked about the cost of the Reid property; but in no way did he deal with the question as to whether or not those costs had escalated due to government indecision, to the point where the public of British Columbia paid substantially more for those lands than they otherwise would have had to do had they acted with prompt dispatch that this Minister has shown when he was given the commission for the Marguerite and its purchase.

So there were a lot of questions which were unanswered by the Minister. Let me just repeat, though, that I hope that he succeeds with the *Marguerite*. I have already in this House gone on record as congratulating him for the speed with which he worked in getting the ship in operation, and for having done a good job. The designers, painters, decorators, shipwrights are all to be congratulated. And the Minister's to be congratulated for that aspect of the operation.

The illegality, which they had nothing to do with and which he had plenty to do with is something else, and I think that he should, in closing this debate, let us know something about that particular aspect.

Because, after all, it is perfectly clear that expenditures were made, public money was put out without any legislative consent, without any legislative authority, and Mr. Minister, it is very, very late to apologize to this House, which is responsible to the people of British Columbia for watch dogging government expenditures. He should apologize to us for his failure to follow the proper form in this area.

Mr. Speaker, the question of the Marathon property, the Reid development property, the *Marguerite* and the Inner Harbour brings up the question of the Clack report received by the Minister approximately one year ago, about 11 months ago. Mr. Ron Clack talked about the Inner Harbour, he talked about the overall six-mile waterway from Ogden Point to Portage Inlet, and I haven't heard very much from the Minister about it since.

I thought this bill would have given us an opportunity to hear from him development concepts which might come forward, because really and truly we're in limbo. We, the residents of Victoria, the people who live here, are in limbo as far as a knowledge of what the government is going to do.

We have statements from the Hon. Member for Esquimalt which are essentially that he has a vision and that city councils should be abolished to make sure this vision is implemented. Yet we have the Minister of Lands, Forests and Water Resources having received reports — not the first one, we've had report after report over the last nine years — but he's received a report and I thought this would have been a proper opportunity to indicate to the House exactly what he has in mind for the Inner Harbour.

I thought he might also have said something, Mr. Speaker, and I trust he does when he closes the debate, on

co-ordination. We have five agencies all operating in the Inner Harbour, all acting without proper cooperation, and it's time that we got that settled. It's time that some reasonable procedure was set up so that there can be an overall plan implemented for the Inner Harbour of Victoria.

We have seen examples in the past, and I'm sure we're going to see them again, of provincial government action in an uncoordinated way and that fountain off to the west of this building is a pretty good example of someone's bright idea which didn't really fit in with anything.

We've heard of the proposals to have reflecting fountains at the back of the buildings and all sorts of lovely things like that with all those buildings torn down back there. That Minister shakes his head from side to side. Apparently that's a non-starter as far as he is concerned.

But there was an opportunity here and there will be when he closes the debate for indicating to us what he has in mind; what we can expect from the government in terms of the development of this waterfront land and of the provincial land in the general area.

I don't want to be fobbed off by this Minister about it's the responsibility of the Provincial Secretary (Hon. Mr. Hall) because he fobs me off telling me it's the responsibility of the Minister of Public Works (Hon. Mr. Hartley) and sometimes it

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gets fobbed off, Mr. Speaker, with the suggestion that some of these things are your responsibility. That's not ridiculous, that might make a very sensible proposal, but nevertheless we have a number of Ministers acting in an uncoordinated way plus other agencies, municipal agencies in particular. There just is no co-ordination at the present time.

Mr. Speaker, I think I'm giving the House correct information when I say that the best planning department at the present time, despite all the personnel raids that have been carried on by the provincial civil service, but the best planning department is still that of the City of Victoria.

They have good people, they have been working on this, they have plenty of information and it's time that these good technical, professional people were thrown into gear. Because we've had group after group literally taking in one another's washing. One puts up a report; the others look at it, analyse it, nit-pick over it and then they in their turn come up with a report.

Then we go from there to consultants — outside consultants — and then, of course, it gets lost in the political level as to whether any of these bodies are going to be of any value whatsoever because the Member for Esquimalt keeps talking about some new super-body along the lines of the National Capital Commission in Ottawa which would supercede all elected officials in this capital region.

So I hope that the Minister... He applauds that, he applauds that. Shameful! No faith in democracy No faith in the intelligence of the people of Esquimalt to elect good people to their municipal council. What a shameful thing.

Nevertheless, the Minister, I trust, when he finishes debate will speak on that because there is a crying need to know what the government has in mind. The city cannot operate; the other municipalities cannot operate until they have some knowledge from the government itself.

I'd like to ask the Minister a specific question as he treads so lightly over what he intends to do and when he stops chatting with...or is he listening? Oh, good. Is it his intention to purchase the Black Ball Ferries motor vessel *Coho*?

HON. R.A. WILLIAMS: No.

MR. D.A. ANDERSON: The former government appropriated or nationalized or seized the ships of the

Black Ball Co. operating within British Columbia ...

HON. R.A. WILLIAMS: And under what statute? Their civil defence statutes. We think....

MR. D.A. ANDERSON: Well as long as you don't get your emergency power statute...when you see what they did with the civil defence statute — seizing ships...I just tremble to think of you with your.... You'd probably seize the remainder of the Royal Canadian Navy with that. (Laughter.)

HON. G.R. LEA (Minister of Highways): I'll tell you one thing: we don't want the *Bonaventure*. (Laughter.)

MR. D.A. ANDERSON: The deficits which the Minister of Transportation (Hon. Mr. Strachan) knows about from ICBC would certainly be even greater if he did. So I warn you against it.

Nevertheless, when it comes to Black Ball, we have the previous government taking over their ships that operated entirely in British Columbia. I'd like to know from this Minister whether or not the motor vessel *Coho* will be taken over or purchased, whether or not that will be running in conjunction with the *Marguerite*, because I think that it's a pretty logical question when this Minister is getting in the transportation business, when he's already got a ship on the same route that he considers the opposition. As we know, this Minister's not fond of competition. He prefers state monopolies. It would seem curious that he would not question the existence of a free enterprise, unsubsidized motor vessel *Coho* under the American flag coming from that port of Port Angeles.

Now, Mr. Speaker, on the question of land, the Minister mentioned — oh, he had a lot of villains this time. He had people from the Bahamas, Asian speculators, British — oh those terrible British that the Premier's getting lost with or visiting today — Germans. All these outside people were referred to. All these foreigners were referred to, and that poor little lands branch was just quite unable to stand up against all those speculators. Well, if that's the case, why?

What examples in the last three years can you give of your department being taken for a ride by people from the Bahamas, from Asians, from British or Germans. Don't tell me what happened under Social Credit days. You've said often enough that the Minister then was incompetent. You claim competence yourself. Now when have you been taken in the last three years by any of those groups? What horror stories can you tell us about how the lands branch, that poor little group of people down there working under this modest little Minister, were taken and when by Asians, by British, by Germans or by Bahamian financiers or others?

Mr. Speaker, the Minister spoke a long time about former Social Credit statutes, and he's perfectly right. Of course, what he failed to point out was that this government, the NDP at the time, voted in favour of all those statutes, and wrongly. There's one clear test for Minister's powers which the Minister should think about, and I hope that he will think about this test that I would like to apply to his legislation. Would

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this Minister, were he an opposition Member, vote these powers if Phil Gaglardi were the Minister? Now he laughs, but that's a good test. Is this legislation limited enough in terms of...?

MR. D.E. LEWIS (Shuswap): That's not a fair question.

MR. D.A. ANDERSON: Somebody says that's not a fair question. Well, I think it is a fair question. Legislation, Mr. Member for Shuswap who doesn't quite understand these things, is there regardless of who happens to be the Minister. It's great for the Member for Shuswap, who is chirping up and no doubt will take his place shortly after I sit down to denounce this bill. It's great for him to say that all the government needs is more powers, but if the legislation is something that Members of this government would not like to have in the hands of some other person who has previously been the Minister, then surely this government should not put it on the books. They should amend it, limit it and put it forward in such a way that the objects are clear, the powers are clear, the financing is clear and there are not — and I hate to use the phrase, but there's no other — broad, sweeping, awesome powers.

Now use the Phil Gaglardi test, Mr. Minister. Look at this legislation again. You've got an opportunity to amend it, and you certainly should.

HON. MR. LEA: What about the Ed Smith test?

MR. D.A. ANDERSON: As far as criticism of that legislation that you mentioned, certainly Mr. MacFarlan rightfully pointed out the deficiencies of it, and were he here, he'd rightly point out the deficiencies of this legislation. Two wrongs don't make a right. For the NDP government to constantly insist that somehow they are virtuous because they're following past practice is absurd in the light of their criticism of the previous regime.

Mr. Speaker, one final point. I think that the Minister should stop attacking the editors of the *Colonist* and of the *Province*. They got this government elected and they're doing their best to keep them there. They may not know it. They may think they're doing something else, but that's essentially what they're doing. They're running around saying that the only alternative to this government is right-wing reaction. Were I this government, I would keep them at it, because there's no other way you could possibly get re-elected except on the strength of the same type of backlash that you had last time. If they keep talking about it, who knows? You may well get re-elected.

Mr. Speaker, as far as the bill itself in terms of wording goes, I'm going to have to await third reading, the committee stage. But on the face of it, while I can accept the Minister's objects — namely, getting the *Marguerite* in operation and keeping it going, keeping the visitors coming to Victoria, keeping the merchants of Victoria with tourists coming through their doors — while I can accept that, while I can accept the beautification of the Inner Harbour, while I can accept the need to have changes so that you have powers to at least have something down there in Seattle, or perhaps at Port Angeles, I cannot accept a bill which just simply does not limit the objects of the company adequately and which does not limit the powers of the Minister adequately.

It is no argument and no excuse to say that this was done by the previous regime. If you really feel that way, Mr. Minister, you can hardly object if they come back, because you're essentially adopting exactly the same standards. Therefore, I'm going to hold true to the position of Alan MacFarlan on that bill that you quoted and object to this bill — vote against it on second reading. If, indeed, before committee stage you bring up amendments and during committee stage you bring up amendments, amendments which clearly limit this bill to what it should be limited to, you may find me more sympathetic when we deal with it in the clause-by clause.

MR. H.A. CURTIS (Saanich and the Islands): Mr. Speaker, I look forward to making a few brief remarks now and perhaps being given the opportunity to continue this debate a little later on. I am sorry that once again the whole issue which is before us in Bill 127 to the very simplistic fact — yes or no. You're either in favour of what we — that is, the government — is doing through the *Princess Marguerite* for the tourist industry in greater Victoria and southern Vancouver Island, or you are against it. This is not the *Princess Marguerite* bill; this is not the British Columbia Steamship Co. Ltd., 1975, bill. This is a bill which goes so far beyond that that I think a number of people must still be in shock. I've had more requests for copies of this bill from constituents and others who are interested in precisely where this government is going that I have on ...

Interjection.

MR. CURTIS: I've been sending them out, Mr. Speaker.

...than I have on certainly any other piece of legislation in this session.

I would also like to refer, as the Minister did, to the discussion we held in what he referred to as the ballroom of the *Princess Marguerite* on the inaugural run. I was not aware that that was the name given to that particular area of the ship. I think we have to put the thing in perspective.

First of all, Mr. Speaker, I declined his invitation

to dance (laughter), and rightly so.

AN HON. MEMBER: Why? Did you want to lead? (Laughter.)

MR. CURTIS: Oh. no. He would want to lead under any and all circumstances.

It should also be pointed out, I think, that while I was complimenting him, and therefore the government, on the acquisition of the *Princess Marguerite*, the job done in restoring and renovating this rather elderly vessel — 1949, I believe — and while I was complimenting him on the appearance and operation of the ship on the inaugural run, we had not yet seen Bill 127 which, if memory serves, was introduced some several days later. I think it was introduced on June 6.

Complimenting a Minister of the Crown on a particular achievement, i.e., the *Princess Marguerite* and saving a service which is important to this area, does not by any stretch of the imagination at all suggest endorsement of all that is possible — all that is capable — of being achieved by this government in this particular amendment Act, Bill 127. Let's have that one fundamental fact very, very clearly understood. This is not a question of either you are for the *Marguerite* or against the *Marguerite*, because as the Minister said in his opening remarks, this goes beyond the *Princess Marguerite*. It deals with Whistler, with the Inner Harbour lands, with the Reid Centre, with the former CPR property and so on.

Mr. Curtis moves adjournment of the debate.

Motion approved.

HON. MR. STRACHAN: Mr. Speaker, I think the House will be pleased to know that the union and the management of ICBC have agreed to commence negotiations once again next Tuesday morning at 9:30.

Hon. Mrs. Dailly moves adjournment of the House.

Motion approved.

The House adjourned at 5:55 p.m.

APPENDIX

105 The Hon. W. S. King to move, in Committee of the Whole on Bill (No. 105) intituled Workers' Compensation Amendment Act, 1975, to amend as follows:

Section 1, enacting section 5A, by adding the following after subsection (2):

"(3) Where the death of a commercial fisherman resident in British Columbia arises or has arisen out of and in the course of his occupation in the Province or waters off the Province since January 1, 1975, and where such death is or was not otherwise compensable under this Part, the Board may treat the death in like manner as if the commercial fisherman were a worker employed by the Crown in right of the Province."

By adding the following after section 13 of the Bill:

"R.S.B.C. 1960, c. 31.

"14. The Blind Workmen's Compensation Act is repealed."

108 The Floor. R. M. Strachan to move, in Committee of the Whole on Bill (No. 108) intituled Motor-vehicle Amendment Act, 1975, to amend as follows:

By adding the following section after section 5: "S. 86D.

5A. section 86D is amended by inserting 'or adjudged to be a juvenile delinquent under the Juvenile Delinquents Act (Canada) by reason of,' after 'discharge in respect of,'."

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