



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

First Session, 43rd Parliament

**OFFICIAL REPORT
OF DEBATES
(HANSARD)**

**Tuesday, May 6, 2025
Afternoon Sitting
Issue No. 57**

THE HONOURABLE RAJ CHOUHAN, SPEAKER

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PROVINCE OF BRITISH COLUMBIA

(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR

Her Honour the Honourable Wendy Cocchia, CM, OBC

First Session, 43rd Parliament

SPEAKER OF THE LEGISLATIVE ASSEMBLY

Honourable Raj Chouhan

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Davis, Pete	Kootenay Rockies	Paton, Ian	Delta South
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Halford, Trevor	Surrey-White Rock	Van Popta, Misty	Langley-Walnut Grove
Hartwell, Sharon	Bulkley Valley-Stikine	Warbus, Á'a:liya	Chilliwack-Cultus Lake
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PARTY STANDINGS

Total seats – 93

BC NDP – 47 | Conservative Party of BC – 41 | BC Green Party – 2 | Independent – 3

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A

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 Abbotsford South..... Bruce Banman
 Abbotsford West Korky Neufeld

B

Boundary-Similkameen Donegal Wilson
 Bulkley Valley–Stikine..... Sharon Hartwell
 Burnaby Centre Hon. Anne Kang
 Burnaby East..... Rohini Arora
 Burnaby–New Westminster..... Hon. Raj Chouhan
 Burnaby North.....Janet Routledge
 Burnaby South–Metrotown Paul Choi

C

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 Chilliwack–Cultus Lake Á'a:líya Warbus
 Chilliwack North Heather Maahs
 Columbia River–Revelstoke.....Scott McNinnis
 Coquitlam–Burke Mountain Hon. Jodie Wickens
 Coquitlam–Maillardville Jennifer Blatherwick
 Courtenay–Comox..... Brennan Day
 Cowichan Valley Debra Toporowski / Qwulti'stunaat

D

Delta North Hon. Ravi Kahlon
 Delta South Ian Paton

E

Esquimalt–Colwood Darlene Rotchford

F

Fraser–Nicola Tony Luck

J

Juan de Fuca–Malahat Dana Lajeunesse

K

Kamloops Centre Peter Milobar
 Kamloops–North Thompson Ward Stamer
 Kelowna Centre..... Kristina Loewen
 Kelowna–Lake Country–Coldstream Tara Armstrong
 Kelowna–Mission Gavin Dew
 Kootenay Central..... Hon. Brittny Anderson
 Kootenay Monashee Steve Morissette
 Kootenay Rockies..... Pete Davis

L

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 Langford–Highlands..... Hon. Ravi Parmar
 Langley–Abbotsford.....Harman Bhangu
 Langley–Walnut Grove Misty Van Popta
 Langley–Willowbrook Jody Toor

M

Maple Ridge East Lawrence Mok
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 Mid Island–Pacific Rim..... Hon. Josie Osborne

N

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 Nanaimo–Lantzville George Anderson
 Nechako Lakes John Rustad
 New Westminster–Coquitlam..... Hon. Jennifer Whiteside
 North Coast–Haida Gwaii Hon. Laanas / Tamara Davidson

North Island Anna Kindy
 North Vancouver–Lonsdale..... Hon. Bowinn Ma
 North Vancouver–Seymour.....Susie Chant

O

Oak Bay–Gordon Head..... Hon. Diana Gibson

P

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 Powell River–Sunshine Coast..... Hon. Randene Neill
 Prince George–Mackenzie Kiel Giddens
 Prince George–North Cariboo.....Sheldon Clare
 Prince George–Valemount Rosalyn Bird

R

Richmond–Bridgeport..... Teresa Wat
 Richmond Centre Hon. Chan
 Richmond–Queensborough Steve Kooner
 Richmond–Steveston Hon. Kelly Greene

S

Saanich North and the Islands Rob Botterell
 Saanich South..... Hon. Lana Popham
 Salmon Arm–Shuswap David Williams
 Skeena Claire Rattée
 Surrey City Centre..... Amna Shah
 Surrey–Cloverdale..... Elenore Sturko
 Surrey–Fleetwood..... Hon. Jagrup Brar
 Surrey–Guildford Hon. Garry Begg
 Surrey–Newton..... Jessie Sunner
 Surrey North.....Mandeep Dhaliwal
 Surrey–Panorama.....Bryan Tepper
 Surrey–Serpentine River Linda Hepner
 Surrey South Brent Chapman
 Surrey–White Rock Trevor Halford

V

Vancouver–Fraserview Hon. George Chow
 Vancouver–Hastings..... Hon. Niki Sharma, KC
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 Vancouver–Yaletown Hon. Terry Yung
 Vernon–Lumby..... Harwinder Sandhu
 Victoria–Beacon Hill Hon. Grace Lore
 Victoria–Swan Lake Nina Krieger

W

West Kelowna–Peachland Macklin McCall
 West Vancouver–Capilano.....Lynne Block
 West Vancouver–Sea to Sky Jeremy Valeriote

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TUESDAY, MAY 6, 2025

[1:40 p.m.]

The House met at 1:32 p.m.

[Mable Elmore in the chair.]

Orders of the Day

Hon. Mike Farnworth: In this chamber, I call continued Committee of Supply for the Ministry of Public Safety and Solicitor General.

In the Douglas Fir Room, I call continued supply debates on the estimates of the Ministry of Social Development and Poverty Reduction, to be followed by the Ministry of Jobs, Economic Development and Innovation, and if that is completed, the Ministry of Transportation and Transit.

In the Birch Room, I call continued committee on Bill 7, Economic Stabilization.

The House in Committee, Section B.

The committee met at 1:34 p.m.

[Lorne Doerkson in the chair.]

Committee of Supply

ESTIMATES: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL (continued)

The Chair: Good afternoon, Members. We'll call this House back to order.

On Vote 42: ministry operations, \$1,121,960,000
(continued).

[1:35 p.m.]

The Chair: As you've heard, we're going to be considering the budget estimates of Public Safety and Solicitor General this afternoon.

Elenore Sturko: In a bid to protect its workers and to reduce what Loblaw's calls violent incidents, the number of stores in British Columbia that have employees wearing body-worn cameras is increasing. Loblaw's, which owns properties like Superstore and Shoppers Drug Mart, confirmed to media on March 25 of this year that the number of stores now participating in this program is going up to 11, where only two stores were previously taking part.

First, can the minister share some thoughts on retail employees having to wear body cameras to work in a shop? What provincial programs and funding are being allocated to reduce the risk that retail employees in British Columbia are increasingly facing because of this government's inability to manage public safety?

Hon. Garry Begg: Importantly, I think it is for us to consider, first of all, that we are committed with businesses, with business groups, to doing what can be done to ensure that those on the front line and facing customers each day, whether they be stocking shelves or working in the aisles, are safe and have the tools that are available for them to do their job. It's important that they feel safe, that they surround themselves with other workers and devices that allow that to happen.

We've met with business groups. They've voiced their concern directly to us. On an ongoing basis, we have cooperated with our policing partners, with the federal government, so that businesses directly, on SITE, can take advantage of the opportunities that are allowed to them to protect themselves when they're doing their job.

We, of course, fund police throughout the province. We have SITE-funded operations which have directly impacted the outcomes of their group by targeting a high volume of repeat offenders and holding them accountable, reducing public exposure to violent crime and disrupting cycles of violence.

For example, since May 2023, the program SITE has supported 113 operations across 33 communities with approved funding of over \$10 million and facilitated investigations of over 2,900 individuals, with 1,900 recommended charges for 965 individuals with substantial seizures of illegal weapons, drugs and criminal assets.

Elenore Sturko: In August of 2024, the Wildlife Thrift Store on Granville said it spent \$300,000 over the last three years in costs related to crime in the neighbourhood. They reported the money had gone to repairs and security.

Does the minister believe that retailers should pay, in some cases, as I mentioned, \$100,000 a year for extra security and repairs because of the government's failure to manage public safety? What is the ministry doing to address the rising cost to businesses as a result of the government's failure to manage public safety?

[1:45 p.m.]

Hon. Garry Begg: We, the government of British Columbia, have been actively supporting businesses when they encounter problems. It's important that they look to us, and they do, as partners in their fight, fighting retail crime. We funded them to the tune of \$10½ million for money that they use to protect their business.

CSTEP, for example, has been a valued program. It's very supportive. It's been a success from a criminal point of view. We're continuing, as we move forward, to ensure that businesses know that they should come to us to seek support as they continue to fight retail crime.

Elenore Sturko: Again at the Wildlife Thrift Store in

Vancouver, the security guard there, Japinder Pal Singh, told *Global News* last summer that he's been spat on at least 20 times in the eight months that he's worked at the store and has frequently had things thrown at him.

He said, "To be honest, all the time I'm afraid doing my job here," adding that he frequently finds weapons on people. "Knives are normal. Bear spray, pepper spray, batons, all sorts of weapons." He ends up, he said, having to handcuff someone at least twice a day.

Yesterday the minister agreed that security officers who are licensed by the province are not trained to intervene with weapons. If that is the case and there is active violence inside retail settings, what does he believe security officers are supposed to do?

[1:50 p.m.]

Hon. Garry Begg: It's important that we not confuse the work of a paid security guard hired by a corporation with that of a police officer. There is no expectation that they act like a police officer. We always caution, and they are trained, that they cannot act beyond the scope of their duties. They are an important part of deterrence, and in many cases, that's the sole job that they have to do.

There are cases where there are incidents, regrettable incidents that force a security guard to involve himself, perhaps. But I think it's important that in the context of all of this violence, we are continuing to underfund CSTEP, for example, which is an important program, and the barage program in Vancouver, which had fully and highly trained policemen on the street doing their job every day.

My key points I'd say are that security guards, acting within the scope of their duty, have a limited range of operations, and they must think first about their own personal safety. They liaise on a daily basis with the police in their neighbourhood, and there is an ability to continue to curb that kind of violence by the presence of police.

Hon. Christine Boyle: I'd like to seek leave to make an introduction.

Leave granted.

Introductions by Members

Hon. Christine Boyle: I just want to welcome the students from St. Mary's School who are visiting us here and are up in the gallery.

It's so nice to have you here.

I understand that they had a tour with Minister Dix or got to meet with Minister Dix earlier.

I'm glad to have you here for estimates, which is an important part of our budget process, where we have these sorts of questions and answers and discussions.

Will the House join me in welcoming students from St. Mary's School and their teacher, Mirna Lewis.

The Chair: Thank you very much.

Kids, that minister is generally referred to as the Minister of Energy and Climate Solutions, in this room.

Debate Continued

Elenore Sturko: In his response, the minister said that security guards need to act within the scope of their training and their duties. We're talking about people who are licensed, for example, by this ministry to be advanced security guards, which allows them to put handcuffs on people.

As the minister will remember from his more-than-three-decades-long policing career and I remember from my much shorter policing career, if you put handcuffs on people, you go hands-on. When you go hands-on with people, the chance of encountering a weapon or even strikes from a person goes up.

The minister also said, in his previous answer, that sometimes there are situations where people may be forced to intervene. Could the minister please explain what he means by forced to intervene?

Hon. Garry Begg: When I say that the security guard may be forced to intervene, I don't mean that there was physical force attached to him. Under the circumstances, he or she decided that the most appropriate course of action would be to intervene.

[1:55 p.m.]

Elenore Sturko: Thank you to the minister.

I'll give you a couple of examples here of some rising concern that, as critic for Public Safety, I have with the scope of what's happening and the reliance upon, increasingly, security services to be brought into retail, to be brought into.... Almost every place you go now, they're hiring security guards.

I think it's heartwarming to see how many people want to step up to be deterrence, as the minister says, to try in their own way to protect their fellow community members. We're talking about a scope of work that is increasingly high risk in situations. We've already heard from Mr. Pal Singh that they get assaulted and they're being exposed multiple times a day to things like weapons.

On April 10, outside of Granville Square, and this is in 2025, near Granville and West Cordova Street, a 62-year-old security guard had his fingertip bitten off. The victim was on shift when he encountered a suspect in an outdoor plaza, police said.

Going back in time in March of 2022, Harmandeep Kaur, 24, died after she was attacked during her shift as a security guard at the Kelowna campus of UBC Okanagan.

Lots of security guards are newcomers. Many of them are elderly. Many are adapting to speaking English in their new country, in their new work environments. As more

businesses are relying on security guards, we have the potential for more injuries and even deaths.

Does the minister believe that security guards that his ministry is licensing are qualified to deal with the level of danger that they are being exposed to?

Hon. Garry Begg: I think we're veering into hypothetical situations. The situation itself is not hypothetical, but we're being hyperbolic about occurrences that do happen.

I know through my own personal training, I know through the Justice Institute of B.C. that there are a variety of options that security guards face. Of course, one of the options is that they can withdraw from a situation they judge could be dangerous.

It's excessively hyperbolic to use examples of the rare occasions when something does happen that could perhaps have involved another method by the security guard so that they withdraw from that dangerous situation, which is not to say that there cannot be unexpected results of contact with a person. But to concentrate on that alone, I think, presents the perception that there is always danger there.

I believe that the Justice Institute provides a level of training that if the member works within the scope of their duties, they should be in a better situation. And it's always an option to withdraw from a situation.

Elenore Sturko: I find it really disturbing to hear the minister categorize talking about.... These are just three, within the last half an hour, of multiple incidents happening across the province where we have.... Even from my own community, the minister's own community in Surrey, we see multiple incidents where it doesn't have to necessarily be having your thumb bitten off like this poor 62-year-old, but getting spit on, shoved.

I mean, this isn't hyperbole. This isn't me exaggerating. These are real risks. In fact, we had the Minister of Health standing in here. We discussed this. We canvassed it yesterday in response to rising stabbings, uttering threats with weapons, things like machetes, crossbows, these types of risks being in places like hospitals.

[2:00 p.m.]

Now we have people.... And from my own experience dealing with people in the security services while I was taking files as a police officer, many are newcomers — many. Many have language challenges. We're expecting a lot, and people are getting hurt.

To stand up in this place and say that it's an exaggeration, that it's hyperbolic, that I'm making a mountain out of a molehill.... We had a security guard, a young woman who was actually working that job to save money for tuition to go to UBC Okanagan. She was killed trying to protect people on her campus. I don't think it's unreasonable that we engage in a discussion, perhaps, on the circumstances that we currently have going on in the province.

With an increase in people with brain injuries, severe substance use disorders, untreated mental illness to the extent where we're putting designated beds into pretrial and other places so that we can try and get a handle on the rampant violence that we have, random repeat attacks that we would be expecting that.... Businesses and people are fearing for their safety. They're bringing these individuals into their space.

There is an expectation there. When the public sees a security guard, there is an unspoken expectation that comes with wearing a uniform, even if that uniform only has a flashlight on it. I think that some thought needs to go into looking at what expectation is being placed on security guards in this province, as a result of an epidemic of retail crime that's absolutely gotten out of control.

Some headway has been made with things like ReVOII, but it hasn't solved the problem. We see increasingly even retail employees wearing things like stab vests and cameras. We need to understand and collect data on what type of risk that poses, then, on people who are now wearing security equipment. What is the expectation being placed on them? What type of risk may they then place themselves in inadvertently?

Retailers are also closing. A vintage consignment store in Vancouver's downtown core packed up and moved, after nearly a decade in the area, because of rising crime rates in the neighbourhood. "The downtown neighbourhood has unfortunately declined over time. Factors like injection sites across the street from the store and an overarching unsafe feel has become the norm. Numerous shop owners have experienced an increased rate of crime and break-ins in the area as well."

It's not only retailers who are feeling less safe. At a public forum in Victoria, area residents discussed a new housing project that included drug consumption services. "When SOLID started at North Park, we saw a notable uptake in the amount of drug paraphernalia that children were bringing into the school at recess. What are you going to do for the children in this community to keep them safe?"

A teacher at George Jay Elementary, located less than one kilometre away from the proposed housing project, voiced worries for her students' safety. "When I look at the other places in town, it doesn't matter where they are, whether it's North Park or Ellice or the 900 block of Pandora, they are disaster zones. I believe that we're on a road that is going to get worse and worse and worse."

The reality is that people can see it with their own eyes. They can see what's happened in areas where there is a concentration of services that enable drug use. The disorder is obvious.

Can the minister please provide information on how the ministry is managing public safety risks and crime associated to drug use, mental health street disorder that

often accompany these services? What risk assessments are being done to protect and keep the communities safe?

[2:05 p.m.]

Hon. Garry Begg: None of these places act in isolation. It is part of a community that has been built up over a number of years. Sometimes the best recorders of that information are the policing community themselves, policemen who are on the street, who identify for us areas of particular concern to them.

When you talk of incidents where someone has been spat upon or threatened with a knife or seen some other type of force applied upon them, that is not unique to that community in the sense that the policing that goes on there every day becomes aware of it.

In the provincial government, what we've done is concentrated our scarce policing resources on a particular area, so that the issues that are there present can be changed. The barrage program I referred to earlier, from October 1 to January 31, saw a successive drop in the rate of crime in that area, which was, no doubt, because of the police presence and their concentration on crime in that area. Violent crime was down in that area 27 percent; break and enters, down 33 percent; assault with weapons, down 45 percent; and shoplifting itself, down 36 percent.

[2:10 p.m.]

So while you, perhaps, choose to look at other areas, I choose to look at the stats that have been established by the police, the arrests that have been made. It's also important to understand that violent crime now is down in that area as well.

Are the police impacting the rate and the incidence of crime? I would say absolutely. Now we're going to add CSTEP to that program as well. So we will see, I predict, a decline in overall crime as we continue to impact it by a program like CSTEP.

The Chair: Just a reminder to have all responses through the Chair.

Elenore Sturko: I'm happy to hear that the minister believes public safety resources are scarce; I agree. It's interesting that the minister chooses to concentrate on VPD's success. The question wasn't about whether or not VPD was successful or whether intensive policing projects can be successful — because they can.

This question, really, was speaking about both the case of a retailer that shut down because of factors like a safe injection site, an overarching unsafe feeling that resulted from that and break-ins in the area of the injection site in Vancouver.

Then here in Victoria, SOLID was opening housing that included drug use, and teachers and other community members were coming forward to say that the kids at recess were bringing in needles and drug paraphernalia

from open drug use in the school grounds and in the area where the kids play.

The question wasn't about whether VPD is being successful with project barrage, which they are. It was what risk assessments are done by the ministry, or what will be done, to protect the community.

This is a government that continues to place resources for people with addiction in areas located close to schools, housing, neighbourhoods and retail, and the results are not good. We still have six people a day dying of drug use, and in addition, we have businesses closing, community members feeling unsafe and, apparently, kids playing with drug paraphernalia.

The question was.... Maybe I'll word it differently. What budget measures are allocated to mitigate the risks to public safety because of increased public drug use?

[2:15 p.m.]

Hon. Garry Begg: This is becoming a circular discussion. We, as a funding agency, have created programs that I've outlined, like SITE and STEP, which have been amazingly successful. The police continue to work that area. They collaborate. They cooperate. They receive information. They receive intelligence. They identify risks. They shift their resources to meet the risk that is there.

It's dangerous to connect criminal behaviour with drug behaviour sometimes. There is sometimes a connection, but there is not always a connection. To assume that someone who is abusing drugs is a different kind of criminal is dangerous. We have invested, the police have invested money to counteract criminal activity at a much higher level. For example, the CFSEU goes after much higher risk. We're not now talking about street crimes. We're talking about crimes at a higher level.

The discussion becomes circular when you say that we did or did not do this or that we should or should not do this. You don't get the complete picture until you look at all of it. There is as much regard for prevention, reformation and redirection of criminal activity through policing as we move forward.

My expectation is that the police will continue to concentrate on the highest or higher risks. It's much more effective to combat criminal activity, particularly drug activity, the higher up the chain you go. The police are looking after the street-level crimes and also the large crimes that may involve international and extraprovincial criminal activity.

Elenore Sturko: I'll just remind the minister that even during decriminalization it remained illegal to possess drugs in a schoolyard. So if kids are finding used paraphernalia in a schoolyard, that's evidence of a crime. It's criminal activity. While I understand the minister might be after the cartels, as he should be, it's also import-

ant to remember that there are people who live in these neighbourhoods.

Even something as simple to the minister, perhaps, as possession of drugs in a schoolyard, maybe that doesn't seem like a big crime. But if you're the parent of a kid who comes home with a hypodermic needle in their backpack or that little kid that picked up some fentanyl at a Nanaimo playground, I mean, it's your whole world.

During VPD's project barrage, Vancouver police dealt with a room takeover. A room takeover is a situation where a resident is forced out from their single occupancy suite by individuals who use them as bases for criminal activity. Room takeovers have been reported in the past, of course.

In 2022, the *Tyee* did a news story on it when a support worker reported that multiple tenants of the London Hotel SRO were threatened with violence by the people who had taken over their rooms, and if they would return, they would be threatened with violence, and some became homeless again.

[2:20 p.m.]

Based on conversations that this gentleman had with clients, he said that tenants who had been bullied out of the London continued to pay rent for their rooms, that money was deducted from their income or disability assistance cheque and that that was transferred to Atira Property Management, which is a common arrangement for people on government assistance.

The worker said: "Even though they're still paying for the room, they're told they'll get beaten up or really hurt, hurt badly if they tell anyone or if they go back." There have been multiple reports of supportive housing in hotels and other locations becoming hubs for drug trafficking and prostitution.

Can the minister please explain and provide details on any interministry work with the Ministry of Housing or Health or Poverty Reduction or funding of initiatives that go towards reducing crime at B.C. Housing projects or any policies or initiatives related to supportive housing?

Hon. Garry Begg: It's important here that we recognize from the outset that there is tremendous cooperation across various ministries in this province. We collaborate and cooperate with each other. Most ministries do not work in isolation, one from the other.

We have situation tables across the province, 33 to be specific. Those are one-stop shops, as it were. You may be familiar with situation tables where people from the Ministry of Housing, people from the Ministry of Health, people with drug addictions, parole, probation, police all get together and map out a plan that allows for the relocation or dislocation of these people from their criminal activity.

[2:25 p.m.]

That is something that has been going on in this province for quite some time, and my expectation is that it will

continue and expand. These problems and problem people do not work in isolation of each other. They have built a community around them, to their detriment. A situation table with the resources that are available all across the various ministries makes it much easier for those people to make a decision to change their lifestyle.

The direct answer to your question is that there is, on an ongoing basis every day of the week, a situation table somewhere in this province that is dealing with the problems that are peculiar to their community. That's by design. It is working.

Information, of course, is shared back with the police. Targeting is done as a result of information that is obtained during the situation tables. That's how we get to helping people in community, whether it's in Campbell River or Surrey or wherever, to solve their problems.

Elenore Sturko: The decriminalization experiment in British Columbia, which began on January 31, 2023, allowed adults to possess up to 2.5 grams of certain illicit drugs — heroin, fentanyl, cocaine, methamphetamine and MDMA — for personal use without criminal penalties.

The three-year pilot, intended to reduce stigma, decrease criminal justice interactions and address the province's drug crisis, was scaled back in 2024 due to public outcry related to rampant public drug use and the inability of police to respond to that problematic drug use.

From February to June 2023, B.C. saw a 76 percent drop in possession offences, as police had stopped arresting people for possession and were, during the pilot, discouraged from interactions with people using drugs. The 15 months of the pilot also coincided with the deadliest year for overdose deaths in the history of our province.

Has the ministry evaluated the impact of the decriminalization experiment on overall drug investigations?

[2:30 p.m.]

Hon. Garry Begg: The question is perhaps better answered by the Ministry of Health. They are doing an ongoing evaluation, and they have included in their evaluation, on an ongoing basis, the policing agencies as well. But they're better equipped to, perhaps, speak more about the program than I am.

Elenore Sturko: It's unfortunate. I'm still going to ask a series of questions related to public safety. I think that it would be actually surprising, given that this was an experiment undertaken, yes, for health reasons but that had significant impacts on the public safety landscape, especially at the street level. It had an impact on how police could conduct investigations, often that start at the street level by talking to people.

I think it's unfortunate, if this is what the minister is confirming, that they are not doing their own Public Safety Ministry evaluation separate from Health, which

would have a bias. I'm going to say it. When the evaluations were going on, while decriminalization was still in full swing, even in terms of monitoring, there was no monitoring of negative unintended consequences.

There was no monitoring of the impacts of not enforcing the law but only trying to bolster arguments to keep going — even in the face of significant harms that were happening at the street level, in hospitals, in places like transit and in restaurants, where people were using drugs — and police were powerless to take action.

Is there information, though, about how decriminalization impacted street level enforcement and investigations? How, in the 2025 budget, are they working through some of these impacts?

[2:35 p.m.]

Hon. Garry Begg: This, as I've mentioned, is an ongoing evaluation. The information obtained through the Health Ministry is gained by the benefit of having police input there as well.

In spring 2024, we requested a change to the section 56 CDSA exemptions from Health Canada in response to public concern about public drug use. The new exemption bans open drug use in nearly all public places. People can now only possess drugs in private residences or designated health care sites such as overdose prevention, drug-checking or addiction treatment service locations. An exception has also been made for unhoused people in legal overnight sheltering options.

The evaluation is ongoing with the cooperation and with advice from the police on an ongoing basis.

Elenore Sturko: I understand that, and I understand why, from a health care perspective, a review would be done of the decriminalization experiment. Also, there would be a need for a Ministry of Public Safety review, because from a health lens, there will be different things that they're looking for.

For example, when they had their dashboard, the things that they were looking for about police.... They were only looking at whether or not the number of arrests for people for possession went down, which, of course, they did because they weren't arresting people, because that part of the Controlled Drugs and Substances Act was gone.

But what about the increase to drug use in hospitals? What about the number of incidents that they were called to where there was drug use on beaches? Fiona Wilson went to the parliamentary committee, HESA, in Ottawa and talked about a scenario where if someone was smoking crystal meth next to your family at the beach, the police couldn't respond because it wasn't illegal.

What about a full evaluation of how this experiment impacted safety, through a safety lens, through the minister's lens of looking...? Yes, we wanted to do an experiment to try and see if we could deal with this issue solely

looking through the health lens, and it was disastrous. What impact did that actually have?

Did we have an increase in gangs and cartels? Survey says yes, we did. We saw a doubling, actually, almost. We talked about that yesterday. The number of cartels and gangs identified operating in the province of British Columbia happened to coincide around the time that we had 15 months of not enforcing possession laws in British Columbia.

I don't know if that's a direct result or if it happens to be a really wild coincidence, but a review of the decriminalization experiment from the lens of public safety would be appropriate to make sure that if someone gets the wild idea that we should stop enforcing B.C. and Canada's laws ever again, we know what the impact is going to be, because it is a matter of safety.

In May '24, the minister is correct that the government recriminalized drug use in public. It allowed the police to arrest, seize drugs, compel individuals to leave. When the Premier went on television and did a news conference about rolling back the decrim experiment, he still stipulated that police would be encouraged to simply move people on and that, in fact, the previous Sol. Gen had said that that's basically the last option.

[2:40 p.m.]

They didn't want to still arrest people. They wanted to not charge people, unless it was an extenuating circumstance. I'm wondering if the minister can please explain: has the number of charges for possession of drugs increased since the rollback of the pilot?

Hon. Garry Begg: There has been an increase in the number of charges subsequent to the change in the act. I would say, as well, that it's important that police are given a wide use of discretion in these types of charges.

Elenore Sturko: Thank you to the minister for the response.

During project Barrage, in just over a month, VPD executed 153 warrants. Those were arrest warrants. They made 204 Criminal Code arrests. As well, 200 weapons were seized in four weeks. That's a 258 percent increase, which, as the minister earlier stated, did result in a 30 percent reduction in assaults with a weapon.

During decriminalization — police were not able to conduct the same type of street-level enforcement due to the removal of possession charges from the CDSA. How did that impact safety, and what kind of data related to warrants and weapons seizures during the decriminalization experiment exists?

Will there be a thorough review to see what impact decriminalization had on the execution of warrants and seizure of weapons at the street level during that time?

[2:45 p.m.]

Hon. Garry Begg: I'll take the question under notice and get back to you with that information.

Elenore Sturko: I think this is important. I think that understanding the full scope of how we were impacted during that time.... If we make a decision to make some other kind of change to help stop the six people a day from dying, we need to not only look at the reduction of harm for people with substance use issues but what those overarching impacts to public safety as a province it will have.

I can remember, and I'm guessing the minister remembers, too, street-level enforcement, where there was, for example, the possession of drugs, often leading to the seizure of a weapon — not necessarily resulting in a charge even, but incidental to arrest or detention for investigation — and seizing things like machetes, chains, all kinds of things that do have an impact on our ability to manage the types of violence at the street level.

One of the stats that the VPD had talked about is that it's not just that the amount of assaults overall had gone down but the assaults with weapons went down. While there may still in the Downtown Eastside during project barrage be assaults that take place, the severity of the injuries to the victims could be substantially less because they've had an opportunity to remove weapons, which is, of course, really a positive thing.

My last question here on the decriminalization pilot is: will the ministry commit to compiling data on decriminalization, not only to see if there were fewer arrests and then subsequently more arrests but looking at all the other aspects that these changes had on street-level enforcement, on the ability of police to conduct investigations and on the drug-trafficking landscape as it evolved over that period of time in British Columbia?

Hon. Garry Begg: Interesting proposition. We will do, as part of an integrated process with other partners, a review, as you suggested.

Elenore Sturko: Thank you. That's good news, and I'd be happy to help in any capacity that the opposition can lend a hand.

I only have a few minutes left before I'm going to turn this over to the member for Surrey-Panorama. I just want to follow up quickly on a couple of things from yesterday, related to illicit vapes, tobacco and cannabis.

We are in a financial situation in the province where we actually need to collect as much revenue as we can from all those sources. We know that the revenues from cannabis and tobacco products and nicotine products go back into our system to fund the very projects that we badly need.

Unfortunately, we know that at least for cigarettes alone, it's a 34 percent illegal market share that is estimated by industry research. This would translate into 534 million

cigarettes, which costs about \$174 million annually. Over time, that's quite a bit of money that could be injected into other programs, including law enforcement. A 1 percent, 5 percent or 10 percent reduction in illegal tobacco is worth \$5 million, \$25 million or even up to \$50 million, respectively.

[2:50 p.m.]

For the sake of time, I'm going to ask a few of the questions so I don't fall behind.

When it comes to vapes, vapes in particular don't just have these financial implications. They have health and safety implications as well.

The industry, along with other authorities, conducts reviews of retailers in the Lower Mainland and across the province. They did a retail sweep in the Lower Mainland in June of 2024, and they inspected 60 vape product retailers. Of those, 56 out of 60 stores — that's 93 percent — were selling non-compliant products. That's a lot.

Those products are fraudulently packaged disposable devices that had more than the allowable amount of fluid, more than the concentration that they were allowed to have of the product inside. Because it has more vapes inside, it actually is stealing provincial sales tax and, of course, the excise tax.

There were also illegal nicotine patches in approximately 50 percent of the retailers, including Zyn. They're not allowed here, but they're still available, apparently, in 50 percent of the retailers that were inspected.

Let me read a few of these, for the sake of my own time here, and I would love to hear just generally what the thought here would be.

There are actually some changes to regulations that are being suggested by industry to help to take away the market share from the illicit sources. Really, looking for a commitment from the minister in terms of vaping products, they're looking for removing the volume restrictions so that the legal retailers are able to compete and remove that market share from the illicit sources; also, removing the regulation that says that refill containers can't have more than 30 millilitres.

They note that some of the reasons why we had these restrictions here in British Columbia were because of safety for kids, but a new federal regulation had come in and increased the amount of safety on those devices, making these redundant pieces of legislation. They feel that in removing those restrictions, it allows them to basically compete with the illicit sources and, hopefully, remove the market share from those other guys.

Likewise, the cannabis industry is struggling. Costs and fees are placing burdens on our B.C. cannabis growers with pressure, and licensed growers have come here and said that they're leaving the industry because of rising costs. Again, once we lose our legal market, they can be easily displaced by illicit sources, which still make up

a fairly big chunk of the market here. Illicit sources continue to take a large market share here in British Columbia.

Again, they're asking for regulatory changes to allow, for example, cannabis tourism, kind of like winery tourism. They're looking for regulatory change permitting responsible consumption within production retail settings. Like visiting a winery and having a glass of wine, they want you to be able to go to their cannabis production and be able to sample products.

That would generate jobs, also revenue in terms of the taxation for the government, and help reduce that market share for illicit sources, fighting organized crime. It's a win-win. Get your money here to pay the bills and fight organized crime.

Looking for a commitment from the minister to please review, both in the cannabis act and then for the tobacco and vapes, regulations that will help reduce the market share for illicit sources and help boost tax revenues back to the province.

[2:55 p.m.]

Hon. Christine Boyle: I'd like to seek leave to make an introduction.

Leave granted.

Introductions by Members

Hon. Christine Boyle: I would like to welcome students, staff and parents from St. Mary's School in Vancouver who are here visiting and having a tour of the Legislature today.

We're so glad to have you here. We're in the midst of estimates, which is when the opposition asks questions of the government on the budget.

So glad that you could join us and that I get to welcome you on behalf of the Minister of Energy and Climate Solutions, who is the MLA in your school area, though I know you're from across Vancouver, and I know some of you are also constituents of mine. I'm glad to see familiar faces and friends.

Will the House please join me in making them feel welcome.

Debate Continued

Elenore Sturko: Can I just add one thing? In terms of the vapes, one of the issues with non-compliance is that they were looking to see if there would be a greater appetite for enforcement. Their inspections in those are finding a high percentage of non-compliance — looking to see if there would be a further commitment for the enforcement of those regulations.

Hon. Garry Begg: I would say at the outset that, par-

ticularly, the legal cannabis industry has been and continues to be very forward-thinking in adapting and changing regulations so that it better meets the needs of the market.

In B.C., they enacted a legal and regulatory framework to govern retail sales and distribution as well as dedicated enforcement to support the transition from illicit to legal and regulated.

My ministry leads the ongoing implementation of the provincial regulatory framework as well as policy coordination across ministries and in alignment with the federal government. We're working across ministries, with cannabis industries, Indigenous partners and local governments to identify where adjustments to the provincial framework can be made to support the legal sector, including increasing access to industry support programs and gradually enabling cannabis hospitality and tourism experiences.

Since legalization, we've made several adjustments to the provincial framework to support the legal sector. Examples include authorizing licensed retailers to offer on-line sales and delivery, developing programs for farm-gate sales and direct delivery distribution and adjusting rules around promotion of places to consume cannabis. The ministry is now looking towards enabling cannabis sales at events like craft fairs and this kind of thing.

[3:00 p.m.]

It's also important.... As far as the vape goes, in this province, it is regulated not provincially but municipally. The enforcement mechanism there is usually on a bylaw basis. I'm aware that there are problems with the industry and the sale of product that is not suitable for human consumption, but the enforcement of the regulations is a municipal responsibility.

Elenore Sturko: Sorry, just one follow-up before I turn it over. In terms of the regulation provincially that stipulates how much strength or how many vapes.... I don't know. I'm not a vape person. How many servings that are inside the vape that are allowed to have.... This is where the discrepancy is.

Even though Health Canada has also tested these samples, they're finding that your provincial sales tax, our tax, is being stolen. I don't know the real number, but some of them are supposed to have 50 servings, and they end up having like 250.

That's 150 stolen servings that we could have received revenue for, and we're allowing that, according to these industry groups. Many of these people or organizations who are selling these counterfeit and illegal vapes in British Columbia with such a huge market share are actually tied to criminal organizations.

I think that regardless of whether it is a bylaw enforcement issue municipally or whether there are ways that we can take back the market share and support enforcement,

at least if the minister could commit to meeting with this industry to look at those solutions.... They also point to other provinces where they don't have the same regulations that we do, and they actually have a lesser problem than we do with the illicit market share.

Hon. Garry Begg: I have met with members of the vaping industry. This, essentially, is a child, as it were, of the Ministry of Finance — the application of the fees attached to it. It's something, certainly, that I can discuss with the Minister of Finance.

Bryan Tepper: I would like to get into a little bit of BCLC and online gaming and iGaming. Interestingly enough, I got an email with a letter actually from the British Columbia Gaming Industry Association just while we were sitting here. They have their concerns about how their business has been going since the pandemic and how they can keep revenue moving as they are losing to the online gaming that we have in this province.

I will bring up the PlayNow website, which the government does operate through BCLC. It hasn't really been an ideal site. I've used it myself, and my wife sometimes, while we watch the Canucks and place a \$5 or \$10 bet on it. It is not as good as other websites that I've seen — not that I've used other websites. They have been out there. I'm not much of a gambler. That \$5 or \$10 usually lasts me for a while.

Anyway, the casino, community gaming and bingo operations generated revenues of \$1.87 billion to BCLC in '23-24. I'm to understand that they're losing share in that now. I'm not sure how much we've gone down or anything else, but that's not into the question. That's just an idea of how much the gaming industry means to our province.

With the online gaming that we have, I believe and the BCGIA also believes that we're losing money, basically, to foreign markets with these websites that we're not controlling.

[3:05 p.m.]

I would like to know if there's an appetite to work, as a province, to maintain regulation over iGaming and allow operation to go over to an industry group like that. They have some ideas as well. Mine would be slightly different: operated as one group, one website, to control what is allowed in this province.

Has there been any thought into us just taking over regulation?

Hon. Garry Begg: The PlayNow site is the only gaming site in British Columbia that is legal. There are queries being made about the liability, feasibility, acceptability through the gaming branch for other kinds of gaming as well.

Bryan Tepper: Section 63 of the Gaming Control Act

states that the Lottery Corp. must take reasonable steps to prevent an individual from continuing to participate in an online gaming scheme if the Lottery Corp. has reason to believe that the individual is either unlawfully participating in the online gaming scheme, participating in the online gaming scheme for the purposes of carrying out an unlawful activity or engaging in unlawful conduct or an unlawful activity while participating online gaming scheme.

However, as I was saying, we have that multitude of sites: Bet365, Stake, Betway. There's a multitude of them. I believe in Ontario they're up to 70 that they allow, and most of those are actually not operated from Canada. That's my understanding.

How is the minister going to ensure that gaming is regulated across B.C.?

Hon. Garry Begg: To the member: the gambling to which you refer is illegal. It's treated as illegal.

When the Gaming Commission becomes aware of it, that it's prevalent and active here, they conduct an investigation, part of which may be that they send a letter to the persons involved, the company involved and ask that they cease and desist from operations in this province. The application of the law in regard to that is a federal matter.

Bryan Tepper: I will just quickly ask: is enforcement provincial?

[3:10 p.m.]

Hon. Garry Begg: The application of the law is provincial. There is a federal component if the site is housed outside of the province, but there is cooperation between the provincial authority here and the federal authorities, generally.

Bryan Tepper: I will follow up on that one more time with the regulation then. Can the minister tell us if the regulation of.... What occurs within the geographical boundaries of British Columbia on the iGaming, are we regulating that at all right now provincially?

Hon. Garry Begg: The answer is that yes, we do enforce that inside the province. The provincial gaming commission does that.

Bryan Tepper: Thank you for the answer.

The service plan for '25-26 estimates spending on gaming policy and enforcement around \$22.2 million. How much of that is going to go directly to online gaming enforcement?

Hon. Garry Begg: Only \$3.4 million of that \$22.2 million is spent on enforcement.

Bryan Tepper: Thank you for the answer.

I don't know if we have the answer, but if we do, how much money is iGaming bringing into BCLC right now? If I could add, and estimate how much is total, including the illegal sites, if we have an estimate on that as well, just to total it all up in one go.

Hon. Garry Begg: That question is better directed to the Ministry of Finance.

Bryan Tepper: Has the gaming policy and enforcement branch been updated since 2010 to include online gaming? Do they currently conduct and oversee the enforcement of unlicensed gaming platforms in B.C.?

Hon. Garry Begg: Yes, we will investigate if the sites you're talking about operate within British Columbia.

[3:15 p.m.]

Bryan Tepper: Just to get the answer on the.... Has the gaming policy and enforcement branch been updated since 2010 to include all of that?

Hon. Garry Begg: A new act was brought into force in 2022 and will be actually brought into force later this year.

Bryan Tepper: Okay, so I will confirm, then, that the Gaming Control Act does update that then.

Given the growth in online gaming, what protections, if any, does the ministry have in place to protect British Columbians who use online gaming platforms, particularly in relation to data privacy, fraud and addiction safeguards?

Hon. Garry Begg: Again, your question is better answered by the Ministry of Finance.

Bryan Tepper: Sorry. I'm just trying to figure out how that does relate to Ministry of Finance — data privacy, fraud and addiction safeguards. If we have the fraud in there and data privacy, would that...? Maybe I'll just confirm one more time. That will be Finance and not...?

Hon. Garry Begg: There is a separation between the business side of BCLC and the regulator.

Bryan Tepper: If there was fraud being committed through the iGaming platform, would it not fall under Solicitor General and Public Safety? Say we throw in underage gambling that goes in on that as well. Would that fall into something that the ministry would take care of?

Hon. Garry Begg: That is something that would be investigated by the ministry — the underage, the fraud, that kind of thing.

Bryan Tepper: Okay. If I rephrase the question a little bit, what protections does the ministry have in place or plan to put in place for fraud, underage gambling?

[3:20 p.m.]

Hon. Garry Begg: When the new regulations come into effect later this year, there are provisions for the prevention of some of the things that can be prevalent, including underage illegal activities, etc.

Bryan Tepper: Thank you for the answer.

Do we have any independent oversight that exists for BCLC's online gaming platform, PlayNow.com? What steps does the minister take to ensure there's no conflict of interest, given that the Crown acts as a regulator and revenue generator?

Hon. Garry Begg: This might get confusing for you, but BCLC reports to the Ministry of Finance, and the gaming enforcement branch reports to the Ministry of Solicitor General, so there is a deliberate separation of the two sides.

Bryan Tepper: Thank you for the answer. Actually, it wasn't that confusing. That was a good one.

What I will finish up on this is.... Given that there's a lot to be gained, a lot to be lost with the criminal aspect of this, the illegal sites, can we get a commitment to move forward with the independent bodies that might be able to put this forward to be regulated by the province and operated by somebody else as an oversight group, however they want...? Sorry, the regulation would be the oversight. They would be the operating group.

If we can move towards that direction to make sure we have no conflicts, and we are assisting, bringing money in for things like the community gaming grants that.... I know I've applied for many of them. They're very valuable and have been drying up, apparently, in the last little while. There have been no increases in those, so this is incredibly important to all our community groups.

I'll let you go.

Hon. Garry Begg: There is an ongoing commitment to look at some of the issues that you have raised.

Bryan Tepper: Thank you for the answer. Thanks for that section. I'd like to move into the future of contract policing.

[3:25 p.m.]

Currently contract policing is overseen by the provincial police service agreement from, I believe, 2012. It should be extended through March 31, 2032. At this point, we do have.... Either side can terminate the agreement with 24 months' notice. Those are the important parts that I want to cover on that right now.

How much of the \$577 million the ministry estimates spending on policing and security '25-26 is spent on contract policing?

The Chair: Members, it's been requested to have a quick recess, so we will sit in recess for the next seven minutes, precisely seven minutes. Thank you, Members.

The committee recessed from 3:26 p.m. to 3:39 p.m.

[Mable Elmore in the chair.]

The Chair: I'll call the committee back to order. We are considering estimates for the Ministry of Public Safety and Solicitor General.

Hon. Garry Begg: The final '24-25 delegation to the RCMP was \$623 million for the B.C. RCMP as the provincial police service. That represents the 70-30 percent cost-sharing with Canada under the provincial police service agreement.

[3:40 p.m.]

Bryan Tepper: Thank you for the answer.

Maybe I should ask if I have the number wrong. The \$577 million for spending on that — is that number wrong? It's \$623 million as the amount?

I will just continue with the question then.

According to the provincial police service agreement, the RCMP aids the province in the administration of justice by implementing the provincial policing objectives, priorities and goals as determined by the minister.

To the minister: what policing objectives and policy goals have been developed by the ministry, and can you please table them?

Hon. Garry Begg: I'll read directly from the note to the RCMP commissioner. In accordance with article 6.1 of the PPSA, the provincial minister sets the objectives, priorities and goals of the provincial police service. The policing priorities for B.C. are sent to the commanding officer of E division, all chiefs of municipal police departments and self-administered policing services in the province.

In the latest year, which is 2023, the commanding officer of E division was issued the following policing priorities for B.C.

Staff existing vacancies within the provincial police service.

Address systemic racism throughout various initiatives.

Implement the B.C. First Nations justice strategy, the city of Surrey's police model transition.

Address repeat and violent offending.

Increase use of restorative justice.

Collaborate with community partners on safety issues, including mental health and addictions.

Target proceeds of crime for high-level organized crim-

inals in line with the Cullen commission recommendations.

Combat gangs and criminal organizations that fuel the toxic drug supply.

Lastly, support service delivery recommendations identified in the Special Committee on Reforming the Police Act.

Bryan Tepper: Given that British Columbia has the largest number of contract RCMP officers in Canada, and with the uncertainty that's been created in the past couple of years by the federal government in moving that, has there been a look at what a transition would be, given that level of uncertainty?

[3:45 p.m.]

Hon. Garry Begg: In May 2024, the former federal Minister of Public Safety wrote to provincial and territorial ministers regarding the need for a stronger RCMP federal program, including a separate, distinct mandate for contract policing. This correspondence also provided a commitment that Canada and the RCMP will continue its contract policing program beyond 2032.

The province is engaged with partners from other provinces, territories, local governments in B.C. and the federal government through various committees at the staff and DM levels on work considering the future of contract policing.

Bryan Tepper: I guess that sort of answers it, but I'll get a comment on this. Is the ministry and the government considering the creation of a provincial-wide police force at all, which was recommended by the all-party B.C. legislative committee in 2022?

[3:50 p.m.]

Hon. Garry Begg: The work that was done by the special committee on policing in British Columbia will continue. We, as a government, are committed to looking at all of the options that are available.

Bryan Tepper: I'm going to jumble my question around because of that. Going from the estimates notes from '24-25.... They have a quote: "Exploring this option would require extensive research, including legal, operational, financial, communications and consultation."

Does this minister support the creation of a provincial police service that moves away from the RCMP?

Hon. Garry Begg: The dynamics of policing in Canada are changing dramatically. It is something that we have to be cognizant of. As the minister responsible for Public Safety, it is an opportunity for me to look at all the options.

I would say that it is a response of ours that we will examine closely all the possibilities, in consultation with

the general public, to see what meets best the needs of British Columbians.

Bryan Tepper: My question to the minister is then: how much do we project that exploring these other options would cost?

Hon. Garry Begg: We will use the existing resources within the ministry, as we move forward, so that no additional funding will be required at this point.

Bryan Tepper: So perhaps I could ask then: what is the progress thus far looking into the special committee's recommendations? Really, what are they that we're looking into? If we could table them.

[3:55 p.m.]

Hon. Garry Begg: I'll read directly so that, perhaps, makes logical sense to you.

Work continues on the policing and public safety modernization initiative, which was established to respond to the recommendations of the Special Committee on Reforming the Police Act. This initiative is taking a phased approach.

Phase 1 introduced legislative amendments in April 2024 that address topics related to municipal police governance, police oversight and tiered law enforcement within the current Police Act. These amendments directly respond to recommendations of the special committee and changes requested by the Office of the Police Complaint Commissioner.

Government is now building on these initial amendments, based on a significant consultation process that has been ongoing since 2023, to determine our next priorities for modernizing policing and updating the Police Act.

For all this, to do this right, we need to consider future changes carefully and in close partnership with all impacted groups. We are also continuing to work on developing regulations that will bring all the changes made to the Police Act in 2024 into force.

Bryan Tepper: Given the critical role the RCMP does play in rural and small communities, with the cost-sharing with the federal government and the under 15,000 population with the 70-30 split, how will the minister ensure that the new model does not abandon the rural small towns for large, urban policing in communities?

Hon. Garry Begg: The RCMP has been the provincial police agency here in British Columbia for a great number of years and has provided tremendous service day in and day out all across the province, in big cities and in small cities. The challenge facing us today is to replicate a model that does the same thing.

[4:00 p.m.]

You're right in the sense that small communities deserve the same quality and level of policing as do large cities. That's one of the recommendations noted in the police reform act — that there has to be, across the province, whether it be in the largest city or in the smallest community, a quality and level of policing that best suits the needs of British Columbia.

That was the intent of the special committee. That's my intent, to ensure that the quality and level of policing in British Columbia is the highest attainable in the country.

Bryan Tepper: Thank you for the answer.

Given that we know the crime rate in a lot of our northern communities.... I policed Williams Lake, and I think we were top three in the country for several of those years. I don't think it was my fault, but it probably dropped because I did such a good job afterwards.

Have we had any of those communities that have raised concerns, any of the municipalities brought it to the ministry about the future of the RCMP contract policing in their communities?

Hon. Garry Begg: We meet, of course, with the Union of B.C. Municipalities regularly, the Union of B.C. Indian Chiefs and solicit advice and opinion from all across the province.

You will not be surprised to know that everyone has a different perception of their problem which is peculiar to where they live.

What we have received runs the gamut of geographic locations. Smaller communities have perhaps more intense needs than some larger communities. But the dividing line or the commitment about policing, our commitment to that is that it will be the same wherever you are in the province.

There are, of course, logistical problems. There are staffing problems with the RCMP and other policing agencies, and difficulties, in some cases, in fulfilling their obligations. That's not unique to the RCMP but is unique to policing in the most recent years. But our commitment, again, is to ensure that the quality and level of policing in British Columbia is the best possible.

Bryan Tepper: Thank you for the answer.

I will just ask, maybe a yes or a no: have any municipalities actually just raised concerns purely about the RCMP leaving and being replaced with something else?

Hon. Garry Begg: In our most recent report on our municipal round table, the indication is that the majority of members of that municipal round table are supportive of the RCMP.

Bryan Tepper: Thank you for the answer.

Perhaps I'm going to end up switching gears here. For

this one, I might as well just ask right now: how many provincial police officers, contract police officers, not municipality but the ones that the province is paying for, do we have in the province right now?

[4:05 p.m.]

Hon. Garry Begg: It's 2,431 members, including the members at Surrey detachment.

Bryan Tepper: I would assume the ones at Surrey detachment will not be continuing on. What would we have if they aren't a part...?

Maybe you could just confirm. Are they part of the regular provincial force, and if they're not, how many without them?

Hon. Garry Begg: The number of positions, without Surrey, is 1,991.

[4:10 p.m.]

Bryan Tepper: If we're continuing forward with 1,991 in moving to a different model, do we have a cost difference, without the 30 percent from the federal government, from what we would end up with if we continued with the same number of provincial police?

Hon. Garry Begg: We do not have that information.

Bryan Tepper: If it's possible to get that in the future, that would be terrific.

I will move on. I'm trying to fit in as much as I can in my time, so I might jump around a little bit.

How would the minister be advocating for stronger bail laws? During question period, the Attorney General said the minister is making sure there are the resources on the ground to make sure the system is ready to respond. If the minister could explain the system and what resources that the Attorney General would be referring to?

Hon. Garry Begg: I will defer entirely to the Attorney General, who is our lead when it comes to the bail reform program. But I do know that the program that she was referring to is the repeat violent offending intervention initiative — we call it ReVOII — which brings together police, dedicated prosecutors and probation officers to address repeat violent offending through enhanced investigation, enforcement and monitoring of individuals in communities throughout B.C.

It's important to understand that the position that B.C. has taken has become a subject of great discussion in Ottawa. The Premier and the Attorney General are actually amongst those who are leading these changes.

Bryan Tepper: Yes, I do appreciate that program. I think it has been fairly successful.

I'll move on. In the fall 2024 budget — I'm going to get into some numbers here, I apologize — table 1.8 lists actual spending for '23-24 as \$1.089 billion. The forecast to finish the year was \$1.084 billion.

I'm actually skipping a little bit there, because.... At one point the minister has said that we have had the largest increase in spending on policing. I don't know if it was ever or something along those lines.

[4:15 p.m.]

The final forecast was there, but this year's budget, we're up to \$1.137 billion and then going up, forecasted for next year at \$1.139 billion. At this point, it doesn't seem like a large increase. Perhaps you could comment on that and where the increase is.

Hon. Garry Begg: The overall budget for the ministry is \$1,137,182,000, which represents a \$54.054 million increase, or 5 percent, from '24-25. Reconciliation of the budget changes is detailed elsewhere.

The overall increase since '24-25 includes the following: \$27.9 million for RCMP wage increase; \$6.596 million for wage-related increases; \$5.01 million for crime assistance program modernization; \$5 million for body-worn cameras; \$1.798 million for First Nations and Inuit policing; \$1.69 million for electronic supervision to support the increased costs to monitor offenders; and \$1.484 million for coroners' operational pressures.

There's \$1.096 million for the Fire Safety Act; \$606,000 for police modernization; \$175,000 for minister's office adjustments, which include the creation of the Ministry of State for Community Safety; \$2.669 million primarily for the Nanaimo Correctional Centre, public safety programs, corrections food services, contracts from Budget 2024 and minor incremental budgets in the 2023 decisions.

Bryan Tepper: Thank you for the answer.

So we have the number of provincial police officers. Do we have the total number of active police officers in B.C.? Would we have a breakdown, even provincially, for five years ago until now?

[4:20 p.m.]

Hon. Garry Begg: We're attempting to get the answer that you require and, perhaps, are able to get it in the next short while. In the interim, you should feel free to ask another question, if you wish.

Bryan Tepper: I don't know if it's a program or an organizational group, but it was called "future directions," involved in this. First Nations submitted suggestions on how to improve policing. Do we have a report on what came of those?

[4:25 p.m.]

Hon. Garry Begg: I'll give you now two answers, be-

cause there's one that we've held in abeyance until we could get what we needed to know.

The *Police Resources in B.C., 2023*, published by the ministry.... The authorized strength of police agencies in B.C. was 10,843. That's a report published in 2023, which is the latest report.

To answer about First Nations policing, ministry staff have directly connected with 87 First Nations and modern treaty Nations and several Indigenous leadership organizations to guide their work. Compiling and receiving the feedback, including recent submissions, is ongoing now from additional First Nations leaders.

Bryan Tepper: Thank you for the answer.

Perhaps I could just put this for a later answer, if we can get how many police officers there were. I'm going to say in 2018 as well — just the difference between the two, if that was the latest report.

I'll move on. I think I have enough time for one more question and answer before it is the Third Party's time.

I will say I happened to be listening to a radio interview, because the minister is very engaging. He did say some things I had questions about during the interview, one being talking about the RCMP and saying he wanted to make changes. I would ask what changes he would like to make. The minister did go on to say the RCMP could not make those changes. I'm curious why they wouldn't be.

I will throw in the last here, if you can separate that into this one. The minister also said the Premier made overtures with the federal government, making success on bail reform. Can we get an update on what kind of success he did have?

Thank you, Minister.

[4:30 p.m.]

Hon. Garry Begg: We've come up with the math that you suggested. The total authorized strength, in all of the police agencies in B.C. in 2018, was 10,312. You'll know that that's not a significant difference.

For your question about the Bail Reform Act, I obviously can't speak for the Premier or the Attorney General, but they advised that they did make progress. One of the important things they were able to stress is that people living in British Columbia are concerned about repeat and violent offending in our communities and the threat to public safety that these offenders pose.

The current situation in British Columbia requires that we take urgent action to address elements of the bail system that make it difficult to hold people who commit repeat violent offences in custody and to ensure the bail system is functioning as intended. That, I think, adequately states the position of both the Premier and the Attorney General in their dealings with Ottawa.

Rob Botterell: I have a series of questions that I'll raise over the next hour.

Before I begin, I just wanted to express my appreciation to the minister and the minister's staff for your efforts and work. This is a very important ministry, and I really appreciate your taking the time to answer these questions and continue the important work of this ministry. I just want to thank you for all of that.

I'd like to start with a question related to the B.C. conservation officer service. I recognize that in some cases, these questions may have been canvassed. If that's the case, I'm hoping you could summarize your answers to others for the benefit of those constituents and others watching today.

Multiple organizations in this province have raised concerns about a lack of oversight for the B.C. conservation officer service, from their police-like arming to the increasingly high number of black bears unnecessarily killed by officers to wolf culls.

How is your ministry ensuring that the conservation officer service has proper oversight mechanisms or independent bodies to improve transparency, accountability and public trust?

[4:35 p.m.]

Hon. Garry Begg: First of all, I was on the Committee on Reforming the Police Act. This is one of the questions that came up there and caused us significant concern, so much so that we recommended it in the special committee.

Bringing the conservation officer service under the jurisdiction of a policing oversight agency is a significant policy change. However, the Ministry of Public Safety and Solicitor General has worked with the Ministry of Environment to develop a proposal to apply independent oversight of the conservation officer service.

Direction on this proposal to be implemented is pending. In the interim, in the absence of a new policy, complaints can be made about the conduct of conservation officers. If a conservation officer commits some sort of misconduct as part of their general employment duties, this proceeds to the conservation officer service professional standards unit and to the Public Service Agency.

Complaints that relate to the improper exercise or performance of a constabulary duty or the neglect to exercise their constabulary duties can be made under the Special Provincial Constable Complaints and Discipline Regulation under the Police Act.

Rob Botterell: Could the minister give us a timeline for the independent oversight proposal being implemented?

Hon. Garry Begg: This is a very active file by the ministry, but I cannot give you a specific date upon which it will come into effect.

Rob Botterell: Thank you, Minister.

The lack of oversight and regulation concerning the conservation officer service has not only resulted in poor ecological management but has also raised ethical and financial concerns.

The wolf cull is one example of this. Since 2015, 2,192 wolves have been killed, often inhumanely, costing B.C. taxpayers over \$10 million.

Will this government commit to ending the wolf cull and improving transparency and oversight in its upcoming proposal to prevent similar issues in the future?

[4:40 p.m.]

Hon. Garry Begg: Oversight regarding policy decisions with respect to wildlife management issues is under the Ministry of Environment.

Rob Botterell: I'd like to shift gears to police accountability and trust. While this budget saw a notable increase in funding towards policing, public confidence in the police remains low. The service plan forecasts for 2024 find that only 45 percent of British Columbians have a lot of confidence in the RCMP.

What is this government's plan to promote public trust in the RCMP and local municipal police, and what funding exists in this year's budget to do so?

Hon. Garry Begg: We're doing a number of things to bolster the reputation of the policing community here in British Columbia.

One of the things that comes to mind, for example, is police boards. The police boards have conduct over the performance of police in their jurisdiction, and it's important that they receive the training so that they can be a reflection of what the community wants in their police department.

[4:45 p.m.]

We always talk about the visible presence of the police in the community. In order for police work to be done, it must be seen to be done, which means, in policing, that the police must be out there and be seen to be doing their job. The best ambassadors for the police are the police. Their conduct, their deportment, the way they treat the community is a reflection of their values. That's something that has been instilled in policing since it began, historically.

We recognize, for example, in this province, a large number of Indigenous people who have come into contact with police and are unhappy with the result. We have undergone and are continuing to encourage the policing community to ensure that the Indigenous community, the BIPOC community, those who are disenfranchised or less enfranchised because of their position in society are treated equally. That's something that we're committed to, and we will continue to do.

Rob Botterell: Thank you, Minister.

The ministry's service plan includes a target this year of 46 percent of British Columbians who have complete confidence or a lot of confidence in the RCMP. This is only one percentage point higher than the forecasts from last year.

The minister has outlined the importance of training of police boards, the importance of a visible presence and the approach to that in the community, the importance of tailoring, if you will, the approach to policing to better reflect the needs and interests of Indigenous people.

I guess there are really two questions. Can the minister identify any other barriers to improving public trust in police and describe the ministry's approach to addressing those barriers, or are those the main three?

Secondly, why are the targets for public trust so low? This is only one percentage point higher than last year. What it conveys is that there is really one in two British Columbians who doesn't have confidence in our approach to policing. Certainly the ministry is very committed to the work it does and increasing the degree of confidence, but why are we only shooting for a 1 percent increase this year?

[4:50 p.m.]

Hon. Garry Begg: The numbers that you picked are numbers from the Angus Reid Institute. That was conducted nationally. It is an indicator, certainly, of the confidence that some Canadians have in policing, but I think it's important, as well, that we consider what has actually been done to help boost public confidence here in British Columbia in policing.

The police in British Columbia have chosen to involve the community in their policing. They've done that by setting up situation tables which involve community members, leaders in the community, leaders in business, leaders in commerce, leaders in thought in the community. They've set up CSTEP as a program to better integrate people. We've spent, in this province, more than \$233 million in new policing.

What we're trying to do to improve the image of police is to improve the quality of involvement of the community with the police. We find that if the community is involved with policing, they become more dedicated to policing; the policing members become more familiar with their groups. So enhancing the image of policing, from our point of view, is best done by the police themselves in the community doing the work that has to be done.

Now, we recognize that much of the work may not be police work, the per se police work. It may be more social work in the sense that it is responding to the needs of community members, but I think that is what is required. Policemen must be reminded that they are servants of the public. They are not free to do what they will. They are free to respond to the needs of the community.

We're encouraging them, through police boards and internal training, to ensure that the work they do is focused on making the changes in the community that are required by the community.

[4:55 p.m.]

Rob Botterell: Each community will face its own challenges in terms of policing. Certainly, what we see are some communities where the challenge of policing is very high, very intense, is very difficult for the police. And it involves a much higher degree of workplace stress and impact than other communities.

A comparison that I can draw, just to illustrate the point, is.... I grew up in Oak Bay here in Victoria. Not to take anything away from the hard-working Oak Bay police, I will say that it was a pretty quiet community. It was rare there was much in the way of an exciting or dangerous event to deal with. Compare that to Victoria. Victoria police face significant work stress and challenges on an almost daily basis.

Has consideration been given by the ministry to amalgamation of police forces in the capital region to create a working environment that includes some of the quieter areas within the region and some of the more intense, in order to enable the police force to manage that degree of stress for its individual officers, on an ongoing basis, to a lower level?

Hon. Garry Begg: Harkening back to my own days as a policeman, it was fairly evident to me as a young policeman in Burnaby that not all the criminals were in Burnaby. They were elsewhere. They didn't restrict to the boundaries that I was confined to. There is an anomaly in police work that delegates police authority to a particular area that only applies to them. It doesn't apply to the criminal element.

In areas like Victoria, this is something that we considered on the Special Committee on Reforming the Police Act. There was a consistent feeling that this was a perfect place to amalgamate the police agencies. You will know that by and large, many of the police departments here in Victoria have joint squads that operate interjurisdictionally.

Recently there has been an effort here in Victoria to make that happen. It makes sense. It makes sense geographically. Even from a fiscal point of view, the economies of scale that can be applied are at work here. So my direct answer to your question is that it's certainly something that is being considered.

[5:00 p.m.]

It's not something that will be led by the province. It will be led by the municipalities here in Victoria — perhaps in Kelowna and that area, too, which has a large expanded population and duplication of many police agencies.

Rob Botterell: Thank you, Minister.

Earlier we discussed and you touched on, Minister, the Indigenous policing and the nature of police services provided to Indigenous communities. The service plan includes a commitment to include DRIPA in the promotion of public safety.

My question to the minister is: how does your government intend to implement DRIPA with respect to its efforts to promote police accountability and public trust?

Hon. Garry Begg: This government is committed to the principles of DRIPA.

I am sure you will be pleased to know that we have worked hand in hand consistently with our First Nations to ensure that we work in lockstep with them so that the principles of DRIPA are upheld. There is constant consultation between the groups involved so that happens.

Rob Botterell: Thank you, Minister.

Minister, you've indicated that all changes to policing have been in consultation with First Nations communities. Yet our understanding is that board members of the B.C. First Nations Justice Council say they were not consulted on any of the changes brought in Bill 17 last year.

How is this ministry, your ministry, ensuring that any reforms to policing the Police Act are done in consultation and with the participation of organizations like the B.C. First Nations Justice Council?

[5:05 p.m.]

Hon. Garry Begg: Phase 1 amendments were introduced in April 2024 and covered 21 topics over 170 clauses: amendments to 84 sections of the Police Act; 41 sections added to the Police Act; consequential amendments to 74 sections of 22 other acts; and the focus on municipal police governance and oversight, the law enforcement continuum and miscellaneous topics.

Coordination and consultation have occurred and continue with the B.C. First Nations Justice Council, First Nations Leadership Council, Métis Nations B.C., the Alliance of B.C. Modern Treaty Nations, B.C. First Nations and modern treaty Nations — all invited; and the Local Government Policing Modernization Roundtable; and the Union of B.C. Municipalities.

[5:10 p.m.]

We continue to meet with the Indigenous groups I am advised weekly, as this process is continuing.

Rob Botterell: It's helpful to have that information on the record and certainly draw that to the attention of the board members of the B.C. First Nations Justice Council.

Much has been said over the course of estimates and, certainly, in other forums about the Special Committee on Reforming the Police Act and the implementation of transformative change. It's been three years, and it would

be helpful to have a fairly detailed picture of the minister's timeline and approach to full implementation of the Police Act reforms. Where are we at? Which ones are left? How will the funding be set to complete this work? And what is the timeline for completion, 100 percent implementation?

Hon. Garry Begg: As I noted earlier, phase 1 of the policing and public safety modernization initiative introduced the Police Amendment Act, 2024, which received royal assent on April 25, 2024, as an initial legislative reform step. To date, we've implemented three recommendations from the special committee's report.

For example, municipal councils now have the authority to determine who their representative will be on the police board and will allow members of the police board to elect their chair and vice-chair. Before the mayor was automatically the representative on the board.

As well, we've implemented seven recommendations from the 2019 Special Committee to Review the Police Complaint Process. For example, the Police Complaint Commissioner can now call a public hearing earlier in misconduct investigations.

That's now in its second phase, including regulation development from phase 1, focusing on additional policing and public safety reforms through broad consultation and cooperation with stakeholders and partners.

We're also focused on co-development of policies and legislation with Indigenous partners and local governments, as recommended by the special committee. This work takes time to ensure meaningful in-depth consultation and engagement on proposed policies is completed, and we look forward to providing an update as appropriate.

[5:15 p.m.]

Rob Botterell: As a follow-up to the question, are there any recommendations that the government does not intend to implement?

Hon. Garry Begg: We're committed to reviewing all of the recommendations.

Rob Botterell: The minister recently said that this government would be open to implementing a fourth option for 911, specifically for mental-health-related emergencies, as this is another example that's consistent with the recommendations from the Special Committee on Reforming the Police Act.

Can the minister describe what this plan would look like and how soon we can expect this vital change? Mental health issues are a top priority.

Hon. Garry Begg: As I committed earlier, we are reviewing the fourth line as an option.

Currently, if someone is in distress, our 911 call-takers and dispatchers will assign mental health and police

teams in communities where they are available and on duty.

Rob Botterell: This government has committed itself to implementing the calls for justice developed from the national inquiry into missing and murdered Indigenous women and girls.

Can the minister speak in some detail to this government's progress on the calls for justice and the funding in this year's budget that exists for this important work?

[5:20 p.m.]

Hon. Garry Begg: My ministry supports a number of initiatives to help prevent and address the violence faced by Indigenous women, girls and two-spirit people, including \$10 million for 70 new sexual assault services programs, which commenced in 2023, which are Indigenous-focused programs; and continued operation of FILU, the family information liaison unit, which provides front-line support to families of missing and murdered Indigenous women and girls.

Also, the establishment of path forward community fund in 2022, developed and administered by the B.C. Association of Aboriginal Friendship Centres, to meet the needs for Indigenous-led capacity building and safety planning and help Indigenous communities and organizations create and implement their own culturally safe solutions.

Over 750 projects funded since 2014-2015 through the civil forfeiture office grants program that focuses entirely on Indigenous women and girls.

Rob Botterell: Does the minister plan to create an independent unit or task force with oversight from Indigenous communities to ensure there is a proper and culturally sensitive review of unresolved files of missing and murdered Indigenous women, girls and two-spirit people?

Hon. Garry Begg: There has not been an independent unit formed because of our ability within the RCMP provincial police service, with specialized squads, to tackle issues like this. They're at work, they're existent in the RCMP as we speak, and there is no special group formed to do that work.

[5:25 p.m.]

It is work that is inclusive already in our budget, in the \$233 million that we've expended on this project, and it is inclusive and included in that.

Rob Botterell: Thank you, Minister.

We've canvassed this in this session. I'd like to canvass it again. Many have raised concerns about the pattern of misconduct and violence committed by the critical response units, or CRU, including from the Civilian Review and Complaints Commission, municipal officials,

human rights organizations like Amnesty International, independent police watchdogs and First Nations groups.

So this is not an isolated complaint. These are not isolated concerns. There are a range of individuals, entities, oversight organizations that have raised these concerns.

During question period earlier this session, the minister said the CRU will “do things as they’ve always done things, with fairness to all involved.”

Can the minister explain what he means by this and, given the range of concerns raised, whether, in his opinion, the CRU has always acted fairly, especially considering the range of concerns that have been raised?

[5:30 p.m.]

[Lorne Doerkson in the chair.]

Hon. Garry Begg: I want to reaffirm that I expect in all cases that the critical response unit will act fairly at all times. We have taken steps to set targets to support them in their training and their outreach. This promotes within them the ability to provide direction to crew and to achieve its goals.

A principle that I work on, that we work on, is fairness. Again, the expectation is that with the training provided to them, with their targets set out, they will, in all things, act fairly.

Rob Botterell: Thank you, Minister.

I just want to express my appreciation to the minister and the staff once again for the helpful answers to the questions. That’ll be the conclusion of my questioning.

Brent Chapman: We haven’t got a lot of time, so I’ll keep it pretty simple and straightforward with about three subjects.

ICBC’s no-fault insurance. Overview of ICBC’s no-fault insurance model.

In May 2021, ICBC transitioned to a no-fault insurance system known as enhanced care. This model was introduced to reduce insurance premiums and streamline the claims process by eliminating the need to establish fault in most motor vehicle accidents under the system. Individuals involved in accidents receive predetermined benefits for medical care and income replacement, but their ability to sue for damages is significantly limited.

This is from the *Victoria Times Colonist*:

“The beneficiaries of the old litigation-based ICBC system were lawyers, not victims,” says B.C.’s Premier. No-fault insurance, or the enhanced care model, introduced in May 2021 to provide set amounts of compensation by injury type to victims regardless of fault, without a referral, eliminated most victims’ right to sue.

“The goal of the no-fault system was to ensure billions of dollars that were going to legal fees and pain

and suffering and injury claims instead went to improve benefits, immediate treatment and compensation, as well as generating low basic rates and rebates for policyholders.” We’ve seen a bit of that.

“This month the Premier announced” — this was when this article came out — “a fourth rebate, to be delivered May through July to about 3.6 million policyholders, at a cost of \$400 million, due to the corporation’s projected revenue of about \$1.3 billion.”

But it’s a different story in practice.

“Last July Victoria lawyer Tim Schober, who was left a quadriplegic after he was hit by a vehicle while cycling August ’21” — that’s 2021 — “launched a civil claim in B.C.’s Supreme Court against the province, with the Trial Lawyers Association of B.C. as the second plaintiff, arguing that no-fault insurance legislation discriminated against individuals based on the cause of their disability.

“Schober has argued that ICBC’s revenue gains come at the expense of catastrophic injury victims like himself, who are compensated their full working wage and can’t sue for higher compensation for pain and suffering.

“The Premier said one of the commitments that the government made when they brought in the new system was a review at the five-year mark of the implementation.”

A lot of innocent people can fall through the cracks over five years. There are more stories in the news.

In late 2024, Maria Espedido, a caregiver and a hit-and-run accident victim, cannot receive fair compensation for her severe injuries. Last Christmas she had a GoFundMe page. That’s what she had to do to try to make ends meet at Christmas. In fact, I donated and challenged the members opposite to chip in, but I didn’t witness anyone taking up the challenge.

Then there’s retired firefighter John Wakefield. In May 2023, the Vernon man was hit while riding his bike. He had multiple broken ribs, broken scapula, broken collarbone, concussion and began to struggle mentally. In December 2023, ICBC cut him off and said his PTSD was from another incident when he was an RCMP officer. The ICBC assessor had never actually met with Mr. Wakefield.

[5:35 p.m.]

As we ponder these stories, it’s important to know that ICBC currently sits on a \$19.5 billion investment fund.

Prior to implementing no-fault, ICBC used premiums paid by ratepayers to cover future contingent losses. With the implementation of no-fault, there are no future tort losses. Thus, the following question arises.

One, here’s my question to the minister. When is ICBC going to reimburse ICBC ratepayers the premiums paid in advance for future contingent losses that will never occur because of no-fault?

Hon. Garry Begg: Enhanced care, the current system that we're under, pays for needed care when it's needed. It does not need to pay for future costs. When the need arises for the victim of the accident, it is paid then. So that need for future losses is not required.

Under the old system, of course, there would be litigation involved, and the lawyer would take 30 percent of the payments. Under our system now, 96 percent of all payments go to the policyholder.

Brent Chapman: The NDP government took \$1 billion from the ICBC coffers and put it into general revenue. There was legislation for this. However, it is really an unfair additional tax on vehicle owners.

Question 2: when are they going to pay that money back?

[5:40 p.m.]

Hon. Garry Begg: This is the government that passed legislation to make it impossible for the government to take capital from ICBC. In fact, it was the prior government that did that. We've never done that.

[The bells were rung.]

The Chair: Member, just take a quick pause while the bells ring.

Brent Chapman: We are going to widen the scope of the impact of a no-fault insurance, putting people's injuries into columns and deciding what they get.

The Lapu-Lapu festival incident, where a driver intentionally drove into a crowd, has highlighted concerns regarding the adequacy of the no-fault system in addressing victims' needs and severe cases. Personal injury lawyers have pointed out that under the current model, families of deceased victims may receive a limited compensation, often significantly less than what could have been pursued under the previous tort system.

For instance, children who lost parents might only receive benefits in the tens of thousands of dollars compared to potentially higher settlements through litigation in the past, of money that they could very well need.

While there are exceptions in the no-fault system for certain criminal code violations, the practical application of these exceptions remains uncertain, and they may not provide the level of compensation that these families require.

The question for the minister.

Minister, can you provide the committee with the maximum potential compensation available under the current no-fault model to a family who has lost a primary income earner in the Lapu-Lapu incident and compare that to what might have been possible under the previous tort-based system?

[5:45 p.m. - 5:50 p.m.]

Hon. Garry Begg: The child who lost both parents and his sister would be eligible for everyone's death benefits. Death benefit in this case could be as much as \$581,000, in addition to other benefits that he is eligible for, which includes all kinds of care and treatment that he requires — grief counselling, income loss, physio, massage, etc. And that starts on the day of the incident.

I should say that ICBC, in this particular case that you refer to, has set up a dedicated line that does nothing but deal with the victims of Lapu-Lapu.

For your interest, if we were in the old tort system, it would take years to resolve this claim. Compensation was dependent, in the old system, on how much insurance was bought by the driver, and the lawyers would take one-third of whatever they got. ICBC, in this case, expects that the amount to Lapu-Lapu will far exceed what was paid under the old system. Under the old system, lawyers were better off, but the victims got less.

Brent Chapman: That's the best of one situation and the worst of another, but I'll accept that as an answer.

I don't have a lot of time, and I'd like to touch on a couple of subjects, but I hope the minister wouldn't mind if I could.... I might come back to things if I get through what I'm going through here.

While the Premier says there could be a criminal conviction exception and that enhanced care gives coverage without waiting, the question is: will this government apologize for the fact that even in cases of criminal convictions, the government, the NDP, took away the right to sue for past and future income losses and the ability to get legal counsel to represent injured victims — that they have no alternative? Can we expect some sort of recognition of what is missing now from what is normally a legal case?

[5:55 p.m.]

Hon. Garry Begg: For the record, it's important to understand that everyone still has the right to a lawyer. Wage loss is paid in the enhanced model. This happens without the need for a lawyer.

Brent Chapman: B.C. has introduced legislation to remove the need for drivers with a novice licence to take a test to obtain their full licence. Also, new drivers over the age of 25 have a reduced N probation period. It's gone from one year to nine months.

Can the minister see any safety issues arising with this new policy, and what is being done to mitigate them?

[6:00 p.m.]

Hon. Garry Begg: The province has introduced legislation to improve the graduated licensing program to

create a simpler, more accessible process for new drivers while improving safety standards for motorcycle drivers.

As this is a matter that is before the House, it cannot be discussed in this venue, but it will be coming up in the fall, and you can discuss it then.

The Chair: Thank you, Minister. I was about to say the exact same thing.

We would welcome questions at committee stage once that bill is before the House.

Brent Chapman: Thank you, Mr. Chair, and I apologize for bringing that up.

Many accredited collision repair shops report that electronic payments that used to land within ten to 20 business days now are taking 45 to 90 days or more. The slowdown began to bite in February, but industry media first flagged it publicly on 10 March, 2025, tying the delays to an internal work-to-rule campaign, while ICBC and unionized claim-processing staff negotiated a new contract.

Shops say that they are carrying tens of thousands of dollars in unreimbursed parts and labour, forcing some to tap bank credit lines, postpone equipment purchases or refuse lower-margin ICBC work altogether.

In northern and rural B.C., where only one or two facilities serve vast areas, there is a risk of facility closure. Prince Rupert has had no in-network shop since late 2023, leaving customers to pay up front or haul vehicles to Terrace.

Question 1: what was the total value of unpaid collision repair invoices at the month end 31 January, 2025, and the most recent month end?

[6:05 p.m.]

Hon. Garry Begg: Regrettably, the number that you seek is not available, but I will commit to getting it to you.

Brent Chapman: What is Treasury Board's estimate of the aggregate interest in carrying cost that collision repair facilities have absorbed, financing ICBC receivables since February 1, 2025? Does the minister recognize that this is an unfair imposition on important small businesses in B.C.?

Hon. Garry Begg: The same thing — the information about it is not available now, but we will get back to you.

Brent Chapman: I would ask, though, just is there a recognition that there is quite a load that's being carried by these small businesses? I would ask that to the minister. Can he recognize how difficult this is for autobody shops, really, across the province, that are footing this bill? Is there any kind of acceptance as that being a situation that should be dealt with?

Hon. Garry Begg: The members of ICBC who are here indicate to me that they're not aware that the problem exists as you describe.

Brent Chapman: It seems it's quite common. I have heard from all parts of the province. We have.... I'm just surprised.

Will the government compensate those firms, yes or no? And if not, why should small businesses continue to bankroll a Crown corporation's cash flow failure?

[6:10 p.m.]

Hon. Garry Begg: ICBC will take under advisement the questions that you asked. In the interim, you should be assured that ICBC is fully compensating their vendors and their workers. They pay fair rates. They're also embarking on an extensive program to fund new apprentices into the body industry.

If, in any event, it is found that there are vendors who have not been paid, ICBC, of course, will pay them quickly.

Brent Chapman: If they're being compensated but compensated on time — I think that's what we're saying. It's not that the compensation is not coming; it's taking too long to get there.

Given that every additional day of rental expense ultimately feeds basic rate pressure, how does the minister justify this bureaucratic logjam to British Columbians, who are already paying some of the highest auto insurance premiums in Canada?

Hon. Garry Begg: The move to the enhanced-care model decreased the basic rate by 15 percent in 2021, and it has been held steady since then with no increases. The basic rate will remain the same until March 31, 2026, making it six years in a row with no increase to the basic rate — which is, contrary to what the member indicated, amongst the lowest rates in the entire country.

Brent Chapman: Just to clarify something here. The minister said that ICBC is unaware of any delay in getting payments to auto body shops and that they're not aware that there is a concern of this, but I am aware of directly speaking with auto body shops that they have doubts. They've spoken to ICBC. Now, maybe they've spoken to another level of ICBC, but somehow the left hand isn't talking to the right.

[6:15 p.m.]

Can we clarify that there really is no knowledge of any auto body shops in British Columbia having any struggles getting their payments on time? Is the minister saying that the people here have no idea of this occurring?

Hon. Garry Begg: The members of ICBC who are here are unaware of the situation that you described, which is

not to say, I suppose, that there may be in the system some late payments. It's not something of which they are aware.

I repeat that they will take it back, and I will get back to you with what they find in their report.

Brent Chapman: I'll take the minister at his word.

Why did the government permit bargaining to drift past ICBC's March 31, 2025 service plan deadline without even an interim deal when the union had already signalled that overtime bans and work to rule would begin if no progress was made?

Hon. Garry Begg: The union contract that is currently in place does not expire until the 30th of June, so it's coming up. It's not expired, and the corporation is in dialogue with the union at this point.

Brent Chapman: I'm going to jump back to the no-fault question.

Has your ministry conducted any assessments or studies since the implementation of the no-fault system specifically examining the adequacy of compensation provided in incidents involving deliberate criminal actions, such as vehicle ramming attacks? If so, will you table those findings with this committee?

[6:20 p.m. - 6:25 p.m.]

Hon. Garry Begg: There has been no review of compensation related to criminal convictions. The government and ICBC are reviewing benefits on an ongoing basis and recently changed care benefits, for example, to counselling, physio and that kind of thing.

By legislation, a special committee of the Legislature is going to review the enhanced care within five years of its introduction, starting in May of 2026.

Brent Chapman: I don't have much time left here, but can the minister tell us about the steps they've taken with the physiotherapy and some of the other care that has been given, and the access to the records of patients and the access to the records of victims, being that it is no longer a selective access to records? In fact, it's pretty much whatever ICBC wants to look at. Is there any recognition in that — that it's quite an invasion of people's privacy?

Why is there such a need for such an autocratic and tyrannical process to take place from something as simple as a physiotherapy regimen? I would like to know that.

Hon. Garry Begg: There is an agreement for direct billing. An agreement is meant to ensure it can access records related to billing, and there's ongoing communication to clarify the limited scope. I myself met with these professional members and ICBC together, and our commitment is that we will continue to consult on an ongoing basis as this moves forward.

Brent Chapman: We spoke earlier about Mr. Schober and Mr. Wakefield and Ms. Espedido and the challenges they're facing after car crashes and car accidents that were no fault of their own, being victims.

[6:30 p.m.]

Is ICBC or the minister aware of these people, of these cases? Are there any steps...? When these cases come through the cracks and reveal themselves, is there any motion or any initiative to help these people? How hard do they have to fight — I guess that's my question — to get compensation?

[6:35 p.m.]

Hon. Garry Begg: We're working closely with Mr. Schober and all of these individuals to ensure their needs are taken care of. We've recently been to Mr. Schober's home. His entitlement would have been limited and unresolved. The current system has paid him \$1.65 million to date, and it's still ongoing.

Brent Chapman: That's very good news.

I've run out of time, the time that I'm allowed to have. So I would ask that if I could provide the minister with a series of questions, I could get answers back in writing. I'd appreciate that.

Thank you for your time, Mr. Minister, and to the people at ICBC.

The Chair: Minister, would you have closing remarks for us?

Hon. Garry Begg: I wish only to thank everyone for their appearance here. It's a tedious process to be on this side, and all of the people who have represented me have done a very good task.

I respect, as well, the way the opposition has treated this. It's been a very congenial and cooperative process, and I appreciate it very much.

Thank you all.

Vote 42: ministry operations, \$1,121,960,000
— approved.

Hon. Garry Begg: I move that the committee rise, report resolution and completion of the estimates of the Ministry of Public Safety and Solicitor General and ask leave to sit again.

Motion approved.

The committee rose at 6:38 p.m.

The House resumed at 6:39 p.m.

[The Speaker in the chair.]

Lorne Doerkson: Committee of Supply, Section B, reports resolution and completion of the estimates of the Ministry of Public Safety and Solicitor General and asks leave to sit again.

Leave granted.

Hon. Brenda Bailey: I request a ten-minute recess, if we may, and then we'll be calling Bill 5, continued debate.

The Speaker: This House will be in recess for ten minutes.

The House recessed from 6:39 p.m. to 6:48 p.m.

[Lorne Doerkson in the chair.]

Second Reading of Bills

BILL 5 — BUDGET MEASURES IMPLEMENTATION ACT, 2025 (continued)

Deputy Speaker: Members, we'll call this House back to order. We will enjoy comments on Bill 5 — the amendment, of course — this afternoon.

On the amendment (continued).

Sharon Hartwell: I rise today to speak in favour of the Budget Measures Implementation Act.

The NDP government championed a \$1,000 grocery rebate for the people in British Columbia. My riding of Bulkley Valley–Stikine is one of the most beautiful, resilient and hard-working regions in this province. Year after year, budget after budget, we are getting farther behind.

Promises are made, photo ops staged, and press releases are issued, but when the rubber hits the road, there's nothing. So here's an opportunity for this government to commit to actually doing something that they promised the taxpayers of British Columbia.

The NDP government has gone back on their word again. They are casting the blame on the U.S. President and tariffs, but last I saw, in this House, President Trump was not present.

The people in Bulkley Valley–Stikine are struggling. Our forest sector is all but shut down. Mines are waiting for permits. People are struggling with rent, mortgages, groceries and daily life. The promises of speeding up permitting for mine development.... But that's not helping people in Bulkley Valley–Stikine. They need relief now.

[6:50 p.m.]

This amendment to Bill 5 rectifies a broken promise. It brings back the grocery rebate through reduced income taxes and makes it permanent. By delaying the reading of Bill 5 and adding this amendment, this House and, in-

deed, this government can bring much-needed relief to the people of British Columbia.

The northern ridings are continually left out. To reach a doctor, a dentist, an optometrist, people have to drive. This is an expense all too familiar in the North. Parents in some areas drive their children to school, as many days there are no bus drivers, and other activities if they're fortunate enough to be able to afford them.

The minister can pontificate all he wants about the billion-dollar projects in the Lower Mainland, but he obviously forgets that the money that funds these projects comes from the hard-working people of the North. These are the people that are being asked to do more with less.

Well, the Premier has nine new staff in his office, \$1 million for the staff of the Premier, yet in Smithers, a daycare has been denied a small grant. Please explain to me how this government expects people to go to work and then will not fund daycare spots for these people, while they continually tell us in the House that they are supporting programs in all corners of the province. Well, no evidence of that in my area. Again the North has been left out.

By discussing this amendment and hopefully passing it, this House can reflect on the importance of amending the personal income tax credit provided in section 4.3(1.1) of the Income Tax Act to \$22,462, which would provide \$500 tax relief for a single individual. In a two-income household, that would allow both income earners to claim this deduction, thus honouring the commitment by government.

I've heard it said that budgets are moral documents, that they reflect not just numbers but values. If that's true, then this amendment is a moral test. In not passing the amendment to Bill 5, this government is telling the people of Bulkley Valley–Stikine that they do not matter. They are saying that the North doesn't matter. Let's be honest. Many in the North believe this already.

I will stand in this House every day and defend the people that get up and go to work in very difficult and extreme situations. This government wants and expects that the revenue from the North will flow freely to the province and that they can spend it with no forethought of how that revenue is generated and the sacrifices the families make while parents are away for extended periods to achieve these results.

Here are some quotes by the Premier: "People need help now so that they can get ahead. John Rustad would make ordinary people wait 18 months to receive any support. That's if you believe him at all. Our tax cut for the middle class supports people now who are struggling with the high cost of groceries."

Deputy Speaker: Member, I don't want you to get too far down that road. We don't use each other's names in this House. Thank you.

Sharon Hartwell: I forgot. Sorry.

The Premier promised “a \$1,000 tax cut year after year after year.” He promised: “Under our plan, families will get more support, and you’ll get it right away. Now they won’t have to wait — no red tape, no wait-lists, nothing but relief.” If the Premier wants to honour these promises, he can support this amendment for the hard-working people of British Columbia.

My colleagues and I in the official opposition are on the side of everyday people and families. They work hard and want to get home at the end of the day, safe in the knowledge that they are a little further ahead than when they started. If the Premier agrees, as his previous statements prove he does, it should be very easy for him to vote in favour of this amendment.

By not supporting this amendment, this government is showing that they continue to not stand up for the people of British Columbia that they claim to support and work for. The people of the North, the true North, who are strong and proud, are repeatedly let down by urbanized government who dismiss the value of hard-working people in the North.

What is so hard to take is the hypocrisy. This government stands in this House talking about working families, but when they have an opportunity to help, they posture and blame. Let’s not forget the Premier’s words after his slight win in the election, when asked about working with the opposition. His words were: “I will work with opposition MLAs if they meet the green-line criteria.”

People are losing faith, not in themselves, not in their neighbours, but in this institution, in this government. This amendment is not going to solve the entire affordability crisis created by the NDP, but it will help. Unlike any temporary relief programs or inflated promises, it provides consistent, long-term tax relief to every British Columbian, especially those who need it most.

[6:55 p.m.]

Residents of our province, especially in the North, can’t afford to wait. They’ve already been waiting. They don’t need red tape. They don’t need more delays. They need this government to act and to act now.

The rising cost of living isn’t just a statistic. It’s a lived reality that affects every decision we make, from the groceries we buy to the extracurricular activities families want to participate in.

The proposed amendment to Bill 5, offering \$500 back annually for individuals and \$1,000 for two-income families, isn’t merely a fiscal adjustment; it’s a lifeline for countless residents of our province, especially here in the North. Families across the province are grappling with skyrocketing expenses. Basic necessities like food, housing and child care have become increasingly unaffordable.

Consider the story of a single mother in Smithers, who works two jobs to support her children. Despite her relentless efforts, she struggles to cover rent, utilities and gro-

ceries. The rising costs have forced her to make difficult choices, often sacrificing her own needs to ensure her children are cared for. This isn’t a rare or uncommon occurrence. It’s a reality for countless residents of our province, especially in the North.

The working population isn’t immune to these challenges. Many individuals, despite being employed full-time, find themselves living paycheck to paycheck. The MNP consumer debt index reports that nearly half of the residents of our province, especially in the North, are \$200 or less away from financial insolvency. This precarious financial situation means that unexpected expenses, be it a medical emergency or a car repair, can plunge families into debt.

Seniors, many of whom lived on fixed incomes, are particularly vulnerable. With the cost of essentials rising, their purchasing power diminishes. According to Food Banks B.C., 11 percent of food bank users are seniors, one of the highest proportions across the country.

Food insecurity is a growing concern. Food Banks B.C. reports that over 100,000 people access their member food banks every month, with one in three clients being a child. The rising cost of groceries exacerbates this issue. Food prices in B.C. have risen by 27 percent from January 2019 to July 2024. For families already stretched thin, these increases make it challenging to put nutritious food on the table.

Child poverty remains a pressing issue. The 2024 B.C. child poverty report card indicates that one in six children in the province lives in poverty. Children in lone-parent families are particularly affected, with a poverty rate of 45.5 percent.

Individuals with disabilities face compounded challenges. Many rely on food banks, with some reports indicating that the highest recorded numbers in certain areas are among this demographic. The lack of adequate support systems means that people with disabilities often must choose between essential needs such as medication and food.

The proposed amendment to Bill 5 offers a straightforward solution: provide immediate financial relief to those who need it most. By allowing individuals to retain more of their earnings, we empower them to make choices that best suit their needs, be it purchasing groceries, paying rent or covering child care expenses.

This amendment isn’t just about numbers; it’s about restoring dignity and providing hope. It’s about acknowledging the struggles of families, workers, seniors and others and taking concrete steps to alleviate their burdens.

The affordability crisis in British Columbia is multifaceted, affecting various demographics in different ways. However, the common thread is the urgent need for relief. The proposed amendment to Bill 5 addresses this need head-on, offering a practical, immediate solution. It’s time for the government to act, to fulfil its promises and to sup-

port the people of British Columbia in these challenging times.

This amendment we've introduced isn't some brand-new concept pulled out of the blue. It's the government's own promise. It's a policy the Premier himself campaigned on in 2024, not whispered in passing, not a footnote but a centrepiece of the NDP platform.

Residents of our province, especially in the North, were told to expect a \$500 rebate for individuals and \$1,000 for families. And they believed it, because in times of financial uncertainty, people cling to hope, especially when it's delivered with such certainty from the highest office in the province.

[7:00 p.m.]

This was supposed to be the government's answer to rising food costs. The Premier was clear, and he repeated in press conferences, campaign materials and social media posts that help was coming. The government acknowledged the affordability crisis, pointed to its grocery rebate as a major solution, and then as soon as the votes were counted, that promise was dropped.

The reason given? Tariffs. The Premier said reckless and destabilizing U.S. tariffs were to blame, even as he has since admitted that British Columbia was largely unscathed with the exception of the lumber sector. That is not a justification; that's a contradiction.

If the tariffs weren't as damaging as feared, why cancel the very support people were promised? Let's be honest. If tariffs had been devastating, wouldn't that have made the rebate more urgent, not less? Either way, the need for relief has not gone away. It has grown.

Meanwhile, the government continues to introduce bills like Bill 5 that tinker around the edges of tax policy without offering meaningful support for the people who need it the most. Bill 5 contains no tax break for families, no direct support for small business, no targeted relief for seniors, but it does contain tax changes that benefit select industries, like the film sector, while ignoring the kitchen-table struggles of everyday residents of our province, especially in the North.

That's what makes this amendment so important. This amendment isn't a new demand; it's an opportunity for the government to do what it said it would do. It gives them a path to make good on their word, to restore measures of trust in their leadership and to recognize that affordability isn't a political slogan; it's a lived crisis.

I know many members on the other side of this House understand how hard things have become for their constituents. This amendment gives them a chance to break with the spin and reconnect with people. It's not about scoring points; it's about delivering the help that they were elected to deliver.

I don't care if the rebate is delivered by a Conservative amendment or a government bill. What matters is that it's delivered at all, that people feel it, that it makes a differ-

ence. Here's what residents of our province, especially in the North, see: a government that promised relief and then changed the channel; a government that blamed external threats while internal pressures like rent, gas, food and heating continue to rise; and a government that claimed to stand strong for B.C. while ordinary people were being left behind.

This is about more than just broken promises; it's about a broken trust. Trust is the currency of leadership. Once it's lost, it's hard to get back. But one way to begin restoring it is to keep your word. That's what this amendment offers. It's not about winning an argument; it's about doing the right thing, plain and simple.

This amendment isn't just about compassion; it's about common sense. It's about understanding how real economies work and who keeps them running. When people are struggling just to get through the week, when nearly half of the residents of our province, especially in the North, say they're \$200 or less away from not being able to pay their bills, putting money back into their pocket isn't just the right thing to do. It's the smart fiscal policy.

The people we're trying to help with this amendment, they don't stash the \$500 away in an offshore account or high-yield investment portfolio. They spend it locally, immediately, responsibly. That spending ripples through the economy.

A \$1,000 boost for a two-income household isn't just groceries or gas. It's a haircut at the local salon or a local barber. It's soccer cleats for a child whose parents were about to say no. It's dinner at a family-run restaurant or maybe a few hours of child care so a parent can pick up an extra shift. It's dignity, and it's local stimulus. That's what this amendment offers.

I urge the government to support this amendment and show the people of the North that they are listening and understand their pain. I urge the government to take this lifeline that the opposition has thrown them, fulfil their promise and give British Columbians a break. They need it, they deserve it, and they deserve to have their faith in government renewed.

We can and must do better. I hope everybody supports this amendment.

Brent Chapman: Today I stand in this House to speak not only in favour of the income tax amendment act but to also speak on behalf of British Columbians and my community of Surrey South, who feel like no matter how hard they work, they just can't get ahead.

The affordability crisis is a heavy burden to bear, one that has been relentless and continues to force British Columbians into precarious financial situations. We've heard it all throughout this session.

[7:05 p.m.]

People across the province are tired. They are tired of living paycheque to paycheque, tired of working full time

or more and still being unable to afford rent, groceries, child care and other necessities. The anxiety of a lack of financial stability has become a debilitating reality for so many of our constituents, and I can only say for certain that they are tired of governments who cancel promises while the cost of living continues to balloon and help never seems to arrive.

Let me paint a clearer picture of the reality many British Columbians face each day. Nearly half of the people in this province are just \$200 away from financial insolvency. That's not a hypothetical statistic; it's an alarm bell. It means one flat tire could unravel their ability to get to work, one dental emergency could wipe out their food budget or one unusually high grocery bill during a tough week could force them to choose between paying for medication or keeping the lights on.

These aren't isolated cases. It is an everyday lived reality for working families who are doing everything right but still are falling behind, seniors stretching their pensions to the breaking point and students trying to build a future while juggling part-time jobs and full-time tuition. The stress is relentless. They're not asking for handouts. All they're asking for is a little break, a little breathing room and a fair chance to get by. Frankly, if we can't offer that as a government, then we're not doing our job.

That's why this amendment matters. It offers real, practical and predictable relief as a recognition of the challenges our constituents face every day. It's the kind of action that shows them that we see them, that we hear them and that we're ready to stand up for them.

To break it down clearly and simply, this amendment to the income tax amendment act proposes to raise the basic personal amount, the portion of income that an individual can earn before paying any income tax, to \$22,462. That number would align with the low-income cutoff, reflecting the minimum income required to cover basic necessities in British Columbia.

What does that actually mean for everyday British Columbians? It means an extra \$500 in their pocket each and every year, not as a one-time cheque, not as a short-term pilot program and not as a flashy promise rolled out before an election. It's permanent, it's built right into the tax system, and it's automatic.

For a two-income household, that's \$1,000 a year, which is money that can go towards rising grocery costs, overdue bills, school supplies, transit passes or just peace of mind knowing that there's a bit of a buffer at the end of the month. It is \$1,000 in permanent and predictable relief, some breathing room and a break British Columbians deserve.

That's not just tax policy; that's real relief. That's the kind of help that makes a real difference, the kind that recognizes the pressures families are under and gives them the breathing room that they deserve. That's why this amendment is more than just a technical change; it's a

direct response to the everyday struggles people are facing across the province.

British Columbians are facing the highest grocery prices in a generation. This year alone the average family is paying an extra \$800 just to put food on the table. That can very well be the final straw in an already stretched budget, and that is exactly why this amendment matters so much.

The \$1,000 in tax relief for a two-income household won't solve every problem, but it will go a long way toward offsetting those rising costs and easing the pressure on kitchen tables from Prince George to Penticton and from Vancouver to Vernon. It is relief that will actually be felt not only at the till and in the fridge but in the daily decisions families make regarding what they can afford.

Let's be honest. When the NDP government promised a \$1,000 grocery rebate, they made a clear and public commitment to working families across this province. But after the election, that promise quietly vanished — no rebate, no explanation, just more empty rhetoric.

When government abandons the people who trusted them, it becomes the responsibility of the opposition to step up, speak out and offer real solutions. This amendment is exactly that. It delivers on the relief that was promised, not with slogans but with substance.

[7:10 p.m.]

Here's what makes it so feasible. It's automatic, universal and built right into the tax system. There is no unnecessary, convoluted application process, no long wait times and no barriers to access. If you file your taxes, you get the benefit. It's that simple.

No one should have to fight for basic relief. No one should have to be left behind just because they don't have the time, resources or ability to navigate yet another bureaucratic maze. And that's the point. This is the kind of policy working people need right now. It's practical, reliable and real. It doesn't insult their intelligence with half-measures or flashy announcements that never materialize. It offers what people have been asking for. It offers predictable, meaningful support that extends a helping hand and lightens their load.

Now, some of you will remember very clearly when the Premier stood in front of cameras and made a bold promise to the people of British Columbia. He promised a \$1,000 grocery rebate — not once, but year after year. In fact, he said it plainly and without hesitation, and I quote: "A \$1,000 tax cut the year after that, the year after that and the year after that."

That is what British Columbians heard, and that is what they trusted. Frankly, who could blame them? I believed it too, because when a government looks the public in the eye and makes that kind of commitment, we should be able to take them at their word. But that promise quietly disappeared, and no rebate arrived. If it weren't for the opposition standing here today calling it out and holding

this government to its word, that broken promise would have been swept under the rug like so many others.

This was not just a policy reversal. It altered the trust that British Columbians have in their government, and that trust is pretty hard to rebuild. Let's be clear. This government tried to draw as little attention to their broken promise as possible, burying it beneath rhetoric about economic uncertainty and the global instability, hoping people wouldn't notice or would simply forget. But British Columbians did not forget, and neither did we.

They attempted to look for a scapegoat to justify financial mismanagement. They made it seem as if there was a plan to put the money back in the pockets of British Columbians, and the second the election was over, they were looking at how to renege on those same promises.

That is exactly why we're here today: not just to criticize a broken promise but to fix it and offer a real solution. The amendment does what the government failed to do. It delivers and makes that \$1,000 promise a reality, not as a rebate that comes and goes but as a permanent, predictable and accessible tax break that people can count on, year after year. There are no applications and no hoops to jump through. It is, quite frankly, just a fairer tax system that lets people keep more of what they earn.

Let me emphasize the fact that we are not doing this for a headline or to score political points. We are here to extend a helping hand to the people who need it most, whether it be the single mother trying to feed her kids, the senior choosing between groceries and prescriptions or the young couple who can't see a path forward in their own province. This amendment is for them. It's about restoring trust, delivering on promises and showing British Columbians that there is still a place in politics for honesty, accountability and compassion.

This amendment is designed for everyday people, those who live month to month and pay more than their fair share. The true beneficiaries of this amendment will be our grocery clerks, our home care aides, tradespeople, seniors living on modest pensions, small business owners and parents, to name a few. These are the people who need the helping hand and who deserve some breathing room from the absolute burden of the affordability crisis.

Let's zoom out for a moment and take a clear-eyed look at where our province stands. British Columbia now has the highest consumer debt levels in the entire country. That is not a simple statistic to gloss over. Rather, it is a flashing red light on the dashboard of our economy.

It's not just spread evenly. In Vancouver, household debt per capita has reached levels higher than any other city in Canada. This demonstrates the fact that the average family isn't just struggling to get by; they're drowning in their interest payments, in their credit card balances and deferred bills, just trying to catch up.

[7:15 p.m.]

Now let's zoom in again, get closer and see right into

the kitchen of an average family. Food prices are expected to rise another 3 to 5 percent this year alone. That is higher than the Bank of Canada's inflation target of 1 to 3 percent.

While that may not sound too dramatic for a family of four, that translates to an additional \$800 more at grocery stores for the same staples that they bought last year. That is roughly \$66 for food, which does add up. That isn't luxury or a splurge; that is the basics. Milk, bread, vegetables, rice, eggs, baby formula, meat — you name it. They're paying more for less every single week.

In fact, over half of Canadians can't absorb an unexpected \$500 expense. Families are now one emergency away from financial disaster. Researchers from universities have sounded alarm bells, stating that they're expecting a difficult year, unfortunately, for families. Even when you walk into any local grocery store, like Red Barn or Thrifty's down the street, you see the effect. Prices on pantry staples and fresh produce climb steadily, while bills remain relentless and salaries are stagnant.

The number of families turning to food banks isn't just rising; it's becoming a new normal for households that never imagined they'd be in that position. Seniors who spent their lives building this province are now quietly rationing groceries, making one bag of produce stretch across two weeks. Students already burdened by tuition and housing costs are skipping meals just to afford rent, fuelling up on caffeine instead of calories.

These are not isolated stories. They are the daily reality for thousands across British Columbia, and all of this unfolds against a backdrop of a government that touts record-breaking surpluses and billions in capital spending. They highlight grand infrastructure projects while quietly shelving a simple, tangible promise they made to working people: a \$1,000 relief that was front and centre during an election and then vanished in the fine print of the budget.

No British Columbian should be told there's no money for a grocery rebate while watching billions flow into projects that, while important, don't put food on the table today. When people are hungry and when they're slipping deeper into debt just to survive, the conversation must be made about people.

This government's inability to follow up on this promise isn't just some budgeting problem; it is the consequence of policy failure. It is a prime example of what happens when governments overpromise and underdeliver and leave people to fend for themselves in times that they admit themselves to be uncertain.

Governments are supposed to provide certainty, yet this government uses uncertainty as a justification for every mistake they make, every promise they fail to deliver on. They also use this excuse to justify tax increases.

Well, let me ask you this. Should those living below the poverty line pay income tax? That is the reality of this situation, and no one deserves to be taxed into poverty. In

fact, no one should be an emergency away from poverty, yet so many British Columbians are living in that reality today.

Let's not gloss over what it really means to be one emergency away from poverty, because for many British Columbians, that emergency has already come. Many British Columbians need that \$1,000 relief right now. Whether it's a car accident, a medical diagnosis or a sudden job loss, the systems that are supposed to catch people when they fall are failing them.

Take ICBC, for example. Instead of helping victims recover, it too often inserts itself into the patient care process, delaying access to physiotherapy or mental health support and starving people of fair compensation when they need it most. It's not just wrong; it keeps people injured, out of work and deeper in financial hardship for an accident that is often not even their fault.

Whether it is a senior reliant on handyDART or a shift worker waiting for a late-night bus that never comes, the uncertainty in transit funding leaves people stranded. There is no clear criteria, no stable investments and no accountability. No one should fall into poverty just because they got hurt or missed a bus.

[7:20 p.m.]

That scenario is a lived reality for many, yet this government rescinds the lifeline it once offered to those same British Columbians. Instead of catching people and lifting them up, this government only pushes them down. If this government won't offer a lifeline, then we'll do it.

This amendment does just that. It's a lifeline. It gives the quick relief that British Columbians need and the breathing room that they deserve. To echo my colleagues, as an added benefit, the amendment cuts through the rural and urban divide. It doesn't matter where you live. Every taxpayer in our province benefits. It is a small but powerful and much-needed signal that our rural and Interior communities matter just as much.

Now, we've heard some people in the opposition to this amendment primarily raising concerns about fiscal responsibility. Let me be clear. Fiscal responsibility does matter. As legislators, we have an obligation to make sure that public dollars are spent wisely and that the choices we make today don't create hardship for future generations. That principle is valid, and I won't stand here and diminish its importance.

I will say this. We must also be honest about how that responsibility is being exercised right now by this government. This is a government that has overseen some of the largest deficits in provincial history. It has poured billions into capital projects. While these investments are made, working families are still waiting for the affordability measures they were promised — waiting for the grocery rebate that never came, waiting for relief that never arrived.

My question, then, is: what good is fiscal responsibility

if it doesn't actually translate into helping the people who need it most? That's exactly where this amendment fits in. It's modest, targeted and responsible. Most importantly, it returns money to the people who need it most. This is money that gets spent at the local bakery, at the farmers market or to pay bills and rent. It flows directly into our communities and fuels real economic activity.

This isn't just a helping hand; it's an economically sound policy. It saves each and every British Columbian \$500 a year. It revitalizes a promise that this government broke, and it provides immediate relief to British Columbians. In fact, it just about covers the extra \$800 that British Columbians are predicted to spend on food this year. When the working poor and the middle class are able to breathe again, everyone benefits, and that is what a healthy economy looks like.

This brings me to my final point. We were elected by our constituents to be representatives for them and, therefore, bear a responsibility to deliver on our promises. Trust is easy to lose and hard to earn, and that trust wears thinner with each broken promise. To put it simply, trust in this time of uncertainty is fragile. Promises like the grocery rebate that never materialized hurt faith in democracy. As opposition, we are doing our part to uphold that trust and begin repairing it, to re-extend that lifeline that British Columbians were once promised, not with slogans, not with spin, but with genuine action.

As I close, let me make one thing absolutely clear. This amendment is not about scoring political points, as I said earlier. It's about righting a wrong. It's about turning disappointment into progress and ensuring that when people look to this Legislature, they see more than debate; they see delivery.

What is at stake here is trust, fragile trust that our constituents have instilled in us to prioritize their well-being. What's at stake is the daily lives of hard-working people who are doing everything they can to make ends meet and simply need us to meet them halfway.

Support for this amendment means acknowledging that government must be nimble enough to respond to rising needs and grounded enough to protect the most vulnerable among us. It means standing with the family facing impossible choices, with the students taking on extra shifts just to pay for textbooks, with the retiree who built this province and now finds themselves counting every single dollar.

These are not abstractions. These are real people across our province, whether in urban centres or rural areas, and our job, the very reason we hold these seats, is to represent them and ensure they get the helping hand that they need.

[7:25 p.m.]

Raising the basic personal amount isn't radical. In fact, it's responsible. It reflects the actual cost of living in today's British Columbia and updates a system that has failed to keep pace with that reality. If you earn too little

to live, you should not be taxed on that income. That is a principle as old, as fair, as governance itself.

While some may argue that it's not the government's role to intervene so directly in people's lives, I respectfully disagree. In times like these, when wages stagnate, prices rise and everyday necessities become luxuries, people are not looking for a government that steps back. They're looking for someone that steps up, and that is what this amendment does.

Let's show British Columbians that their concerns are not lost in partisan noise. Let's prove that when promises are broken, we do not give up. Instead, we take responsibility and we offer something better.

I urge both sides of this aisle to support this amendment, because it offers more than tax relief. It offers meals on the table, a sense of stability and a renewed faith that politics can still deliver on its most fundamental obligation — to make life better and easier for the people that we serve.

Again, I urge all members on all sides of the House to support this amendment, to raise the basic personal amount and put money back in the pockets of British Columbians in an easily accessible and impactful way. Let's stop taxing people into poverty, and let's continue to build a province where fairness isn't just a talking point. It's actually delivered.

Deputy Speaker: Seeing no further speakers, the question is the approval of the amendment to Bill 5.

The ayes have it, from what I can see.

Division has been called.

[7:30 p.m. - 7:35 p.m.]

[The Speaker in the chair.]

The Speaker: Members. Members, please take your seats.

Members, the motion is an amendment to Bill 5. I'll read the motion. "That the motion for second reading of Bill 5, intituled Budget Measures Implementation Act, 2025, be amended by deleting all the words after 'that' and substituting, therefore, the following: 'Bill 5 will not be read a second time until the House amends the basic personal income tax credit provided in section 4.3 (1.1) of the Income Tax Act (RSBC 1996, c.215) to \$20,462.'"

[7:40 p.m.]

Amendment negated on the following division:

YEAS — 41

Sturko	Kindy	Milobar
Warbus	Rustad	Banman
Wat	Kooner	Halford
Hartwell	L. Neufeld	Van Popta
Dew	Gasper	K. Neufeld
Day	Block	Bhangu

Paton	Boulton	Chan
Toor	Hepner	Giddens
Rattée	Davis	McInnis
Bird	Luck	Stamer
Maahs	Tepper	Mok
Wilson	Clare	Williams
Loewen	Dhaliwal	Doerkson
Chapman		McCall

NAYS — 48

G. Anderson	Blatherwick	Elmore
Sunner	Toporowski	B. Anderson
Neill	Osborne	Brar
Davidson	Kahlon	Parmar
Gibson	Beare	Chandra Herbert
Wickens	Kang	Morissette
Sandhu	Krieger	Chant
Lajeunesse	Choi	Rotchford
Higginson	Routledge	Popham
Dix	Sharma	Farnworth
Eby	Bailey	Begg
Greene	Whiteside	Boyle
Ma	Yung	Malcolmson
Chow	Glumac	Arora
Shah	Phillip	Dhir
Lore	Valeriot	Botterell

On the main motion.

The Speaker: Members, we now go back to the main motion.

I see no members standing and no further speakers. The minister will close the debate.

Hon. Brenda Bailey: Before we close the debate, I would just like to share a few comments.

What an astonishing collection of speeches we've heard from the other side of the House in regard to Bill 5. There is so much I could say, but there are a few areas that I must respond to before we close this debate.

The other side has taken issue, first, with the question of our increasing the film tax credit; and second, of the reason we expanded the interactive digital media tax credit — a rejection, full out, of the other side's vision of our province, one that is based on a time long past and not embracing a future of what our province is and what our province can be.

First, the tax credit. My goodness, the film tax credit. This film tax credit is under attack by the opposite side. They've said things like: "This is an insider's tax credit. This is only serving a few people." I asked an organization which works closely with the film industry just to run some numbers for us, and let me share some of them with you.

All of these are from Conservative ridings.

Langley East — \$46 million was brought into that riding, to 661 different businesses, through film work in that riding.

Maple Ridge-Mission — \$12,691,078, 413 businesses.

Abbotsford South — over \$9 million, 236 businesses.

Delta — \$9 million, 347 businesses.

Richmond-Queensborough — \$8,000,500, 302 businesses.

Surrey-White Rock — \$600 million, 305 businesses.

Abbotsford-Mission — over \$5 million, 231 businesses.

Kelowna-Mission — \$350 million, 21.

I could go on and on.

When we made the decision to support more film being done in this province, it's because we care about rural businesses. It's because we care about small businesses. It's because we care about filling hotel rooms and making sure that small businesses are able to sell their products, their food, that restaurants are full. This industry drives that all over our province.

[7:45 p.m.]

Just one filming, *Last of Us 2* — over \$200 million brought into our province, 22 different film locations. This is important to rural communities, and the fact that the other side, that claims to be the voice of rural communities, can't see that is shocking. It's appalling, and it's wrong.

If you want to talk about being wrong, let me point this out. I am deeply appalled about the words that were said about me by the other side on this debate. The other side accused me of giving \$45 million to a past employer. That is a serious accusation. I challenge any of them to say that in this hallway, any of them.

I will tell you exactly what happened. I worked in the video game industry for a long time, and I love that industry. I love that industry because it attracts young people into technology. I think of it as the Trojan Horse of technology. It brings young people in, and then they go off and do all other kinds of things in technology in our province.

I am so gung-ho about this industry that I ended up running a trade association, a non-profit, that draws young people into this association. I believe that it's a driver of technology in our province, technology that solves problems in forestry and in mining, helping us with clean energy and growing our tech sector across our province.

That's why I supported us increasing our interactive digital media tax credit from 17.5. That's why we made that increase. It has nothing to do with personal gain. It's because of a vision of the province that sees us using technology to grow high-paying jobs for young people across this province, and I will not apologize for that.

Our tech sector, which was attacked by the other side, is such a source of strength for us. The other side might say: "Well, that's a Vancouver issue or a Kelowna issue or something that only matters in Victoria." That is false.

Technology is our strength in this province that's helping in so many different industries.

When you think about forestry right now, when you talk about what's happening in terms of detecting forest fires.... They're using sensors. They're using all kinds of technology.

We talked to the farmers today, out on Beef Day, and I heard about how they're using technology. These are important things.

Someone got up on the other side and said the vision of our province is pictured up here on the walls. It's agriculture, and it's fisheries, and it's forestry. Yes, of course it's those things. It always will be, but the fact that we can insert technology and become competitive around the world, leading in these industries through our powerful tech sector, is how we win. It's how we compete. That's the vision that we need to have for our province.

I'm proud of the decisions that we've made to support this growth in our province. We're going to continue to do that.

With that, I move second reading.

The Speaker: Members, the question is second reading of Bill 5.

Division has been called.

[7:50 p.m. - 7:55 p.m.]

Members, it seems like we have a full House except the three independent members. Is there an agreement to waive the time, or should we wait for a full ten minutes?

Leave not granted.

The Speaker: Members, the question is second reading of Bill 5, Budget Measures Implementation Act, 2025.

Motion approved unanimously on a division. [See *Votes and Proceedings*.]

[8:00 p.m.]

Hon. Brenda Bailey: I move that the bill be referred to the Committee of the Whole to be considered at the next sitting in the House after today.

Motion approved.

Hon. Mike Farnworth: I call Bill 11, second reading debate.

BILL 11 — EMPLOYMENT STANDARDS AMENDMENT ACT, 2025

Hon. Jennifer Whiteside: I move the bill be read now a second time.

This bill amends the Employment Standards Act to support B.C.'s commitment to ease the administrative burden on doctors and other health care providers while

supporting the health and well-being of workers needing to take sick leave.

[Mable Elmore in the chair.]

I'm talking about sick notes, which some employers demand as proof that a worker is or has been, in fact, sick. It may seem like a small issue, but we have heard very loudly and very clearly from medical professionals that it represents a significant administrative burden for them as well, of course, as placing an unnecessary burden on people who are sick as well as posing risks to those around them.

Health care professional organizations and labour advocates have long raised concerns about employers requiring sick notes for workers' short-term absences. In fact, last year the Canadian Medical Association and B.C. Family Doctors called for the elimination of this practice of requiring sick notes altogether in order to reduce the tedious and outdated paperwork that it causes for doctors and other medical professionals. We know that business leaders have also echoed that call.

Both the Canadian Medical Association and the B.C. College of Family Physicians have expressed strong concerns about the amount of time that Canadian doctors spend on administrative tasks. In fact, they estimate that family physicians can devote as much as up to 30 percent of their time doing administrative work, including writing sick notes.

[8:05 p.m.]

This has been illustrated in Nova Scotia, where sick note restrictions were put in place in 2023, along with a suite of other measures to reduce the administrative burden on physicians. That has resulted in what they estimate to be a reduction of about 67,000 hours of paperwork. That's 67,000 hours less spent on administrative duties and actually spent on patient care every year.

Now, here in British Columbia, doctors estimate that they sign about 1.6 million sick notes every year. It's true that this legislation won't eliminate all of those sick notes. In fact, there are times and circumstances where it's appropriate and necessary to have a clinical assessment through some sort of medical reporting.

It is really clear that removing the need for sick notes and the ability of employers to require sick notes is going to be a significant step to freeing up time for our medical professionals to do what they do best, to do what they want to do, to do what we need them to be doing, which is providing care for their patients.

The primary concern, as we have heard directly from doctors on the front lines, is that precious appointment time that they have in their practices gets taken up by individuals who have been required by their employers to go see a doctor or a nurse practitioner or a registered nurse to get a sick note, in circumstances, though, where that health care professional can't actually provide a meaningful clinical intervention.

There is, in my circumstance today, having just a terrible head cold, nothing that a doctor is going to be able to do for me. This is a situation that is replicated many, many thousands of times across our province. Of course, with these changes, it's not just doctors, nurse practitioners and nurses who will benefit from eliminating this requirement. It's, very much so, the patients themselves.

Frankly, if you're sick, the last thing you should have to do is get up, get dressed, go out and go to see your doctor or go to a medical clinic in order to get a piece of paper that says that you're sick. It doesn't make much sense. It doesn't help you get better any faster, and it just doesn't make any sense in the context of our current health care environment.

Now, we know that today many people still don't necessarily have a family doctor, although I will say that situation, as we have seen, is improving very rapidly in our province. It is the case that sometimes getting an appointment at a walk-in clinic can be challenging.

Not only that, there is often a fee charged for the sick note, and that is an expense that many people really can't afford. So they are often faced with the choice of going to work sick or paying a fee to get a note. Either way, it's the person who is ill and really needs to be at home recovering who is paying the price for that. It's not fair, it's not reasonable, and it's not safe.

Further, consider the situation for somebody who has, say, a highly contagious flu bug. They're sitting in a doctor's office, a medical clinic or the emergency room for hours, maybe, waiting to see somebody who can sign a note for them, potentially putting other people who are around them at risk.

We've learned a lot, and I think some of standards and practices have changed since our experience with the COVID-19 pandemic. What we really learned during COVID-19 was that distancing from other people when you're sick is really important, plain and simple. That is why I'm speaking to you from my office today, because I have a cold, and I don't want to make anybody else sick.

With reference to our experience during the pandemic, at the very beginning of COVID, the Employment Standards Act was amended to specifically say that an employer could not require a sick note from a worker for a COVID-related illness, because we really understood at the beginning of COVID that this was a novel virus. We didn't have a vaccine.

[8:10 p.m.]

We really had to go out of our way to protect each other from that potentially deadly disease — deadly in many cases, in fact, until we had a vaccine. That was a very, very important public health measure that we took at the time, but we have to reflect now.

Why should that really only apply to COVID, when we know that other types of respiratory illnesses, for example,

can be just as dangerous to people with chronic health problems or compromised immune systems?

Those individuals are often those who need to see their doctor or their nurse practitioner at a medical clinic and may find themselves right next to somebody who is there for no purpose other than to get a note saying that, in fact, they're sick.

We can do better to minimize the risks that the general population is put to. One of the ways to do that is to remove the option for employers to insist on sick notes from their employees when their employees are experiencing a short-term illness that is causing them to not be at work for a short-term period. That's precisely what the intent of this bill is.

Currently the Employment Standards Act states: "Workers who have been employed for at least 90 consecutive days are entitled to up to five days of employer-paid sick leave per calendar year as well as three days of unpaid job-protected sick leave per calendar year."

The act also says that employers can require their workers to provide reasonably sufficient proof that they are entitled to the sick leave. The act does not define what is meant by reasonably sufficient proof, but it may include a note from a health care professional and often does.

As I mentioned, the act does prohibit employers from demanding sick notes from employees for COVID-related illnesses. Again, that restriction was based on advice from public health officials at the time, noting that health care professionals should be focusing on providing patient care, on caring for people who are ill, on circumstances in which they can make a meaningful clinical intervention, rather than writing sick notes. I would further just note that since that time we did not hear concerns so much from employers, from stakeholders with respect to that restriction.

With respect to how this bill will operate, this bill does not simply apply to all health care providers for all illness and injury leaves. This is a very targeted amendment. These amendments to the Employment Standards Act will ensure that employers cannot request that an employee provide a sick note written by a physician, a nurse practitioner or a registered nurse for an employee's short-term absence.

I want to be clear that this is enabling legislation and that the next step, should this bill pass, would be a round of consultations with health care providers, employers, workers, small business groups — folks who are interested and impacted by this issue. We would conduct that consultation throughout the spring and summer, with a view to developing a set of regulations.

Using the feedback that we get, we would develop regulations to specify a number of things. One, are there other health care professionals who should be exempted from providing sick notes? There is also, secondly, the issue to be determined of what counts as a short-term absence,

and should there be a limit or a specification with respect to the number of instances throughout a year for which this provision would apply?

We would expect that regulations would be developed and enforced in time for the fall 2025 respiratory illness season, which would mean easing the burden of paperwork on doctors at a time when the demand for their time and the demand for their expertise to care for British Columbians is at its highest.

[8:15 p.m.]

With these amendments, British Columbia is joining seven other Canadian jurisdictions that have statutory restrictions on the use of sick notes. The goal here is to provide a balance between easing the burden on health care professionals, supporting the well-being of sick workers and allowing the production of medical documents to continue where they are appropriate and necessary.

The restriction established under this bill is limited to sick notes that employers request to support a short-term absence from work due to an illness or injury. Employers, of course, will still be able to request documents from health care practitioners that contain useful clinical information to support a longer-term absence, to develop an appropriate return-to-work program for an ill or injured worker or to design a workplace accommodation for a worker's medical- or health-related condition.

As well, health practitioners will continue to write medical reports and documents that are necessary for workers compensation, ICBC and other insurance purposes. This bill places no restrictions in that regard.

The recent throne speech made it clear that our government is prioritizing improved access to primary health care in our province. We want to see improved efficiency, and we want to see better conditions for working people. This bill is just one part of a much broader comprehensive strategy focused on that priority, but for both workers and health care professionals, this is a significant step in the right direction.

Kiel Giddens: I rise to speak to Bill 11, the Employment Standards Amendment Act. This is an interesting bill for the government to bring forward. It's one of a series of changes that the NDP government has made to this act over the years, and I understand that it was included in their party's platform in the election last fall.

I want to wish the minister a speedy recovery from her head cold, as she noted there. It's ironic that she's bringing this bill to second reading on a day when she's feeling a bit unwell, but I know she'll bounce back quickly here.

I can appreciate the words of the Minister of Labour, and I believe they're sincere. However, I would caution the government not to get into too much bragging or claiming a victory on this issue, and I'll get into what I mean by that in my remarks shortly here.

I have taken the time to examine this bill, and I really

sincerely appreciate the technical briefing provided by staff from the Ministry of Labour. That was quite helpful, so I really appreciate their service and their work. We do understand that Bill 11 is about waiving the requirement for a doctor's note for workers to be able to get approval from their employer to get short-term sick leave.

In this day and age, this is proving to be a burden on the sick employees, and yes, I would agree with that. It's also a burden for doctors drowning in administration, and the minister noted some of that in her remarks. I agree with her remarks on that.

The only thing is that a lot of that administration are mandates from health authorities that are of the government's own making, and I'll get into that a little bit more shortly. We need to streamline our health care system. We need to cut the red tape that is making it too difficult for doctors to care for patients.

Let's turn to what this bill is aiming to achieve with the Employment Standards Act. It isn't solving a broken system in the employee and employer relationship. It's not necessarily about the labour market at all. In reality, this bill is responding to a specific practical problem. Our health care system is broken, and the NDP government is trying to put a band-aid solution on to address this problem.

Members here likely know that under the existing legislation, employers may request medical documentation to substantiate an illness. That was talked about by the minister previously.

[8:20 p.m.]

Some of these can keep an employee off the job, obviously. Typically, this is a sick note, but there are other proof points that can technically be used, like a hospital medical bracelet, for example. In principle, that requirement aims to balance workplace integrity, a functional workplace staffed with paid employees, with legitimate sick time if an employee is ill and shouldn't actually be at work.

In practice, however, it does collide with today's reality. British Columbians struggle, often unsuccessfully, to see a family doctor. Over 700,000 residents in our province remain unattached to any form of primary care. Rural ERs.... I represent Prince George-Mackenzie riding. These include communities that are really struggling. Mackenzie, in my riding, and many places in northern British Columbia and the interior of British Columbia face repeated diversions.

In fact, I just saw a notice right before coming into this debate that Mackenzie's hospital is going to be closed from 7 a.m. to 7 p.m. tomorrow. This has happened nearly 20 times so far in 2025. I'll be watching to see if this diversion extends into the next day. It often does. It usually covers a 24-hour period. That's unacceptable for rural British Columbians who are trying to access our health care system.

Walk-in clinics often close earlier than their posted hours because there's no physician available. Of course,

the urgent and primary care centres were something that the former Minister of Health talked about at length. But they're struggling to remain staffed.

In Prince George, in my riding, it's been a real struggle to keep that urgent and primary care centre staffed. They've had to completely change the way it's administered to keep that open and save it. It's been a real challenge for Northern Health and for the doctors and nurses who are trying to provide care to patients.

When workers can't actually get an appointment, the simple act of obtaining a doctor's note becomes a logistical marathon — lost wages, long drives or hours in walk-in clinics or emergency departments. Last year a report from Medimap Canada showed that B.C. had the highest average walk-in wait times in the country, at 93 minutes.

I know these are issues in my own riding. In Prince George, I was recently talking to a constituent, a single parent, who waited four hours at a walk-in clinic just to prove she had the flu. I agree that's an inefficient use of our health care resources and, certainly, an unfair burden on employees, when they're waiting that long trying to get a doctor's note in that case.

Even with those that have a family doctor, they can't get in to see them for weeks sometimes. I know many people in that situation either end up going to the walk-in clinic at 6:30 in the morning to line up, or, if they're lucky, they use workarounds with people they know in the system. It's kind of like in the former Soviet Union, to be honest.

The other problem that this bill highlights, as I mentioned, is the administrative burden on doctors. Yes, I know the minister raised that as well. I realize that B.C. Family Doctors are the ones that brought this forward, and I don't blame them at all for doing so. They've said that this change can free up more time for patient care and reduce strain on the health care system. They would know about that strain because that administrative burden is one that is burying them in paperwork, and they can't keep up.

According to the Canadian Medical Association's 2021 national physician health survey, general practitioners are significantly more likely to say that they spend time on electronic medical records at home, that 61 percent of them say they're doing that, and they say that's excessive or moderately high compared to their specialist colleagues at 39 percent.

I think there is a challenge with GPs right now in making sure that they're not burdened by red tape. The administrative burden in medicine is linked to rising rates of burnout among physicians, and primary care providers are really bearing the brunt of that.

[8:25 p.m.]

Again, I go back to the fact that we need to cut red tape. We need to make it simpler in our systems, our processes, our health authorities, to make sure that we're not drown-

ing our physicians and health care professionals in red tape and adding administrative burden.

Now I'll turn to a little bit more about what Bill 11 does. Bill 11, of course, narrows the circumstances under which an employer can demand a doctor's note. It makes, what I would say, employee attestation the default for short-term illness.

In doing so, we have to ensure that we're also preserving an employer's right to request further evidence in cases of pattern absenteeism. We want to make sure that's not going to be abused, or, in the case of an extended leave, we need to make sure that's practical.

This has to be a pragmatic and well-crafted adjustment so that we're not creating conflict between employees and employers. We don't want a rash of employment standards claims coming out of this. As the minister said, this is enabling legislation, so the regulations would be critical in this regard.

We don't currently know the regulations in that enabling part, so this bill isn't prescriptive. We don't know how the government intends to remove the potential for conflict, so I hope we can learn a little bit more about that from the government as we go through this.

The minister has also noted publicly that consultation hasn't occurred fulsomely yet, and we hope it can be true consultation when it does occur. We heard that the plan is for much of that to happen this spring and summer, but it's important to get the balance right.

Let me be clear. This bill does not upend the overall paid sick leave framework. Whether one believes the existing five paid days are too many, too few or just right is a debate for another day. Today's question is quite a bit narrower. What constitutes reasonable proof of illness in a time when access to physicians and primary care is severely constrained? On that narrower question, I will admit the legislation offers a sensible remedy. Again, I would call this a band-aid solution to a problem. We should not mistake a band-aid for a cure.

Bill 11 is needed precisely because the public health care system can't fulfil its mandate. That's timely, longitudinal primary care for British Columbians. If every British Columbian had a family physician or timely access to the health care system, this amendment would actually be redundant. It wouldn't be something we'd be discussing today.

The most recent primary care report confirms that we still have nearly one in five, as I said, unattached from primary care. Those who are attached, it can be nearly 13 days for that routine appointment. In the Interior and the North where I'm from, that's 16 to 18 days. Walk-in clinic queues, as I've mentioned earlier, are also an issue.

In looking at this bill, we will consider administrative load, so talking about those primary care clinics. The continuity of care is certainly a problem, and then we

don't have that equity across the province of access to our system.

Some members will interpret my remarks and this bill as an endorsement or a critique of the existing paid sick leave, and I'm not going to get into either of those debates or discussions today. Employees should not be forced to choose between health and wages. Likewise, employers need confidence that this leave is taken honestly. Both are actually legitimate aims, and Bill 11 zeroes in on the documentation bottleneck without reopening the broader debate. I'm okay with that in this context.

I think it is important to put these amendments in the context that I've been discussing, though, and also put these amendments in context within Canada. The minister did reference some of the other provinces that have variations of prescriptions on paid sick leave or sick leave provisions or those of doctors' notes.

B.C., of course, is a rare example of a jurisdiction in Canada with paid sick days, so it's important to put this legislation in that context within the country. It's something to consider as we discuss the bill further into committee stage and when the regulations are being crafted, because B.C. is in a bit of a unique situation, I think.

[8:30 p.m.]

For the benefit of members in the House, I just want to provide some updates from other jurisdictions in Canada to highlight some of the ways other jurisdictions are looking at this topic, because there are a couple that have it before them currently. There are a few that have made changes in recent years.

In Saskatchewan, Bill 5, introduced in December of '24 — as of now, it's not brought into force yet. It's still before the Legislature there. What I've read is they were introducing amendments to limit sick notes. It would restrict employers from asking for a sick note unless the employee had been absent for more than five consecutive working days or has been absent twice for two or more days in the preceding 12 months — different from what B.C. has, with these amendments.

In Ontario, employers are no longer allowed to ask for sick notes from a qualified health practitioner, but they're still allowed to ask employees to provide evidence, reasonable in the circumstances, that they are entitled to leave. So an attestation is part of that, but it's a little bit different still. Businesses that offer paid sick days beyond the Employment Standards Act in Ontario can continue to ask employees for sick notes from doctors and other qualified health practitioners. This is a real difference from the B.C. approach, and I think it's notable for members' context.

I'll go on. In Quebec, no employer can request employees to provide documentation attesting to the reasons for their absences for the first three periods of absence not exceeding three consecutive days taken over a period of 12 months. So in this case, it's very prescriptive, a little bit

different. We don't necessarily have those prescriptions. We'll find that out in regulation, a little bit more clearly.

In Nova Scotia, employers can still request sick notes if an employee is absent for more than five working days or has already had two absences of five or fewer working days in the previous 12-month period. The government there allows notes from any regulated health care provider — nurses, dentists, pharmacists who are providing the care. Again, that's quite different from what we're seeing in this amendment. It does have a little bit more leeway, I think, for the employers if there is any pattern or anything like that.

In New Brunswick, where an employee due to an illness or injury requests a leave of absence of four or more consecutive calendar days, the employer can require a medical certificate certifying that the employee is incapable of working due to illness or injury. There are no restrictions on sick notes for shorter absences from that.

P.E.I. has got some similarities to B.C., because I do believe that they have paid sick days as part of their employment standards. If the employee takes three consecutive days, the employer may ask for a medical certificate. Employers are not permitted to request medical certificates for a single day of absence. P.E.I., again, has these paid sick days.

Their employment standards, though, are different. An employee is entitled to one paid sick day leave after 12 months of continuous employment, two days of paid sick days after 24 months of continuous employment and then three days after 36 months. So it's quite different from B.C.'s just straight five days across the board.

I hope members will find this cross-jurisdictional review helpful, as they're looking at the bill, so that we can understand the context of where we are at in Canada. We need to learn what's working and what isn't from the rest of the country.

I understand that B.C. likes to believe we are leading, but let's not put our blinders on. We don't always have it 100 percent correct, 100 percent of the time. So let's look at employment standards across the country and make sure that they work to protect employees, and let's make sure that they're manageable for employers.

There are a number of items that I'll be flagging, several items for the minister's consideration at committee stage, and we'll be getting into depth at that phase. But really, we do need guidelines for reasonable evidence.

[8:35 p.m.]

Small businesses need really predictable criteria, a really clear template that could avoid needless disputes and reduce calls to the employment standards branch, which already has a backlog.

The review clause. I think it would be good to actually have a review of this in a set period of time and link that to primary care access in the province. I'd hope that the government could look at that as a suggestion. Perhaps, it's

something that that could be tied to measurable improvements in family doctor attachment rates, for example. In that case, if the government meets its promises on primary care, we could revisit the need for these provisions in the first place.

As we look into any challenges to the employment standards branch, there needs to be some way to monitor this for their sake, so they can manage complaints. We don't want a flood of complaints coming into an already stretched system. Perhaps, the ministry could require some form of anonymized reporting on employer requests for documentation to ensure the system is not abused by either side.

Overall these amendments are part of successive tweaks that the NDP government have made to employment standards. Previous to this, there were six different Employment Standards Act amendments in as many years. In each case, the goal was claimed to be modernizing protections. It's important that we get Employment Standards Act amendments right. Industry does require clarity and practicability to keep the good relationship with their employees. I think that's very important.

Bill 11 does follow the same pattern of Employment Standards Act amendments. It tweaks compliance rules rather than addressing the structural challenges. This time it's a structural challenge of the shortage of family doctors. We have to ensure that these amendments, year after year, do not cumulatively create uncertainty for both workers and employers.

I will admit, in second reading, that I will be supporting Bill 11, because it adapts our employment standards to current health care realities. That's where we're at right now. That's the reality we live in, in British Columbia. We have a crisis in our health care system. We should view this as a stopgap, not a triumph. When legislation must compensate for service gaps, the work of this House is really only half done.

In reality, we're removing an encouraged check-in between an individual who has an illness and their physician. Getting a routine checkup should actually be a good thing. In making this amendment, we are normalizing that it is okay to skip this step.

These checkups have a purpose. Time with our primary care provider is when we might get an undiagnosed illness treated, or maybe there's a chance for preventative health measures to be taken. If it's an acute illness, maybe prescriptions would help the individual get healthy and return to work sooner.

We're removing a regular checkup that has been a requirement in the past, and I don't think that is something that we should necessarily celebrate, because we want people to have good-quality primary care in this province, and that relationship with your GP, your family doctor, is absolutely critical.

Yes, we can move this bill forward, but let's also re-

double our efforts to recruit and retain family physicians in this province, to expand team-based primary care and ensure that no British Columbian's first thought when they fall ill is: "How on earth am I supposed to get a sick note?" It's so difficult to do so right now.

The people of Prince George–Mackenzie and, indeed, all British Columbians are counting on us for a health care system that works, not workarounds that paper over its shortcomings. Band-aids are for small wounds; British Columbians deserve a health care system that heals.

I look forward to a rigorous examination in committee stage of this bill, so we'll have a lot more chance to get into it, clause by clause. I want to thank the staff from the Ministry of Labour for providing a briefing. Hopefully, we can get into some constructive discussions on how we can protect both employees' health and employers' need for certainty.

[8:40 p.m.]

At this time, I encourage other members to share their thoughts on this bill. I think it's important to discuss where our health care system is at and where this bill fits into that and the relationship with employers. I do hope to hear from other members.

With that, I'll end my time.

Jeremy Valeriot: I appreciate the minister's introduction and the member for Prince George–Mackenzie's thorough analysis of this bill. I won't pretend to give it that much depth, so I will keep my comments quite brief, but I believe that these amendments are welcome news for family physicians, patients and our health care system.

It means family physicians will spend less time on unnecessary administrative tasks and more time with patients who require medical care. Patients can stay home and recover, as has been noted already, where they need to be when they're ill, rather than travel to a doctor's office for a sick note. The primary care system will benefit from family doctors spending more time on what matters most — providing care for existing and new patients.

For nearly ten years, B.C. Family Doctors, Doctors of B.C. and B.C. College of Physicians and Surgeons have advocated for the elimination of sick notes. I would like to recognize and express some gratitude for their tireless advocacy.

As we've noted, the health care system is already overburdened. Requiring sick notes contradicts advice to British Columbians to use the health care system efficiently and when needed.

If I may go slightly off script here, I believe it treats people like adults when they should be treated like adults.

Sick notes take time, offer little clinical value and add pressure to our overburdened primary care system. CMA estimates B.C. doctors wrote about 1.6 million sick notes last year. Medical professionals estimate spending be-

tween ten to 19 hours each week on paperwork, some of which includes sick notes.

CMA has said removing sick notes could eliminate 12.5 million unnecessary interactions per year between patients and the health care system. That would free up doctor time, open more appointment slots for other patients and reduce administrative burdens on the health care system.

So I'm pleased to see this government listening to experts, following through on a promise from their election campaign last fall and aligning with most other Canadian jurisdictions, with some exceptions.

We are in the midst of a primary care crisis, 700,000 British Columbians without access to a family doctor, so we need physicians focusing on patients, not paperwork. This is a positive step. Every policy change that frees up doctors' time helps us move toward better care for more British Columbians. We look forward to seeing more steps from this government to address the scale and urgency of the primary care crisis in B.C.

The Green caucus will support this in second, and I'll commit to consideration of a reasonable number of amendments at committee stage.

Darlene Rotchford: It's with a great pleasure that I stand before you today to offer my full support for Bill 11 amending the Employment Standards Act. As well as being the Parliamentary Secretary for Labour, I have a long-standing history of activism within the labour movement and for workers, standing up for their rights as well as working with, to be fair, I will say some good employers in collaboration.

Anything we can do to support our health care professionals and improve the well-being of workers is really just simply a no-brainer. Most recently I heard a story, and I was shocked at how stupid it was, to be quite frank. An employee was sent home from work because they were sick, by their employer — that was great; "Don't want you at work. Don't want to make people sick at work" — with three hours left of their shift.

Then they got a call from their employer: "Well, actually, I want you to go get a sick note." You'd sent the person home because they were sick, a great thing to do, then you told them to go get a sick note. You're now making the doctor's office sick, potentially the doctor sick and anyone else you're going to come in contact with, and then wait to come back to work, depending when you get the sick note.

[8:45 p.m.]

As the minister said, the amendments will eliminate the need for workers to get sick notes for short-term absence from work. On the face of it, it seems like a minor adjustment, but, in fact, it's an important change that will significantly ease the administrative burden for thousands of B.C. health care professionals.

The Canadian Medical Association estimates that in

2024, B.C. doctors wrote about 1.6 million sick notes. That's an incredible number. Again, 1.6 million. That's the equivalent of 200,000 patient visits in just one year in this province. That doesn't include notes written by nurse practitioners or our registered nurses, who will also be covered by these amendments.

Now, you may think: "What's the big deal? How long can it take for a doctor to write a sick note?" Well, look at it this way. Every patient coming to the doctor or health care practitioner just to get a sick note takes up an appointment spot that could have been used for a person who actually has a serious illness. It's time that could have been spent treating the patients that need the real help, instead of doing unreasonable paperwork, because quite frankly, it is unreasonable.

Think about it. These amendments will only cover short-term absences from work for illness or injury. Again, very clear, short-term. If it's an injury — say, a broken leg — well, that will be obvious when the worker gets to the job sporting a new cast.

If it's an illness, say, about a flu that leaves them burdened for a few days, how does it make sense to force that worker to get out of bed, make an appointment, travel to a doctor, sit in a clinic surrounded by people, possibly spreading their illness — spreading their illness to people who have critical illness, low immune systems, and I could go on — just to see a doctor who will say: "Yes, you've got the flu. It's a virus. Go home, get some sleep, and you'll be fine"?

The best thing that person can do is go to bed, stay away from other people and get some rest so that they are 100 percent so they can go back to work. But then there's just a piece of paper that says you're sick, which is, quite frankly, a complete waste of time.

It doesn't make sense, but that's what the current employment standard allows employers to do: demand a sick note from workers who take short-term sick leaves. That's why these legislative amendments are very much needed, to remove the unnecessary and heavy burdens on our medical practitioners and their patients.

Again, I can't count the amount of numerous times employers, even at my past worksites, have gone in and requested sick notes for people who had the flu — again, taking up time, making them spread their illness.

I'll actually put it one step further. Say you don't have a car. You live in an urban setting. You have the luxury of being able to take transit. Now you're putting that person on the bus, who's now infecting everyone on the bus to get to said medical appointment. Again, we're spreading the illness. We're not making sure we're taking care of ourselves.

To bring it back to efficiency, clarity and common sense, this is a significant part of our health care system. It's also important to recognize the changes to the act are not unilaterally eliminating the rights of employers to manage

their workers when it comes to sick leave because, also, we want to ensure that employers are supporting people when they're sick, which is why there is other language around that to ensure we're doing that.

The purpose of legislation is often to outline the broad strokes of a policy and the details then worked out through regulations. That is the case here. This bill says, and I'll paraphrase here, that under specified circumstances, an employer must not request, and an employee is not required to provide, a sick note or similar documentation in relation to health-related leave taken on a short-term basis.

Those specified circumstances will be defined through the regulation. Those regulations will be developed over the next few months and will involve meaningful engagement and consultation with all stakeholders, including employers, workers and health care professionals.

You've heard us say other things, but this is very similar to a team approach. We have to make sure we're working together to keep people safe, keep their health safe and make sure that they're utilizing the services they have.

[8:50 p.m.]

The regulations will look at things like how many days are considered a short-term absence, or if there should be a limit on the number of short-term leaves workers take in a year before the employer can require a sick note. These are the kinds of practical details we'll set out in the regulations to remove employer requirements for unnecessary sick notes for short-term absences, while ensuring that employers have reasonable oversight and management of their workers by continuing to allow sick notes. These amendments are both supporting employers and workers — and, most importantly, our valued medical practitioners.

Doctors and nurses just want to focus on what they do best, which is caring for our patients. Nothing is more important than that. Nothing should interfere with that. We need to make sure that when the people who are really sick need to access it, they're there, and those practitioners are not spending unnecessary time with people who have things like the flu.

You can also point out that this is an affordability issue. If someone is sick one day, they have to go to the clinic and pay a significant amount of money for a sick note. They lose time from work — one, two, three days. That's loss of the money that they need, and, for some people, that is a lot of money when you're already struggling. Any supports we can provide to help them do their jobs effectively and efficiently is well worth this.

Again, we talk about our health care system and heard both sides of this House talk about how important it is. We need to make sure we're supporting our doctors, our practitioners, our nurses. Again, I fully support Bill 11 and commend the medical community for their perseverance in calling for these changes.

Brennan Day: I think we can all agree, most people here....

Deputy Speaker: Member, can you note the hour?

Brennan Day: Noting the hour, I move to adjourn debate and continue tomorrow. I reserve my time.

Brennan Day moved adjournment of debate.

Motion approved.

[The Speaker in the chair.]

George Anderson: The Committee of Supply, Section A, reports resolution and completion of the estimates of the Ministry of Social Development and Poverty Reduction and of the Ministry of Jobs, Economic Development and Innovation, reports progress on the Ministry of Transportation and Transit, and asks leave to sit again.

Leave granted.

Nina Krieger: Section C reports progress on Bill 7 and asks leave to sit again.

Leave granted.

[8:55 p.m.]

Standing Order 81.1

ADOPTION OF GOVERNMENT BUSINESS SCHEDULE

Hon. Mike Farnworth: I move:

[That, pursuant to Standing Order 81.1 (2):

Bill (No. 5)

1. All remaining stages of consideration of Bill (No. 5) intitled *Budget Measures Implementation Act, 2025*, be disposed of by 3 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 2.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Notwithstanding section 1 (a), if the committee has not considered the amendment to clause 25 of the bill standing on the Order Paper in the name of the Minister of Finance, the amendment to clause 25 shall be deemed to have passed, and clause 25, as amended, shall be deemed to have passed.
- c. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- d. Immediately thereafter, notwithstanding Standing

Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of the sittings of the House, the question on all remaining stages of consideration the bill shall be put forth with without amendment or debate.

- e. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

Bill (No. 7)

2. The question on the motion for second reading of Bill (No. 7) intitled *Economic Stabilization (Tariff Response) Act*, and the question on any motion in amendment thereto, be put by 4 p.m. on Tuesday, May 27, 2025, without further amendment or debate, and that, if a division is called, it shall proceed forthwith in accordance with Standing Order 16 (2).

3. All remaining stages of consideration of Bill (No. 7) intitled *Economic Stabilization (Tariff Response) Act* be disposed of by 4 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 3.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Notwithstanding section 3 (a),
 - i. if the committee has not considered clauses 19, 20, 21, 22, 23, 24, 25, or 26 of the bill, they shall be deemed to have been defeated;
 - ii. if the committee has not considered the amendment standing on the Order Paper in the name of the Member for Saanich North and the Islands to add a new clause 28.1 to the bill, the amendment shall be deemed to have passed;
 - iii. if the committee has not considered the amendment standing on the Order Paper in the name of the Member for Saanich North and the Islands to add a new clause 28.2 to the bill, the amendment shall be deemed to have passed;
 - iv. if the committee has not considered the amendment to clause 29 of the bill standing on the Order Paper in the name of the Attorney General, the amendment to clause 29 shall be deemed to have passed, and clause 29, as amended, shall be deemed to have passed.
- c. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- d. Immediately thereafter, notwithstanding Standing Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of the sittings of the House, the question on all remaining stages of consideration the bill shall be put forth with without amendment or debate.
- e. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

Bill (No. 11)

4. The question on the motion for second reading of Bill (No. 11) intituled *Employment Standards Amendment Act, 2025*, and the question on any motion in amendment thereto, be put by 5 p.m. on Tuesday, May 27, 2025, without further amendment or debate, and that, if a division is called, it shall proceed forthwith in accordance with Standing Order 16 (2).

5 All remaining stages of consideration of Bill (No. 11) intituled *Employment Standards Amendment Act, 2025*, be disposed of by 5 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 4.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- c. Immediately thereafter, notwithstanding Standing Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of the sittings of the House, the question on all remaining stages of consideration the bill shall be put forthwith without amendment or debate.
- d. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

Bill (No. 13)

6. The question on the motion for second reading of Bill (No. 13) intituled *Miscellaneous Statutes Amendment Act, 2025*, and the question on any motion in amendment thereto, be put by 6 p.m. on Tuesday, May 27, 2025, without further amendment or debate, and that, if a division is called, it shall proceed forthwith in accordance with Standing Order 16 (2).

7. All remaining stages of consideration of Bill (No. 13) intituled *Miscellaneous Statutes Amendment Act, 2025*, be disposed of by 6 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 5.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- c. Immediately thereafter, notwithstanding Standing Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of the sittings of the House, the question on all remaining stages of consideration the bill shall be put forthwith without amendment or debate.

- d. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

Bill (No. 14)

8. The question on the motion for second reading of Bill (No. 14) intituled *Renewable Energy Projects (Streamlined Permitting) Act*, and the question on any motion in amendment thereto, be put by 7 p.m. on Tuesday, May 27, 2025, without further amendment or debate, and that, if a division is called, it shall proceed forthwith in accordance with Standing Order 16 (2).

9. All remaining stages of consideration of Bill (No. 14) intituled *Renewable Energy Projects (Streamlined Permitting) Act* be disposed of by 7 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 6.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- c. Immediately thereafter, notwithstanding Standing Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of the sittings of the House, the question on all remaining stages of consideration the bill shall be put forthwith without amendment or debate.
- d. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

Bill (No. 15)

10. The question on the motion for second reading of Bill (No. 15) intituled *Infrastructure Projects Act*, and the question on any motion in amendment thereto, be put by 8 p.m. on Tuesday, May 27, 2025, without further amendment or debate, and that, if a division is called, it shall proceed forthwith in accordance with Standing Order 16 (2).

11. All remaining stages of consideration of Bill (No. 15) intituled *Infrastructure Projects Act* be disposed of by 8 p.m. on Wednesday, May 28, 2025, as prescribed:

- a. If at 7.50 p.m., the bill is still being considered at committee stage, the Chair shall forthwith put any remaining question to complete the consideration of the bill, without further amendment or debate, which shall be deemed passed and which shall not be subject to a formal division call, but which may be taken in accordance with Practice Recommendation No. 1.
- b. Once the title of the bill has passed, the committee shall rise and report the bill complete with or without amendment, as the case may be, to the House.
- c. Immediately thereafter, notwithstanding Standing Order 80, Standing Order 81, or any Standing Order or Sessional Order relating to the times and days of

the sittings of the House, the question on all remaining stages of consideration the bill shall be put forth-with without amendment or debate.

- d. If a division is called on the motion for third reading of the bill, the division shall proceed forthwith in accordance with Standing Order 16 (2).

And further, that, for greater certainty, a committee considering a bill in Section B may rise and report progress for the purpose of receiving a report from Section A or Section C in accordance with this order.]

The Speaker: Members, given the length of the motion, we will be making copies and distribute to all members shortly. The House will be in recess for five minutes.

The House recessed from 9 p.m. to 9:06 p.m.

[The Speaker in the chair.]

The Speaker: Members, the question is a motion moved by the Government House Leader. I'm not going to read the whole motion again. The motion is that pursuant to Standing Order 81.1(2).... That's the motion, of which members have a copy.

The ayes have it.

Division has been called.

[9:10 p.m. - 9:15 p.m.]

Motion approved on the following division:

YEAS — 46

G. Anderson	Blatherwick	Elmore
Sunner	Toporowski	B. Anderson
Neill	Osborne	Brar
Davidson	Kahlon	Parmar
Gibson	Beare	Chandra Herbert
Wickens	Kang	Morissette
Sandhu	Krieger	Chant
Lajeunesse	Choi	Rotchford
Higginson	Routledge	Popham
Dix	Sharma	Farnworth
Eby	Bailey	Begg
Greene	Whiteside	Boyle
Ma	Yung	Malcolmson
Chow	Glumac	Arora
Shah	Phillip	Dhir
	Lore	

NAYS — 44

Sturko	Kindy	Milobar
Warbus	Rustad	Banman
Wat	Kooner	Halford
Hartwell	L. Neufeld	Van Popta
Dew	Gasper	K. Neufeld
Day	Block	Bhangu
Paton	Boulton	Chan

Toor	Giddens	Rattée
Davis	McInnis	Bird
Luck	Stamer	Maahs
Tepper	Mok	Wilson
Clare	Williams	Loewen
Dhaliwal	Doerkson	Chapman
McCall	Valeriote	Botterell
Kealy		Brodie

Hon. Mike Farnworth moved adjournment of the House.

Motion approved.

The Speaker: The House is adjourned until 1:30 p.m. tomorrow.

The House adjourned at 9:20 p.m.

Proceedings in the Douglas Fir Room

The House in Committee, Section A.

The committee met at 1:33 p.m.

[Nina Krieger in the chair.]

Committee of Supply

ESTIMATES: MINISTRY OF SOCIAL DEVELOPMENT AND POVERTY REDUCTION (continued)

The Chair: Good afternoon, Members. I call the Committee of Supply, Section A, to order. We are meeting today to continue the consideration of the budget estimates for the Ministry of Social Development and Poverty Reduction.

On Vote 43: ministry operations, \$5,747,116,000
(continued).

Tara Armstrong: Let me start by saying that my office has received a great deal of correspondence and concern around the PWD program and allocation of funding within it. I think the minister would agree that ensuring transparency and accountability for such a significant government line item is essential, focusing on the fact that the program was designed and intended for individuals who have a severe physical or mental disability.

My first question for the minister is: does the minister consider a substance use disorder or drug addiction of any kind to be an impairment that can qualify somebody for PWD status?

[1:35 p.m.]

Hon. Sheila Malcolmson: Welcome, to the member.

The assessment to qualify for PWD is not the minister's but one that is made by a medical professional. The assessment is based on if there is an impairment that impedes an individual's ability to look after themselves and perform daily life activities.

Tara Armstrong: To be clear, the minister hasn't ruled out that some individuals are receiving PWD funding from her ministry on the basis of drug addiction.

My next question, then, is: once a PWD application is approved, does the ministry keep track of what specific disability type or category an approved applicant has? For example, a certain percentage of individuals may have autism spectrum disorder, and other individuals may have a particular type of physical disability. Do you specify by disability type?

[1:40 p.m.]

Hon. Sheila Malcolmson: Our staff are aware at the point of application of the nature of the disability as assessed by a medical professional. It's not tracked afterwards. It's important to add that there has to be a minimum of two years with the disability, as assessed by a medical professional, in order to qualify.

Tara Armstrong: In an era of digital recordkeeping and data dashboards, the minister has not provided an answer as to how these funds are being disbursed by disability type. Will the minister commit to providing me and the public with this information? I'd also appreciate, if she will, a timeline on when I can expect that information.

Hon. Sheila Malcolmson: I'll repeat my earlier answer to the member, which is that the disability type is not tracked. The decision about whether the person for two years has had their ability to perform daily life functions.... That's assessed by a medical professional, and that is the basis of qualification, or not, for PWD.

Tara Armstrong: The minister's budget indicates that the amount of funding allocated for disability assistance this fiscal year has risen by \$100 million, which brings it up to \$2.2 billion. That's with a b. It appears likely that a certain unknown portion of those funds are going to people with substance addiction.

My final question. Will the minister find out the dollar amount of funding substance addiction under the PWD program and recommend to the Premier that every one of those dollars instead be allocated towards programs that will help people recover, rather than continue to fund these addictions through a program that was never intended for this purpose?

[1:45 p.m.]

Hon. Sheila Malcolmson: I imagine that the member has canvassed with the Minister of Health the ways that we are investing in bed-based addiction treatment.

The member may be reassured to know that within my ministry's budget, we do pay to support individuals who are on either income assistance or PWD to participate in addiction treatment. And those rates, having been frozen for a very long time.... We, in three different ways, have increased support. Again this is part of my ministry's budget.

Effective June 2024, as part of the 2024 budget, the daily rate for mental health and substance use facilities increased from \$35.90 to \$60 for registered bed-based services and from \$45 to \$70 for licensed bed-based services. That was a 67 percent increase. That rate increase was part of Budget 2024's investment of \$117 million over three years to continue supporting British Columbians in response to financial strains experienced by bed-based service providers due to rising inflation and the cost of service delivery.

Our previous lift, again through my ministry, was in March 2021. At that time, the monthly comfort allowance increased from \$95 to \$115 per month for income assistance recipients.

On October 1, 2019, user fee rates were increased for mental health and substance use facilities for the first time in ten years. Licensed facilities received a 12.5 percent increase, and registered facilities received a 16 percent increase.

That's the end of my summary of the increased supports through my ministry budget for people accessing addiction treatment. I'll reiterate, though, that the purpose of PWD is financial support, so that's a different pool of money from the one that I've described.

Finally, the nature of addiction can be so severe to qualify for PWD as assessed by a medical professional. But I think the vast majority would be an underlying trauma, injury, untreated pain, as we hear so often, that leads to addiction. Certainly, what I've heard from our folks on the front line and those who are assessing PWD applications is that we have a lot of people out there with concurrent problems, addiction being just one of them.

Kristina Loewen: In the earlier section, the minister mentioned 187 total integrated support workers when we were discussing HEART and HEARTH. Can you clarify how many per region?

[1:50 p.m.]

Hon. Sheila Malcolmson: I can get a lot more granular than this, but I'll start by saying that in the North, we have 16 in position, of 18 that are funded. In Vancouver Coastal, we have 49 hired into 52 positions that are funded. The

third category is Vancouver Island, 32 out of 35. Fraser is 54, and the Interior, 36.

Kristina Loewen: Follow-up question on CLBC.

I was reviewing the coroner's inquest and counted the word "immediately" five or six times. I think five — I initially counted six, but I think it's five — out of 15 call for immediate actions.

I know the minister is already doing some work on there, and CLBC has been doing some work. But my question is: will the minister commit to doing a cost analysis to determine budget adjustments for next year so that these can be actioned as soon as possible?

Hon. Sheila Malcolmson: Already, we have actioned one of the recommendations, and that was included within our existing budget. Effective April 1, we have increased the home-share coordinator rate — that's CLBC funded — that goes to the not-for-profit or the community organization service providers.

Anything else that would have budget implications we'd be building into the budget ask for this coming year.

Kristina Loewen: Back to HEART and HEARTH. Is the ministry prioritizing HEART and HEARTH clients for accelerated PWD assessments or hardship assistance, and if so, what are the timelines and the outcomes?

Hon. Sheila Malcolmson: This gives me another opportunity to give thanks to the community integration specialists, who really do fantastic work. They will always triage people that are in the most desperate need. Medical and homelessness would always be part of their triage as something that goes to the front of the line. That's really why they're there and embedded in community.

[1:55 p.m.]

But it's not about whether it's part of HEART and HEARTH or not. We only have a handful of HEART and HEARTH communities, but we've got community integration specialists on the ground all over the province, and they're very much focused on encampment response and people who are living rough. That is kind of their *raison d'être*.

Kristina Loewen: Has the ministry provided emergency ID recovery or expedited pathways for unsheltered clients lacking ID, one of the most common barriers to receiving income assistance, and if not, why not?

[Jessie Sunner in the chair.]

Hon. Sheila Malcolmson: Thanks to the member for the question, because not having ID — and clients who lose ID — can be a real barrier to accessing service. This is

one of the functions that our community integration specialists are really good at doing, navigating the system.

We fund ID recovery. We have funded in the past, with year-end funding, not-for-profits and really inspiring community organizations that do their own individual ID clinics and support their clients recovering ID. We support our own clinics, often working together with Citizens' Services, Service B.C.

We've had some pilot projects in a number of communities that have been particularly innovative. Again, going to where people are. Union Gospel Mission does a really neat one where they bring a whole bunch of service providers together in Downtown Eastside.

[2:00 p.m.]

Two particular barriers can be a real challenge in that work that we are helping to navigate of replacing ID. One is if the person is from another province. Often getting birth certificates from other provinces is really challenging. I don't want to overstate how... If it's outside B.C., then it is sometimes a much harder job to do. Also, if the person does not have a social insurance number, then it can become harder to be able then to get the ID that then opens up some of this income support.

We are, as a ministry, able to provide a hardship grant to tide a person who's really in difficult circumstance over while they are getting their social insurance number that then will allow them to get ID.

I'm really happy to take more time with the member, because there's quite a lot of work in this area. Certainly, if any constituency office is having challenges with this, then very smart to get connected with our public service team, who can help get people over that hurdle.

Kristina Loewen: Moving on to WorkBC, WorkBC's budget has remained virtually flat for years. How exactly has the ministry managed to maintain or expand service quality without more funding, or is it simply delivering less to fewer people, with lower outcomes?

Second, if WorkBC is supposed to be the key to the province's workforce strategy, why hasn't the budget grown in step with demand? Is the minister prepared to admit that this program has been deprioritized under this government?

[2:05 p.m.]

Hon. Sheila Malcolmson: An important piece to note is that funding the WorkBC Centres is not the only place that we are funding skills training for people that have experienced barriers. If the member wants to canvass that, then we can talk more broadly about a number of line items and a number of ways that we are helping people. But I am going to talk only about the WorkBC Centres.

The WorkBC Centres receive both provincial and federal funding. Depending on where the member is looking in the budget, it may be that you're only looking at the

provincial line. Federal funding for employment supports was devolved to the provinces and territories 20 years ago, 15 years ago, in that kind of range.

Unfortunately, the federal government this past year did reduce its transfers to provinces and territories, something that we fought very hard. That funding pool that affected spending was a \$46.5 million cut from the federal government, and we're working to get them to restore it.

The work that we have been doing, even with a steady budget, has been reaching more and more people in British Columbia. In the 2019-20 year, we were, through WorkBC, helping about 83,000 people a year. In the 2024-25 year, we're expecting to exceed more than 100,000 people.

We're getting really powerful results and outcomes. More than 32,000 people were supported using WorkBC services through their first year of employment. That's an increase from 29,800 the previous year. Since 2019, 53 percent of WorkBC clients have found stable jobs that have allowed them to be financially independent.

Clients who use more intensive programs see even better results: 81 percent of those in the wage subsidy program and 79 percent of those in the skills training programs find jobs, and about 81 percent of case-managed clients belonging to one or more inclusion groups have found permanent employment. That's an increase up from 79 percent the previous year.

[2:10 p.m.]

Our assistive technology services have helped 1,500 people with disabilities by providing adaptive technology for employment, and WorkBC apprentice services have helped apprentices access training to complete their trade certification. So far in '24-25, over 12,100 apprentices have participated in this program through WorkBC.

Kristina Loewen: Can the minister explain how WorkBC engages with employers in serious and strategic ways?

Hon. Sheila Malcolmson: I'll just answer this briefly. I'm happy to go into more detail if the member seeks. It is a requirement of the WorkBC contracts that they work directly with employers. That looks a little bit different from community to community, depending what the needs are and depending who the employers are. But in some cases, they have job fairs. In some cases....

We rely quite heavily on the Presidents Group as well to inform successes and to work amongst employers to encourage more potential employers to participate in WorkBC programs — and always giving feedback to the contractors about what was successful and what are the in-demand jobs in that particular community.

Kristina Loewen: How exactly does WorkBC align with the province's broader employment and economic strategy?

Hon. Sheila Malcolmson: Again, I'm happy to go into further detail if the member wishes, but bottom line is the province's future-ready skills program, built with industry, built with unions and post-secondary institutions, identifying the job needs of the future, identifying barriers and ways that we can work together.

[2:15 p.m.]

The function that we have within my ministry, people that are unemployed and have faced barriers getting into the workplace.... We've just got a small slice of the work, but the WorkBC centres take their direction around in-demand skills, where there are vacancies and where employers are really advocating for the kinds of jobs that they want to see filled. WorkBC centres align with that future-ready skills plan, but then they inform it as well.

As we were building the future-ready skills plan provincewide, the WorkBC centres were part of the consultation. They let our partners at Post-Secondary Education and Future Skills know what they were hearing on the ground. It's a really nice two-way direction. They informed the plan, but then they also help implement the plan, with a continual feedback mechanism.

Kristina Loewen: I'm going to conclude now. I'm going to wrap it up. I just want to thank the minister for her time and her team for their time and just conclude with saying that I'm grateful for this ministry.

I love this role as critic, and I think these services are really valuable. I appreciate the work you're doing.

My big concern is that the tax base is struggling. I just urge this government to incentivize the private sector, the business community, the middle class, and support them, because I fear for the future if we can't support the vulnerable.

Thank you for your time.

The Chair: Thank you, Members.

Seeing no further questions, I ask the minister if you would like to make any closing remarks.

Hon. Sheila Malcolmson: I'll give my thanks to my critic and to the support team that has guided and prepared me for estimates and also has been part of the conversation.

More than anything, I'll close by saying the SDPR folks that are working on the front line are in every corner of the province. When I visit their offices, what they let me know about programs that are working well and that are not is so valuable. They are so committed to the clients that they serve.

In many cases, there are multi-generation workers that I meet, mother-daughter teams that are working in the offices or on outreach. That says a lot. For a kid to see their parent doing really challenging work and then want to fol-

low in their footsteps really says a lot about how they work in the world.

The most consistent thing that I hear from SDPR front-line workers is how much they love and trust the team, that their workplaces really are a place of collective commitment. People are working shoulder to shoulder under really difficult circumstances sometimes.

But I'm grateful. I just want to say that more than anything, our team and the people that are helping people in need are inspiring to me every day.

I learn from them. A lot of their work and ideas are reflected in our poverty reduction strategy. Their advice to me is invaluable.

Thank you, Chair. With that, I don't need to move a motion, do I? I just sit down and say thank you.

The Chair: Thank you, Minister, and thank you, all members.

Seeing no further questions, I will now call the vote.

Vote 43: ministry operations, \$5,747,116,000
— approved.

The Chair: Thank you, Members. We will take a short five-minute break to set up for the next ministry. We'll come back at 2:25.

The committee recessed from 2:18 p.m. to 2:28 p.m.

[Nina Krieger in the chair.]

ESTIMATES: MINISTRY OF JOBS, ECONOMIC DEVELOPMENT AND INNOVATION

The Chair: Good afternoon. I call Committee of Supply, Section A, back to order. We are now meeting to consider the budget estimates for the Ministry of Jobs, Economic Development and Innovation.

On Vote 38: ministry operations, \$116,223,000.

The Chair: Minister, do you have any opening remarks?

Hon. Diana Gibson: I do, thank you, Chair.

I'd like to start by introducing the people with me here today: Fazil Mihlar, deputy minister; Tim Lesiuk, assistant deputy minister, small business and economic development division; Paul Pawlowski, assistant deputy minister, investment division; Nathan Nankivell, assistant deputy minister, innovation and industry development division; Brian Urquhart, executive financial officer and assistant deputy minister, management services division; Will Hoyle, acting deputy minister, trade, investment and corporate initiatives division.

Also joining us at points during the estimates will be Debbie Chew, executive director and chief financial offi-

cer of the management services division; Dave Mortimer, chief financial officer, InBC; Angelo Cocco, executive director, economic and regulatory analysis branch; Steve Anderson, executive director with our trade policy, analytics and marketing branch; Danielle Grbavac, executive director, economic strategy branch; Kim Reid, executive director, rural and regional development branch.

[2:30 p.m.]

I want to thank my incredible team for the amazing work they do to help support the people and businesses of B.C.

In this ministry, we have advanced on multiple fronts to grow the economy and create good jobs across B.C. We're taking action, and we're delivering results for people. B.C. is working to diversify our trade, to support our businesses and protect and create more jobs for people.

All over the world, people are looking for new trading partners as the tariff threat now impacts countries around the globe. In these uncertain economic times, we are building a stronger B.C. and protecting the things that matter most to people. We're taking action in response to this unprecedented attack and to secure our future.

We're working with our federal, provincial and territorial ministers and deputy ministers on a Team Canada approach. No matter what Trump throws at us, we know we are stronger together. We are defending B.C. and protecting the services people rely on every day.

We're strengthening and growing the economy by helping people train for better jobs. We're building new schools, hospitals and economic projects we need to stand up to Trump and secure the future, and diversifying where we sell our goods, including breaking down inter-provincial trade barriers.

B.C.'s real GDP increased by 1.2 percent, or \$3.7 billion, in 2024. And since 2017, B.C.'s GDP growth is 20.3 percent, second among the provinces, only behind PEI. In the face of a slower global economy and high inflation rates and interest rates, B.C. has held steady. We've gained 41,400 jobs since January 2024 alone.

March 2025, compared to the same time last year, saw B.C.'s private sector employment up by close to 33,000. B.C. has shown resiliency. Since July 2017, B.C. has gained close to 173,000 private sector jobs. And we are continuing to deliver for people in B.C. in ways that make a tangible difference in their daily lives.

Through global volatility and shifting economic winds, B.C. is holding steady, growing an economy that works for people, protecting what matters and building a cleaner, more secure future. We're growing the economy and creating jobs right across the province. We're reducing costs for families, strengthening health care and making our neighbourhoods and communities safer.

Chair, I'd like to tell you about some of the things that our ministry has been doing across our different portfolios, starting with trade and investment. For the five-

month period between October 2024 to February 2025, Trade and Invest B.C. has supported 256 trade opportunities, which resulted in 49 closed export wins, which are valued at over \$58 million. We launched the export navigator special advisory pilot. We delivered three export navigator webinars, with a total of 65 participants.

We delivered trade accelerator programs, three cohorts with a total of 53 companies. We established our Trade and Invest representative in Mexico, completing the commitment in our trade diversification strategy to establish new offices in Mexico, Taiwan and Vietnam with representatives in each. Our team successfully closed 14 investment opportunities worth approximately \$465 million.

Across key international markets, priority sectors and B.C. regions, we have established trade and investment opportunities. We also established a trade and economic security task force to bring together business, labour and First Nations leaders at the table to find ways to respond together to the tariff threat.

I'm proud to say that my team and I have been leading on the development of Canada's mutual recognition agreement. We've been working across the provinces. I've been meeting with my federal counterparts across the federal government and all of the provinces and territories to advance recognition of goods so that B.C. goods can be on the shelves across this country.

And we worked with the Ministry of Attorney General on the draft Bill 7, designed to allow the government to act quickly while protecting British Columbia families, workers and businesses. If passed, this gives B.C. the tools needed to respond to the economic challenges we have in case of American escalation.

Another program area I am very proud to talk about is our integrated marketplace. Given its great success, Budget 2025 includes \$30 million over three years to support high-quality jobs through this program, the integrated marketplace.

[2:35 p.m.]

We are establishing new test beds for B.C. businesses to test their technologies and advance innovation while simultaneously improving industry challenges that are key to our economy.

Several companies have leveraged their success with this program to scale their technology, grow their domestic and their international partnerships. One example is Niricson's technology, which provides a new approach for infrastructure safety at the Vancouver International Airport. From their work at that test bed, they've grown their customer base.

Other work we've done is establish the industrial land office, which is working closely with the Ministry of Agriculture and Food to develop new policy to support our food and beverage processing.

We saw the opening of the new B.C. Biomanufacturing Training Facility, and the B.C. Centre for Agritech In-

novation has reached 32 industry projects with 19 training programs to ensure our strong and competitive economy.

We've also been advancing in mass timber with our mass timber sector so we have the right people with the right sets of skills advancing new mass timber programs. We've partnered with BCIT and Selkirk College to advance their mass timber micro-credential program and establish a mass timber training hub and a mass timber education advisory committee.

At the end of this month, the first of three years of Web Summit Vancouver will launch in this province — an exciting, marquee event bringing thousands of investors, customers, companies, media and world-class talent to B.C. They'll be looking at our leading-edge, innovative tech sector for opportunities to invest and bringing their companies and talent to anchor here.

Another area I'm proud to speak to is our B.C. manufacturing jobs fund. We're continuing to create and protect thousands of well-paying jobs throughout B.C. Since the first project was announced last June, the fund has committed \$146 million towards 132 projects to date, unlocking over \$1 billion in private sector and other public investment for B.C. manufacturers to expand and fortify their operations.

Every \$1 million invested in this fund has leveraged \$7 million in total direct capital investment. So for each dollar, we're leveraging \$7 of investment from other levels of government and other investors, also, \$590,000 in tax revenue to the province, and \$5.3 million in GDP during the capital construction phase alone.

Funded projects will create and protect more than 4,700 jobs across B.C. Investing in these businesses that are ready to modernize their manufacturing is helping create and protect hundreds of jobs while ensuring innovation and clean growth across our province.

Another area we've been working in is our regional economic development. Local governments, First Nations and not-for-profit organizations throughout B.C. have been receiving funding through our REDIP program to promote economic diversification, clean economy opportunities and infrastructure. We're partnering with rural community leaders, investing in the future by growing resilience and sustainability in their local economies through these impactful projects. In the first three years, REDIP saw as much as \$142 million invested in more than 450 projects across rural B.C.

We've been committed to Indigenous economic development in partnership with the Ministry of Indigenous Relations and Reconciliation, supporting access to economic opportunities for First Nations communities and their development corporations. Through REDIP, we've awarded \$63.17 million to over 100 First Nation-led projects that will strengthen local economies.

B.C. also put in place a contribution agreement with Vitalus Nutrition for up to \$25 million towards their milk

processing in Abbotsford. This strategic investment is expected to create 100 new jobs, increasing western Canada's milk processing capabilities and, in this uncertain time, ensuring food security with additional butter processing.

Another area we've been working in is small business. Our small and medium-sized businesses were just starting to turn the corner when Trump tariffs began. The interest rates turning down, inflation turning down.... They were just feeling some breathing room and then came the tariffs.

That's why we've been working diligently since 2017 to maintain an economic environment that allows our small businesses to thrive. Through Budget 2025, \$67 million in funding over three years will go towards community safety programs, including a new community safety and targeted enforcement pilot that will especially target robbery, shoplifting and property crimes, providing the police with the tools to tackle street disorder and support safer downtowns and commercial areas in communities throughout B.C., something we know businesses have been asking for.

In 2017, B.C. cut the small business corporate tax rate by 20 percent, from 2.5 percent to 2 percent, and maintains the third-lowest small business tax rate in Canada.

[2:40 p.m.]

Under our small business venture capital tax credit program, over 160 small businesses raised a total of \$150 million of equity capital from B.C. investors. In addition, 12 venture capital funds registered in the tax credit program have invested over \$15 million in 20 small businesses.

Budget 2025 further encourages investment in B.C.'s small businesses, with an increase to the investment limit for individuals through the small business venture capital tax credit and a temporary \$15 million increase to the program's budget for the next three years.

Another very important area, dear to the hearts of us on the coast, is our maritime industries strategy. We continue to deliver the B.C. maritime industries infrastructure modernization and expansion grant program, which has been fully subscribed, committing \$22.3 million in provincial funding to 41 projects over three intakes.

These projects together are delivering close to \$97 million in project value, creating more than 500 jobs and upskilling almost 400 workers. Sixty-one percent of these projects provide economic opportunities to First Nations, and over half are funded in rural and regional B.C. Our maritime industries strategy is helping set the course for a more competitive and modernized maritime sector, with reduced carbon emissions and more highly skilled jobs to meet growing demand.

B.C. has everything we need to succeed: abundant resources, a diverse and growing economy and skilled and resilient workers. But with these unjustified U.S. tariffs, this is a time for unity and action. This is our moment to continue building a strong economic foundation despite

global challenges, attracting investment and supporting industry to grow and innovate.

Businesses across our province have faced one challenge after another: the pandemic, supply chain issues, inflation, high interest rates and now unprecedented and unfair and unjustified U.S. tariffs. Budget 2025 adds to the work of our government, which we've been doing since 2017, and helps prepare us to carefully navigate these uncharted waters so that we can put people first and protect businesses as we build a stronger, more self-sufficient future.

Helping B.C. companies scale up, saving small businesses money and protecting B.C. workers and communities will go a long way towards building a resilient economy. Regardless of what happens outside of B.C., we will do everything necessary to support British Columbians in the face of these tariffs.

We will continue to do the work with small businesses, with a whole-of-government approach, to strengthen B.C.'s economy and protect businesses, families and jobs. The journey ahead won't be easy, but as British Columbians and as Canadians, we stand strong and united.

The Chair: Thank you, Minister.

I now recognize the member for Kelowna-Mission. Do you have any opening remarks?

Gavin Dew: I have very few opening remarks. I will only remark that we support jobs, economic development and innovation, and we want to maximize the time for questions, so let's get right into it.

Can the minister expand on how the ministry works across government with other ministries such as Forests, Mining, Post-Secondary and all those other areas, in particular with regard to major projects and major investments?

[2:45 p.m.]

Hon. Diana Gibson: We work across government with our colleagues in other ministries on major projects like energy, mining and forestry as we are members of the regulatory efficiency board and the major project implementation board.

Gavin Dew: Can the minister expand a little bit on how JEDI measures success and in particular how it measures success quantitatively?

[2:50 p.m.]

Hon. Diana Gibson: JEDI measures our investment, economic activity. Here are some examples. Since 2017, B.C. has received \$473 billion of private sector capital investment, enabling our economy to outperform other major provinces. In 2023, B.C. had the highest GDP growth amongst large provinces at 2.4 percent, ahead of Alberta

and Saskatchewan. Between 2017 and 2024, B.C.'s economy expanded 18 percent, the highest among large provinces, ahead of Ontario and Quebec. Since 2017, B.C. has gained 172,800 private sector jobs.

Of course, getting major projects across the finish line is another metric. B.C. is expediting 18 major projects valued at \$20 billion, including mines, renewable energy and natural gas, which is expected to create 8,000 jobs.

Gavin Dew: In preparing for these estimates, one of the documents that I reviewed was the 2019-2020 economic plan drafted by Don Wright, then Deputy Minister to the Premier, which I find quite interesting and which I think speaks to the mindset and approach of the Horgan government at the time.

In defining success economically, Mr. Wright wrote that quality economic growth is shorthand for growth that generates steady increases in real wages, healthy increases in per-capita real government revenue without raising tax rates, shares the benefits broadly across the province and across the population and cares for our natural environment.

Is it reasonable to assume that the tenets of this touchstone document that was circulated to all senior civil servants at the time and that, from all evidence, formed the basis for the economic strategy of the Horgan government remains a part of the thinking of this government and of this Ministry of Jobs, Economic Development and Innovation?

[2:55 p.m.]

Hon. Diana Gibson: The StrongerBC economic plan is a long-term framework for B.C.'s clean and inclusive economy, to create jobs and improve lives of British Columbia. Many of the plan's 70 actions have been completed since it was launched in 2022. As of February 2025, 37 actions are complete, and 32 are underway. Similarly, 12 out of the 14 flagship actions are complete, and the remaining two are underway.

As the final piece of the economic plan, the government released *Clean and Competitive: a Blueprint for B.C.'s Industrial Future* in April 2024. The blueprint lays out the promises of work to drive new investment, to create new jobs and seize new opportunities in growing clean energy and sustainable industries.

Government is also advancing clean and inclusive economic growth through a priority focus on health care, community safety and reducing cost of living. Government is introducing legislation that will help accelerate permitting for renewable energy projects and create good, family-supporting jobs, as natural resources are an integral part of B.C.'s economic plan.

Gavin Dew: Respectfully, that wasn't the question I asked. I didn't ask about StrongerBC from 2022. I asked

specifically about the 2019-2020 economic plan drafted by then Deputy Premier Don Wright, which generally could be interpreted as being the bible of John Horgan's economic doctrine.

Just to get a really clear answer, I'm just looking for a yes or no on this. Does this government still believe in the economic ideas and the economic doctrine outlined by Don Wright and John Horgan, which are best reflected in that 2019-2020 economic plan? Just a simple yes or no question. Probably shouldn't take a lot of time to huddle.

[3:00 p.m.]

Hon. Diana Gibson: As I said when I answered, StrongerBC is the economic plan, and natural resources are part of that plan. These are projects that create jobs from Smithers to Surrey, right across the province.

Some of the 18 projects that were fast-tracked in our recent announcement for employing 8,000 people across the province include Eskay Creek gold-silver project, Highland Valley Copper life extension, Red Chris block cave expansion, Mount Milligan, North Coast transmission line, Boulder-Elkhart Wind, Brewster wind, Highland Valley wind, K2 wind project, Mount Mabel wind project, Nilhts'I Ecoener project, Stewart Creek wind project, Taylor wind project, Nithi Mountain wind project, Cedar LNG, NEBC connector, T-North and others.

Gavin Dew: Okay, it doesn't seem like I'm going to get an answer as to whether John Horgan's economic legacy still remains part of this government's plan, but I'll ask about some details of that 2019-2020 plan. I'm going to ask multipart questions because I want to hurry this up. I've got a lot to get through.

Can the minister update, please, on the status of the northern strategy that was to be launched in 2019-2020? Further, can she update on the status of the regional economic strategies that were targeted by that 2019-2020 plan to be developed for the following areas: Metro Vancouver, Fraser Valley regional district, Squamish-Lillooet regional district, capital regional district, Comox Valley regional district, regional district of Nanaimo, regional district of Central Okanagan, regional district of North Okanagan, Okanagan-Similkameen regional district and Thompson-Nicola regional district?

I don't need a detailed update on any of those, but I would just like to get a clear answer, a really simple answer, as to whether, in fact, those regional economic strategies have actually been undertaken and what the status is of them as a whole.

[3:05 p.m.]

Hon. Diana Gibson: Northern and regional initiatives are across our programs. They include REDIP and the manufacturing jobs fund. They include the funding for economic development through the NDIT and South-

ern Interior Trust. They also include the work we're doing around permitting, which is impacting getting projects approved.

[3:10 p.m.]

These are all part of a regional economic growth program that crosses all of our programs. Additionally, we have strategies like the manufacturing action plan, the maritime industries strategy, the mass timber action plan and the life sciences strategy.

Gavin Dew: That's nice, but none of those are the ten regional economic strategies outlined and specifically called for in the 2019-2020 economic plan. It's unfortunate to see that that just kind of fell by the wayside.

Let's talk about another part of the 2019-2020 plan, and that's the intellectual property strategy, which was launched in 2020.

A couple of things here. Firstly, can the minister update on how the ministry is updating or evolving this strategy in response to recent shifts in our economic relationship with the United States? In terms of measuring the efficacy of the strategy, can the minister outline what percentage of Canada's international IP royalty receipts are attributable to B.C. and what the ministry's target is for growing that share relative to our share of GDP?

In terms of very specific and immediate budget questions, can the minister please update us on the status of the jointly provincially and federally funded AccelerateIP strategy, which gives companies funding to get their patenting off the ground?

I gather that that funding is coming to a close. There has been no subsequent announcement of any continuation of that funding, which tech leaders have described as crucial. What is the ministry doing to address that funding gap?

[3:15 p.m.]

Hon. Diana Gibson: Thank you, member opposite.

IP is implicated in all sectors of the economy, and it's a particular interest in our knowledge-based sectors, which is an increasingly important part of B.C.'s ecosystem.

In July 2023, that IP strategy was released, providing \$2.5 million to support B.C.'s IP capacity through awareness, education and mentoring programs to ensure businesses know the importance of the methods for protecting their IP; through fostering communications and connections; through partner and mentor networks; and through centralizing IP knowledge and resources, engaging across government to ensure underrepresented sectors or other groups are aware of and have access to IP supports and programs.

IP education programs leverage \$12.5 million in federal funding for that AccelerateIP program, and recipients have included other provinces, as well, including B.C. The province is delivering this IP strategy with a focus

on those pieces, building awareness, literacy and capacity within our tech ecosystem. To date, this IP strategy has provided education mentorship to over 1,000 organizations, primarily in small and medium enterprises.

The ministry is continuing to explore further steps to sustainably support our innovative and cultural and commercial IP ecosystems, while ensuring that the benefits of these ecosystems continue to support the people of B.C. Given the increased volatility in global markets, such as ongoing trade aggression from the U.S., our ministry is exploring options relating to IP to strengthen a fortified B.C. economy. We will work with the new federal government to ensure there are supports available for our businesses that need to protect their IP.

Gavin Dew: So exploring options but no update on the AccelerateIP strategy. Got it.

Now that we've done, for now, with going through programs that haven't come together out of that seminal economic plan of 2019-2022, let's just go back to some of the fundamental economic measures that Don Wright laid out.

Mr. Wright cited a goal of raising real wages and household disposable income as central to "quality economic growth." I had our researchers put together a table showing real median wages and household disposable income in B.C. from 2013 to 2023, and both real median wages and household disposable incomes have actually stagnated or declined in recent years under the leadership of this government.

Would the minister say that this government has failed by the definition of success laid out by Don Wright and John Horgan in that economic plan of 2019-2020?

[3:20 p.m.]

Hon. Diana Gibson: For the record, it's important to state that AccelerateIP is a federal program that has been successfully launched, and through Innovate B.C., B.C. continues to support the delivery of IP supports and services to B.C. businesses.

[3:25 p.m.]

As to the second part of the question, from 2017 to 2024, B.C.'s average hourly wage increased 38.1 percent, the highest growth amongst provinces, ahead of Ontario and Alberta as well as other provinces. B.C.'s average hourly wage increased 5.4 percent in 2024 and is the highest among provinces.

Since 2017, total employment has increased by 351,100. Full-time employment in B.C. accounts for over 91 percent of all job growths in 2017.

Gavin Dew: The last time I checked, I think the province funded AccelerateIP by about \$2 million. Not sure the minister is quite right on that. No real engagement with the matter of real median wages and disposable income, both of which have stalled out under this government and

both of which were the central indicators of success as outlined by Don Wright, who crafted John Horgan's economic strategy. This minister doesn't want to talk about it.

Let's talk about a different indicator. Let's talk about bankruptcies. I went through and reviewed some data on B.C. business bankruptcies and incorporations over a 19-year comparative period. What that chart looks like is that immediately after this NDP government was elected in 2017, it turns out that bankruptcies started rising and business formations substantially went down.

What does this say about the underlying health of the private sector under this government, and how does the ministry define success in terms of business vitality?

[3:30 p.m.]

[Jessie Sunner in the chair.]

Hon. Diana Gibson: First, I want to say that I know that these are challenging times for businesses, particularly our small businesses, which are the fabric of our communities. They're our neighbours. They're our friends. They're our family.

As a former small business owner myself, I know how much a small business owner puts into their business and how difficult it is when they have to face insolvency. I know that it has been a challenging time since 2017 in our province.

However, it is important to look at both the insolvencies and the new businesses. With the opportunities we've seen, B.C. has had the fourth-lowest, year-over-year increase in business insolvencies in 2024. B.C.'s rate of business insolvency per 100,000 active businesses was 100 or less from 2017 to 2022. Finally, year over year, in the last two months, business insolvencies were down 1.8 percent.

Gavin Dew: I'd certainly note that the monthly number of restaurant bankruptcies is at an all-time high in Canada. That certainly is challenging. We're seeing a lot of small businesses struggling, and we're seeing a lot of policy that isn't particularly helping them.

Since we're talking about economic performance, one of the things that this government likes to do is make comparisons to past governments. So I thought I would do a GDP growth comparison across the first seven years of this government's mandate relative to the first seven years of the mandate of the government that they often like to criticize.

When we look at 2001 to 2008 as our index of a prior government versus 2017 to 2024 as our index of this government, and we look at nominal GDP, we see an average of 7.2 percent average annual growth rate in the '01 to '08 scenario and a 5.7 percent growth rate in the current government's first seven years. On a GDP-per-capita basis, we saw a 6.3 percent increase under the prior government and a 4.7 percent increase under this government.

[3:35 p.m.]

When we look at that GDP-per-capita basis on a USD-denominated basis in order to understand purchasing power, what we saw is an 11.7 percent increase under the prior government and a 4.5 percent increase under this government.

I wonder if the minister would like to correct for the record some of the remarks made by her government around comparative economic growth.

Hon. Diana Gibson: We have been leading the country in economic growth, and this is despite serious headwinds: COVID, global inflation and record population growth.

Gavin Dew: Wow, I feel like I'm talking to a ChatGPT that's malfunctioning. It would be great if we could get some substantive answers here. That would be great. If we're going to take ten-minute pauses, we could at least get more than one-sentence answers.

[3:40 p.m.]

Let's talk about business confidence, since the minister won't talk about economic growth. One of the key things that I think is very important when it comes to small business is business confidence, and one of the measures that's regularly publicized is the CFIB *Business Barometer*. That business barometer has shown rock-bottom business confidence, with B.C. often at the absolute bottom of the pack in recent months, which is a pretty scary indicator.

When I posted about that on social media, I was very surprised at the response of Michael Roy, who previously served as director of direct communications and engagement within the government communications and public engagement branch of the Ministry of Finance, which suggests that he was fairly central to the way that this government communicated around finance and such matters.

He replied that small business confidence was "a silly metric." Does the minister agree that small business confidence is a silly metric, or does she think that it's important?

[3:45 p.m.]

The Chair: Before I recognize the minister, I'd just like to remind everyone in the room that the rules of decorum apply in this space as much as they apply in the chambers. I ask that we all speak to one another respectfully and thoughtfully engage in debate and remain temperate in our debate.

Just with that, I would recognize the minister.

Hon. Diana Gibson: I've been meeting with businesses across the province — small businesses, large businesses — doing round tables with business associations, chambers of commerce. In fact, just today met with the round table with businesses from West Kelowna to engage to find

out.... We know tariffs are creating headwinds, and something I've been hearing a lot from businesses that we're working on is the ease-of-doing-business review.

We are working to tackle red tape at every level, whether it's interprovincial trade barriers or if it's local policy barriers, so that we can help our businesses to thrive and grow and make it easier to do business. Some of these are decades-long problems that we're tackling so that we can help businesses thrive.

Gavin Dew: I'll come back to the matter of business confidence, but since the minister mentions meeting with small businesses and round tables with small businesses, I just wanted to circle back to the Small Business Roundtable.

The permanent Small Business Roundtable was established in 2005 to engage in dialogue with small business owners from across B.C. to identify top-of-mind issues and opportunities facing small businesses, according to the government website. The round table board is comprised of small business leaders from across B.C. who collectively represent the diverse interests of small business from all regions and sectors.

Chaired by the minister responsible for small business, this arm's-length advisory board engages with the small business community on behalf of the Minister of Jobs, Economic Development and Innovation through community consultation and through feedback received.

I just thought I would ask the minister, in light of the fact that we're going through very challenging times for small business, in light of the fact that we're wanting to consult with small business.... Can the minister tell me: when was the last meeting of the Small Business Roundtable, and how long was it?

[3:50 p.m.]

Hon. Diana Gibson: There are so many points of contact with small businesses across our province — across sectors, in regions, in municipalities.

Particularly because of this moment of uncertainty and international challenges coming at our businesses, I have been meeting with businesses through associations, across regions, across sites: women's entrepreneurs and businesses B.C., Nanaimo Chamber of Commerce, West Kelowna Chamber of Commerce, Greater Victoria Chamber of Commerce, BCBC, tech sector round table, manufacturing sector round table, life sciences, direct individual meetings with BCBC, CFIB, COFI, CMA, Food Processors Association, and in one-on-one meetings with businesses large and small.

Further, I'm frequently dialoguing with B.C. stakeholders to represent workers, business and industry from across the province and with Indigenous partners regarding the potential impacts of tariffs and our work together to respond.

I sit on the B.C. trade and economic security task force — which was set up to respond to this moment, to enable that engagement with business — co-chaired by Tamara Vrooman from the Vancouver International Airport, Jonathan Price from Teck and Bridgitte Anderson from the Greater Vancouver Board of Trade. It includes many of B.C.'s businesses and business associations.

The task force is holding in-person and virtual meetings, and my colleagues and I are in frequent discussion with the chairs and members of the task force regarding potential impacts of the tariffs on B.C. businesses. Members of the task force are feeding us important information from members to help us in our decision-making.

I'm also in frequent discussion with my cabinet colleagues regarding potential impacts as I sit on the cabinet committee on tariff response, which is coordinating the whole-of-government response to protect B.C.'s workers, businesses and economy against ongoing tariff threats. The committee will continue to ensure B.C.'s response is fast, tough and fully focused on protecting British Columbians, while strengthening and growing and diversifying our province's economy for the long term.

Finally, I sit on the committee for internal trade, interprovincially, where there is frequent contact with my federal counterparts across Canada. As we work to tackle the challenges, I'm hearing from businesses on the ground, from small businesses, around interprovincial trade barriers and access to markets.

Gavin Dew: I appreciate the summary of activities, but it doesn't answer my question whatsoever.

The Small Business Roundtable has existed for 20 years as a mechanism to collect ongoing feedback from the small business community. Since the minister wouldn't answer the question, I'll answer it for her. My understanding is the last time the Small Business Roundtable met was two years ago, and the meeting was 15 minutes long. That seems a little bit like a problem.

[3:55 p.m.]

We have a structured institutional entity created 20 years ago to hear the voices of small business. The excuse that we're in different times now doesn't wash when it comes to allowing this crucial piece of feedback around small business to languish, especially when we think about the fact that this is a government and this is a ministry that allowed Small Business B.C. to go bankrupt. This is a government that doesn't really seem very interested in talking to business, outside of a crisis, on a proactive basis.

I'll just take the minister back to the report of the Small Business Roundtable issued in October of 2018, entitled *Hearing from B.C. Small Businesses About How to Help Make Their Future Bright*. Priority 1 was to reduce costs of doing business to maintain and strengthen economic growth and competitiveness, and in particular, some of

the recommendations included reviewing the employer health tax to minimize its impact on small businesses.

That would seem quite important because that CFIB business barometer also measures business confidence and measures the impact of taxes and red tape. If you actually overlay the measurables in that business barometer and you look at responses around the weight of government red tape and payroll costs, they all go up dramatically immediately after the EHT was implemented. Furthermore, hiring intention goes down dramatically immediately after that was implemented.

You can see why, perhaps, you would have that kind of feedback from the Small Business Roundtable through their report. In fact, they specifically asked that the government conduct additional financial modelling and stakeholder analysis of the EHT to determine the extent of possible unintended consequences on small business in the short to medium term. They talked about all kinds of really interesting recommendations in here.

Two questions. Can the minister please update on the implementation status of the recommendations of that 2018 report from the Small Business Roundtable? And can she confirm whether or not the government lost interest in the Small Business Roundtable and ultimately stopped having it meet because they didn't like the recommendations of the report?

[4:00 p.m.]

[Jennifer Blatherwick in the chair.]

Hon. Diana Gibson: For the record, the last official meeting of the Small Business Roundtable was February 26, 2024, to provide input and advice on proposed changes to the securing small business rebate program to improve accessibility. On January 26, 2024, they met with the accessibility directorate of the Ministry of Social Development and Poverty Reduction.

On the supports for small businesses.... As a former small business owner, I can tell you that my priority is small businesses, and our ministry has been very focused on small businesses. We know they are the fabric of our communities. They are what keeps all of the community thriving and growing, such a key part of all of our economy. That's why our government has been working to support small businesses with major changes that have been made.

First, B.C. continues to have the third-lowest small business tax rate in the country, at 2 percent. B.C. introduced a small business venture capital tax credit program to encourage investors to invest in B.C.'s small businesses, giving them access to early-stage funding to help them grow. We expanded access to the small business tax rate, up to \$50 million in taxable capital, allowing more small businesses to have access to the tax rate for longer while they grow.

As part of Budget 2024, the province doubled the threshold for the employer health tax, mentioned by the member opposite as something that businesses have been asking for, from \$500,000 to \$1 million. The employer health tax threshold adjustment also includes doubling the notch rate in the \$1 million to \$1.5 million bracket, which ensures the tax gradually phases in for businesses with payrolls over \$1 million.

We've been listening to small businesses. We've been working with them. We've been meeting with them, and we'll be continuing to help them to thrive and grow. Further, our ease-of-doing-business review is going to be the next step in ensuring that we are responding to what businesses have been asking for.

[4:05 p.m.]

Gavin Dew: Since the minister mentions the securing small business rebate program, I'd love to talk about that a little bit. Recently Kamloops city council called for the restoration of that program, which helps small businesses recover costs incurred due to crime and vandalism. There have been a number of other questions asked around when that might be restored.

I note that vandalism certainly hasn't ended. In fact, looking at some recent data from Restaurants Canada, 72 percent of respondents have seen an increase in crime near their restaurants over the last six to 12 months, and 45 percent of restaurant operators have been directly impacted by community safety issues.

With that in mind, could the minister please expand on why the securing small business rebate has been discontinued? Specifically, could she clarify, of the \$10.5 million allocated toward the program, how much of that funding actually made it out the door and into the hands of small business? What were the administrative costs on the delivery of whatever that number was as a portion of the \$10.5 million originally allocated to the program?

[4:10 p.m.]

Hon. Diana Gibson: The securing small business rebate program was launched on November 22, 2023, to address the impacts of vandalism on small businesses. Businesses could apply for as much as \$2,000 per business per calendar year for the cost of repairs due to vandalism and up to \$1,000 for prevention measures and up to \$5,000 in total. After receiving feedback from the program administration and the business community, changes were made in the eligibility requirements in March 2024.

The program was developed in response to calls from small businesses, community stakeholder organizations and MLAs to address the impacts of business vandalism in B.C. Over the course of the program, 1,318 businesses were assisted, 488 businesses received reparative rebates, and 830 businesses received preventative rebates. The program closed on January 31, 2025.

The government continues to focus on and is listening to businesses that are asking for us to continue to focus on public safety. Through the appointment of Terry Yung as Minister of State for Community Safety but further through the Budget 2025, we launched a new community safety and targeted enforcement program that specifically targets the things businesses have been asking for: robbery, shoplifting, theft and property-related offences.

We're doing this through providing police with enhanced tools and more resources so that we can curb these crimes. This will support safer communities by helping tackle street disorder, stabilize commercial areas, protect jobs and support B.C.'s economic growth, because people should feel safe when they go to work and live in downtown areas, and this continues to be a priority for this government.

Gavin Dew: I know the minister has available a dollar figure, and I would love it if she would provide that to me.
[4:15 p.m.]

Hon. Diana Gibson: When we receive the final report from the chamber of commerce, which is the program deliverer, we'll be able to share those numbers.

Gavin Dew: I will look forward to seeing those numbers, and I hope that we'll also be able to see publicly the report on the feedback provided on the delivery and structure of the program, as I gather from consultation with stakeholders that there was significant feedback provided and little adjustment made to the program.

Let's move on to another collapse under this ministry. I'm hoping the minister can provide us with an update on the Small Business B.C. bankruptcy, and I have just a few questions on that, which hopefully won't take too long. I'll just spiel them all out here so that there can just be one huddle rather than five.

What percentage of taxpayer funds provided to Small Business B.C. were recovered following its collapse and entry into bankruptcy proceedings?

What, in the minister's view, caused its financial collapse, and what responsibility does the government bear, given that it was a special-purpose, publicly funded service provider and the government had direct representation on the board up until they resigned in October 2024?

The minister has publicly characterized Small Business B.C. as arm's-length. How often did Small Business B.C. meet with senior officials from the government, and from JEDI specifically, prior to its collapse?

When exactly did the government know that Small Business B.C. was in financial trouble? In speaking with other stakeholders in the broader business support ecosystem, many of them seem to have known months before that was publicly disclosed.

How many of the 36 former front-line employees of

Small Business B.C. are now directly employed by the provincial government, and what steps did the ministry take to retain their expertise or ensure service continuity for small businesses relying on those supports?

Given that apparently the MNP trustee who took over during bankruptcy offered a set of recommendations, including a restructuring of Small Business B.C., why did the government choose to allow Small Business B.C. to collapse and go bankrupt rather than going through a fairly routine, run-of-the-mill turnaround process to make sure that its core functions were preserved while its financial issues and apparent management issues were dealt with?

Finally, given that the collapse of Small Business B.C. overlapped with the provincial election cycle and that demonstrably, plenty of people knew that it was collapsing before the election cycle, is it fair to suggest that the government and the ministry were more focused on managing the optics or sweeping the situation under the rug than on executing an actual turnaround or support plan that would have provided continuity to the clients of Small Business B.C., which again, was under the very close management of the government, had direct board representation and for several decades had been effectively an extension of the provincial and federal governments?

[4:20 p.m.]

Hon. Diana Gibson: Small Business B.C. has been a valued, long-term partner to the province in delivering services to B.C.'s small business community. This was a very difficult situation for the employees of Small Business B.C. and for those that accessed their services and resources, and my heart goes out to them.

SBBC was an independent, non-profit organization, and the province did not have oversight of their financial operations. The B.C. government was one of many contractors that contracted them for services, including the federal government and others.

The Ministry of Jobs, Economic Development and Innovation was aware that filing for bankruptcy was a possibility. However, they had been advised by Small Business B.C. management and the board that they were taking action to address and resolve those financial difficulties. We were notified officially of the bankruptcy the day it happened.

The JEDI contract with Small Business B.C. has been reassigned to Community Futures B.C. with a term to March 31, 2025, and it includes two six-month extension options to March 2026.

The export navigator program had been delivered by Small Business B.C. since its 2016 launch. With the bankruptcy in December 2024, the province took swift action to reassign the contract and transition the program to Community Futures B.C. CFBC brings a depth of experience and resources and has been directly involved in the

export navigator since it was launched in 2016, delivering some of those services previously.

The transition to Community Futures was seamless for B.C. small businesses. All export navigator staff and export advisers were rehired, and the program returned to full operation within six weeks of the bankruptcy.

Gavin Dew: I find that account somewhat implausible in light of the close supervision relationship with Small Business B.C., but I feel like we've canvassed that enough publicly that we might as well just specifically talk about export navigator.

Seamless seems like a generous characterization of the transition, given that there was very little notice provided and that all of the people that worked for export navigator, from all appearances, were fired or let go. There was no information provided at the time as to what a transition plan would be, which is rather surprising. You would think that if there was going to be a transition, it would be a planned and orderly transition, and there would be communication rather than people being let go and having their contracts left unpaid and having no certainty as to whether they would be rehired whatsoever.

[4:25 p.m.]

I'm curious, and I'll lay out a few questions here as well, why government didn't simply reposition export navigator as part of their initial response to the Small Business B.C. situation. It seems like they undertook a hugely complex operation just to change what was effectively a flow-through of funds to a different flow-through partner. It's like changing a payroll partner in a business. I think people would not generally expect to have a six-week interruption of being paid in a situation that was seamless or that was smooth.

I would also note that I am aware that those individuals working for export navigator have not, in fact, had a smooth experience. In fact, as it stands, all of them are still going through a bankruptcy payout process, as far as I'm aware. To the best of my knowledge, if they're fortunate, they'll recoup about 70 percent of what they're owed. That's a 30 percent haircut on amounts owed to these individuals, who the minister has described as having a seamless transition of their employment. I really hope the minister can tell us a little bit about that situation, about how she thinks that's seamless.

I think, perhaps, really what strikes me as being most notable is that at the time when the transition was made from export navigator being reassigned to Community Futures B.C., there was actually no government announcement. Every appearance suggests that government was not particularly keen to announce that change in disposition, perhaps because of the scrutiny being placed on the fallout from the collapse of Small Business B.C.

I find that particularly surprising, especially given the fact that we are currently going through a trade crisis and

that trade diversification would seem to be an eminently important priority. You would think that the clients of export navigator, who had those services disrupted substantially due to the collapse of Small Business B.C. and the associated collapse of export navigator.... You'd think government would want to communicate to those people or communicate to the market that, in fact, export navigator was back up and running.

I'm really hoping the minister can just illuminate in a really honest way what actually happened with export navigator and maybe just, really specifically, talk about why there was no announcement at the time of that transition and that the only time that became public was some weeks or months later via a small Community Futures announcement in their e-newsletter, as far as I'm aware of.

In the middle of a trade war, you would think, as this government was talking about trade diversification, they'd be shouting from the hilltops about the new approach that they had taken to making sure that export navigator had continuity of operations, seamless employment, all those things.

Can the minister just walk us through the decision process there so we can understand what happened?

[4:30 p.m.]

Hon. Diana Gibson: As the member clearly understands, business bankruptcy was a separate organization under a trustee, which means it has its own process. It's far more complicated than just changing a payroll partner.

Our team worked hard to ensure that the program continued, with phone calls even on Christmas Eve trying to get the contract reassigned and ensure that continuity of service for businesses. That's because, as the member mentioned, we are in a tariff crisis, and our focus has been on ensuring that businesses had access to the program they needed during this time.

Thus, this program has been continuing to deliver business supports, providing access to 30 community-based export advisers who are specially trained and experienced professionals. These export advisers work one-on-one with businesses through three stages in the export pathway to become export ready.

Core services provided by this program include an export readiness assessment, a business needs assessment, market entry strategies support, market tools and information, and connections to support services and programs. Export-ready, export navigator clients are then referred to the trade accelerator or TIBC export services to participate in export programs, trade missions, trade shows and connections to B.C.'s trade and investment representatives.

The export navigator currently has over 400 active clients, of which 59 percent are owned by underrepresented groups and 71 percent are based in rural communities. And 27 percent of the export navigator clients begin ex-

porting within 12 months of participating in this important program. Export navigator clients average a net increase of 28 percent in export revenue per year. The export navigator program has been co-funded by JEDI and PacifiCan, with annual funding of \$1.2 million each.

Gavin Dew: Thank you. For future answers, let's assume that I can google and that I don't need an overview of the entirety of the program. I am looking to get to the bottom of a very complex situation here.

[4:35 p.m.]

Given that, as the minister has said, this was a complicated situation, one of the things that I did as the critic, in trying to understand what happened, is actually ask the Auditor General to review the situation. Unfortunately, the Auditor General declined, citing the fact that Small Business B.C. may not be able to be audited since it's being dissolved under bankruptcy proceedings.

The Auditor General specified that they do not have the mandate to conduct a performance audit of an organization like Small Business B.C., but they could normally conduct audits to determine whether organizations that received government grants complied with the grant's terms and conditions.

I have previously made a number of requests, back in the fall, for further information on this to the ministry. The minister has described the situation as complicated. Accountability is important. Understanding and learning from failures is important.

I would ask the minister, very simply: would she agree to ask the Auditor General to review the situation around the collapse of Small Business B.C. to the fullest extent possible? If necessary, will she seek the support of her government in amending the scope of the Auditor General in order to ensure that a complete and total, fulsome forensic audit is conducted so that we can all understand what happened at Small Business B.C.?

I think this is a very easy question to say yes to, and I certainly hope it won't take a ten-minute huddle.

Hon. Diana Gibson: As mentioned, it is a non-profit that is not controlled by the province of B.C. The bankruptcy process is a heavily regulated process, and the trustee will issue a report at the end of that process, which we are waiting for.

[4:40 p.m.]

Gavin Dew: For the record, the minister just declined to ask the Auditor General to undertake a review of the collapse of Small Business B.C., which her government had direct oversight of and by all appearances attempted to cover up during an election. That's just what happened. It's really quite shocking.

But let's move on to another lost thread with this government. When I look back to 2017, when I look back to

some of the Don Wright work, I look back to the Green-NDP CASA in 2017. In that CASA, there was a mandate to establish an emerging economy task force to address the changing nature of business over the next ten to 25 years. There was also a mandate to establish an innovation commission to support innovation and business development in the technology sector.

My understanding is that the last innovation commissioner left the role sometime last year and has not been replaced. I would love to be corrected on that. My understanding, also, is that the Emerging Economy Task Force is no longer active.

Can the minister provide an update on the process for hiring a new innovation commissioner and when that might be completed? Can she provide an update on the status of the Emerging Economy Task Force and on the status of the recommendations produced by the Emerging Economy Task Force?

[4:45 p.m.]

Hon. Diana Gibson: For the record, I said that we should allow the trustee process to unfold and wait for the report-out.

With regards to the innovation commissioner and Emerging Economy Task Force, these were functions of the CASA. The Emerging Economy Task Force reported out in March 2020 and continues to influence the work we're doing, as does the innovation commissioner. The influence of the innovation commissioner has helped to inform the establishment of InBC, the integrated marketplace and SIF.

The integrated marketplace has been delivering incredibly, with 30 projects, 51 businesses, \$14.7 million to help businesses commercialize. Businesses in the program have gone on to not just have national sales, but international sales.

Gavin Dew: The minister seems awfully angsty about just having the Auditor General do a simple review of an obvious boondoggle. It's really frustrating, and I really wish that the minister would get on board with transparency and support having the Auditor General do that work.

I think I just heard no answer on the innovation commissioner, and I'm going to take that as being there is no longer an innovation commissioner. I hope that perhaps, at some point, there might be an innovation commissioner again. That will be nice to hear about, and it would certainly be a continuation of commitments made to the Greens all those years ago.

Let's talk about something different. This one should hopefully be an easier one. The provincial government has invested heavily in bringing Web Summit to Vancouver. What is the total investment across all ministries, and

what measures are in place to ensure taxpayers get a return on that investment?

[4:50 p.m.]

Specifically, what is the ministry doing to ensure the economic impact of this event extends beyond downtown Vancouver and benefits innovation and entrepreneurship across the province? What actions have been undertaken in this first year of Web Summit to deliver against the mandate for a Road to Web Summit series of events and activities designed to ensure that tech innovators and entrepreneurs throughout the province have the opportunity to be engaged with and to benefit from Web Summit and from the significant investment of taxpayer dollars that has been used to bring that great event to Vancouver?

[4:55 p.m.]

Hon. Diana Gibson: The province has partnered with PacifiCan, Destination Vancouver, Invest Vancouver and the city of Vancouver to bring one of the world's biggest tech conferences to B.C., Web Summit. The province is investing \$2.2 million in funding to host Web Summit Vancouver this year.

The expected benefits from Web Summit Vancouver for B.C. include, but are not limited to, increased direct spending leading to provincial tax revenue, job creation, investment, trade development, venture capital attraction and an increase in B.C.'s tech brand and international profile.

Innovate B.C.'s leading sector-readiness program — so the Road to Web Summit Vancouver — to prepare start-up companies for Web Summit includes in-person and virtual events so that people and businesses from across the province can attend.

I was at a biotech event in Victoria recently, and the energy was palpable. Start-ups are so excited to be in the room. Web Summit has confirmed over 600 companies will be there, investors will be there and 15,000 guests.

The day before Web Summit, there is an investor tour around Metro Vancouver, and companies will have a chance to pitch to a global audience. This is an opportunity to put B.C. start-ups on the world stage and ensure that not just the Road to Web Summit preps them but that the event itself is a global stage for B.C. companies.

I'm hoping that I will see the member opposite there while we put B.C. on the world stage.

Gavin Dew: Thank you to the minister. I appreciate the invitation. I would love nothing more. Certainly a big supporter of Web Summit. I think it has a potential to have huge impact for Vancouver and British Columbia.

I do appreciate that there's a one-day tour of Metro Vancouver, but I do want to flag some concern that has been expressed by a variety of different economic groups and innovation groups outside of Vancouver and the

Lower Mainland around the extent of funding going into support for Web Summit without a significant regional strategy that reaches beyond Metro Vancouver.

It was brought to my attention recently that the Northern Innovation Network has lost its funding. I understand that there will no longer be core funding of \$210,000 to Innovate B.C., and there has been no extension of services funding previously of \$472,000 over three years through the REDIP-FIT program.

[5:00 p.m.]

As a result of that, several northern regions will lose all access to a tech accelerator, just as we should be thinking about diversifying our economy, and we should be thinking about resource innovation, and we should be thinking about supporting economic growth throughout the entirety of the province, not just in the Lower Mainland.

Could the minister expand on the approach that government is taking to ensure that innovation ecosystem funding is flowing to all regions of the province? Can she commit to reviewing the loss of funding for Northern Innovation Network and similar organizations and ensuring that that funding is duly restored to make sure that we're able to strengthen our innovation ecosystem all around the province? Thanks so much.

Hon. Diana Gibson: The venture accelerator program continues to be available to businesses from across B.C., including rural and remote regions.

Innovate B.C. is working to leverage federal funding for ongoing regional innovation networks. Trade and Invest B.C., in partnership with regional economic operations of JEDI, is hosting a regional showcase event in conjunction with Web Summit, where regional economic development offices are invited to showcase their businesses to investors and the world stage at Web Summit.

The Chair: The Chair will call a short recess for ten minutes. We need to return at 5:15.

The committee recessed from 5:05 p.m. to 5:16 p.m.

[Jennifer Blatherwick in the chair.]

Gavin Dew: Before the break, we heard the minister confirm that there will apparently be no return of funding for the Northern Innovation Network.

Let's shift gears to a bit of a different issue. According to the Business Council of B.C., the underground economy in B.C. may account for 10 percent or more of the province's GDP. One of the areas where there's a significant underground economy is in the cannabis sector, where estimates suggest that approximately two-thirds of the sector remains underground. In fact, there's solid evidence to suggest that the sector is actually moving back underground as a result of policy failures by both the federal and provincial governments.

As of 2024, sales of regulated cannabis reached or exceeded \$6 billion, and B.C. is already home to some of the most celebrated brands. But there are significant challenges facing the sector, including but not limited to excessive taxation, illicit market pricing and the effect of the BCLDB's 15 percent proprietary fee on margin crunch for those individuals as they do direct delivery.

There have been a fairly substantial number of different, solid recommendations coming out of professional groups and organizations in the regulated cannabis sector, including the idea of introducing a B.C. cannabis jobs tax credit; establishing a cannabis innovation and agritech fund; establishing cannabis manufacturing and processing grants; removing the farm status exemption, which would allow cannabis growers to access the same benefits as other farms; adjusting farm-gate licensing fees to align with other agricultural sectors; permitting indoor consumption with licensed production retail stores; enforcing the current regulations; or publicly endorsing a 10 percent ad valorem excise tax as a change to the federal tax approach.

When I talk to stakeholders in that sector, one of their great frustrations is that they can't figure out who's actually in charge of thinking about cannabis as an economic development challenge in the province, despite the size of the market.

When I tried to figure that out, I actually went on to the email directory, and I found that there exists an email address for "economic development, cannabis" under the Ministry of Jobs, Economic Development and Innovation that formerly employed or that apparently is associated with somebody named Bianca Wallace. But nobody in the sector seems to know who's actually responsible for addressing that particular large, growing sector, from an economic development perspective.

Can the minister provide an update on who's in charge of thinking through the economic development challenges and opportunities around cannabis? Has the government, in the years since legalization, developed or released a comprehensive economic development strategy for the regulated cannabis sector, including specific actions to support growth, investment and the transition from an unregulated market?

[5:20 p.m.]

Hon. Diana Gibson: PSSG ministry has a cannabis secretariat that oversees all non-medical cannabis policy. With relation to tax and financial issues, it's best to ask the Finance Ministry.

Gavin Dew: Then why is there an email address for cannabis economic development under JEDI?

[5:25 p.m.]

Hon. Diana Gibson: That email stems from JEDI's in-

volvement when the legalization process was happening and is in the process of being transferred.

Gavin Dew: I would just reiterate the disappointment of stakeholders at the lack of an economic development orientation toward a growing sector. It strikes me, based on my conversations with stakeholders, that there has been no effort to shift the thinking around that particular sector into thinking of it as a regulated industry that needs to be dealt with from an economic development perspective and that has the potential to not only grow but also to repatriate revenue so that it's taxed by government instead of by gangs.

Let's talk a little bit about life sciences and efforts to strengthen the commercialization pipeline from research to innovation to commercialization. There's a lot we could talk about on this front, but just a couple of questions here.

Firstly, what is the ministry doing to coordinate with the Ministry of Health, given the extent to which market access for innovative medicines is a driver of life sciences investment in the province? There is a considerable degree of frustration at the listing timelines and other dynamics with innovative medicines in B.C.

Secondly, what is the government doing or the ministry doing to address the shortage of wet labs in British Columbia?

Thirdly, will the minister consider, in light of the lack of engagement with industry over the last number of years, implementing something akin to the Ontario advisory model, along the lines of the Ontario Life Sciences Council? That brought together leaders from industry, academia and health care to advise the government on policies and strategies in order to strengthen the life sciences sector.

[5:30 p.m.]

Hon. Diana Gibson: B.C.'s life sciences strategy was developed in partnership with Life Sciences B.C. and the Minister of Health. It was a collaborative initiative. In fact, we won a partnership award for the collaboration associated with that life sciences strategy. Life Sciences B.C. is a highly effective agency representing organizations from across that sector, and we meet with them very regularly.

Under our life sciences B.C. strategy, wet labs are part of our strategy. We have been investing in wet labs and mentor spaces with the adMare BioInnovations facility, in which we invested \$10 million; Vancouver Island Life Sciences, our biomanufacturing training facility, where we're investing in the training pipeline and talent pipeline; and additional biomanufacturing capacity in anchor companies, with AbCellera's expansion, Aspect Biosystems and TRIUMF B.C. cancer radiation.

We've also moved from just the manufacturing into clinical trials, as well, and have been investing, co-investing and leveraging federal investment dollars in the

clinical trials unit at Mount Saint Joseph's and the endowed UBC pharmacology chair.

Gavin Dew: I appreciate that and appreciate the good work of all those organizations in that sector.

The Minister of Energy recently confirmed that this government is in support of expanding the capacity of the Trans Mountain Pipeline again, specifically by dredging Burrard Inlet to allow fully laden Aframax tankers to carry oil.

Can the minister expand on the role that Jobs, Economic Development and Innovation will play in the expansion of this market access pipeline or the expansion of its effective capacity, whether that's through mechanical means, chemical means or through the previously mentioned dredging of Burrard Inlet to allow fully laden Aframax tankers?

[5:35 p.m.]

Hon. Diana Gibson: I believe, as you mentioned, that you had canvassed this already with the Minister of Environment, and I think it was pointed out that this largely sits with the federal government, as most of it's federally regulated.

Gavin Dew: That was with the Minister of Energy, who specifically confirmed that there were a number of different federal and provincial dimensions to it. I would cast the minister's mind back to the previous efforts of her government to use every tool in the toolkit and every permit to obstruct the original construction of the pipeline.

I do just want to stay on the subject of pipelines. I cast my mind back to 2005, when the minister wrote a paper called *Back to Hewers of Wood and Drawers of Water: Energy, Trade and the Demise of Petrochemicals in Alberta*. That report argued that Alberta's reliance on raw exports, like unrefined oil sands bitumen, and free trade policies was undermining value-added industry and jobs.

I would also remind the minister of her work with Firelight research cooperative, during which time she co-led research for First Nations concerned about the impacts of pipelines, mines and other resource developments.

I just wanted to double-check. Is the minister personally on board with this government's pro-pipeline agenda to build both oil and gas pipelines and support trade-enabling infrastructure? Is she personally on board?

[5:40 p.m.]

Hon. Diana Gibson: I believe you canvassed the Minister of Energy on the project, and it has been answered.

Gavin Dew: Is the minister personally supportive of expanding pipelines through British Columbia? Simple question, very important. This is a ministry that has a crucial role to play in economic development. This is the min-

ister that oversees trade, that oversees a Team Canada approach to trade, that talks frequently about Team Canada, that talks about collaborating with other provinces, that talks about the importance of a unified strategy.

This is a government that says it wants to work toward an overall national strategy on exports. This is a government that very recently has indicated that alongside the Carney government, this government is supportive of expanding the effective capacity of the Trans Mountain oil pipeline by dredging Burrard Inlet to allow fully laden Aframax tankers to transit, in order to get more Team Canada oil to international markets.

I think this should be a really, really simple question, and I hope the minister can just let me know: is she personally on board with that agenda?

[5:45 p.m.]

Hon. Diana Gibson: The government has been very clear with its plan to expedite projects and publish the list which makes it really clear what the government's position is, and it includes everything from critical minerals and energy to wind and solar.

The government is continuing to work, as am I with my team, to fast-track projects on that list.

Gavin Dew: That wasn't an answer whatsoever.

The question is very, very simple. In recent days, the Minister of Energy has made explicitly clear that this government and this Premier, in conjunction with this Prime Minister, actively support dredging Burrard Inlet to allow fully laden oil tankers to transit so that we can get Team Canada oil to world markets as part of a Team Canada approach to diversifying our trade away from the United States of America.

I would think that the Minister for Jobs, Economic Development and Innovation, who oversees the trade portfolio, would be able to provide a simple answer as to whether she supports this government's agenda on that matter. That seems like a very simple request to make, and if the minister is not able or willing to answer that question, it gives me very deep concern about the unity of this NDP caucus.

Let me just try this again. Will the minister confirm that she is on board with the government's stated agenda, in collaboration with the federal Liberal government, of enabling and moving forward dredging Burrard Inlet to allow fully laden Aframax tankers, full of Team Canada oil, to get to world markets? Or will she at least confirm that she will recuse herself or remove herself from any decisions in which her own personal anti-energy or anti-oil biases might prevent her from being able to move this project forward in the most effective way possible?

I'm just looking for a really simple answer that I think should not require a ten-minute huddle.

Hon. Diana Gibson: As a member of cabinet, I support cabinet decisions, and this has been asked and answered.

Gavin Dew: I note that the minister is unable or unwilling to state her personal views on the matter, but we'll move on.

On that same issue, though, there's a news article out today in which the B.C. Green Party, which is currently in a confidence agreement with the NDP, "expressed surprise at the government position on the dredging of Burrard Inlet to allow fully laden Aframax tankers," which they did not learn about until I asked questions about it of the Minister of Energy in the Legislature.

To quote the MLA for West Vancouver–Sea to Sky: "I hadn't even heard about this until Gavin Dew asked in estimates, and I was a little bit surprised by the answer."

Casting our mind to the Green-NDP agreement in principle here, I notice that under section 5, implementation, the parties "agree to work in good faith and with no surprises. This means both parties commit to open and honest communication on areas related to the agreement. It includes advance notice of major policy shifts on areas that are outside of but may impact the agreement."

Would the minister characterize this as a major policy shift?

The Chair: Member, could you please explain for the Chair how this is relevant to the estimates?

Gavin Dew: I absolutely will. Unfortunately, the minister has been unable to provide a clear answer as to whether she will support the government's direction in terms of dredging Burrard Inlet. That's a crucial area. Jobs, Economic Development and Innovation has a role to play. Trade is a crucial aspect. Negotiating with our neighbouring provinces around trade-enabling infrastructure is a crucial aspect.

I think this is a very easy, simple question. I think it's a very, very simple one, with an easy answer.

[5:50 p.m.]

Again, does the minister believe that the decision to support dredging Burrard Inlet to allow fully laden Aframax tankers comprises a major policy shift on the part of the government, in light of the fact that it previously opposed this pipeline?

[5:55 p.m.]

Hon. Diana Gibson: As minister responsible for trade and trade diversification in this moment, any opportunity that we have in British Columbia to expand our export capacity is something we're looking at seriously. Everything that goes through our ports right now, whether that's potash, grain, cars, even....

There are so many resources that we're exporting and so much that's being exported from our province and

from across the country at our major ports. Exporting from our ports is something that we're looking at seriously, every opportunity that we can, to increase. Right now we need to grow our capacity at our ports to export, and we'll continue to do that.

Gavin Dew: I note the minister conspicuously avoided saying oil, which her government supports exporting more of via our ports, constituting a major policy shift from years of obstructionism on that particular pipeline, which helped drive the cost up to \$34 billion and required a nationalization. It strikes me as a major policy shift and something that, maybe, the Greens want to know about. But hey, what do I know? I'll let you guys figure out your own agreement.

Let's talk about private sector jobs. There are so many different studies with so many different timelines around public sector versus private sector job creation in the province of British Columbia. Here's one from December of 2024 from the Business Council of British Columbia, with whom the minister met last week.

"Public sector payrolls have swelled by 45,000 over the past two years while the number of employees in the private sector advanced by a paltry 15,000. The result is that over the past two years, there have been three people hired in the public sector for every new employee in the private sector. Over the past five years, that ratio is even higher, at about 4.4 to 1." That's 4.4 to 1 in favour of public sector hiring.

Most economists and labour market theorists would suggest that it should be the opposite. It should be in the four to five range, in terms of four to five private sector jobs to support one public sector job. So we've had massive growth and, according to the budget, a 41 percent increase in the size of public sector employment in the life of this government.

Meanwhile, we've got this little problem with private sector growth, and that is that it really hasn't grown. While our public sector is growing at three times the rate of the rest of Canada, we're actually significantly below trend on private sector jobs.

If you look at another analysis, also from the Business Council of British Columbia and you actually look at what the trend line was from January 2013 to December of 2019, and you then project that trend line forward to today, and then you compare that to actuals, we're actually 9 percent below that trend line in terms of private sector growth. The net effect is that we're actually missing 286,000 private sector jobs relative to what the trend line was up until December of 2019.

That seems like a bit of a problem. In light of that fact, just a very simple question: what does the minister believe is an appropriate ratio of public sector to private sector job creation in the province of British Columbia, going forward?

[6:00 p.m.]

Hon. Diana Gibson: I'm quite sure the member isn't suggesting that we not hire front-line health care workers, nurses or teachers and people to work in our school system with record population growth. I'm sure the member opposite isn't suggesting that we not hire front-line workers to deliver core services people need, especially as we navigate challenging times. These are the people in our community that are out eating at restaurants, buying winter coats and getting haircuts for their kids, supporting our local small businesses. That's what helps our communities thrive — both together.

B.C. has had private sector job growth. In 2024, we added 35,800 private sector jobs, and from 2017 to 2024, we added 165,000 private sector jobs. B.C. outperforms most provinces in self-employment job creation, and this reflects a supportive entrepreneurial environment.

Gavin Dew: I didn't hear a ratio there. It seems as if this government has a strange belief that supporting private sector job growth means opposing the presence of a public sector. That couldn't be further from the truth. The reality is that this government has massively swollen the size of government and has not grown the economy to pay for it, so now we face very, very real fiscal challenges and very real labour market challenges.

Just to try to bring some depth to this conversation, I'll ask a few questions. I understand that the minister can't provide a response right now, but I'd appreciate it if the ministry would table some analysis and response.

Has the ministry modelled the distortionary effect of rapid public sector hiring on the availability of talent for start-ups, scale-ups and established companies, particularly in areas like data science and software engineering?

Can the minister provide a five-year trend analysis on median wage growth in B.C.'s private sector versus the public sector and explain how diverging trends affect labour mobility, inflation pressures and long-term fiscal sustainability?

Finally, what is the current ratio of average total compensation, including pensions and benefits, in the public versus private sector in B.C.? What is the ministry doing to ensure that this imbalance does not distort labour market incentives or create retention challenges for private employers?

[6:05 p.m.]

In other words, what is the ministry doing about the crowding-out effect, where such a massive increase in public sector hiring is actually crowding talent out of the private sector just as we need to grow the private sector — again, grow the private sector to pay for the public sector?

I hope that I can get a detailed analysis of those factors undertaken by the ministry so we can actually be

thoughtful about this conversation, not just revert to tired ideology.

Again I would ask the minister to please provide an indication of what ratio of public sector to private sector job growth she believes is appropriate. I would remind her that the general target ratio economists talk about is 5 to 1 private sector to public sector and that we are currently doing roughly the opposite. So just a simple number. What's the right ratio that her ministry is targeting as the Ministry for Jobs, Economic Development and Innovation?

Hon. Diana Gibson: There are an awful lot of questions in that question, so our ministry will get back to you on that.

Gavin Dew: I will look forward to receiving an answer in writing from the ministry to all those questions, including an identified target for the ratio of public sector to private sector job creation in the province. I look forward to seeing that.

Let's talk about marginal effective tax rates. If you look at the history of marginal effective tax rates, British Columbia has gone from being middle of the pack in around 2005, competitive in 2011, high in around 2013 and as of 2020, the highest in Canada. We actually have a really high marginal effective tax rate, and I would like to understand how the minister believes that is affecting economic development in the province.

Specifically, what assessment has the ministry done of the elasticity of private capital investment with respect to provincial policy changes, including increased regulation, tax shift, our growing marginal effective tax rate and labour costs? What are the affected long-run consequences for capital flight or disinvestment?

[6:10 p.m.]

I'd like to understand, again, that overall approach to addressing the growing tax burden, addressing the growing regulatory burden. But very specifically, I'd like to understand how this ministry is thinking about the implications of our nationally leading marginal effective tax rate.

Hon. Diana Gibson: That question is the purview of the Minister of Finance, and we suggest you canvass them.

Gavin Dew: The question was very specifically about not the tax itself but the implications of our marginal effective tax rate on investment and economic development. It's an area that I expect probably was discussed when the minister met last week with the Business Council of British Columbia.

I think that it's certainly very reasonable to inquire as to whether improving the marginal effective tax rate

would have an effect on investment, on economic development and all those other areas.

[6:15 p.m.]

Maybe I'll just go to another history question and look back to the minister's former role with Canadians for Tax Fairness, where she called for a crackdown on tax havens and said that history has shown us, unambiguously, that it's preferable to raise taxes on those with high incomes than to cut spending.

In fact, specifically during Newfoundland and Labrador's deficit crisis, which is quite comparable to the deficit crisis that we now face, the minister toured the province to propose alternatives. She said: "There's no reason why fairness cannot be reinstated in the income tax structures. Corporate taxes could be higher. Don't let corporations and the wealthy off the hook."

I do just really want to understand how the minister squares that thinking with her current role. I'd really like to understand whether she thinks that we will be better able to attract investment and economic development in the province of British Columbia if we worked on our marginal effective tax rate or if she believes that corporate taxes should be higher.

[6:20 p.m.]

Hon. Diana Gibson: As the member opposite knows, when firms look to invest, they look at many, many factors, including things like a stable political environment; an educated workforce; permitting timelines; an innovation ecosystem; research opportunities, like research universities; talent pipelines; infrastructure; and overall cost — things like health care costs, which create a competitive advantage for us over states that haven't got public health care.

As the member mentioned, B.C. Business Council mentioned that I met with them just recently, and priorities that they identified for us are things that we're already working on: permitting timelines and ease of doing business and interprovincial trade. These are areas where we're heavily focused on finding action.

I just want to read in the foreign direct investment numbers to show the trend that we have. B.C. is doing very well on attracting foreign investment because we offer so much. B.C. has exactly what is needed around those factors that businesses are looking for. In 2022, it was \$1.97 billion; 2023, \$2.79 billion; and 2024, \$3.59 billion. It's showing a very positive trend and good level of foreign investment.

Teresa Wat: As the Trade critic, I would like to ask a question about trade, but I see I'm running out of time. I'd like to give a little bit of context before I ask the question.

On December 30, 2019, with little attention during, of course, the Christmas and New Year's period, the then minister responsible for trade, Bruce Ralston, announced

that government was closing 13 standalone B.C. trade offices in Asia. The province said the contractor service roles would now be embedded in Canadian embassies in star position.

But when NDP took over in 2017, the effectiveness of the standalone B.C. trade offices has never been publicly questioned. Indeed, this government has touted the presence and the growth of Asian trade and investment in the B.C. economy, noting in its 2018 study an exceptional return on the investment in the offices: \$450 million in export deals, nearly \$1.4 billion in investment and more than 4,600 private sector jobs.

Then this government has refused to release a subsequent consultant's report, despite several requests under the FOI Act. But those who have seen the consultant report said it did not recommend closure at all. Even the federal embassies were caught by surprise about the announcement, and they said they were not consulted ahead of time, despite Ralston's assertions.

Since the then minister said the closure is a cost-saving measure, can this minister tell us whether the government has some statistics to show how much this ministry has saved by changing the model? And since I don't have time to ask another question, is there a performance measure to show the public with the changing of this trade office model?

[6:25 p.m.]

Hon. Diana Gibson: We did not close offices. What we did was we moved to a co-located model, where our offices are co-located in the embassy, which creates the opportunity of having the calling card of the maple leaf, which opens doors that have been super advantageous for our Trade and Invest team and our businesses in B.C. This is a model that the other provinces had, including Saskatchewan and out east, Ontario and Quebec, which was giving them an advantage over B.C.

Trade and Invest representatives have annual performance measures for the number of trade and investment opportunities they support, the number and value of trade and investment deals they facilitate. They also have targets for the number of underrepresented groups they support and the number of promotional campaigns they organize.

In fiscal year 2023-24, the ministry recorded a total of 28 investment deals, at an estimated \$321.8 million in value; 103 trade deals, at an estimated \$102.3 million; and supported 801 opportunities for the entire network.

Of those that are collected in Asian offices, 14 investment deals, at an estimated \$101 million; 98 trade deals, at an estimated \$66.6 million; and 477 opportunities were supported.

Thus far, for the fiscal year '24-25, as of February, the ministry recorded a total of 20 investment deals at an estimated \$1.1 billion, 96 trade deals at an estimated \$56 mil-

lion and supported 734 opportunities for the entire network, as of February 14, 2025.

[6:30 p.m.]

Of those that are co-located in Asian offices, 11 investment deals at an estimated \$58.1 million, 62 trade deals estimated at \$36.9 million and 433 opportunities were supported.

We are seeing closer collaboration between the B.C. and federal teams across the globe on joint trade and investment activities and information-sharing. That's the calling card. Co-location in embassies and consulates allows B.C.'s Trade and Invest representatives to leverage the Canada brand to attract and grow B.C.'s network of business contacts for the B.C. exporters we serve and the foreign investors we engage.

We maintain 37 trade and investment representatives across Japan, South Korea, China, Southeast Asia and India, including new trade and investment representatives in Taiwan and Vietnam, markets not served under the previous contracted model.

The physical space where B.C.'s trade and investment representatives work is not material to the trade and investment outcomes they achieve. Co-location in embassies and consulates allows B.C.'s trade and investment representatives to leverage the Canada brand to attract and grow B.C.'s network of business contacts for the B.C. exporters we serve and the foreign investors we engage.

Gavin Dew: Thank you very much on behalf of myself and my colleague the MLA for Richmond-Bridgeport. I appreciate the time today. I appreciate the spirited but engaged conversation, and I look forward to continuing our engagement over the years to come.

The Chair: Seeing no further questions, I ask the minister if they would like to make any closing remarks.

Hon. Diana Gibson: I'll keep it short. Thank you so much to the member opposite for the questions and for the opportunity to engage. I look forward to engaging further.

The Chair: Thank you, Minister, and all members. Seeing no further questions, I will now call the vote.

Vote 38: ministry operations, \$116,223,000 — approved.

The Chair: We will now take a short recess to allow the next ministry to prepare.

The committee recessed from 6:32 p.m. to 6:42 p.m.

[George Anderson in the chair.]

ESTIMATES: MINISTRY OF TRANSPORTATION AND TRANSIT

The Chair: I call Committee of Supply, Section A, back to order. We are meeting today to consider the budget estimates of the Ministry of Transportation and Transit.

On Vote 45: ministry operations, \$1,191,816,000.

The Chair: Minister, do you have any opening remarks?

Hon. Mike Farnworth: Just very briefly, I am looking forward to these estimates in a new ministry, after a number of years in the previous ministry of PSSG.

I'm joined by capable staff: Heather Wood, my deputy minister; Paula Cousins, my assistant deputy minister; Heather Hill, my EFO; and Darrell Gunn, the senior director for the north of the province.

I look forward to an interesting discussion on the estimates of this ministry, which does some incredible work around the province. With that, I will await questions.

The Chair: I now recognize the member for Langley-Abbotsford. Would you like to make any opening remarks?

Harman Bhangu: Thank you very much, Speaker, and I appreciate the opportunity to come here and ask some well-needed questions. I'd like to hand the floor over to my colleague from Prince George-North Cariboo.

Sheldon Clare: In a letter from the minister to my office dated April 4, 2025, the minister described the Quesnel north-south interconnector preliminary design work as having "the addition of two lanes to the Quesnel River Bridge and the Quesnel rail overhead bridge." On the ministry's own website about the Quesnel north-south interconnector, the project, as presented, has a four-lane design with "two new superstructures to replace the Quesnel River Bridge and the Quesnel rail crossing bridge."

Would the minister please clarify if the ministry intends to replace the Quesnel River Bridge and Quesnel rail crossing with two new four-lane bridges, or if the ministry plans to add two lanes to the existing Quesnel River Bridge and the Quesnel rail crossing bridge?

[6:45 p.m.]

Hon. Mike Farnworth: I appreciate the question. At this time, the focus is on the Quesnel overhead and the rehabilitation of the two lanes on that and also about maintaining the safety of the two particular bridges.

We are still in the process of determining future needs as to whether it may well be, in the future, four lanes. But at this point, the focus is on safety and the overhead of the two lanes in terms of being rehabilitated. The four

lanes are possible in the future, but that still has to be determined.

Sheldon Clare: What additional phases are required, and what are the associated costs of said phases to advance the Quesnel north-south interconnector from the preliminary design phase to construction phase?

[6:50 p.m.]

Hon. Mike Farnworth: Again, I appreciate the question from the member. Preliminary work has been done. What's happening now is the focus on the rehabilitation and the safety, which I just outlined in the previous question. The next stage would be to look at advanced design, which would then be part of the process of moving it up to becoming part of the capital program.

Sheldon Clare: What is the current construction cost estimate for the Quesnel north-south interconnector project as a whole?

Hon. Mike Farnworth: I can tell the member that it would be a very expensive project. You wouldn't know the exact cost until you'd got all your engineering done, your design work done and you go out to tender. I can tell you it'll be over \$1 billion, in today's dollars.

Sheldon Clare: It has been indicated that the replacement of the Quesnel River Bridge is required within 15 years, at a cost of approximately \$400 million. Is this cost estimate based on a new four-lane superstructure, as per the Quesnel north-south interconnector preliminary design, or is it based on the replacement of the existing Quesnel River Bridge, on the existing alignment, with two lanes?

[6:55 p.m.]

Hon. Mike Farnworth: I thank the member for the question.

That estimate of the \$400 million was based on replacing both structures. It was based on either a four-lane structure or two, two-lane structures. That was an estimate roughly in 2021.

Sheldon Clare: The minister has indicated to me and the member for Langley-Abbotsford that the Quesnel River Bridge and Quesnel rail crossing bridge remain in a safe and serviceable condition and receive regular inspections by qualified personnel.

Who are the qualified personnel, and what does regular inspections mean — multiple times a year, once a year, every two years? Are these structural engineering inspections?

[7:00 p.m.]

Hon. Mike Farnworth: I thank the member for the question.

All bridges in this province are inspected every year by qualified professionals. On top of that, older structures, such as the ones you're talking about, receive a detailed assessment every few years by structural engineers.

Sheldon Clare: Would the minister please advise as to when the last inspection by a structural engineer of these two particular structures was done?

Hon. Mike Farnworth: The fall of 2023.

Sheldon Clare: I thank the minister for the responses to the questions.

I would like to move to the Cariboo Road recovery projects. How much money to date, including the announcement made by the ministry last week, has been spent on the Cariboo Road recovery projects, and what is the current value of the Cariboo Road recovery projects?

Also, does the Cache Creek crossing restoration project fall within the Cariboo Road recovery projects?

Hon. Mike Farnworth: I appreciate the question from the member.

In terms of Cache Creek, no, it's not part of the program.

In terms of the amount that has been spent, over the last two years, it's been \$30 million, much of that on the planning stage. And then over the next three years, \$630 million has been committed to the program.

Sheldon Clare: I have documentation prepared by the Ministry of Transportation and Transit from mid-April that the Cariboo Road recovery projects are valued at \$1.2 billion. Has the valuation changed since mid-April, and where has that differential gone?

[7:05 p.m.]

Hon. Mike Farnworth: I thank the member for the question.

The difference between the two figures is that the \$1.2 billion is joint funding from both the feds and the province for the DFAA, which is the disaster financial assistance arrangement. The \$630 million is over the next three years for projects that already now have gotten the engineering and can be constructed.

There will be other projects, because it goes past the three years, that are in what you would call a preliminary stage right now that will be accessing that funding as they come into the appropriate stage where they can be built.

Sheldon Clare: Thank you to the minister for your responses to the questions so far.

Speaking of other projects, I would like to now move to the Quesnel-Hixon Road.

On the Quesnel-Hixon Road situation, according to Ministry of Transportation documents: "Engineer assessments deemed the cost to re-establish the Quesnel-Hixon Road was in the hundreds of millions."

While we understand the decision was made to prioritize the reliability of Highway 97 at the Cottonwood slide, can the minister please clarify the considerations of the engineering assessment as well as specific cost estimates of the engineering assessment to re-establish Quesnel-Hixon Road? What specific dollar amount does hundreds of millions mean?

[7:10 p.m.]

Hon. Mike Farnworth: I thank the member for the question.

In the particular case of the slide we're talking about that took place on that road.... When something like that happens, our staff works with outside professionals to look at what has taken place and do the technical work to understand what options there are. The number that they came back with, that you're looking for, was over \$300 million.

Sheldon Clare: Thank you to the minister for the clear answer to the question.

I'd like to move now to Durrell Road. We had a preliminary chat about that today. On April 30, the ministry announced the permanent closure of 400 metres of Durrell Road, to the surprise and concern of constituents and my office alike.

The minister's letter to my office, dated April 4, stated: "Regarding Durrell Road, technical work on this project is near completion." The Durrell Road project had two options, option 1 being an extension to Brotherhood Road to intersect with Dale Lake Road north of the slide area and option 2 being the rehabilitation of the slide-affected 400-metre stretch of Durrell Road.

What were the technical reasons for why the ministry decided to permanently close the slide portion of Durrell Road? What were the cost estimates for option 1 of the Durrell Road project, being the extension of Brotherhood Road to intersect with the Dale Lake Road; and for option 2, being the rehabilitation of Durrell Road at the slide event?

Hon. Mike Farnworth: I appreciate the question from the member.

Two things. In terms of the stabilization that was required for the stretch of road that we're talking about, it's about \$50 million.

[7:15 p.m.]

In terms of the technical details, that's not quite what we have here today, but what I'd be happy to do is arrange

for the member a technical briefing with the geotechnical engineer who is specific to the particular site that we're discussing here.

Sheldon Clare: I appreciate the answer. I do have one other question about Durrell Road.

Did the ministry consider the ramifications of the permanent closure of 400 metres of Durrell Road, including fire service coverage for the residents east of the closure; the extended time for school bus commuting; the increased cost for residents on their home and property insurance; the increased emissions due to extended travel times and distance for residents and commercial, government and industrial road users; and critically, the extended time and distance for wildfire response from the south, including the Kersley volunteer fire department, to Dragon Mountain Park, which hosts north Cariboo's critical communications infrastructure, which I had the fortune to visit just the other day?

Hon. Mike Farnworth: I appreciate the question from the member.

Yeah, I can tell you that we do take all those factors into account. We also did consult with the regional district on impacts such as fire service, for example. I can confirm — because when we had our brief conversation earlier, you mentioned issues around fire insurance — that fire service is there on both sides. Insurance is tied to that provision of those services.

But if the member has anything contrary to that, let us know. We're more than happy to take a look at it.

Sheldon Clare: Thank you for your response. I look forward to further dialogue on that particular issue.

I only have a couple of other questions. Regarding Highway 26 at Stanley, can the minister provide an update on long-term solutions to the slide event on Highway 26 near Stanley, west of the district of Wells? There is a temporary bridge that has been installed. Are there plans for a permanent solution?

[7:20 p.m.]

Hon. Mike Farnworth: The work is still being done in terms of engineering and understanding exactly what would be the ideal replacement, whether that be a new bridge or a culvert. In the meantime, the current structure will continue to be in place and be maintained.

Sheldon Clare: Terribly sorry to hear that.

A question about the Ministry of Transportation and Transit office in Quesnel. Since the end of March, the Quesnel Ministry of Transportation and Transit office has been closed to the public. What are the current staffing levels at the Quesnel and Williams Lake offices compared to five-year averages? How many staff positions are

temporary? How many are currently vacant? And what is the timeline for the reopening of the Quesnel Ministry of Transportation and Transit office to the public?

Hon. Mike Farnworth: I appreciate the question from the member.

The specific numbers we will get you, those numbers that you've asked for. But in the meantime, what I can tell you is that we are endeavouring to staff those positions in the Quesnel office. It's not closed — like closed, closed. It's still available by appointment by members of the public. If I could give you a timeline, I would give you a timeline, but we would like to get that open. In the meantime, Williams Lake is, in essence, the full service.

The other thing I would also add is that there are no plans, in case anybody is wondering, to close the Quesnel office.

Sheldon Clare: Thank you for the answer, to the minister.

Regarding the Port of Vancouver, Port of Prince Rupert, inland ports and CN intermodal terminals, I would like to move to the effects of the growing stockpiling, congestion and reductions in shipping traffic at the Port of Vancouver and Port of Prince Rupert.

[7:25 p.m.]

Last week Millar Western announced the temporary curtailment of Quesnel River Pulp, resulting in the layoff of some 90 workers. This decision in part was due to the growing stockpiling congestion at the Port of Vancouver.

Can the minister elaborate as to the situation at the Port of Vancouver, Port of Prince Rupert and inland ports at Prince George and Terrace, as well as CN intermodal terminals as far as actual or anticipated stockpiling and congestion is concerned?

Has the minister considered what the adverse effects of anticipated or actual reductions in international shipping traffic are for supply chain networks in the province?

Hon. Mike Farnworth: I appreciate the question from the member.

[The bells were rung.]

Hon. Mike Farnworth: Let's just see how many bells. One. Two. Three.

The Chair: A division has been called in the chamber, and we will be taking a recess.

The committee recessed from 7:28 p.m. to 8:08 p.m.

[George Anderson in the chair.]

The Chair: I call Committee of Supply, Section A, back to order. I recognize the minister to continue his remarks.

Hon. Mike Farnworth: I appreciate the question that the member asked me before.

I'll start by saying that this is a very complex issue in the sense that ports are federal. The terminal operators, private sector, decide what gets stored and what flows through. That's based on ships coming in to take product to whatever destination.

We are in a challenging time right now in terms of both south of the border and in the rest of the world because of what's happening south of the border. All of those things impact supply chains. All of those things are outside of the control of the province.

Are we concerned about it? Absolutely. That's why different ministries are working on different aspects of the challenges that we face, both internally, in terms of within British Columbia, but also nationally, when it comes to supply chains and the issues around....

Whether it's ports or rail corridors, we do pay close attention to what's going on and work as much as possible in terms of whether there are issues with the regulatory authorities who have some jurisdiction in those particular areas.

That's the answer that I can give you at this point.

Sheldon Clare: Thanks to the minister and the staff for the responses to the questions.

I just have one final question before I hand over. The CVSE station near Red Rock was destroyed in a fire under suspicious circumstances.

[8:10 p.m.]

What is the status of the investigation, and when do we expect to see that particular scale restored to operational status?

Hon. Mike Farnworth: I thank the member for the question.

It's a high priority for us. The design work is underway, and we expect construction on the new scale to start early next year.

In terms of the investigation, that's really up to the RCMP. I can tell you from my time in my previous ministry that they will do their investigation, and at some point, they will let us know. But in the meantime, that's in their hands.

Sheldon Clare: Thank you to the minister and the staff for their answers to the question. I appreciate all of the time that they're all spending here this evening to serve the public.

I would now like to hand it over to the member for West Vancouver–Capilano.

Lynne Block: I will just preface that I'm not going to ask about any infrastructure, but I'm excited that the new minister — the new policies, whatever — is living on the

North Shore. I'm thrilled because I know that that will be a new endeavour to get maybe bridges or a third transit or something.

Anyway, thank you.

Transit and transportation planning on the North Shore, especially in my riding, West Vancouver–Capilano, and around Capilano University, is fundamentally failing the communities it is meant to serve.

In Eagle Harbour and Lower Caulfeild in West Vancouver, students living just beyond a rigid 4.8 kilometre radius are entirely without school or public transport and transit to Rockridge Secondary. This arbitrary boundary leaves middle-income families scrambling for costly ride-shares and inconvenient carpools — or considering relocation — while putting teens at risk on dark, unlit routes like Westport and Headland Drive.

The situation is even more dire at Capilano University. The cancellation of direct regional routes like the 239 has turned previously manageable commutes into 1½-hour, three-transfer marathons. Overloaded alternatives like route 245 are routinely packed and unreliable, especially during peak student hours.

Despite CapU being situated in a designated “transit-oriented development” zone, it has been completely bypassed by recent expansions, including the new R2 Rapid-Bus extension and the upcoming bus rapid transit, BRT, line.

This mismatch between policy and practice reveals a growing disconnect. While government and planners tout sustainability and density, on the ground, transit access is regressing. Car dependence is rising, road congestion is worsening, and the very green goals like Teenz Bus It and reduced vehicle use are being undermined by poor infrastructure and planning.

[8:15 p.m.]

At its core, the problem isn't funding; it's focus. Transit dollars are being directed toward high-profile regional corridors while essential local services are neglected. Until this imbalance is corrected, the North Shore will continue to see strained families, unsafe commutes and missed opportunities for true climate resilience and equity.

Why is the ministry allowing essential communities like Eagle Harbour, Lower Caulfeild and Capilano University to be excluded from reliable transit, despite provincial commitments to equity, safety and sustainability? What concrete actions will be taken to close these service gaps in this next fiscal year?

Hon. Mike Farnworth: I have a couple of questions that will assist in the formation of my answer. I know CapU is in the district of North Vancouver, correct? The other two communities you mentioned — are they in North Vancouver as well, or are they in West Vancouver?

Lynne Block: The other two are in West Vancouver.

I'm West Vancouver–Capilano, and a lot of my students go to Capilano University, and there's the glitch.

Hon. Mike Farnworth: I appreciate the question from the member as well as the clarification, because that has some bearing on my answer.

In terms of the bus routes themselves, the province doesn't have a role in that. What we do, though, is help fund the investment plan. That's where we put in the \$312 million this year for TransLink to be able to provide service expansion. That money, along with what TransLink is doing, is going to result in a 5 percent expansion in terms of provision of service. That's the largest expansion since 2018.

I understand the member's concern about the large projects which get a lot of attention. Those are capital projects that are funded separately.

In terms of the individual bus routes or transit routes that the member is concerned about, those are decided by TransLink at that local level, involving the Mayors Council. So part and parcel of that would be to raise those specific routes with, I guess, the mayor of West Vancouver, who would be, I think, Mark Sager. And then in terms of Capilano, it would be the district of North Vancouver.

[8:20 p.m.]

My hope would be, and I guess your hope would be, that the money that's been given and the ability to expand.... Part of the expansion is to be focused in those underserved areas where there are significant gaps and significant demand. From what you've described to me, it sounds like that is one of those areas that should be a priority for where the decisions around the expansion and that 5 percent increase in service take place. I know other areas are, for example, in the south end of the south side of the Fraser.

Lynne Block: Thank you for the answer. I do appreciate that. I will review that.

I just want to let you know they had a big...

The Chair: Member, questions and comments are through the Chair.

Lynne Block: Through the Chair, my comment is that they just did a redevelopment of the Phibbs Exchange. The problem is they didn't put any bathrooms in. So maybe that's something that we could look at as well.

Anyway, the other question I do have is with what you've just said. Capilano University is designated as a transit-oriented development zone. So if I wish better transit from West Vancouver to Capilano University, you've been telling me that it's through the mayors. Is that correct? And TransLink — is that correct?

The Chair: Member.

Lynne Block: Through the Chair, sorry.

The Chair: It's not the issue of saying "through the Chair." It's the "you" statement. It should be "the minister."

Lynne Block: The minister. I beg your pardon. Thank you.

My question to the minister is, through the Chair, whether or not the transit-oriented development zone, which is not working right now, has to go through the mayors and through TransLink.

Hon. Mike Farnworth: There were two different things going on here. I want to make sure I get at least one of them right. In fact, I know they'll both be right.

As the transit-oriented developments take place, it's TransLink that makes the decisions in terms of the service levels that would be required for those particular areas.

Then the second thing I just wanted to clarify. You didn't say, I believe, that the ministry does infrastructure, or you said that it doesn't do infrastructure?

Okay, we're good. Thanks. The nod of the head was all I needed.

The Chair: Minister, a reminder. "Member," not "you."
[8:25 p.m.]

Lynne Block: The Bowser Island encampment situated on Ministry of Transportation and Infrastructure, or MOTI, managed land near Highway 1 and the Capilano Road off-ramp in North Van has become a source of escalating alarm for residents, commuters and environmental advocates over the past two years. What began as a small group of vehicles has expanded into a sprawling encampment of RVs, cars and makeshift shelters, located dangerously close to a high-speed, blind corner off-ramp long known for traffic incidents.

Beyond the serious public safety risks, the encampment sits adjacent to the Capilano River which supports threatened salmon and steelhead populations. Local residents have reported pollution from garbage and human waste, unauthorized dumping of fill, suspected illegal utility connections and growing concerns about slope stability and aging water infrastructure. These reports come from the Pemberton Heights Community Association and surrounding neighbourhoods, whose members fear a major accident, landslide or environmental breach.

On March 4, 2025, my MLA office wrote to the Minister of Public Safety and Solicitor General, urging immediate intervention to protect the local residents, infrastructure and the river ecosystem. The mayor of the district of North Vancouver and the president of the Pemberton Heights Community Association submitted similar appeals on March 10.

The president's second letter, sent on April 9 after a lack

of substantive response, reflected mounting community frustration, stating: "The silence from you, your ministry and your government is deafening. Your inactions continue to threaten the lives of those who drive by this encampment daily. Perhaps we should create an encampment within a kilometre of your home and see how long it takes you before you take action."

Despite a multi-agency site visit on January 29, 2025, and a planning meeting involving MHMA, MOTI and district staff on April 14, no concrete timeline has been shared publicly for addressing the hazards.

The minister's April 22 response acknowledged the risks but offered only general assurances, stating that the province is working with Miller Capilano and other agencies to clean and secure the site and that a compassionate and collaborative approach is being taken. He noted that many of the occupants do not consider themselves homeless and have refused offers of support or shelter.

However, enforcement has been inconsistent. Residents report ongoing illegal driving behaviours, lack of bylaw compliance and little RCMP presence, despite escalating danger in and around the camp. Miller Capilano, the MOTI contractor responsible for the site, claims it awaits ministry direction and cannot act independently.

Meanwhile, the only shelter in North Vancouver is at capacity, and there is currently no transitional or supportive housing available in the area. The Bowser encampment has now become a flashpoint for broader dissatisfaction with how the provincial homelessness strategy, belonging in B.C., is being implemented at the regional level. Without immediate safeguards or a clear relocation plan, public trust in provincial leadership is eroding, and residents are actively considering legal options to compel action.

What is the specific timeline and action plan for dismantling the Bowser Island encampment, and how will the province ensure that individuals are relocated or supported through a humane, coordinated strategy involving housing and health outreach?

[8:30 p.m.]

Hon. Mike Farnworth: I thank the member for the question. I can tell the member that I'm familiar with the site. I have seen some of the pictures of it, and I agree with the member that there are people there who say that they are not homeless. I've seen a variety of vehicles. Some of them are fairly run down; others are anything but. I've seen pictures of some quite expensive-looking RVs there.

The ministry has made a commitment in terms of installing garbage to get the place cleaned. Those are there. They do, on a regular basis, go in and empty them. I know that there is planning in terms of a gate to secure or to prevent people from being able to access. I've asked about that. I will follow up with that for the member.

Can I give us an exact timeline? No, because we do work with other agencies in trying to relocate those people

who are homeless. But I will follow up with the issues raised by the member to see where things are at and what further action needs to be taken.

Lynne Block: Thank you for the response. I appreciate that.

What interim safety and environmental protections besides the gate and the garbage cans, such as fencing, regular cleanup, slope monitoring, traffic enforcement and pollution containment, will be implemented immediately to prevent injury, ecological harm or further infrastructure damage while a permanent solution is pursued?

[8:35 p.m.]

Hon. Mike Farnworth: What I can tell the member is that the ministry is in contact with the city on some of the concerns that the member has raised. The whole approach to this is a cross-agency and -ministry approach that's required, obviously, in terms of the housing side of things. We take the concerns that the city will raise to the appropriate ministries, and I'll endeavour to get further information for the member and keep her apprised as things progress on the issue.

Lynne Block: Thank you to the minister for promising to keep me apprised. That would be really helpful, because a lot of times people, every week, want to know what's going on, what the verdict is. I realize it's a difficult situation, but I'm sure that it will be resolved in the near future.

Thank you for that time. I thank you, Minister, and the staff, for their patience and for their fulsome responses, and I thank you, Chair.

Now I'd like to pass it over to my wonderful colleague here the member for Kamloops-North Thompson, who gave me part of his time here.

Ward Stamer: We'll probably be running out of time, because I have a couple of questions here to the minister. I'd like to ask the minister a couple of specific questions and try to frame it with the limited information that I have, and the history with this.

Just to get a better understanding, when we look at Budget 2025 and we look at the commitment of this government that talks about improvements to our infrastructure not only in the Lower Mainland with TransLink but throughout our entire transportation corridor, I have some specific questions in regard to the amount of money that is being invested in Highway 1 from Kamloops to the Alberta border and in Highway 5 from Kamloops to the Alberta border.

I have some fairly specific questions and examples, and I'd like an understanding from the minister with his ministry staff on an explanation on how some of these decisions were made in the past and what we can be looking forward to into the future. First of all, I think we will agree

that there is quite an imbalance between the amount of money that has been spent on Highway 1 and Highway 5.

[8:40 p.m.]

When you look at the numbers, approximately \$2 billion has been spent, I believe, over the last 15 years on Highway 1 from Kamloops to the Alberta border, yet in that same time frame, even adding up the two improvements in the last two years in Exlou with the CVSE and the lights in the Exlou canyon, that number for Highway 5 is a paltry \$25 million. That's 1½ percent of what Highway 5 has received in that same time frame.

I'd like a bit of an explanation, first of all, why this ministry continues to overfund a highway knowing... Yes, Highway 5 is not a trans-Canada highway, but it does link all the way to Ontario via Highway 16 in Alberta. Why does this ministry consistently underfund Highway 5? That's my first question.

Hon. Mike Farnworth: I appreciate the question from the member.

I just want to start off by saying it's not true that Highway 5 is underfunded. In the last number of years, I think, one of the most important... I'll back up by saying that there are a number of factors that go into determining the expenditures made by the ministry in determining which projects are the priority projects, based on things such as economics, traffic volume, both commercial and non-commercial.

I think one of the biggest factors around the issue of Highway 5 was in fact the reinstatement of Highway 5 on the Coquihalla, where more than \$350 million was spent, a significant amount of money that, had that reinstatement not been required, would have obviously been expended on other sections of highways in the province.

[8:45 p.m.]

That was an enormous sense of pride, not only for the ministry but for the workers that built, worked on that reinstatement, bringing it in ahead of schedule, on time, and had a significant economic impact on our highway system within the province.

So I don't agree with the member's assessment that we are neglecting or underfunding Highway 5. He is correct. It's not number one, but it is very much an important transportation corridor within the province, and there will continue to be improvements on that highway, both in terms of the safety side of things but also in terms of making it more efficient for the movement of goods, both commercial and non-commercial.

Noting the time, I move that the committee rise, report progress and ask leave to sit again.

I move the committee rise, report resolution and completion of the estimates of the Ministry of Social Development and Poverty Reduction, and I also move that the committee rise, report resolution and completion of the

estimates of the Ministry of Jobs, Economic Development and Innovation.

Motions approved.

The Chair: Thank you, Members. This committee stands adjourned.

The committee rose at 8:46 p.m.

Proceedings in the Birch Room

The House in Committee, Section C.

The committee met at 1:33 p.m.

[George Anderson in the chair.]

Committee of the Whole

BILL 7 — ECONOMIC STABILIZATION (TARIFF RESPONSE) ACT (continued)

The Chair: Good afternoon, Members. I call Committee of the Whole on Bill 7, Economic Stabilization (Tariff Response) Act, to order. We are on clause 14.

On clause 14 (continued).

Kiel Giddens: It's an honour to be up again today for continued discussions on Bill 7 here.

As we've heard from the Attorney General critic and others, we're trying to understand why and how and in which way these tolls, fees and charges could be implemented and their reason for being to begin with.

As I represent.... We've talked about this, I know. I have to bring it up a number of times. I represent a rural riding.
[1:35 p.m.]

I think about my neighbours to the northeast of me, the Alaska Highway and the areas up around Fort Nelson, folks who live in the far northeast of the province, and same thing in the far northwest, as we reach into Alaska, trying to figure out how this would actually work. I just want to make sure that these tolls don't disproportionately impact residents in some of these very remote and, by any stretch, underserved areas of the province. A lot of them are Indigenous communities like, say, the Tłı̨t'an up in the northwest.

How is the government going to ensure that some of these areas of the province aren't unduly impacted?

Hon. Niki Sharma: That's exactly why the bill is designed as it is, as the member rightly brought to this House's

attention that there are different parts of the province that have different dependency on transport reliability.

The beauty of the way the powers are set out in this bill is the combination of this clause that we're talking about, in clause 18, would allow the minister and cabinet to consider and make sure that any regional impacts or any decision that's made would be taken into account or mitigated or just prevented from happening through that use of the power.

Kiel Giddens: Just in that, will there be consultation with those potentially impacted communities...? Maybe speaking to the North, kind of, to start, will there be consultation with them so that they can provide feedback into how these are actually implemented?

Hon. Niki Sharma: Yeah, of course. Before anything is put in place, not only would we have many levels of understanding, first of all, that it's a cabinet discussion, so the cabinet could fully discuss the implications of that, but also beforehand, you could have the Minister of Transport, who's constantly in communication with different stakeholders, make sure that they are reaching out to that particular area that's going to be....

If we ever get to that stage, and we hopefully won't, that there would be a regime put in place — how to make sure that there's no impacts and make sure people are talked to at that stage.

Kiel Giddens: Maybe along the same lines, the member for Surrey–White Rock asked me to bring up a question, just noting that Peace Arch border crossing, for example, has thousands of cars and trucks traversing. It's a major commercial crossing, obviously.

With that, will communities that are along the borders where these crossings....? Will Surrey and communities like White Rock and regional districts from the coast to the Alberta border be consulted and be a part of this conversation?

Hon. Niki Sharma: Same answer as before, just a different region. That would have to be part of the process, going forward, if this power was ever to be used, and hopefully, we never get to a stage where that's contemplated.

Kiel Giddens: I think I understand the Attorney General, that that process still has to be designed and is not necessarily ready. But is it possible for a commitment here today that First Nations and local governments are the key groups that are consulted in the design and application of those?

Hon. Niki Sharma: Government has seen it fit to show their commitment to the Indigenous people of this

province so strongly that there's a piece of legislation that guides us under DRIPA.

So yes, that's part of all of our work of every ministry and everything that we do. And yes, local governments are included in a lot of the discussions and, especially, the tables that various ministers are at with tariff response.

[1:40 p.m.]

Kiel Giddens: Maybe just moving on to a different topic.

Trying to, again, understand the toll or fee structure under this clause and the ways it could be potentially designed, could those include a cost recovery model? Could they include congestion pricing? We've talked a bit about vehicle levies, things like that. Is there another fiscal instrument that could be contemplated? Could the minister list all of those and what those would be?

Hon. Niki Sharma: A few of the things, including congestion pricing, are an entirely different subject, policy development response, and do not fit within the context of this bill. As a bill that is about tariff response and economic stabilization, it's tooling up government to be able to respond to a trade war. The tolls, fees and charges that are set out to be established, if ever used, would be in the context of that.

Kiel Giddens: I understand that's not.... I appreciate the Attorney General's comments, but I'm wondering. The mechanisms, the financial instruments that could be used.... If it's not the ones just suggested, like congestion pricing — I'm glad to get that confirmation — what instruments could be actually used to implement this?

Hon. Niki Sharma: The details in which that could be implemented are rightly talked about under clause 18, because then I would be able to talk about the different tools that the cabinet minister would have to implement anything under here.

Kiel Giddens: I appreciate that answer. I think we'll maybe save some of that discussion for that later clause, so I'll move on.

I'm wondering if the clause would also authorize dynamic or automated tolling systems, things like licence plate recognition, or is that something that should also wait till clause 18, to discuss those types of mechanisms?

Hon. Niki Sharma: Yes, clause 18. I'm happy to go into detail about the different regulatory tools that are available for the types of things that the member is asking about.

The Chair: We are on clause 14.

Kiel Giddens: Maybe further on this specific clause, can the minister confirm whether this clause permits differential pricing for commercial versus personal vehicles, if there's a difference in that regard?

Hon. Niki Sharma: Again, in clause 18, happy to discuss that.

Kiel Giddens: Maybe a different question. I'll go back a little bit to the discussion of local governments.

We talked a little bit about consultation before, and I think this would apply, certainly, for Indigenous communities, as well as their interest in this. But what about the mechanisms, I guess, if they chose to appeal a toll, fee or charge? Is there a way for Indigenous communities or local governments to appeal the tolling decisions in some way?

[1:45 p.m.]

Hon. Niki Sharma: The first response to mitigate the type of concern that the member raised, where there's a direct conflict, is in design.

When we get to clause 18, we can talk about it, but you can design a toll or charge, in a way, regionally. We talked about it. If there are specific concerns from the Indigenous community about how it would apply to them, you could design it in a way that mitigates that. That would be the upfront way to do it, so we'd want to hear those concerns beforehand.

Then the second way to do it is.... If all of those mechanisms fail, if there's a legal argument or a legal dispute, it would be the court system.

Kiel Giddens: I appreciate the Attorney General's response.

In a minute, I'm going to turn it over to the critic for Municipal Affairs and Local Governments, just because I think it will continue some of the same line of questions. But before I do, I think this is maybe a segue to him afterwards.

The Attorney General referenced that Indigenous communities would go through that process, potentially. I think avoiding litigation process is probably better, so I would hope that some sort of an appeal mechanism could be put in place so that it's clear that local governments and Indigenous communities would have an obvious and very defined window ability on this specific mechanism to be able to appeal that.

Is that something that can be considered?

Hon. Niki Sharma: Let's talk it through in terms of dispute resolution in the context of this, because I think there are probably two ways to look at it.

One way is that much like other ticketing offences or charges, an individual has been charged something, and they want to dispute it. If you're talking about that indi-

vidualized mechanism, the regulatory power for making that regime is in 18. If you were putting into place a toll, fee or structure on some kind of provincial infrastructure, you would also set up the individual dispute mechanisms that would be in place for that, just like we do with many other things. I'm sure we've all been part of that at some point — contesting something.

[1:50 p.m.]

If it's a community-level concern, that can also show up in an individual charge sometimes, or an individual dispute. But if it's a community-level concern, the way to mitigate that dispute — I think I answered it in the other question — is to understand the design up front so you could understand what the community concerns are about, because the whole goal of this is to be a retaliatory measure that combats certain parties and not others. Clause 18 gives you the flexibility to design it as such.

Tony Luck: It's good to be here. I'm getting up to speed on this. I've got some questions here to ask. Not sure if they've been asked before, but we'll go through the process. You can certainly let me know.

The Chair: Don't worry. I'll let you know.

Tony Luck: You'll let me know. I'm sure you will.

One of the things I'm still getting my head wrapped around a bit: we heard pretty precisely today that tolls were not going to affect British Columbians. Are these tolls for British Columbians, or are these simply for commerce coming out of the United States, to fight tariffs from the United States? Are they going to affect citizens of British Columbia? I'm a little confused on that in these lines of questioning here.

Hon. Niki Sharma: I have, in fact, answered this question quite a few times.

The point of this, the whole goal of this bill is to.... In the unlikely event, and hopefully an event we don't see, the need to escalate. It fits into the Team Canada approach that a lot of provincial governments have been raising the tools that they have within their jurisdiction to respond if necessary.

Everything would be implemented if we ever get there, and let's hope we don't, in a way that would not impact British Columbians but impact the people that we would want to impact.

Tony Luck: That gives me a small bit of a better feeling in my tummy here about that.

Having looked at that, then, let's move on with some of the questions around clause 14. What criteria are used to determine when tolls, fees and charges are to be applied under section 14?

Hon. Niki Sharma: As a jurisdiction that's been working in this Team Canada approach, a few things would happen before, I think, if this bill comes into effect, these provisions would be triggered.

First of all, we are in an escalating trade war. We have been working as a Team Canada approach to understand and coordinate escalations that are happening. I'm sure everybody in this House has followed those kinds of different steps.

The Premier and relevant ministers are constantly at the table with their counterparts to understand that. If we were in a situation where the coordinated Team Canada approach was to step into an escalation phase, then that would be something that would trigger....

First, it will be a minister — in this case, the Minister of Transportation — that would have the ability to do the policy work on this tool, so to understand where and when and how this would be done in a way to minimize or have no impacts on British Columbians. It would be a cabinet-level decision at that.

The policy directive is what is in the best interests of British Columbia and Canada in the context of this trade war.

Tony Luck: Thank you for that answer.

Has the minister conducted any cost-benefit analysis on the implementation of toll systems? The reason I ask that: I live in rural British Columbia. We have the Coquihalla, which was tolled once. Tolls are off now, but they might go back on again.

There could be some confusion around that for the rural communities like my own, so am I going to get tolled? Am I not? Is it just for U.S. commerce, and that kind of thing?

Has there been any cost-benefit analysis of what this is going to look like if we start tolling and we get U.S. traders deciding to avoid those tolls by not coming into British Columbia?

Hon. Niki Sharma: I have answered this question in the line of questioning before. I already talked about the time of escalation. I think this would only be contemplated in the context of that and the tools that make it so you can do the analysis and the discussion before it's put in place to understand local impacts at that stage.

It would not be targeted at British Columbians. Actually, clause 18 gives you the ability to very precisely target it the way that you would want to or need to in that event.

[1:55 p.m.]

Steve Kooner: Before the break, we were discussing a question that I had asked, and there was an answer supplied. That had to do with whether certain tools were looked at, some tools in terms of a framework that the en-

abling legislation was geared towards to actually allow those tools to work. The answer was applied, but then the break hit us.

Just in regard to that. Some tools were looked at with some other ministries and the Attorney General's department, and then enabling legislation was created. What were those tools that the Attorney General's department looked at with the other ministries?

Hon. Niki Sharma: My policy team and the one sitting here spoke with the Ministry of Transportation to talk through what the possibilities were, the powers that were needed, what was needed to do something like this in the event that it would have to happen.

What you have before you is a result of that. Each one of the clauses in this part are a result of that conversation with the Ministry of Transport.

Steve Kooner: Just a follow-up point to that. I appreciate the answer there, but I'm still left in the dark a little bit in terms of what was discussed. I understand there was enabling legislation and there were some tools, and in order to get to the tools, we needed to have the enabling legislation.

I asked a question of what those tools were. I was told there were a lot of discussions that were had with other ministries. What were the discussions in terms of that? If the tools can't be named, what were the discussions?

Hon. Niki Sharma: Just for some guidance from the Chair here, we are debating the contents of clause 14. The member is asking questions about what was discussed or what wasn't discussed, and I've answered the question.

What was discussed with the Ministry of Transportation is how to implement tolls, fees and charges for provincial infrastructure, and that is exactly the regime that we have in front of us. I'm happy to go through the contents of what they are as we go through the clauses.

Steve Kooner: Okay, so going back to clause 14, there's enabling legislation. Before we got to the enabling legislation, clause 14, there was a certain framework that the legislation was going to address, and that's how the legislation was formalized, because it was created to enable a certain framework.

Now, I didn't receive an answer to what those tools were, but what I did receive was information that there were some sort of discussions that were had, and those discussions led to the formation of the enabling legislation of clause 14. I think that's directly relevant. How did 14 come about?

There were some discussions that were had. What were those discussions? What's the substance of those discussions, and how did they lead to clause 14?

The Chair: The Attorney General has advised that she has answered this question. I've sat in this chair and have heard her answer the question. Perhaps if you'd like to try a new line of questioning, that would be helpful to allow us to continue productive debate on clause 14.

[2:00 p.m.]

Steve Kooner: Thank you for the comment, Chair.

I am still left in the dark. I don't know if the people at home understood that. I didn't understand. I don't understand what actually led to the enabling legislation in clause 14. I don't know what specific tools, don't know what specific discussions....

The Chair: The minister advised that she communicated with the Ministry of Transportation and Transit. The minister continued to discuss the ways in which she spoke with the Ministry of Transportation and Transit. I would ask that you reframe your questions so that you can continue to ask these questions, because the purpose of this debate is to make sure that we are having a fulsome, efficient discussion.

Thank you, Member. Continue.

Steve Kooner: Thank you, Chair. Thank you for the suggestion to reframe my question.

I understand there were some discussions that were had. What were the contents of that discussion?

Hon. Niki Sharma: Just like any time there's policy development or the need to address a policy, the ministry discussions would involve, in this case, a discussion of how to implement a system of tolls, fees and charges on provincial infrastructure.

All the legal and policy development discussions about how to do that would have led exactly into the clauses of this bill that are about how to implement this regime. So that was the content of the discussions I would have had.

Tony Luck: What consultations, if any, were held before proposing a tolling system for the province, this provincial undertaking here? We've already established there have been conversations and consultation within government. These would be on the outside — industry.

Hon. Niki Sharma: I have already commented on the process that I've been through with this bill — the committee, particularly the test committee, and the discussions there. I've also talked about the Minister of Transportation's conversations that he's had with different organizations.

Then the key part to all of this is that this is an enabling piece of legislation, so it sets out clearly what the powers are before they are exercised. There is the key primary opportunity, especially if it's a regionally based system that

needs to be put in place, where you can have that effective, very direct consultation with the areas.

Tony Luck: Has this been asked before? How much revenue is projected to be generated from tolls, fees and charges on the tolling system?

The Chair: Yes.

Tony Luck: All right.

How does this toll system align with federal or municipal transportation policies that we have?

Hon. Niki Sharma: Thanks for the question.

Generally, I talked about the Team Canada approach. We're at a lot of tables discussing that federally, and I've also already addressed the timing of the consultation if it's ever used in a particular region.

But the clear thing to understand in this case is the definition that we talked about previously of what a provincial undertaking is. A provincial undertaking is clearly defined to be things that we have provincial jurisdiction over. So there's a clear jurisdictional divide in the way this would be applied.

[2:05 p.m.]

Tony Luck: Has there been any analysis done for rural versus remote communities to be disproportionately impacted by toll implications? Rural versus....

The Chair: Member, your colleagues have canvassed this area already.

Tony Luck: Okay. Are there cost estimates for the infrastructure required to administer the toll system?

Hon. Niki Sharma: The reason that you can't do the cost analysis at this stage is because the.... When we get to clause 18, you'll see that it actually could be extremely varied. It could be extremely varied — what type of regulation and/or charge or toll you would put in place for what section of infrastructure and what the means of collecting it are, based on the type of infrastructure you've applied it to.

It's not an upfront thing you could estimate, but the time to do that would be if this power was ever used. Of course, you'd have to understand, pretty directly, how you were going to collect it, what is the way you're going to collect it, and what is the cost of collecting it.

Tony Luck: What transparency measures will ensure public oversight of toll rate setting for the province?

Hon. Niki Sharma: The first thing is that it would be done by OIC, which is a public.... You could access that

publicly. But also, the general course of communications with transportation or infrastructure issues — it would be public on B.C. Laws, the first one. You'd have a public website, likely through DriveBC or the websites that the Ministry of Transportation oversees.

The information would be who it applies to and how. And depending on the regulation, is it a time period that it applies for...? What is the...? You'd have all these public instruments that would be able to spread it, to make sure it was clear to the public what the content of that regulation was.

Steve Kooner: Clause 14 establishes tolls as debts to the government. Can the Attorney General detail which statutes would be used for enforcement of these tolls created under clause 14?

[2:10 p.m.]

Hon. Niki Sharma: It would be better to get into this when we get to clause 15, because that will talk about the enforcement and the way it's enforced.

Steve Kooner: All right.

My next question is this one. Can the Attorney General explain the constitutional and democratic implications of introducing legislation not for actual implementation but as a political threat?

Earlier in the discussion, at the start of part 3, the Attorney General mentioned that hopefully the government doesn't have to use the provisions in part 3 and it's more of a deterrent mechanism. I've never seen any sort of legislation before that's used as non-implementation legislation but more so as a deterrent aspect.

The question, again, is: can the Attorney General explain the constitutional and democratic implications of introducing legislation not for actual implementation but as a political threat to address American tariffs, as a deterrent?

The Chair: Member, might you just further clarify for me the context and connection to the clause 14?

Steve Kooner: Sure. Clause 14 deals with tolls. The Attorney General's department was asked about these tolls. A lot of the explanations that we have received were: "Look, we're putting this legislation forward, and we hope to not use it, but the different ministries will figure out things as they go when they're looking at it. This will be the enabling legislation."

We've heard answers such as: "This is more to deal with the U.S. in terms of tariffs." We have also heard that, from the government's perspective, this legislation threat has been working. It's brought certain states to the table.

So now we have a significant tolling legislation, and my understanding so far is that this isn't going to have direct

implementation. The enabling legislation that we have in clause 14 won't have a direct implementation. It's more designed to put it out there to just deal with the U.S.

To the point that it's not going to have direct implementation — well, as of now, not — how does this affect the constitutional and democratic implications of introducing this type of legislation, which is just merely there to act as a deterrent to the U.S., to give an example that we're willing to act and not, per se, apply tolls at the current moment?

Hon. Niki Sharma: There are no constitutional implications of this, but I'll tell you what does have implications. When you have a very powerful country to the south of us saying that they want to annex us to make it the 51st state, there couldn't be more of a direct threat to our sovereignty.

So I'm confused by this line of questioning. I would think everybody in this House would be in solidarity about our need to be able to respond on behalf of British Columbians. What this legislation does is give government the tools to do that in a very nimble and quick way, if necessary. We are, in effect, through this legislation, all parts of it, tooling up our provincial government, making sure that British Columbians know that we are ready to respond and will be able to respond if needed.

That's a powerful thing. And that's exactly what I think people would expect a government to do in this very uncertain time — to make sure that we have certainty, that we have certainty of standing together against the tariffs, that we have certainty in all of us being aligned to know what tools we can use and what tools we need to make sure we have in the case of a trade war escalation. That's exactly what this bill does.

[2:15 p.m.]

Steve Kooner: Just to add to that point that was just addressed by the Attorney General, we on this side of the House are all for British Columbians. But we are also here to protect British Columbians in making sure there's no legislation that has executive overreach and no accountability, that puts British Columbians at risk.

We are for British Columbians, so I think that's an unfair statement to kind of provide an inference that somehow we have a position that's adverse. We are for British Columbians. We want to protect British Columbians.

This question had to do with our own laws. It had to do with our constitutional laws here. It had to do with our democratic implications here within Canada. It wasn't constitutional laws of the United States that we're talking about. We are very concerned about British Columbians, and we will protect British Columbians, and we will hold the government accountable to protect British Columbians.

I'll move on to my next question. Have the federal authorities been consulted on the implications of tolling

cross-border provincial undertakings, such as ports or ferries?

Hon. Niki Sharma: I have answered this. I mentioned that the Premier and many of our ministers are at the table with the feds.

Steve Kooner: We are dealing with the legislation here in clause 14. It's unprecedented legislation, but there may be some examples looked upon to actually formulate this legislation.

In regards to clause 14, can the Attorney General cite precedence in Canadian legislative history where similar provisions have been used, such as clause 14?

Hon. Niki Sharma: I am very happy to talk about the history of tolling roads and highways in this province, because I think it shows which governments are poised to use tolling systems against British Columbians and which ones are setting up systems to protect British Columbians.

[2:20 p.m.]

In fact, to the member's question, the Transportation Act, section 36, was an exact provision that was used by previous governments and ours to put tolls on the Golden Ears, to put tolls on the Coquihalla Highway, to collect from British Columbians, on a day-to-day basis, a charge and a fee for using provincial infrastructure.

I wish I could say that this particular provision was unprecedented in the way it was used against British Columbians, but it hasn't been. We are a government that got rid of those tolls, and we've strongly said that British Columbians should not be paying for their infrastructure and their highways on a daily basis, like previous governments had set into place.

I would just direct the member's attention to section 36 of that act and the history of how it has been used in British Columbia to collect those fees and tolls. We are very clear, and have been clear in the context of this bill, that this is something that, although not unprecedented in the language of the actual wording of section 14, would only be used in the situation of an escalating trade war against the States and would never be used against British Columbians.

Steve Kooner: Just to add to that point, I think it would have been helpful if this government had differentiated U.S. versus British Columbians, but this legislation doesn't differentiate. The way it's worded, it doesn't say that it's just applying to U.S. residents. I'd just like to add that.

Next point. I'd like to go to the next question that I have here. Has the Attorney General's department or the Attorney General worked in coordination with the Ministry of Finance and analyzed the potential impact of using these statutory threats of tolls as a political leverage against the

United States? How would doing this type of action affect B.C.'s credit rating?

I'm very concerned about B.C.'s credit rating, because just in the last few weeks, the credit rating was actually downgraded twice, and during the last two years, the credit rating has been downgraded many times. I would like to know how this provision here would actually.... Has there been any analysis to see that it will not further affect our credit rating here in B.C.?

Hon. Niki Sharma: There's nothing here that would need to be consulted on with the Ministry of Finance or that would have any impact on our credit rating.

Steve Kooner: I really do appreciate that response from the Attorney General, because people in this province are really worried about the credit rating, or ratings.

The next question I'd like to ask is about legal interpretation. This clause 14(1) allows the Lieutenant Governor in Council to establish a system. What is the legal definition of a system? This goes further to state "a system of tolls, fees or charges." Is that the ordinary meaning? Does it have a legal definition, or is that taken from another act?

Hon. Niki Sharma: As I mentioned before, this section is taken from section 36 of the TFA, and clause 18, which I'm happy to talk through when we get to it, talks about what the system would be.

Macklin McCall: Just noting that we've been going for a bit since lunch. Is it possible to get a quick, five-minute recess?

The Chair: I'll now call a five-minutes recess. We will return at 2:31 p.m.

The committee recessed from 2:25 p.m. to 2:32 p.m.

[George Anderson in the chair.]

The Chair: I call the committee back to order, considering clause 14.

Steve Kooner: Earlier in regards to clause 14, the Attorney General was saying that ultimately, a mechanism for somebody to challenge a decision of a toll would be to go to the courts. What did the Attorney General mean by that? What exactly would a person be able to do in regards to the courts?

[2:35 p.m.]

Hon. Niki Sharma: Again, to bring clarity to the two dispute resolution mechanisms that would be at play, one would be for individual disputes, and I think I talked

about how that would be set up in clause 18. Then the enforcement would be clause 15, when we get to that.

The other would be if there was a decision to put in a tolling regime through regulation, there may be legal cause that somebody thinks they have, a community or whatever, to challenge that regulation, and that would be through the court system.

Steve Kooner: Earlier the Attorney General mentioned something about traffic tickets. It would be a mechanism similar to traffic tickets. My understanding of traffic tickets is they are strict liability offences, with a defence of due diligence. Would that be how this type of defences under this section would work?

Hon. Niki Sharma: I was likening it to something like an offence, but this is not a regime of an offence. Just to clarify what I mean by this is that in clause 18, which hopefully we'll get to, you can set up a way to dispute if you have a toll set up that's charged against you, and then in clause 15 would be the enforcement mechanism.

Steve Kooner: Thank you for that response.

I have a couple of interpretation questions in regards to clause 14(2). Earlier the Attorney General explained to us the meaning of a system, which was in clause 14(1). But if you go into 14(2), the clause reads: "If a system of tolls, fees or charges has been established under this section in respect of the use of a provincial undertaking, the toll, fee or charge payable by a person who is liable under the system and any interest payable...."

Interest seems like a key term, an important term. In terms of interest, is that just ordinary meaning, legal meaning, or is that meaning taken from another statute? What is the context around that?

Hon. Niki Sharma: It's ordinary meaning, and then when we get to clause 18, it sets out how it can be prescribed.

Steve Kooner: Just another question to the definition of "interest." Another question that pops up is: how is interest calculated? In accounting, there are various principles. Sometimes there's interest semi-annually, annually, and sometimes, it's compounded interest. What would the formula of this particular interest look like?

Hon. Niki Sharma: Happy to talk about it in 18(d).

Steve Kooner: We will address this line of questioning in 18, as per the Attorney General's response.

I'll move to the next question in terms of interpretation. Any interest payable in relation to the toll, fee or charge is a debt due to the government. So debt — is that ordinary meaning? Is there a legal interpretation? Is that taken from a specific statute?

[2:40 p.m.]

Hon. Niki Sharma: That term is in reference to the Financial Administration Act, where it has a particular context and meaning.

The Chair: Seeing no further questions — we are on clause 14 — shall clause 14 pass?

Division has been called.

[2:45 p.m.]

Clause 14 approved on the following division:

YEAS — 7		
Sandhu	Choi	Rotchford
Routledge	Sharma	Bailey
	Botterell	
NAYS — 5		
L. Neufeld	Paton	Maahs
Wilson		McCall

The Chair: We'll take a five-minute break. We'll return at 2:56 p.m.

The committee recessed from 2:50 p.m. to 2:56 p.m.

[George Anderson in the chair.]

The Chair: I call Committee of the Whole on Bill 7, Economic Stabilization (Tarriff Response) Act, back to order.

On clause 15.

Kiel Giddens: I'm just going to pull up the bill so we've got the right place we're looking at here.

We're now on clause 15, certificate proceedings, and I have a few questions before the critic for Attorney General returns here. But just obviously, this really is about the government's ability to collect those tolls and what that looks like.

Just as a starting question, maybe the Attorney General could provide an update if the ministry knows if government has already planned for being able to collect debt from a toll, fee or charge that would be established under this part. And if so, is that able to be shared today?

Hon. Niki Sharma: No work has been done in particular on this part because there's nothing in force or law. It would have to be by regulation. But what it's designed to use is existing mechanisms that are in place when there's a debt due to government.

Kiel Giddens: Can the Attorney General walk us through how that debt would actually be collected? Which mechanisms was the Attorney General referring to?

[3:00 p.m.]

Hon. Niki Sharma: What would happen is.... Let's say there's an individual where there's been a toll or fee attached to them, so they have to pay it. It gets triggered as a debt due to government.

There would likely be a system, and that would be under clause 8, which sets out the time period and the ways the person can pay and all of those things. Then you also could set up ways of collecting that debt after the time period's elapsed, so you could figure out that regime under the regulatory power of clause 8.

Whatever system is set up, barring that working — so the person still hasn't paid — the next thing that gets triggered is 15(b). That clause allows the minister to file a certificate in a court of competent jurisdiction, and that depends on the amount that's owed. It's likely the provincial court if it's a small amount. You just file it with the right information as set up, and that has the same force and effect of the judgment of the court.

Then that is officially an amount owed by that person as if it was a judgment of the court if the minister files that certificate. All of the enforcement mechanisms of the court system would apply then for collecting.

Kiel Giddens: I appreciate the response from the Attorney General, but I'm just a little bit confused. The Attorney General just referenced clause 8.

Interjection.

Kiel Giddens: Oh, 18. Okay. Sorry, I heard clause 8, so thank you for that. That helps.

Hon. Niki Sharma: That was my fault.

Kiel Giddens: Okay, thank you for that head nod. Appreciate it.

[3:05 p.m.]

With that, obviously, that collection is still a complicated process. Government has these debts on the books owed to the government in other areas. The amount that must be paid may be recovered as a debt due to the government.

As this is something government is experienced in, I'm wondering how the government in this case would handle individuals that are unable to pay due to financial hardship and what that would look like.

Hon. Niki Sharma: As mentioned, this employs all existing infrastructure and processes with the government related to that. So there's a remissions section of the FAA, the Financial Administration Act, that covers all the grounds that you might have if you have an inability to pay.

The processes related to how to pay and what that process would be could also be put into regulation once we get to clause 18 — I said 18 correctly this time — which covers that section or that part.

Kiel Giddens: Actually, that is a helpful answer that the remissions are covered in the Financial Administration Act. I wasn't aware that was the correct area to be looking at. In noting that, I'm wondering why there wasn't a requirement or why the ministry didn't deem it necessary to explicitly outline the reference to the Financial Administration Act right in the bill.

Hon. Niki Sharma: The Financial Administration Act is a type of legislation that has super priority. So unless it's specifically exempted, it applies to everything. You don't actually need to name it specifically in a piece of legislation.

Kiel Giddens: I appreciate that answer. I can take that at its face value there.

Continuing to understand section 15 and how it works in practice, I think it would help to see how these debts from tolls and fees can be really enforced through certificates in court. Can the Attorney General provide examples or clarity on some of these scenarios that would actually trigger this debt recovery process and maybe help us understand a little bit more of that?

[3:10 p.m.]

Hon. Niki Sharma: A likely scenario that aligns with usually how this stuff works when a debt is owed to government.... I'll put the caveat that if this power is used, the clause 18 ability to design something very specific would be there, and that would have to be designed and approved by cabinet, so I don't know the specifics for this.

Generally, how it would work is that you would have the debt that's owed. You'd have a notification of it, somehow, that you owe this amount of money, and in there would be the timelines and how to pay.

Then, you likely would have some steps taken. Usually, this happens before there would be anything that would be filed in the certificate of court — like a demand letter to that individual saying: "You owe us this money. Here's how you're supposed to pay. You're overdue."

And then when you get to the point where you've exhausted that kind of pre-certificate avenue, which would be set out either by notifying the person or by regulation, then the minister could file a certificate in court. The certificate acts, then, as a judgment of the court. And once you have that judgment of that court, you have all of the tools that would be available once you're enforcing a court order under any other circumstances. Your enforcement rights would kick in, in terms of collecting.

Kiel Giddens: I think that helps to clarify what this certificate actually is: a judgment of the court. I think that's useful to note.

If it is considered a judgment of the court, what would be the standard of proof that the ministry officials would have to really meet? Obviously, the individual that is incurring the debt.... Will they ever have line of sight into the evidence of what that might be? For example, this would be licence plate scans that maybe triggered the debt on the individual's part.

Hon. Niki Sharma: That opportunity for the individual, as we talked about before, would be in the regulatory regime that's set up in section 18 that would have the ability of the individual to know what the mechanism or evidence, if there is any, that is used for them to show that they do, indeed, owe that debt to government. So that would be set up in a different process.

Kiel Giddens: Just to clarify, that process is not set up anywhere yet. There's no contemplation yet of what that would look like.

Hon. Niki Sharma: That's right. It just depends, as we talked about earlier, on the type of regime that cabinet wants to impose and, if there's an escalating trade war, what it applies to, what piece of infrastructure in terms of how you collect and what that amount would be and everything like that.

[3:15 p.m.]

Kiel Giddens: In other sections, we have talked about appeal mechanisms, but this is, obviously, a new area.

I'm wondering. If an individual ends up with a certificate or fine, are there appeal mechanisms for any of those individuals who dispute the amounts claimed under the certificates?

Hon. Niki Sharma: Everything that government does and anything that we do in terms of a process has to abide by administrative law principles. So that includes procedural fairness and all those aspects of how you create a fair process. And with that, when you design something and you use the regulatory power of section 18, you would have to abide by those principles.

We have many examples in government where we're used to understanding the type of notice, the type of dispute resolution processes available to that individual and the kind of remedies that might be possible.

Kiel Giddens: As I understand it, that would be going through the regular court process, but would this be...? I'm also thinking of the Attorney General ministry and court time. We already have challenges in backlogs there

— wouldn't want to have a whole rash of new applications to the court.

One of the things that I have long been a proponent of, in fact, is the Civil Resolution Tribunal. Previously, when I was with the Prince George Chamber of Commerce, I wrote policy resolutions that have led to changes over the years, that have enabled more to be looked at in that Civil Resolution Tribunal. I think it's a useful mechanism. It helps to reduce some of that red tape and backlog in the court system. It's relatively straightforward for individuals to use that.

I'm sure the Chair, in particular, would note the Civil Resolution Tribunal as a helpful mechanism for folks seeking access to our justice system.

Would the Attorney General agree that this would be something that could be appealed through that body?

Hon. Niki Sharma: I'll just start by thanking the member for his comments on the Civil Resolution Tribunal. I think it is an innovation that's been pretty exceptional, and I think there are members over here that helped work on that process to make a really low-threshold access to justice process in the province that is very well used. I just agree with the member.

Maybe to clarify a little bit about when this would show up in a court process. I talk about clause 18 a lot because it's actually pretty important to a lot of these conversations. I hope we get to it soon, but it'll help explain this, I think, a little bit more. You could have a dispute resolution process set out with the regulatory powers in section 18 that do not involve the court at all and that have a way to resolve the dispute. So it wouldn't take up any court time because it would be an outside-of-court process.

If that's all been exhausted and you still don't have a remedy for that debt due, the certificate could be filed by the minister. Now, the filing of the certificate that is, in effect, then a judgment of the court is a very simple process. It's not a multiprocedure process in the court processes; it's something that is pretty simple. And then you could go towards enforcement.

[3:20 p.m.]

Kiel Giddens: I do think that we can agree on access to our justice system being pretty critical for individuals, businesses and those in the province. I think eventually, should this legislation pass, ensuring there are mechanisms that don't create court backlogs if we do get a whole bunch of complaints because of this — I think that will be important.

Maybe these could be matters that are clearly giving folks tools or information about the Civil Resolution Tribunal, if that was an avenue that could be considered there for individuals if, in fact, a certificate does end up going to court. Maybe that could be an avenue.

Just leaving that there. If the minister would like to comment, feel free.

I'm going to ask another question as well. Can the minister explain the due process protections in place before a certificate is issued? Will notice and opportunity to dispute in some way actually be guaranteed?

Hon. Niki Sharma: I believe I've answered this question already.

Kiel Giddens: Is there any discretion under this clause to forgive or reduce penalties or interest due to financial hardship or an administrative error or something like that?

Hon. Niki Sharma: To situate where this would be used, if it ever was used, it was contemplated to use against, like, commercial vehicles that were travelling through Canada. So we're talking about a certain type of a business or industry or ability to pay. Just to note that, so not British Columbians.

The way that that would work.... There were two questions asked. One was administrative error, so if you were wrongly given a toll or a ticket or something that said, "You have to pay this toll or charge," and for some administrative error or reason, you actually believe that you don't or it doesn't apply to you.

Every time you set out one of these regimes, you have to have an ability for.... It would be set out in the actual notice, usually, and section 18 would give the powers to set that out clearly. You would say: "If you think there was an error here, here are the steps you can take to show that actually this shouldn't have been applied to you." That's a clear thing that's very necessary.

[3:25 p.m.]

You also could do that for hardship if the.... Clause 18 gives you the regulatory power to set out what that looks like. So once you were in that situation, if cabinet decided that they wanted to put hardship provisions in there because of where it was targeting or the risk that you wanted to somehow save certain types of commercial vehicles — I don't know what it would be, because it would be targeting not British Columbians — then you could put that kind of power inside the actual clause 18, the regulatory power that is put in place.

Kiel Giddens: I actually appreciate the Attorney General's outlining of those scenarios. I can picture what that ticket would look like or whatever that notice would look like. But also, I think, as that escalates.... To my earlier points, I think that's where, if it does go to some sort of a small claims, then Civil Resolution Tribunal would be an appropriate mechanism for that, if the individual chose to take it that far.

I guess another part of the.... It's complicated on these

things. I recall when I was probably 18 or 19 years old, I got a speeding ticket in Washington state and then didn't pay it in a timely way. I eventually did pay it, the debt, and the people of Washington state now are okay with me driving in their lovely state, but I do remember how this process kind of worked.

Obviously, it gets into sort of an intersection with credit agencies and collections agencies that actually have access to this information. Is that still true in this case? Will unpaid tolls be reportable to credit bureaus? Could the minister describe a little bit about what that would look like?

Hon. Niki Sharma: Just to make it clearer, I guess a couple things just on the member's....

I think it's an interesting conversation about the role of the CRT and how it can be used in access to justice. I think we've had some success in that, and I just would say that in this area, a CRT order already is registered in the provincial court, similarly to what a certificate would.... Of course, you've always got to look at ways of integrating more access to justice in the systems in here, but the certificate and the order are probably pretty similar, so it wouldn't maybe provide that advantage directly.

In the context of collection of debts, we don't, as a government, have a third-party collections agency for any of the debt that's owed to government. We have a collections department in the Ministry of Finance, so that would be the way it would be administered if the debt was collected or owed over a period of time.

I mean, just like anything where a debt is owed, especially if there's an order in court, it may affect your credit rating, like the individual's credit rating. That's likely.

Kiel Giddens: That's helpful context that.... I wasn't aware that Ministry of Finance didn't use third-party collections, so it's helpful for my own knowledge.

The Washington state example that I used earlier — they did use the third-party collections, so that's how I knew about that.

[3:30 p.m.]

But I'm wondering. Along that same vein from the Ministry of Finance abilities, does the clause permit...? If this was, in fact, a significant fine or penalty in some way, does it permit the garnishment or liens on personal property to satisfy some of these debts, and if so, what would be the legal authority of that?

Hon. Niki Sharma: In the context of an escalating issue with collection, as I mentioned, if there's a certificate that's filed, it's the same power as a judgment. The government and the minister would have all the powers of ability to collect related to that. That does include some of the things that the member mentioned. You could think about garnishment or liens or things like that.

We have to remember it would be an international

asset, so you would have to make the business decision, like any organization does, when it comes to collection of debts. Based on how much is owed, is it worth the enforcement amount to go after? That, of course, would be a decision that's pretty regularly made when it comes to collection of debt.

You would have all the powers because it would be like a court judgment that you could use. You would probably attempt to, if possible, go after assets that are in B.C. first, but there'd be a whole decision point, depending on the facts of the matter.

Kiel Giddens: I appreciate the response.

The work the opposition is trying to do, I think we're trying to.... It's been a difficult time picturing the amount that the government is contemplating in this case. Have there been any discussions of what the actual amount of these penalties would actually be at?

Hon. Niki Sharma: No, and again, it helps us to be able to do this. But I think it's all of our hope that we never have to escalate in the trade war that we're in.

Kiel Giddens: I'm wondering if the Attorney General can provide a bit of an explanation on the processes that would be in place to notify those individuals or businesses of their obligations before they initiate any certificate proceedings.

Hon. Niki Sharma: Again, it would be clause 18 where I'd be happy to go over all those details.

Kiel Giddens: I think we'll have, I guess, a busy clause 18 coming up, by the sounds of it.

Interjection.

Kiel Giddens: We've just got to get there. Okay. Well, let's burn through these questions quickly then. Let's go.

Maybe just in looking specifically at clause 15.... I don't think this question would be one to ask in clause 18. I'm wondering why the ministry chose not to incorporate limitation periods for filing certificates.

I wouldn't want to imagine the scenario where we're going back years or something like that, so I just wanted to understand what that looks like.

Hon. Niki Sharma: The Limitation Act would apply.

Kiel Giddens: Okay, so just making sure that we don't have anything contrary to the Limitation Act in this, one more clarification that the Limitation Act is what covers, and that's why that wasn't included?

Hon. Niki Sharma: Yes.

Steve Kooner: That Limitation Act that was mentioned, is that the general Limitation Act of this province, or is it specific to a specific statute?

Hon. Niki Sharma: The general one.

[3:35 p.m.]

Steve Kooner: Okay. Can the Attorney General explain why the government has created a judicial enforcement mechanism under 15(c) that would allow the minister to bypass normal civil litigation processes?

I get the fact that there's due diligence and all that, but why not just allow the regular process of being able to appeal something? I understand that you can have some due process, but why not allow full appeal mechanisms under this legislation?

Hon. Niki Sharma: We have to remember.... I think the member previously talked about the use of court time and when we use court time and when we use other processes for dispute resolution. I mentioned already that clause 18 would help you set up a dispute resolution process that was outside of court.

This is the regular process when it comes to those failing and the ability of the minister to file their certificate for a debt due to government. That is the usual way that government collects its debts.

Steve Kooner: I'm going on to the point of procedural fairness. I know the Attorney General mentioned this before too, that the regular process of procedural fairness would be followed.

Can the Attorney General elaborate on what she said earlier, that the regular process of procedural fairness will be followed? What did she mean by that?

Hon. Niki Sharma: Asked and answered.

Steve Kooner: Are there currently precedents for this type of legislation, where you just get a certificate for filing and it's treated like a judgment, in other provincial legislation?

Hon. Niki Sharma: Yes, this is a common practice, as I mentioned before. I would just refer the member to Trans-Link, which has a similar regime for collection.

Steve Kooner: Has the Attorney General's department estimated the administrative burden or court system costs by allowing a streamline of just filing certificates and maybe opening the floodgates of a streamlined process? What kind of effect would that have on the court system?

Hon. Niki Sharma: We don't anticipate any flood-gate or big use of certificates. You have to remember at

this point that it's only if we use this power, which we're hoping that is not necessary. The regulatory regime in place gives the ability for the minister and cabinet to target where any toll, fee or charge would apply, in which part of the province and on which provincial infrastructure. It's likely to be pretty narrow.

None of these would likely have any increased impact on the court system.

Steve Kooner: The reason why I asked this question — it's a very important question — is because we've seen, reported in the media, shortages in our court system. We've seen some administrative delays. It's a very important question. Overloading our court system with further obligations may create further inefficiencies and backlogs that could affect other cases that are within the court system.

Because it's such an important issue, has there been any consultation done? The Attorney General's department is responsible for the administration of justice in terms of court staffing and all that. Has the Attorney General's department done consultations with the appropriate departments within the Attorney General's department to make sure there isn't overburdened compliance obligation within the administration process within these courts?

[3:40 p.m.]

Hon. Niki Sharma: I'm very happy to talk about this issue. We have done a tremendous amount when it comes to the administration of justice and how issues are resolved in this province on every level, and that has led to an increase in sheriffs to make sure our courts are running.

For the first time in a decade, we have a full complement of Supreme Court justices at the Court of Appeal and the Provincial Court. We are opening up court in ways that we haven't done before, with virtual bail hearings, with a lot of modernization opportunities in the court system.

B.C., in fact, because of our interventions in the justice system, is one of the leaders in the country when it comes to the low amount, although one is too many, of Jordan stays we have and our ability to process things in court.

There's always more work to do. But I am really proud of the work that we've done on this issue so far and will continue to do to make sure that our court system runs as smoothly as it can.

The member may not know this, but I will let him know that we have an MOU with the courts. That MOU requires that if there is a regulation or something that would implicate the administration of justice somehow, we do consult with them related to that.

Steve Kooner: I thank the Attorney General for that explanation. It was helpful. It was detailed. And it really sheds light in terms of information for my understanding.

The other question that popped in my mind is that

sometimes you have debts owing to the government. But then there's money sitting in the government somewhere, collected money. You see this with the CRA federally. If there's debt owing, then there could be a set-off. Maybe there might be some money that is held by the provincial government.

Is there any sort of mechanism where, if a fine is owed, the province can just say: "Okay, we're just going to take the money from there and apply it to this particular fine"?

Hon. Niki Sharma: Just under section 38 of the Financial Administration Act, it does give a power to use a set-off as the member describes.

We were having a conversation on this side about how that might show up for an American entity, because that actually might be something that, although it was available to government to use, it might be difficult to use for an entity that's based in the States, where we don't have as direct a relationship as with somebody based in British Columbia.

Steve Kooner: Just to that particular point, has the Attorney General's department analyzed the privacy and legal implications of such approaches?

[3:45 p.m.]

Hon. Niki Sharma: Yes, we have.

Steve Kooner: And what was the outcome?

Hon. Niki Sharma: This bill was drafted keeping in mind the privacy legislation and our obligations related to that, so it lines up with that. And then every decision made under that, going forward, and any power that's used would also need to abide by all the privacy legislation in the province.

Steve Kooner: The next question is in regards to a certain element of legal review that we call judicial review.

Can the Attorney General clarify whether the exercise of power under clause 15 would be considered an administrative decision subject to judicial review, or a ministerial act, which could be potentially shielded from a judicial review?

Hon. Niki Sharma: In the context of the Judicial Review Procedure Act and the ability to review a decision or a power of government, clause 14 would be the more likely candidate where you would attach a judicial review related to the cabinet's decision to establish a system of tolls, fees and services.

Clause 15 is related to the collection once that person hasn't paid. It's not a fine; it's the toll, fee or charge. So maybe there's a scenario in there where a creative claimant can make a claim out of clause 15(b) that there's a judicial

reviewable point there, but I would say clause 14 would be more likely the way that that would be open to judicial review.

Steve Kooner: We've heard a little bit about the process in terms of the fine happening and then, all of a sudden, a certificate being created and then the certificate being filed in court. I get all of that. But what happens once that certificate gets filed in court? What leeway does the court actually have?

[3:50 p.m.]

Does the court actually retain any residual discretion to inquire into the validity of the underlying toll assessment, or is the court obligated to treat this certificate as fully dispositive?

Hon. Niki Sharma: Asked and answered.

Steve Kooner: Was there any case law to support that position that there is no discretion? I understand that that may have been answered.

The Chair: I'd just ask the member to position or frame for me how case law would be relevant to legislation.

Steve Kooner: Well, this goes back to clause 15. So clause 15 is here in this legislation as drafted, and we're talking about what the minister may be doing. And we're talking about something where a certificate gets created, and then it gets filed in court. Then we're talking about what sort of discretion might be there. And then we're looking at interpretation of this, because we don't have.... This isn't in force yet.

The Chair: I guess my question is case.... You specifically talked about case law.

Steve Kooner: Yes. Like, how would it be interpreted by the jurisprudence, this particular section?

The Chair: Are you asking the Attorney General to give a response into how this might be interpreted in the courts?

Steve Kooner: Yes, there could be.... There are lawyers obviously involved in the drafting, and they would know how this potentially could be treated. That's kind of like doing legal research and saying: what would something be potentially treated as? I'm assuming when this legislation was drafted and the process was being put in place, that's something that was contemplated.

Would you like me to re-ask the question?

The Chair: You may sit down, if you like. We will see what the Attorney General chooses to do.

Hon. Niki Sharma: I think 15(c) is the answer to the question. As legislators, it's our job to make legislation, and it's the court's job to read the legislation and apply it if necessary. So we set out exactly, with every word in subsection 15(c), how it should be legally interpreted.

Steve Kooner: Is there any opportunity for the minister, after filing the certificate, to any sort of statutory or regulatory mechanism for withdrawal or amendment or expungement of the certificate once filed?

Hon. Niki Sharma: I mean, you can always do something to withdraw, or make decisions related to something you filed in court to withdraw it.

Steve Kooner: What would be the specific process of that, in this particular case?

Hon. Niki Sharma: I would just refer the member to the rules of court that would set out exactly what you would need to file in that circumstance in order to withdraw a certificate.

Steve Kooner: Another question I had.... I asked a question earlier about interest. That may have been in clause 14. But in this clause 15, why I want to ask a question about interest is that this clause refers to filing the certificate.

Sometimes in court, you have this thing called judgment interest or post-judgment interest, and that comes to mind. How would that be applicable in this case, in terms of post-judgment interest?

Hon. Niki Sharma: At that stage, it would be the Court Order Enforcement Act that would set out how you would determine and apply the interest.

[3:55 p.m.]

Steve Kooner: At this time, I'd like to turn my questioning into legal interpretation in regards to clause 15. The actual clause reads as: "If a person fails to pay an amount...." In regards to fails, what would be an example of fails?

Hon. Niki Sharma: This is another ordinary meaning of the word. It's just that they have failed to pay. They have not paid what they must pay.

Steve Kooner: A situation that comes to mind is somebody may have tried to make a credit card payment, or their credit card may have bounced. They may have made certain efforts to actually pay the fine, but somehow it didn't go through. Would that amount to failing to pay? Would that meet this definition?

Hon. Niki Sharma: Let's take this a few steps back, before the certificate is filed.

What the member is describing is somebody that had the intent to pay and was interested in paying, wasn't trying to avoid that charge or toll or fee, and for some reason or error wasn't able to.

As I mentioned, you would, through clause 18 regulatory power, set up a whole process at the beginning through demand letters and encouraging and contacting the person about payment. So that likely would be remedied, in the scenario that the member provided, well before there was any need to file a certificate. It would be in the kind of last-resort category that you would step in to file a certificate.

Steve Kooner: That was a very helpful interpretation there.

Okay, so it goes on to go further, "to pay." As we know, in today's world, there are different ways to pay. There are so many different methods. There's credit card, debit card, cash, cheque. There's cryptocurrency. There are so many different things happening. So what would be the description of pay?

Hon. Niki Sharma: Just confirming from the Minister of Finance, who's sitting in the room, that no, we do not accept cryptocurrency at this time.

There is a whole regulatory and legislative system of how you pay the government of British Columbia that's well established.

Kiel Giddens: Trading back and forth a little bit here, but I'm just jumping in on this same topic.

Earlier I had heard the Attorney General just mention that the government's not expecting the floodgates to be opened of a whole bunch of these disputes or anything like that. I wonder, on the instances of non-payment.... And we talked earlier about the Ministry of Finance being the debt collection. They have that ability within the branch.

Is there an anticipated number that the government ballparked when discussing this with the Ministry of Finance? I just wanted to make sure that the administrative costs are not too burdensome.

Hon. Niki Sharma: No, there's no number at this stage. And again, it's clause 18 that would give the ability to set that.

[4:00 p.m.]

Kiel Giddens: Okay. I'm wondering if the ministry has established a threshold for when a debt is considered significant enough to warrant a court action under subsection (b).

Hon. Niki Sharma: That's a decision that is often made without.... It's a business decision or a decision that's fact-specific that's made in the Ministry of Finance, and I don't have any further details of that.

Kiel Giddens: Just trying to understand further how the certificates actually would work in practice. I'm wondering if there's an expected time frame from when non-payment and the filing of a certificate in court under this same section....

Hon. Niki Sharma: Clause 18, again.

Kiel Giddens: All right. Again, we will be busy under clause 18.

The Chair: Just so you're aware, it's clause 15 right now.

Kiel Giddens: Yeah, we're on clause 15. But we're still obviously trying to make sure that we cover anything on....

Interjections.

The Chair: Members, I would just ask that you keep your voices down, please. Thank you.

Kiel Giddens: Thank you, Mr. Chair. That's helpful.

Will the enforcement of court-filed certificates under subsection (c) result in interest accrual or additional penalties on that original debt? I don't think we've talked about that yet.

The Chair: I would say that I think we have, as the member for Richmond-Queensborough had talked about interest.

Kiel Giddens: I apologize if I missed that, to the Chair.

Has the ministry decided to allocate any additional legal or administrative resources specifically to manage the anticipated volume of debt recovery cases under this section?

Hon. Niki Sharma: Not at this time.

The Chair: Members, we're going to take a five-minute recess. We will return at 4:07 p.m.

The committee recessed from 4:02 p.m. to 4:10 p.m.

[George Anderson in the chair.]

The Chair: Good afternoon, Members. I call Committee of the Whole on Bill 7, Economic Stabilization (Tariff Response) Act, to order.

We are on clause 15.

Kiel Giddens: I needed to stand during that break. It's just I get sore back sitting here after a while. Anyway, welcome back, everyone.

I only have a couple of more questions on this clause, actually. We talked a little bit earlier about other acts that apply to this bill, like the Limitation Act as an example. Given that certificates do become publicly accessible court documents, I'm wondering what safeguards might exist to prevent unnecessary disclosure of sensitive personal information.

I'm imagining the Freedom of Information and Protection of Privacy Act. Maybe there would be some applications in this case, but you wouldn't want things like home addresses, licence plate numbers to be publicly accessible or something like that.

I'm wondering if the Attorney General can provide an update on that.

[4:15 p.m.]

Hon. Niki Sharma: FOIPPA, our privacy legislation, doesn't apply to court documents. The way that information is protected in this case is through the court form.

A certificate that's filed under this would only need very specific information in order for it, I guess, to meet the standard for filing. One is the name of the individual, then the creditor, which would be the Ministry of Finance, the amount and the authority for the debt. You would refer back to the regulation as the authority for the debt. So the amount of information that is included in that certificate could be very minimal to meet the standard for being able to be filed.

Kiel Giddens: I appreciate the response. I just wanted to confirm that there was a mechanism that would protect some of that information.

We have talked a little bit, previously, about where there are administrative errors, for example. I think the Attorney General provided some good responses on that. But one question I forgot to ask at that point.... I'm wondering if the statistics on the amount of administrative errors, if those would have any way of being publicly available. Would the opposition, for example, actually see them down the road, on an annual basis, in one of the government reports?

Hon. Niki Sharma: Of course, as this regime is not in place, there's no mechanism in place. But we were talking about existing ones for these kinds of things, and no, there's no mechanism in government that tracks these types of one-off administrative errors or ticketing things. The reason that is, is because there's probably a lot of personal information or interactions with that individual, related to that. Generally speaking, if there is an administrative error or this category of thing, it's not a common thing.

Kiel Giddens: Yeah, I can agree with that response from the Attorney General. I think that makes sense to me, actually.

Maybe just one last question on the topic of certificates that may be in error. I'm wondering if the Attorney General could just describe....

[4:20 p.m.]

If an individual or an entity received a certificate that was later proven to be filed in error against them, what would be the mechanism for compensation or making sure that that was cancelled or making sure that they're duly rectified?

Hon. Niki Sharma: I've answered this already.

Steve Kooner: I have a question in regards to the constitutionality of this provision. Has the Attorney General's department obtained independent legal opinion in regards to whether clause 15's judgment-by-certificate mechanism is consistent with the Constitution Act, specifically section 96 of the judicial power jurisprudence under the Constitution Act, 1867?

Hon. Niki Sharma: We do not need independent legal advice to assess whether or not we're abiding by the constitution. I have a team of lawyers who are very competent and skilled, and it's their job to make sure that all the legislation we draft and all the work that we do abides by the constitution.

Steve Kooner: Okay. Another question. That particular question was answered: there's a legal team in the Attorney General's department that reviews all legislation.

The next question I have is a justice-related one too, but it has to do with access to justice. Has the Attorney General's department assessed how this self-executing enforcement under clause 15(c) could affect access to justice, particularly for low-income individuals who may lack the legal resources to contest ministerial filings treated as court judgments?

Hon. Niki Sharma: You have to remember that this certificate is a step of last resort. There would be a whole regime set out — and we could get to that when we get to clause 18, about how you could do that through the regulatory power — that would ensure that you had low-barrier ways to communicate with the person to whom that toll, fee or charge is due, that debt that's due to government. It would be low-barrier.

The certificate would be the one of last resort.

Steve Kooner: Prior to my colleague the member for Prince George-Mackenzie asking questions, I was asking a series of questions related to interpretation under clause 15, and we had gotten to a second interpretation

question I had asked. I had asked, in regards to clause 15, about "if a person fails." Explanation was provided. And then about "to pay." Explanation was provided.

But going further: "An amount in accordance with the system of tolls, fees or charges established under this part." So the next one is "established."

Can the Attorney General elaborate on whether this is the ordinary meaning or whether this is a legal meaning or whether this is taken from another statute?

Hon. Niki Sharma: You look at clause 14. It says: "Establish a system of tolls, fees and charges," so it is in reference to that particular clause. Established has ordinary meaning.

[4:25 p.m.]

Steve Kooner: With that same line of questioning, moving further, after established, we go further under this part, and we move on to subsection (a): "The amount that must be paid may be recovered." That's the next word there. Is that the ordinary meaning or is there legal meaning to that or is it taken from another piece of legislation?

Hon. Niki Sharma: Asked and answered, because the question before was "recovered as a debt," and I referred to the Financial Administration Act as part of that.

Steve Kooner: Moving further in this line of questioning, it goes "as a debt." I believe debt was canvassed in the last particular clause. I take it that it has the same meaning, because these clauses are connected, so I will move on further.

Due to the government.... Subclause (b): "The minister may file a certificate in the court of competent jurisdiction." So competent jurisdiction.... As lawyers, you often hear "competent jurisdiction," but at times, you treat that as the Supreme Court of British Columbia. There is a small claims court in this province, which is a provincial court. We do have a Civil Resolutions Tribunal, and I believe there may be one other tribunal or place where you can take disputes.

When we are referring to a court of competent jurisdiction, are you able to file in the Supreme Court, or do you have to file in the Provincial Court? I understand some of the courts have concurrent jurisdictions. You could file in both, for certain cases. But in certain cases, you cannot file in both. In the interpretation of competent jurisdiction, what is the definition? What does the interpretation state?

Hon. Niki Sharma: The CRT is not considered a court of competent jurisdiction. The small claims court limit is \$35K. In that case, the Provincial Court or, potentially, depending on it, the Supreme Court would be the court of conflict jurisdiction.

Steve Kooner: I would like to clarify. Is it either-or, an option of the Provincial Court or the Supreme Court? Or is it that you have to follow the amounts and the limits, and if it's under, say, \$35,000, it has to go to the Provincial Court, and if it's over \$35,000, you can go to the Supreme Court?

Hon. Niki Sharma: The way that goes is that it's the person's choice if it's an amount under \$35K. But if it's above \$35,000, then it's the Supreme Court.

Steve Kooner: Thank you for that clarification, because that's an important one. I know when lawyers start out, they don't know exactly where to file their actions, and sometimes they get confused on that. So that's a very important point there.

[Susie Chant in the chair.]

Going further, the same clause goes: "Competent jurisdiction specifying the amount owed." Now, what did the Attorney General's department have in mind in terms of amount owed? We know that in order to file a certificate, there should be a fine owing, but we know that there has also been discussion in terms of interest.

What does this refer to, amount owed? Does it refer to the fine, or does it refer to fine and interest, or does it refer to fine, interest and something else?

Hon. Niki Sharma: Just to say that the member refers to a fine; it's not a fine. What we're setting out is a toll, fee or a charge, so it wouldn't be a fine that was due or levied on a person.

[4:30 p.m.]

The amount owed would be the amount of the toll, fee or charge plus any prejudgment interest.

Steve Kooner: Thank you for that explanation in terms of amount owed.

The next thing states the name of the person. We know that with names, there could be a little bit of ambiguity there. What's going to be required? The legal name? Could it be...? What's the word when sometimes people don't use your legal...? They use shorthand words. Dave instead of David. Sometimes you're required to put first name and last name. Sometimes you're supposed to put your full legal name.

What exactly will be required in terms of name of person here?

Hon. Niki Sharma: It is the legal name of the individual, and person can include a corporation.

Steve Kooner: I thank the Attorney General for even going further and mentioning corporation, because that was probably a follow-up question of mine. Those inci-

dents do come up when we're dealing with vehicles and transportation. A lot of the vehicles are registered under corporations.

But that also does bring to mind that if someone gets fined as a corporation.... In corporations, we do see subsidiaries. We do sometimes see amalgamations. If a particular entity gets fined, will the government just keep the fine to that particular entity, or will they go after every single entity that they can possibly go after for that particular fine?

Hon. Niki Sharma: In the collection of debts owed to government, it is the process to use best efforts to collect. If the member brings up a scenario where it could be a person or a corporation, I'm sure in practice that means that when we file a certificate, we attach that to as many people that may owe the debt reasonably.

Steve Kooner: In regards to certificates.... Sometimes when I think about certificates I think about a lien. Sometimes you can file certificates on property. Will this have a similar mechanism? You file it in court. You can go file it on property as well. Sometimes when you have a judgment, you can go and file that judgment on property. Would that work the same way?

Hon. Niki Sharma: You would have all the tools of enforcing a court order, and the Court Order Enforcement Act would apply.

Steve Kooner: Okay. Going further with this line of questioning, we just talked about names, so we go up a person. But that now brings me to another question.

Two questions ago, I asked a question about corporations. This talks about person. Would the person include a corporation?

Hon. Niki Sharma: Asked and answered.

Steve Kooner: Where would the reference point be to include corporation in the definition of person?

[4:35 p.m.]

Hon. Niki Sharma: Under the Interpretation Act, the definition of "person" is the one that we would be relying on to show that it includes corporation.

Steve Kooner: I thank the Attorney General for that clarification of the Interpretation Act providing the definition of "person" to also mean corporation.

Going further with this line of questioning: "The person who owes it, and...." Then we go into subsection (c) on filing. So on filing, would that be when the court stamps that document or when that certificate is actually submitted for filing?

Hon. Niki Sharma: This is a situation of ordinary meaning. It's when it's filed with the court.

Steve Kooner: Going further with the filing, at times, there's filing and serving. Would service be applicable in this definition as well?

Hon. Niki Sharma: It's just on filing. It doesn't mention service, so it's upon the filing.

Steve Kooner: If it just refers to filing, are there any notice obligations to serve the grieved party of notice that there has now been a filed certificate registered against them in the form of a judgment?

Hon. Niki Sharma: Just to be clear that the ordinary rules would apply. The Court Order Enforcement Act contemplates how, once an order or judgment is filed, you're going to enforce all of the things that the member may be talking about or inquiring about related to the normal rules of notice or procedures to follow.

Clause 15 approved.

On clause 16.

Kiel Giddens: Maybe, to start off on clause 16 here, I'll just give the Attorney General an opportunity to explain the context of this clause, why it's necessary and what main provisions it includes.

[4:40 p.m.]

Hon. Niki Sharma: As written in this section, it makes it clear that the same minister who has powers on the Transportation Act has the same powers under this act. Really, that allows the minister to make it clear that they can make arrangements for any agreements for the exchange of information, the payment or sharing of cost of anything related to the provincial undertaking.

What this could do in implementation or effect is allow the minister to set up agreements or arrangements with people at different entities or agencies that might be collecting the fees, or we might be able to work together, in terms of the regime, in putting it in place.

Kiel Giddens: I think I can follow the minister's response there. I guess there were some examples. Is that an exhaustive list on the specific rights and powers that the intention is to be exercised under this clause?

Hon. Niki Sharma: Just to refer the member to section 2(1)(e) of the Transportation Act, it sets out exactly what that power is. I've paraphrased a bit, because it's a very lengthy provision. But the clear thing is that it allows the minister, in exercising their powers, to make agreements related....

The two things that are specifically called out are the exchange of information or the payment or sharing of costs related to it, so that in the implementation of any regimes, should it be contemplated and approved for cabinet to be put into place, then in the administration implementation of it, the minister can enter these types of agreements.

Kiel Giddens: I think I'm understanding the scope of how the ministry is interpreting section 2(1)(e) of the Transportation Act. Again, maybe, similar to my last question but in interpretation of that act, is that the exhaustive...? What the Attorney General just described, that's the entire list of the rights, powers and advantages that the Minister of Transportation is able to undertake under that portion of the section 2(1)(e) of the Transportation Act?

[4:45 p.m.]

Hon. Niki Sharma: Just to take a step back, under 2(1) of the Transportation Act, there's a list of all the powers that the minister has in relation to various things. What this does is just import 2(1)(e).

But the other qualification that's written into the provision to make it clear about that exercise of power is that that power is to be exercised.... It's the tail end of clause 16, which is: "In relation to a system of tolls, fees or charges established under this Part."

Read together, it gives the minister the power to enter into agreements as contemplated in subsection (e). I refer the member to the full text of subsection (e) to see what those powers are.

Kiel Giddens: I don't have it in front of me now, but I will be looking it up afterwards, so I appreciate the flag.

Just with that, as we're looking at the specific rights under 2(1)(e), could an example be rate setting or enforcement, for example? What are examples that might describe some of those rights that could be exercised?

Hon. Niki Sharma: There are clear things that we talked about under clause 14 that need to be done by cabinet through regulation. The rate, for example, would be one of them, as the member asked. So that wouldn't be a power to be done through agreement.

Kiel Giddens: I know that the Attorney General talked about the ability to enter into contracts, things like that. I'm wondering if the clause would permit the sort of unilateral modification of existing transportation contracts or franchise agreements in some way to accommodate some of the new toll systems.

Hon. Niki Sharma: If we understood the member's question correctly, and he can correct me if we missed it,

there would be nothing in the agreement-making power that's imported from 2(1)(e) that would give the minister the ability to breach a contract that's existing.

You have to remember that this is a power, going forward, that's very much tied to the system of tolls, fees and charges that would be, if established, under this part. So it would be agreements to help implement that.

I can give you an example, if you want. Let's say there's some agreement we need to make with Alberta because of shared infrastructure or an ability for us to work together to implement a regime that's contemplated, then the minister can form an agreement to help do that.

Kiel Giddens: I think that answers part of it. For those existing contracts or agreements, I'm just trying to understand the scope of the minister's power — in that case, minister responsible for the Transportation Act.

[4:50 p.m.]

Could existing contracts actually be changed in order to fulfil a...?

I'm trying to understand. If there is a contractor who is working for the ministry, can they expect any changes to their contract, modifications in any way, that could be changed due to this, and will there be notice provided to them? What's the discussion mechanism there?

Hon. Niki Sharma: I just want to refer the member.... He said he didn't have it in front of him, so maybe I can just read the first part of section 2(1)(e). It allows the minister, and this is clear language, to enter into agreements or arrangements. So it is a forward-looking power.

There's nothing about that power that is existing that gives any authority in any way to breach.... All contract laws and existing laws apply. It just helps give the power to enter into agreements related to the tolls, fees or charges.

Kiel Giddens: I do think that answers my question, so I appreciate it.

Obviously the powers under 2(1)(e).... I'm wondering if it's contemplated.... Are these powers actually able to be delegated? I know in many ministries, it's pretty common for a ministry to be able to have that authority. But I'm just trying to understand the statutory framework that we're working in for the Transportation Act.

Hon. Niki Sharma: Just like many arrangements, there's an ability to delegate. I think that would be found, also, in the Transportation Act.

Kiel Giddens: Okay. I will review the Transportation Act. I won't follow up on that one. That's fine.

I'm wondering. This is a question we've had to ask in other clauses previous in the bill, but in this context, it's a little bit different. I'm wondering how the exercise of these powers will be reported to the Legislature in any way. Is

there any annual performance report or anything that comes as a result of this?

Hon. Niki Sharma: We talked earlier about all the public transparency mechanisms here. It's a regulation that is made through cabinet. That's public. Also, we talked about DriveBC and all the other mechanisms — that we will be clear to say what tolls and what that regime would look like to the public.

In terms of the legislative process, the key way to have this part of the legislative process is something that we do here and is happening right now, which is estimates. Members of this House, including the opposition, would have a time to interrogate the Ministry of Transportation related to any usage of this power and what the result was.

Kiel Giddens: I certainly will pass that response on to the critic for Transportation so that he is aware.

I was supposed to be in estimates for the Ministry of Labour today, actually, but I got bumped to tomorrow, I think. Hopefully, the minister is feeling okay.

[4:55 p.m.]

Transparency in estimates is important. That's part of ensuring accountability. But will government have its own mechanisms for internally monitoring whether or not the exercise of these powers is being effective and actually working as intended? I'm just wondering if the Attorney General can respond to that.

Hon. Niki Sharma: Yes, of course, every ministry and minister would have performance measures. And again, like a lot of parts of this bill, it's designed to have a regulatory power that can be changed and altered and assessed. I would imagine if we were at this stage of escalation, which we hope we never get to, where we are contemplating this as a Team Canada approach to escalation, that we would be very closely studying any impacts and how we would need to adjust.

Kiel Giddens: I do think that making sure that these mechanisms are working as intended, we're not getting those — I've used this term previously — unintended consequences as well to make sure that they're working, to make sure that we're actually reviewing these things.... Part of that as well in the context of the overall bill is that I think there is still a concern from the opposition and the public of potential overreach and trying to understand how what will work in practice....

So I'm wondering, in that context, what checks and balances might exist to prevent the potential overreach and the application of these powers given to the minister responsible for the Transportation Act.

Hon. Niki Sharma: I just want to make it clear with respect to this, and we talked about it at length before....

This is a power that the Minister of Transportation already has. We already had a conversation where we walked down the history of B.C., of when tolls were put on provincial infrastructure and how clause 14 was taken directly from an act that exists already with the minister having that power and ability, probably enacted by previous governments, and put into force or used in terms of tolling British Columbians.

The key addition of this provision here gives us powers that we didn't have before to enter into agreements into the administration and to tie it into the tariff and economic stabilization response that we have as government. So this is not dissimilar from regimes that have been operating for many, many years in this province.

I would say the regular checks and balances and oversight mechanisms that government is constantly under when it comes to any steps it takes for the public are at play in this. And those don't change. Then we have the extra ability, through the various tariff-specific and trade-war-specific consultation process that we have in place, to have direct feedback on how it's happening on the ground.

Kiel Giddens: Maybe a little bit more of a specific, direct question related to that transparency. I understand there are the regular checks and balances, but in the context of this bill overall and where clause 16 fits into it, will the minister be required to publish a report or justification in some way when exercising the powers that are mentioned under section 16?

[5:00 p.m.]

Hon. Niki Sharma: As an example of the regular transparency and oversight provisions that are in place under the Transportation Act as it exists, any use of this power is subject to FOIPPA. I mentioned estimates that sit at the Legislature of the House and, of course, any of the other checks and balances, like the Auditor General and all those other bodies that are there to make sure that everything is abiding by proper procedure and there's public oversight.

Kiel Giddens: As a member of the Public Accounts Committee, I'll also maybe reference.... I'll flag that for the Auditor General and make sure that they know that this is able to be reviewable still.

Maybe a different question. As the ministry was considering this, are there any anticipated conflicts between the minister's expanded powers in clause 16 and municipal authorities or Indigenous governance over transportation borders?

Hon. Niki Sharma: I had answered this for a jurisdictional question earlier in the definition section. The only thing I'll add is that section 2(1)(e) speaks specifically to the ability to enter into agreements with the municipal-

ities and First Nations. So it would respect that ability to form those agreements if necessary.

Kiel Giddens: Just as a follow-up to that, though, I'm wondering. Going forward, how does the ministry intend to consult or engage with the public before applying these specific powers to tolling projects?

Hon. Niki Sharma: Asked and answered.

Kiel Giddens: I do think, with all due respect, that just understanding how exactly the Transportation Minister is required to consult.... I guess I'm still not understanding how, when applying these powers....

In the existing act, there are obviously probably some provisions but is there anything over and above because of the context of clause 16 in this bill, or are we relying on the existing consultation measures? Is there anything in particular that gives communities, Indigenous communities, just a little bit of guidance on whether they will have an opportunity to be consulted on these matters, especially when it comes to things like tolling and those things?

Hon. Niki Sharma: Yeah, I have answered this question quite extensively about the consultation process. With respect to this particular clause, I would just add that there's no form of deeper consultation than actually coming to an agreement with somebody. This helps the minister coming to an agreement with local municipalities and First Nations.

Kiel Giddens: We've talked about checks and balances, but I'm wondering: are there any legal guardrails that are in place to prevent any discretionary exercise of these powers and kind of make sure that they are, in effect, doing the things as intended and within the appropriate way of doing it?

Hon. Niki Sharma: I answered about the construction of the clause and how it does put confines on the use of the minister's power to the system of tolls, fees and charges established under this act.

[5:05 p.m.]

I would just say that over the course of the debate we've had on this committee stage, we've talked about the many levels of accountability and mechanisms that are in place any time, like the Financial Administration Act, the FOIPPA, all those regular structures of government that allow for a very clear accountability to the public and to certain rules of administration.

Kiel Giddens: I can understand, I think, how this applies to sort of the public accountability frameworks, but what about...? Perhaps, the Attorney General can provide a little bit more of an example of how it would apply to

procurement laws. I know we talked about that in the previous part of the bill quite a bit.

Procurement laws, when it comes to the Transportation Act specifically, if you're entering into a contract.... I'm just wanting to understand how.... There are laws, and we referenced some of those in the previous part of the bill actually, on procurement, but how would transportation procurement interact with this clause of the bill?

Hon. Niki Sharma: I don't think this question, although I can understand the spirit of it, is applicable to this, because there's no procurement process here. This is the power to enter into an agreement. If the member could refer himself to the list of that powers, under 2(1)(e), he would see the types of bodies, and they're public bodies that these agreements would be made with.

Kiel Giddens: All right, not having it here, I feel like the dog ate my homework kind of situation. So I will definitely have to pull it up.

The Chair: Member, would you like to take some time to get that available to you?

Kiel Giddens: Actually, if that's possible, I wouldn't mind taking a recess, and then I'll pull it up.

I can ask another question in the meantime, perhaps.

The Chair: We'll just take a brief pause.

Kiel Giddens: Thank you, Madam Chair.

I certainly have a better view of it now. I appreciate the ministry staff for flagging section 2(1)(e) of the Transportation Act for reference here.

I'm wondering. Has the ministry prepared any internal guidelines or some sort of policy framework to guide the use or rights, or is this something that just uses the existing framework that's used in the Transportation Act?

Hon. Niki Sharma: At the right time, this would be a task of the minister or the Ministry of Transportation, as this is an act that's been around for a long time that we're referencing here. I have no doubt that they have precedent and ways about doing this, but I would leave that to the Minister of Transportation and the ministry to do.

[5:10 p.m.]

Kiel Giddens: In just going through the entities that these agreements or arrangements can be entered into with, I'm wondering if there's a fiscal cap or some sort of a borrowing limit that applies with the minister's exercise of these powers under this section.

Hon. Niki Sharma: This would really be a very fact-specific and case-dependent analysis.

I'll just give you an example. If you were setting up a theoretical regime for a particular area that's targeting commercial vehicles or something from the States, you would only set up the context of any agreements to administer that that would make sense with the regime, and you would have Treasury Board oversight for that. Every time you spend money, there's Treasury Board oversight.

The Minister of Finance would have to make, to cabinet, the case about any agreement or anything in the context of that regime, so there's an inherent check and balance of that. It would be completely not approved and improper for there to be a huge cost of implementation of this agreement or through these agreements, and likely not approved by Treasury Board in the context of a regime.

Just to say that there would be a case-by-case, fact-specific analysis that would take into account all of the factors that would make it a very reasonable and logical step to enter into an agreement to help administer any toll or fee regime that was put in place.

Steve Kooner: I'd like to change the line of questioning to legal interpretation or interpretation to clause 16.

Now, reading this clause, "The minister charged with the administration of the Transportation Act," when it says minister charged, is that just the ordinary meaning?

Hon. Niki Sharma: An interesting way that this actually happens is that the minister charged has a very specific meaning. Under the constitution, every time there is an appointment of a minister into a role, there is a list, through OIC, of all of the pieces of legislation that that minister is charged with.

It's actually a very clearly defined list of things, and I'm told that the Attorney General has the longest list, which would make sense. It's very clear what the minister charged means.

[5:15 p.m.]

Steve Kooner: Thank you for that interpretation and clarification.

"The minister charged with the administration of the Transportation Act...." Administration. What encompasses administration?

Hon. Niki Sharma: Administration is not defined there, so it would just be an ordinary meaning of the word.

Steve Kooner: Thank you for that explanation.

Moving further, "administration of the Transportation Act may exercise...." Exercise. Is that the ordinary meaning? Is that subject to legal interpretation, or is that taken out of one of the statutes, such as the Transportation Act?

Hon. Niki Sharma: Ordinary meaning, and it's very commonly used in legislation.

Steve Kooner: Thank you for that.

Going further, “exercise the rights,” and there are three words here, “the rights, powers and advantages.” Can I get explanation on all three, and do they mean separate, different things? Is there a reason why we have three different words to allow the minister charged with administration to do? Just an explanation on this.

[5:20 p.m.]

Hon. Niki Sharma: The “rights, powers and advantages” is a phrase that’s borrowed from the Transportation Act, so it is a way to tie in those two pieces of legislation. That’s the reason that exact phrase is in this clause.

Rights — I think their regular meaning, but they have legal context. Rights are the things that they are entitled to do, powers are things that they have the authority to do, and an advantage might be something like a Crown immunity or ability to file a certificate that is an advantage that a minister may have through legislation that they could form an agreement about.

Steve Kooner: Thank you for that thorough explanation to rights, powers and advantages.

Going further, advantages under section 2(1)(e) of the act, “in relation to a system.” In previous sections, we touched on the word “system.” In terms of the interpretation of system, is that just taken from the definition of system from previous sections?

Hon. Niki Sharma: Yes.

Steve Kooner: Going further with that in the same line of questioning, “system of tolls, fees or charges established under this Part.” The word “established.” We looked at the word “established,” I believe, in clause 14. We looked at the word “established” under clause 15, and now we’re dealing with the word “established” again in clause 16.

Some elaboration for explanation was provided in clauses 14 and 15. The question arises again here in 16. Are those explanations for established the same in this clause?

Hon. Niki Sharma: Yes.

Steve Kooner: All right. I’d like to change the line of questioning now to more substantive matters.

We’ve heard quite a bit about section 2(1)(e) of the Transportation Act and how it kind of relates to clause 16 here of Bill 7. Can the Attorney General provide a full legal explanation of how section 2(1)(e) of the Transportation Act operates in conjunction with clause 16 of Bill 7, including whether this incorporation by reference triggers substantive delegation of taxing or spending powers to the minister?

Hon. Niki Sharma: Asked and answered.

Steve Kooner: Okay, in regards to clause 16, I don’t believe this question has been asked in terms of precedent for creating this particular clause.

Is there a legal precedent for this particular clause 16 in any previous pieces of legislation that are kind of similar to this one, and if so, what are they?

Hon. Niki Sharma: Cross-referencing different sections of acts in pieces of legislation is very common, so there are a lot of precedents there.

Kiel Giddens: Just in kind of going through 2(1)(e) in a little bit more detail, I have a few more questions.

The Transportation Act, in this particular clause, empowers the minister to enter into agreements with any person. It doesn’t include other provinces and First Nations and whatnot, but with any person is obviously quite broad.

[5:25 p.m.]

Also, I believe that could apply to jurisdictions outside of Canada and our outsourcing to likely not the U.S., in this case, but maybe Mexico or some other entity where an agreement might be made — for example, a toll collection firm or something like that where data is being stored somewhere. All these things are, if there was sort of a.... Because we’re in the context of tariff legislation here, retaliatory measures can be made.

What legal test or what test will the cabinet apply before contracting tolling collection to things that may store, actually, information that could include British Columbians’ information, licence plate data. This could be on cloud servers. That type of thing. Are there any mechanisms legally that would protect there?

Hon. Niki Sharma: We cannot, as a government, contract out of our FOIPPA commitments. So those commitments would stand. And then just like anything that we hold cabinet decision-making to, the decisions have to be made in the best interests of British Columbians.

Kiel Giddens: I’m reviewing the Transportation Act in front of me. It’s notable that clause 3 gets into the power to contract. An interesting one. We talked a lot about procurement and open processes. The Transportation Act actually really has some pretty specific open tender requirements.

I’m wondering if the minister can confirm whether agreements struck under clause 16.... Would they be exempt from those open tender requirements? I’m looking at sections 3 to 5 of the Transportation Act, or would they still apply, in this case?

Hon. Niki Sharma: Yes, nothing in this provision

ousts any of those tendering rules under the Transportation Act. I mean, they would have to apply to the scenario that was at question. But if they were going to apply, then they would.

Kiel Giddens: Appreciate that confirmation, to the Attorney General.

Maybe another question. Does the Attorney General — or the Transportation Minister, for that matter — intend to seek any other approvals before amending any agreement that would expand data collection from toll billing to real-time congestion charging or anything like that? We just want to make sure we understand, I guess, what type of approvals are still needed under section 2(1)(e) here.

Hon. Niki Sharma: Again, we go back to the powers that are in the actual clause here, so 14. Clause 14 would set out, by regulation, the toll fee or charges that were set out for that particular piece of provincial infrastructure. Nothing can be done through agreement that is related to the things the member was talking about. The power to put that in place comes from the regulation, the regulatory power we already talked about.

Kiel Giddens: Just given that 2(1)(e) allows agreements with First Nations, I'm just wondering how the Attorney General and the government would ensure that any revenue-sharing or enforcement deals with First Nations that could be, for example, negotiated under clause 16 powers....

[5:30 p.m.]

Is there any anything that would override or be at odds with either DRIPA or any other legislation regarding First Nations?

Hon. Niki Sharma: No.

Kiel Giddens: I guess we're going to get much later in the bill to the sunset clause. But I'm wondering on sunset of this in regards to clause 16 specifically. What safeguards would be in place to ensure that any agreements that are signed under clause 16 contain those clear termination dates and the sunset clause as we get to it later in the bill?

Hon. Niki Sharma: The authority to enter an agreement is tied to the sunset clause. You would design any agreement to take that into account.

Steve Kooner: Just prior to my colleague here, the member for Prince George–Mackenzie, starting to ask his questions, I asked one question, and I just had a follow-up question to that particular question.

I believe the Attorney General answered that there are

examples of precedents of section 16 here. I didn't get to ask what those examples are. Can you give me one or two that I can have a list of?

Hon. Niki Sharma: That is a bit of an untenable ask, to go through all of our statute book and find examples of when we cross-reference different powers in different pieces of legislation, that I would say was pretty irrelevant to the discussion we're having.

But I will say that there is no example of this particular one, the Transport Act 2(1)(e) power, being cross-referenced in the way that it's done in this bill in another piece of legislation.

Steve Kooner: If there is no particular example.... Usually the process is you look at an example, and then you come to drafting the legislation. So how did you go about drafting this particular legislation if you didn't have a precedent?

Hon. Niki Sharma: When you look at designing a policy or a piece of legislation, the analysis that goes into constructing it is what powers you need to use to give the enabling powers to government, with the right checks and balances in place.

We have an expert team here that through that drafting process, will use the drafting principles that they are experts on, and the policy experts that we have, and some are in front of us today, to understand what type of regime you need to put in the bill in order to be successful if it was ever used.

That sometimes does require saying we need to cross-reference powers from different pieces of legislation. The benefit of doing that is it ties together existing pieces of laws and powers in a very cohesive and understanding way. It adds to transparency, and it adds to using the structures and systems that are in place in government already, particularly when you're doing a tariff response bill and trying to stabilize an economy through that.

Steve Kooner: We're talking about two pieces of legislation: one, the Transportation Act; and one, Bill 7 here that we have before us. We're talking about, simultaneously, both these pieces of legislation working together.

[5:35 p.m.]

In terms of the Attorney General's department in drafting these pieces of legislation and making them work together, did the Attorney General's department see that it was pretty easy to put the sections together, or were there any sort of issues as a result of trying to make both these pieces of legislation work together?

Hon. Niki Sharma: No issues, and they found solutions that are identified in this bill.

Steve Kooner: I thank the Attorney General for the elaboration there and the clarification there.

Going further to this line of questioning, we are dealing with two pieces of legislation here. Essentially, there seems to be a regulatory framework that's being set up of what the minister under transportation can do pursuant to the transportation provisions, and then what we can actually do under Bill 7 here, under clause 16.

So I guess there's a little bit of a concern. Is there going to be a little bit of a duplication in terms of the regulatory framework? Will we see it both under the Transportation Act as well as under the Economic Stabilization (Tariff Response) Act?

Hon. Niki Sharma: No. This is specific to this legislation.

Steve Kooner: I know we've spoken quite a bit about cost benefit and revenue projection items in previous clauses. In particular to this particular clause, has the Ministry of Transportation or the Attorney General's office conducted any cost-benefit or revenue projection modelling regarding the potential use of clause 16 to impose tolls?

Hon. Niki Sharma: Asked and answered in the context of the whole part.

Steve Kooner: If there are financial projections, can they be tabled for review, or if they're not right now, would that be available in the near future?

Interjections.

The Chair: This room is a bit small for sideline conversations, please. Thank you so much.

Interjections.

The Chair: Stop, please. Thank you very much.

Hon. Niki Sharma: Same answer as I gave previously when we were talking about cost-benefit analysis.

The Chair: If the member could possibly keep his questions to the current clause, not to stuff that has been discussed in the past, that would be appreciated by the Chair. Thank you.

Steve Kooner: All right. My intent is to keep it to clause 16, and I'm trying to address only clause 16. There might be a perception that it's off topic, but if that is a concern, I can always try to rephrase my question because all of these clauses.... I'm trying to narrow them down to 16.

Next clause I have here. We spoke a little bit in clause 13 about definitions that are applicable to this whole part and

clause 16 as well. Given that clause 13 defines ferries covered under the Coastal Ferry Act as provincial undertakings, can the Attorney General provide a detailed legal explanation of how clause 16 interacts with the existing Coastal Ferry Act rate-setting mechanisms?

Hon. Niki Sharma: It doesn't.

Steve Kooner: All right.

Going on to my next question, clause 17 authorizes the minister to collect personal information directly or indirectly, and that works in correlation with clause 16 here. Can the Attorney General explain, using examples of how indirect collection could occur in the context of clause 16 tolls?

[5:40 p.m.]

Hon. Niki Sharma: I think it would be helpful to talk about it in the context of clause 17, when we get there, because we can describe the powers and abilities there. The member is directly referencing clause 17 right now, and it does talk about indirect collection of personal information. Then in clause 16, we talked about the ability to have that power, through agreement, to collect information.

Steve Kooner: Fair enough. I'll save that question for clause 17, as we get there next. All right.

Clause 15 provides debt collection powers, but clause 16 is silent on enforcement mechanics. What legal instruments would the government rely on to enforce tolls imposed under clause 16?

Hon. Niki Sharma: Again, there's no power to impose a toll under clause 16. It's to have agreements to be put in place to administer a regime that was done by OIC in clause 14.

Steve Kooner: We will eventually get to clause 29, I guess.

My colleague here from Prince George-Mackenzie was talking about the sunset provision, but in clause 16, we don't see right now, in terms of any sort of limitation, how long it's going to last. Would the Attorney General like to reserve that conversation for clause 29 or maybe mention that discussion now?

Hon. Niki Sharma: The answer is, in fact, found in clause 29.

The Chair: Shall clause 16 pass?

Division has been called.

[5:45 p.m. - 5:50 p.m.]

As everybody is here in the room at this time, is there agreement that we shall waive the remainder of the time?

Leave granted.

The Chair: A division has been called. Before putting the question, I remind all members that only members of Section C or their duly appointed substitutes are authorized to vote.

Clause 16 approved on the following division:

YEAS — 7		
Osborne Routledge	Kahlon Sharma Botterell	Chandra Herbert Boyle
NAYS — 5		
L. Neufeld Wilson	Paton	Maahs McCall

The Chair: Now we'll take a minute to reset the room. At this time, the committee is in recess for the next five minutes. I have 5:50 on my watch. If we could have everybody back in their seats at 5:55 on my watch, please.

The committee recessed from 5:51 p.m. to 6:01 p.m.

[Susie Chant in the chair.]

The Chair: I will call the Committee of the Whole on Bill 7, Economic Stabilization (Tariff Response) Act.

On clause 17, recognizing the member for Fraser-Nicola.

On clause 17.

Tony Luck: Thank you, Madam Speaker.
Just before we start with the minister....

The Chair: I'm the Chair, not to be confused with the Speaker. He's scary.

Tony Luck: He hasn't been that scary. I get along quite well with him.

Thank you, Madam Chair.

Maybe before we start, I'm not sure if the Attorney General would like to take a few minutes to just explain this clause before we get started on it, before we ask some questions.

Would you like to do that and to give us some context, or would you like just to start?

Hon. Niki Sharma: This provision is a necessary provision to make it clear that the minister that's charged with the Transportation Act and any regime can collect personal information. It's a requirement under FOIPPA that you expressly state that, particularly if it's indirect collection. That's the reason for this provision.

Tony Luck: Well, thank you for that. It gives us an idea.

As you know, today a lot of people are concerned about the protection of their personal data and information and all that kind of thing. Another group getting involved in collecting personal data and that — we've got some questions around that. As we say, a lot of people concerned about that.

The first question we have is: what category of personal information does this ministry intend to collect under this authority?

Hon. Niki Sharma: The confines of the collection are related to this part. It's related to the tolls, fees or charges that may be part of a regime that's set up by cabinet. It's confined to that and nothing more than that or unnecessary.

Tony Luck: When we talk about that, just within it, would that include vehicle registration, GPS data, billing details, those kinds of things — addresses, phone numbers, next of kin — for the purposes of this bill?

[6:05 p.m.]

Hon. Niki Sharma: You have to put everything related to this clause in the context of the powers and confines of FOIPPA. FOIPPA is a pretty rigorous regime that talks about.... For those that are concerned about privacy and the use of their personal information, they can refer to this piece of legislation that sets out rigorous policies for what you can collect and the confines of any disclosure of that information. That would be the primary tool in our province to protect people's personal information.

When you apply it to this regime in this section.... The member asked about what could be collected. A key component of FOIPPA is that it has to be necessary. If there's a collection of personal information, and that's pretty broadly defined, it has to be necessary for the implementation of, in this context, the regime of tolls, charges and fees and nothing more than that.

If you think that there's a valid complaint, that there was an overcollection of your personal information that wasn't necessary, there are complaint avenues for people to take to make sure their privacy is protected. If you think that the personal information that was collected in the context of this was misused somehow or disclosed in a way that was inappropriate, there also are mechanisms for there to be processes in place to protect that personal information.

What this does is tie it into the bigger privacy and personal protections that are available to people for their information in the province.

Tony Luck: You mentioned FOIPPA, but I don't see it mentioned anywhere within this context here, unless it's falling under the Transportation Act. I don't see it specif-

ically mentioned here, unless I'm missing it. I know my eyes are going, but I can't see it in that particular clause.

Hon. Niki Sharma: It's one of these pieces of legislation that have supremacy in our legislative books, so you don't need to specifically mention.... I think we talked about the Financial Administration Act. It applies, and the way you can see that it's tying into that is the "collect personal information" and some of the language in this clause that is clear that it's part of the personal information and privacy and protection regime that we have in the province.

Tony Luck: We've looked at some of the specific purposes for why this data is being collected and everything, and I'm sitting here, a member of the Legislature, and having a little hard time with FOIPPA. How are just the general members of the public going to understand what's being collected? Every member of the public has concerns about their data collection now.

[6:10 p.m.]

Will this document be disclosed to those people that will be told?

Hon. Niki Sharma: We have a pretty rigorous notice regime in the province, and the public or members may hear it. Often when you're in a conversation on the phone, there's a disclaimer saying that personal and private information is collected during this call or may be collected during this call because of that authority. So that's the notification.

In this context, you would have to provide what's called a collection notice under FOIPPA that you will be collecting personal information. And that would be at the time of collection. If it is — I don't know — a charge, whatever way the charge shows up, whatever document, there would be some kind of collection notice on there that would say what is being collected and, then, what the avenues of recourse may be if the person disagrees with the collection.

Tony Luck: This goes back to a previous question I was asking about. So this data is being collected, these tolls are going to be charged only to commercial and people coming out of the United States. This is not for the people of British Columbia. The citizens of British Columbia don't have to fear being tolled or a fee or anything on the highways, as far as we understand, moving forward here. How does FOIPPA and that translate into American citizens that come into Canada that will be using this system?

Hon. Niki Sharma: The way that the legislation is constructed is that it binds the collector of information. So it doesn't matter who the person is, what their nationality is, where they're coming from. It's the person collecting that

has the obligations. Then from the other side, if there's a dispute or something that they feel is wrong about that collection of that information from that entity, then they have the same level of recourse if they're from a different jurisdiction or not.

Tony Luck: Thank you for that answer. That sounds reaffirming.

I think you may have answered this one. Let me just ask it again. How will the ministry ensure that collection and disclosure are proportionate and limited to what is necessary for toll enforcement administration? I think you may have hit on it that a little bit, but a little more clarity on that.

Hon. Niki Sharma: I've talked about the legal bounds that make it so it has to be necessary. Another really interesting fact about the implementation about the FOIPPA is that every ministry has a privacy officer. So it's something that is very well integrated, the responsibilities of abiding by FOIPPA and the protection of personal information in each ministry.

There would be a check and balance to understand if they are, and then there's the ultimate check and balance with the independent officer that could check on government.

Tony Luck: Just one last question in this particular section: will personal information collected under this section be linked to other government databases, such as ICBC, CRA, MSP, anything like that?

[6:15 p.m.]

Hon. Niki Sharma: Yeah. You can see scenarios where that's a necessary part of a regime on tolling and fees and charges, although it would be from an international perspective, but that would have to be designed at the time of whatever the regulation that's put in place, if this was ever used.

At that time, you would analyze what was necessary from the privacy protection and then what systems would need to work together for you to do that. But everything is under the umbrella of whether or not it's authorized by FOIPPA or not.

Tony Luck: Let's talk a little bit about privacy protection and oversight then. Has the Office of the Information and Privacy Commissioner for British Columbia been consulted regarding the implication of section 17 of this act?

Hon. Niki Sharma: Every time there's legislation that's drafted in the province, there's a privacy impact assessment that gets undertaken to understand what this legisla-

tion's or any legislation's impact could be on obligations under FOIPPA or privacy.

At the time that a regulation would be passed, if that ever were to happen, also there would be a privacy impact assessment. Particularly for this type of regime, it would probably trigger the highest form of assessment. At that highest level of assessment is when you involve the Privacy Commissioner themselves, so they can give input on the types of personal information you're collecting and whether or not you are abiding by FOIPPA.

It's also a really good thing for government to do at the outset, because we can get the guidance of the Privacy Commissioner at that stage, before any information is collected. We really do appreciate that input when it comes. That would be the likely rollout of this, were it to be something that we decided to put into place.

Tony Luck: Well, you anticipated my next question, because that's exactly where I was going to go with that. Will privacy impact assessments be conducted before any implementation? You've answered that question, so I won't ask the question.

[6:20 p.m.]

So what internal or external audit processes are in place to ensure compliance with the Freedom of Information and Protection of Privacy Act, FOIPPA?

Hon. Niki Sharma: There are many potential avenues in which there could be auditing of personal information collected, particularly in this case. The first thing is that everybody that works in the public service, I think once a year, has to do a course on the privacy laws. That is an understanding clearly of what their roles and obligations are.

The comptroller general has a general ability internally to government to audit different components of what they see fit related to personal information and collection. I'm told that different ministries, depending on their regime and their contact with personal information.... As you can see, some ministries, like MCFD, would have more sensitive contact with personal information. They have really rigorous internal auditing for personal information regimes. So it depends on the ministry, in terms of the section.

Also, the Privacy Commissioner could step in and ask for information or do an external audit or look at how we are handling a ministry or a particular subject — in this case, if it were the tolls, charges and fees or handling personal information.

Tony Luck: In light of recent data breaches and that within the government and other organizations, will individuals be notified when their personal information is collected, disclosed or breached, and if not, why not?

Hon. Niki Sharma: The member asked a question about the collection, disclosure and breach. I'll go through each of those because they would be different.

The first one is collection. We talked about that earlier, about the collection notice that's required. If you're collecting any personal information, you have to disclose what you're collecting and why.

[6:25 p.m.]

That's also tied into disclosure, so it's at that time, when you give your collection notice or your notifications to the person — “Hey, I'm collecting your personal information for these purposes, and here's how I can disclose it” — that you talk about the mechanisms of disclosure. It wouldn't be that the ministry or whoever is implicated at each time of disclosure would call that individual and say: “Hey, just so you know, I emailed this information.” It would be up front that the person would know how their information would be collected and disclosed.

Then, in terms of a breach, there are very clear notification requirements where even if you think that there may be a disclosure of somebody's personal information through a breach, there are pretty strong notification requirements to that individual.

Tony Luck: One of the challenges we always have with our data collection and everything is being able to go and make sure it's correct and updated. How will individuals be able to request access to or corrections of their personal data collected in this authority?

Hon. Niki Sharma: That's also in the collection notice. As the member rightly points out, if you have some kind of dispute with the details or content of that, then there's a mechanism. I think you get contact information at the outset of your collection notice, but you can interact with that entity through a formal process to say, like: “Hey, you've got to correct this, because this wasn't correct about my personal information.”

Tony Luck: Let's move on to disclosure and third parties, which we talk about in here too. To which third parties does the ministry anticipate disclosing this personal information?

[Nina Krieger in the chair.]

Hon. Niki Sharma: This is all just what might have been contemplated and the reason for these powers. The actual would obviously be determined by whatever the OIC is that sets out the regime.

But what's contemplated, and the reason that we have these powers of collection, is that if you were going to form an agreement with a body that might be administering some of these, they may need to collect the person's name or licence plate and let them know how they pay.

That might be the time that you would give the collection notice, and you would ask them to, so you'd have to have an agreement with that third party to figure out how to do that. Then I'm told that....

We were talking about ICBC, but in this context of an international registered commercial vehicle, you may have to.... Let's say you asked ICBC, "Hey, do you have any records of this commercial vehicle?" just to check if they were somehow registered provincially. Even that request that would contain the name and information would be a disclosure of personal information. Even if it's not necessarily a provincially registered vehicle, you may have to make that request. So already that's implicated. That's an example of a third party that you might have to interact with, with this type of regime.

[6:30 p.m.]

Tony Luck: You may have answered this a little bit. However, let's get a little more clarity on it. What safeguards will be in place to govern the sharing of that personal info with private entities managing toll collection? This would be private entities that may be doing it, right?

Hon. Niki Sharma: We can't contract at all out of our FOIPPA obligations. But the way these happen in practice is if there is going to be a reliance on some other entity to collect personal information, then the contract provisions are very strong, in our understanding of their obligations under FOIPPA, and the contractual regime that we're asking them to implement would take the safeguards in place to make sure that we were abiding by our FOIPPA obligations.

Tony Luck: We talked about other entities, third parties and that. Do we consider provinces or federal governments third party? Not sure. But will personal data be shared with other provinces or federal governments under the interjurisdictional toll enforcement agreements that we have?

Hon. Niki Sharma: That is a possibility, had this happened, but we remember the way that the legal requirements attach to government. That's the way FOIPPA is set up. So that personal information that was collected by our government is still subject to all of those rules, and we would make sure in these agreements that it was clear what those FOIPPA requirements would be in any relationship.

Tony Luck: I should have probably thought, we're all under Team Canada, so the rules would go cross-jurisdictional.

Will personal data ever be stored or processed outside of Canada? If so, how will this comply with B.C.'s data sovereignty requirements under FOIPPA?

[6:35 p.m.]

Hon. Niki Sharma: Thanks for the interesting question.

Data storage is a very complicated issue because of, I think, the way that the world is now with data and how we collect information. The B.C. regime right now about protecting people's information on data storage that could be in another jurisdiction is through.... There's a special, specific regulation for it.

It's the Personal Information Disclosure for Storage Outside of Canada Regulation. That's the regulation that sets out what type of privacy impact assessment you would need to do with relation to that, to make sure that if data storage is happening outside of a Canadian jurisdiction, there are the right kind of privacy protections in place if that's going to happen.

Tony Luck: That's great. But collecting, obviously, is one thing; how will the ministry monitor and enforce the limitations on the use and retention of the disclosed personal data? Now this is about enforcement and making sure we monitor it correctly so nothing happens.

Hon. Niki Sharma: The privacy impact assessment that's done if there's going to be data storage would set out the mitigation factors and the way that that data needs to be stored and what the protections are for privacy. So instead of, like you sometimes have with bigger entities, these standard terms and contracts that we sign, it goes the other way.

When government is handling personal information and they're using, say, Microsoft or another entity where there may be data storage outside, we set our terms and conditions through the regulation laws of how that privacy and how that information is to be held, to make sure that it is under the protections that we need it to be under. We are abiding by our FOIPPA obligations by using that or using that entity that might use data storage that's outside of our jurisdiction.

Tony Luck: Let's move on to enforcement and some surveillance concerns that some people have.

Does this ministry plan to use automated licence plate readers, ALPRs, facial recognition or geolocation tracking in relation to toll enforcements?

Hon. Niki Sharma: There's actually no specific plan to do anything at this stage. This is just an enabling piece of legislation that allows the ability to do that.

At the stage of, hopefully never, any contemplation of escalation where we are working in a Team Canada approach to put something like this in place, then it would be up to that minister and, ultimately, cabinet to talk about what the mechanisms to do that would be and

exactly where it would go and what technologies we would use to do that.

Again, anything is under FOIPPA. We had a good conversation about how FOIPPA applies and how collecting of personal information would apply to anything.

So all those considerations would have to be put in place at that time.

[6:40 p.m.]

Tony Luck: You may have answered this question a little bit too, but a little bit more clarity on the surveillance piece and everything.

Will information collected through enforcement mechanisms — for example, toll evasion tracking — be shared with policing agencies or used for other purposes?

Hon. Niki Sharma: We had a chance to talk in the previous clause about our enforcement mechanisms and how we would enforce it. It doesn't involve the police. This is not any regime or any power that's given to the police for enforcement. It's a different mechanism, so no.

Tony Luck: So we're not going to be involving the police at all in policing this and making sure we get the tolls paid and all that kind of thing. It will be another mechanism.

Could this section be used to enable surveillance or profiling of vehicle users, especially in high traffic or sensitive areas?

Hon. Niki Sharma: I just want to make it clear that the answer would be no. There's nothing in here that.... It's not a surveillance regime that we're talking about. There's nothing in here about collecting.... We talked about the personal information protections, but collecting or surveilling people in order to.... I don't know what the purpose would be of that.

The history and implementation process of tolls — I think there are different ways to do it. I won't prejudge what might happen in the event we get there, of what the minister's tools might use, because I think there are examples of how tolls were used in B.C. before, and mechanisms that you might be able to do it.

Again, there are really strong protections when it comes to the use of personal information, and I'm actually glad for that, that we live in a jurisdiction where we don't have government powers to surveil people and collect information for unnecessary purposes or purposes that are ulterior to the purpose of what you may need it to do.

Tony Luck: I agree with you. I've seen some scary movies about that kind of thing, and I hope we never get to that. I know we'd all like to see that, but we certainly hope we don't get to that in our society at this particular point.

One of the things that we always worry about when it

comes to government and collecting information is: how will this government prevent misuse or mission creep, which happens quite a bit, in the application of personal data collection under this provision?

Hon. Niki Sharma: I think we talked about this at the very first question when we went into it. But I think it's like a....

I'm happy to have this discussion that makes it clear that any use or collection of personal information has to be necessary, right? And there are all those protections in place that are oversight to make sure that not only can a person have personal recourse if they think it's unnecessary, but there's a system of protection with the Privacy Commissioner to help us make sure that regimes are not there to collect unnecessary personal information.

Tony Luck: I will move on to budget and some operational impacts for the next few questions here.

What is the projected cost of building and maintaining the data infrastructure required for collecting and managing the personal information under this section?

Hon. Niki Sharma: At this stage, as enabling legislation, there is no.... The time for understanding that would be at the time if this is ever contemplated to be put into use.

[6:45 p.m.]

Tony Luck: I may get a similar answer for this one too. How many staff or contractors will be assigned or managed for personal information in the collection and storage of the data? Probably similar.

Hon. Niki Sharma: The member is correct. I have the same answer to give him on that one.

Tony Luck: Will the government be indemnified if personal information is mishandled by a third-party tolling service provider?

Hon. Niki Sharma: I think, generally speaking, you can see scenarios where there is, where government says, set out in a contract: "Hey, third party, we told you to do this, this and this with personal information." And in our contract, we're going to say very clearly that if you don't do that, you're going to indemnify us for that conduct. It could show up in a contractual agreement to do such a thing.

I guess my answer is that it depends, but I could see that as a likely term in a contract agreement to make sure that our confines of liability when we set out standards are protected.

Tony Luck: I hope they are, to protect taxpayer and

everything on something like this for sure. That would be really good.

One last question for me then is: what penalties or remedies will be in place if personal information is mishandled or exposed through a breach?

Hon. Niki Sharma: All of those also set out in FOIPPA really clearly, like what the remedies are in a breach and what the processes are for breach.

Also, I think it's really good for people to know that if anybody is concerned about this and listening, if they need advice, like if they feel like there may be something that's implicated or they're concerned.... Obviously, this regime is not in place, but generally speaking, they should reach out to the Office of the Privacy Commissioner to seek advice, to understand what their rights and obligations or potential remedies might be in the event of a breach.

Kiel Giddens: I'm jumping in again before the Attorney General critic gets up. I'll be heading out to speak to the Bill 5 amendment shortly. I just thought I'd ask a couple questions before I leave.

I'm wondering. We talked a little bit in the previous clause about how some of these would be communicated publicly, you know, DriveBC and things of that nature. I'm wondering, as part of that: will individuals be informed about the collection and potential disclosure of their personal information, and what would that look like?

Hon. Niki Sharma: Asked and answered.

Kiel Giddens: Will individuals have the ability to request access or to correct their tolling data? I don't think we've talked about that yet.

Hon. Niki Sharma: Asked and answered.

Kiel Giddens: All right, I'll go back for that.

Is there a data retention policy in place, and how long will the data be stored once the total obligations are resolved?

[6:50 p.m.]

Hon. Niki Sharma: The legislative framework is that it needs to be kept for at least one year under FOIPPA. But I'm told, in operation, that ministries have retention policies that are put in place that help to guide why you may need to keep that for longer than one year and what the reasons would be for that. There could be a specific retention policy that relates to that information that would require it for longer, but the minimum is one year, legislatively.

Kiel Giddens: Thank you to the Attorney General for the response.

The member for Richmond-Queensborough did talk, in the previous clause, about just the fact that clause 17 authorizes government to collect personal information, directly or indirectly.

In relation to this clause, I'm wondering if the minister could expand a little bit on the indirectly aspect of it and just describe that a little bit further.

Hon. Niki Sharma: This was tied into the previous clause. The reason is because there may be situations through agreement that there is an indirect collection of personal information. We talked about scenarios where the first line of....

If we have a partner that we've made an agreement with that's helping us with this total fee or charge collection, it may be, at that point of contact with that third party under agreement, where the first collection of personal information is implicated. That's an indirect collection, but then it just makes it clear that, obviously, there is an authority under some agreement and that FOIPPA would apply.

Kiel Giddens: I'm just trying to understand, really, the scope when we talk about indirectly collecting that personal information.

Could that, for example, include the bulk location data storage from telecom carriers, or perhaps the scraping of licence plate images, like reviewing those from parking lot cameras? Could that be an example of something that could be done? What's the statutory limit of this practice, basically?

Hon. Niki Sharma: We had a discussion, I think, before the member was here about the confines of FOIPPA, that are a protection generally in the province about personal information.

He raised some scenarios that I think is important to tie back to the fact that it has to be necessary for the purpose. I think there are questions about some of the scenarios that he was mentioning. Even if it's indirect collection, so you haven't collected it directly from the person who that personal information is from, the person directly.... That's what indirect means, so it could be anything.

[6:55 p.m.]

Even if it's indirectly connected, it's still confined by the powers of FOIPPA to say that it has to be a necessary use of a collection of that personal information for the purposes of that action or whatever you're doing.

So there are really clear protections there. And if there is somebody that believes that it was an unnecessary collection of personal information, then there is a whole regime in place for there to be protections against that, and we talked about that earlier.

Steve Kooner: In my line of questioning, I want to ask follow-up questions to get examples of theoretical discussion that's already happened. Like for example, FOIPPA applies to data collection, but I would like a more detailed list of items that would go along with that theory that was applied just earlier.

We spent some time talking about FOIPPA, and we spent some time talking about how FOIPPA applies to data and data collection. I wanted to know how it relates to, particularly, concerning consent and the purpose limitation principle, these two principles — concerning consent and the purpose limitation principle. Maybe a list can be provided, like what's an indicia that goes along with that. I know FOIPPA applies, but just if I could get a list to understand it better.

Hon. Niki Sharma: It would be really dependent on the scenario and the regime put in place. But if this helps with the member's question, some of the things that might be necessary to collect would be the name of the individual, obviously. That would be a necessary piece of personal information.

The registration of the vehicle. So if it's something to be put in place to do with commercial vehicles, if that's contemplated, then there would probably be some vehicle information requirements to be gathered. Likely you would need something about billing information so you would understand how you can contact that person for the purposes of billing.

And another likely piece of information that could be on the side of personal information was the provincial infrastructure that that person was using. There's a regulatory regime that sets out what the tolls, fees and charges are related to that. So if it's a piece of highway or whatever it would be, that would probably be unnecessary information because it would disclose.... It would be personal in the fact that it may disclose when the person was using it at what time.

That would be likely some of the things, but of course, this is all speculative in the context of there is no actual regulation in place at this stage.

Steve Kooner: This is actually really, really helpful information in regards to the indicia or the list of name, registered vehicle, billing information.

But when the tolling is happening and the collecting of information is happening, how would the government actually get this information? How do you get someone's name when they're driving a vehicle? Or how do you get their billing information, like their credit card information? How do you get that stuff?

[7:00 p.m.]

Hon. Niki Sharma: I think the answer that I'm giving is going to be so speculative as to probably not be useful,

because it would really depend. It would depend on what you're tolling, how you're implementing it and the structures you put in place to do that.

You could see a scenario where there's actually a stop point where it's easy to collect that, because you're talking directly to the person.

You could see it being something that's app-related. You can figure out a way to, say.... If you're a commercial vehicle that's very frequently going through, you could have an app-based solution where you have the person paying and directly communicating with the payment entity or wherever it's going.

You could have a scenario where you're tying it into an agreement with a third party, where it makes sense because that person that you are targeting or that entity that you're targeting for the tolling and fee is frequently using that. So the agreement is somehow related to that third party that we could encounter to collect.

It just really depends. It would depend, if this was ever used, how that was put in place. But just to say that the Ministry of Transportation has the skill set and is the ministry that understands the infrastructure in our province and the best way to do that.

Steve Kooner: I thank the Attorney General for that response. That's helpful to understand. When you have an example, it really helps to understand. I think for the people listening at home, that will probably help them understand that provision as well.

There was another question that was asked, and a response was provided. But I would just some more details on a similar line of questioning as the one that I just asked. This one goes to.... Well, the question is: what criteria or list will help you determine the circumstances under which personal information may be disclosed? Is there a list that says if you meet these five things, all of a sudden this information is going to be disclosed? Sometimes there is in some enabling legislation.

Hon. Niki Sharma: That particular regime and criteria, or however the member described it, is in section 33 of FOIPPA. That talks about the disclosure and what's needed for disclosure. This section 17(2) is legally required for us to be able to disclose. The confines of that disclosure are under section 33 of FOIPPA.

Steve Kooner: Since we're at this clause right now, would the Attorney General be able to elaborate on section 33 and kind of provide the list so we can just carry on?

[7:05 p.m.]

Hon. Niki Sharma: I'm not going to read the whole section out because I think I can refer the member,

and there's a statute book here in our room that can go through section 33 and the details that it has.

But the most important one is section 33(2)(e) that says.... Oh, there we go. We have a member helping another one with the statute book. Perfect.

Steve Kooner: I do have the reference here in regards to section 33(2), and it goes from (a) to (x). There is a long list here. I'm just going to quickly read the top part, "A public body may disclose personal information in any of the following circumstances," and there seems to be a list. This is actually really helpful, because there is an indicia. Somebody can easily go here, and they can have a look at what's included.

Okay. Continuing with this line of questioning but on a different topic, if we go further.... There was some discussion about something about training — that staff are trained to deal with privacy information, and they routinely deal with it. There's something along those lines that I heard earlier.

That's great that that mechanism is there, but I would like to know if there's a list of training manuals that government officials have that they would have to review first, and then as a result of reviewing those, they would apply that to disclosure of information or retention of information or collection of information. What are those training manuals that they reference?

Hon. Niki Sharma: I'm told by the wonderful public servants around me that there are many courses and programs that people take about FOIPPA, but the one that is online that you can search is FOIPPA Foundations, which is the training that's done, I think on a yearly basis, that all the public service does. It's mandatory.

The Chair: Members, it is now 7:10, almost, and we'll convene for a brief recess, reconvening at 7:15, please. So in five minutes, at 7:15, we'll continue. Thank you.

The committee recessed from 7:09 p.m. to 7:20 p.m.

[Nina Krieger in the chair.]

The Chair: Good evening. I call the Committee of the Whole on Bill 7, Economic Stabilization Tariff Response Act, back to order. We are on clause 17.

Steve Kooner: Prior to the recess, I was on a line of questioning, asking follow-up questions to questions that were already asked. But the answers weren't specific enough to address some information that I require, so I will continue with that line of questioning for some other missing information that I require.

Just prior to recess, we spoke about training manuals. I was pointed to online FOIPPA Foundations, and that's where we left off the last topic that we were speaking of.

Now, going further, we have also heard that there are mechanisms for audits. We have heard examples of audits. We haven't heard examples, but we've heard the theory that there is an audit behind the collected information, the retained data.

My follow-up question is that I would like some examples of what these auditing mechanisms are, what some of those principles are — indicia, a list to help me understand. The auditing provisions apply to clause 17, but what are the specific provisions or specific examples that govern the auditing? That's the next question.

[7:25 p.m.]

Hon. Niki Sharma: With respect to audits, it is not useful to, nor can I, set out the indices or criteria for each audit, because every time there's an audit, it's a completely different set that would be needed. It would depend on the amount of personal information, how sensitive it was, the structures of government. Is it a complaint-driven audit? Is it structural audit? These are all questions that are left to the person that's conducting the audit.

If it's an independent auditor, they would set their own terms. If the Auditor General decides they want to audit something for personal information, that would be their own terms that they would set. The government wouldn't set it.

I can provide a list to the member of all of the courses or guidance or policies for FOIPPA: IM 117, a course on data management; a FOIPPA course for contractors; a public website with guidance on FOIPPA; the OIPC website, which has guidance for FOIPPA Foundations; the guidance for privacy impact assessments; privacy management and accountability policy; the guide to good privacy practices.

These are just some of a list for the member of the various instruments that are in place that provide guidance and policies within government.

Steve Kooner: I thank the Attorney General for that explanation.

The next question in my line of questioning, with the same line of questioning still. There was a discussion about how this legislation would affect certain people that would have their information taken.

Now, going along that line, I guess I would need a more of a specific example. I will provide a more specific question. My question is in regards to the category of people that will potentially have their information taken. Out of that category, there might be some vulnerable populations that might be exposed, such as Indigenous communities or low-income individuals.

[The bells were rung.]

The Chair: Division has been called in the main cham-

ber, so we will now take a recess and reconvene following this.

The committee recessed from 7:28 p.m. to 8:06 p.m.

[Nina Krieger in the chair.]

The Chair: Good evening. I now call the Committee of the Whole on Bill 7, Economic Stabilization (Tariff Response) Act, back to order. We are currently on clause 17.

Steve Kooner: Just before the recess, we were on a line of questioning that had to do with previous questions asked and answered, but seeking clarification in the form of examples. I believe we had a question asked and answered the last time, and the last one we were on was, I believe, audits. Then I was asking questions around the audit examples, and I was provided example sources that are usually referred to as reference points to enforce the auditing.

Now, with that line of questioning, I'd like to go further and ask for.... Actually, I believe where we left off was that we were on my subsequent question, but I didn't get to ask it. I was talking about vulnerable populations and low-income individuals — people, perhaps, from groups from the Indigenous communities.

I guess a similar question was asked by my colleague from Fraser-Nicola, of how this provision on toll data collection would result in terms of certain populations. This goes one aspect further to discuss vulnerable populations. We have to be extra-mindful and extra-careful of vulnerable populations, and if we're bringing forward legislation, we know we need to make sure there isn't a disproportionate effect on vulnerable groups.

The question goes to what safeguards, what protections, there are to make sure there isn't a disproportionate impact or effect on vulnerable populations. I understand there's FOIPPA. There was legislation mentioned, but this is a very specific example, and we need to know exactly how there's extra protection in terms of these vulnerable groups. That's the next question.

[8:10 p.m.]

Hon. Niki Sharma: Just a few things that I would offer to that question. The legislation and the FOIPPA protections are actually for protecting everybody. It maybe wasn't intended, but the framing of the question can make it sound like FOIPPA protections are punitive somehow or could be disproportionately felt by vulnerable people, but they actually are protections for everybody. It's a very forceful protection of how entities need to act if they're acquiring or using any personal information from anybody.

Instead of it being.... Anyway, it's a protection mechanism for that — all of the things that we talked about that are in place to make sure that personal information is protected and disclosed in the correct ways and all of the

recourse that could be available if there are breaches are available to people, especially vulnerable people, that may be in that situation.

Steve Kooner: I'm going to change the questioning. I'm just going to go to the actual wording of clause 17. We have two subsections here. The first one involves collection of personal information, and then the second one involves disclosure of personal information.

In terms of.... But there is no.... There's been discussion of how certain individuals would be informed that their data has been collected. But as you can probably tell from the questioning from our side, we are very concerned about the data of British Columbians. We've heard certain explanations provided from the other side.

But in this specific legislation of clause 17 in this bill, there's no specific reference to informing individuals that their information has been collected or communicating that. There's no extra provision in here. We've canvassed this issue at great length in terms of what protections are there, and the reasoning for that was that we are concerned about.... There needs to be transparency and accountability for British Columbians, and that needs to be taken into account directly in this legislation.

At this time, I'm going to introduce an amendment to this particular clause. I'm moving an amendment, and the amendment is to section 17. Basically, that's essentially adding a third paragraph towards the end.

[SECTION 17, by adding the underlined text as show:

- (1) *The minister charged with the administration of the Transportation Act may, directly or indirectly, collect personal information for the purposes of this Part.*
- (2) *The minister charged with the administration of the Transportation Act may disclose personal information for the purposes of this Part.*
- (3) *The Minister charged with the administration of this Part must individually inform any individual, group, organization, corporation or other entity that their personal information has either directly or indirectly been collected.*

Right now there's subsection (1) and subsection (2). There would be a subsection (3), and that would read: "The minister charged with the administration of this part must inform any individual, group, organization or corporation or other entity that their personal information has either directly or indirectly been collected."

People of British Columbia should have disclosure about their personal data, because we've noticed that there are a lot of issues with data in recent times. We feel that that would be an appropriate amendment.

I move that, and I can speak to the amendment after I hand out the amendment.

The Chair: Would the member for Richmond-Queensborough like to speak to the amendment now, before it is distributed to members and reviewed for admissibility?

Steve Kooner: I believe we do have some speakers to it as well. Would you like that all to happen at the same time? Is that proper procedure?

The Chair: What we can do is take a brief recess, and we'll reconvene after the amendment is reviewed.

The committee recessed from 8:15 p.m. to 8:22 p.m.

[Nina Krieger in the chair.]

The Chair: Good evening. I call the Committee of the Whole on Bill 7, Economic Stabilization (Tariff Response) Act, back to order. We are currently on clause 17.

An amendment has been moved by the member for Richmond-Queensborough, and I've determined that amendment is in order.

Member, would you like to speak to the amendment?

On the amendment.

Steve Kooner: Yes, Chair. Thank you.

I have moved this proposed amendment because data issues are very, very important. It's important to protect British Columbians, especially in this day and age. Last year there was a data attack on government information systems, just in 2024, and it raised a lot of concern.

Government offices are exposed to data issues. We're seeing more and more cyber attacks, and we see that insurance companies are raising premiums in terms of covering cyber attacks, because there have been so many incidents. With that, with the cyber attacks, there has become more of a concern for protecting data and British Columbians being more concerned about it.

There have been also many incidents of fraud, identity fraud that's been happening. In particular to my riding, I've heard issues of mail fraud, and people are worried about identity fraud. This is an ongoing issue, and it's become a very, very big issue.

When we are providing any sort of extra powers to the government, and there will be later on some regulations to determine how that discretion will be managed, I think we have to be very clear to protect British Columbians in the legislation and directly in the legislation, directly in this Bill 7 legislation, and in clause 17 in particular, because data is of utmost concern.

[8:25 p.m.]

I think the proposed amendment is pretty straightforward. It would just add another paragraph, paragraph (3), and it just states: "The minister charged with the administration of this part must individually inform any individual, group, organization, corporation or any entity that their personal information has directly or indirectly been collected."

This will allow individuals to take steps if they feel that their information was incorrectly collected. This will al-

low knowledge.... If there is information out there, people can take certain action, measures to kind of safeguard their own information.

Say if their driver licence number is out there, they can be extra careful with how many times they reveal their driver's licence out in the public. This can only be done by British Columbians actually knowing where their information is and how it's been taken. It will also allow them to, maybe, even, perhaps, purchase extra insurance to kind of guard from identity theft.

This provision easily flows in with the rest of this provision. It has similar language. It talks about the minister, just like the previous section is talking about. It talks about the administration of this particular part. So the language flows in quite coherently, and this provision seems like it's in place.

I will be supporting my own amendment, and I encourage all members of this House, on both sides of the House, to also support and to vote in favour of this particular amendment.

Hon. Niki Sharma: I won't be supporting this amendment, and I'm going to give a clear reason why. Not only is it wholly unnecessary, but it's really problematic.

I will just start by saying it really misunderstands the personal information and privacy regime that we have in this province. It's completely out of sync for.... I'll go into the wording and why it's out of sync, but then just generally, as I mentioned in the debate many times, the FOIPPA legislation is something that has supremacy over every act and legislation in the province.

What this amendment purports to do is to select a very specific.... I think it's related to information, providing information of when.... But it does so in a way that is completely contrary to the FOIPPA rules in place and would actually provide a very confusing framework for information disclosure. I already talked in detail during this debate about the way information flows in a very significant and precise way any time personal information is impacted.

Just to go through the exact wording of it, the amendment says "individually inform." What does individually mean? That's vague, and it's impractical to think of what that actually means. Is it government personally sending somebody out every time? I'm not clear what that word means.

The other problem with the actual wording of the provision is that "group, organization or corporation or other entity" is actually not personal information. Personal information, as defined in FOIPPA, means recorded info about an identifiable individual, other than contact information, so it's listed pretty clearly. This creates an unusual addition to what could be.... I think what the member was intending to say was "personal information."

As a result, if this was added, section 3(7) of FOIPPA....

Section 3(7) of FOIPPA is a very important one because it says that every time there's an act that is in conflict with the FOIPPA, FOIPPA will prevail. In that circumstance, not only is it not necessary, it would be very quickly inapplicable and struck down to any disclosure of personal information under this act. It's actually quite problematic, legally speaking.

[8:30 p.m.]

The other reason why it's problematic, legally speaking, ... I'll just end on this. The member has purported to only lift out one part of privacy and protection, which is the information, and so, very unusually, has only added one part to a regime that's actually very complicated with respect to information-sharing, disclosure requirements, breaches and the entire regime related to that. It creates a real confusion in this piece of legislation as to what the intention of that might be and how, although it would likely be struck down by FOIPPA, all the rest of the regime with respect to privacy information would apply.

I have many other issues with the wording specifically that the amendment has chosen to include, including "directly" and "indirectly" and the way it shows up about how information is being collected.

But just on a whole, it's unnecessary, problematic and creates a worse situation for people when it comes to privacy than already exists under FOIPPA.

Rob Botterell: I will not be supporting this amendment. I will outline several reasons and the implications of spending so much time on this section in this amendment.

In British Columbia, we have had a detailed privacy and information framework in place since 1992. It has stood the test of time. It's an 80-page act. The act we're considering is 12. This is an 80-page act that governs collection, use and disclosure of personal information. It has a detailed regulatory framework governing how personal information is to be collected.

I invite my colleague to check out section 27 of the act. In section 27, it provides detailed provisions regarding notification. These provisions have been in place, as I mentioned, since 1992. They've provided a very.... They're overseen by an independent officer of the Legislature, the Information and Privacy Commissioner. There are provisions in the act to ensure that records that involve personal information and, particularly, identifiable information have an opportunity to raise concerns with an independent officer of the Legislature.

I mean, we've canvassed this in detail. There is no need for subclause 3, and I completely agree with the Attorney General in terms of the drafting of the section. It could be read: "As the minister charged with the administration, this person must individually inform...." That construction suggests that the minister may be actually needing to go out and individually inform everybody.

I don't mean to raise these concerns to question the sin-

cerity of the member's points he's making. But fundamentally, we're spending a lot of time on these types of amendments. They really need to be considered in the context of legislative drafting protocols and approaches with B.C. legislation.

I'd really encourage the member, if he plans to bring forward further amendments, that he have them reviewed by the Clerk's office, so that we're not focused on the vagueness of this but also so that the member can be briefed on the fact that we have this general legislation in this province that applies across the board. That's for a reason. It's so there's a consistent, strong, carefully worked out, detailed regulatory framework for issues that cut across pieces of legislation — in this case, freedom-of-information and privacy legislation.

[8:35 p.m.]

The reason I'm going into this at some length is that in the next few days, we are going to be faced, as members in this Legislature, with decisions that could result in us sitting to midnight, sitting on Fridays, sitting through the May break and taking us away from the important work that we should be doing for our constituents. And why? Why do we need to be doing that? We could focus on substantive issues and not spend so much time on amendments like this one and detailed discussion of items that are covered by a well-established regulatory framework.

I won't be supporting this amendment (1) because it's vague, and (2) because, as mentioned earlier, it conflicts with a detailed framework that stood the test of time for.... Let me do the math. I think that's 32 years, but I may be wrong. And it has independent oversight.

At some stage, we have to start showing confidence in government legislation administered by independent officers that has stood the test of time rather than trying to become in-house experts on this legislation. We have to have some faith in our independent officers of the Legislature. So I will not be supporting this amendment.

Gavin Dew: I do note, in response to the member, that the amendment was ruled in order, and I do believe that privacy is a substantive issue.

As mentioned earlier during questioning, with regard to data security and storage, by my colleague, most citizens, rightly so, are concerned about the security of their information. It's an important matter to make sure that they not only can have confidence in the security of their information but that it is clearly signalled that that is a priority for government.

Recent data breaches within government do not instil a lot of confidence. The reason why this bill is being debated so extensively and why it's been the subject of so much media coverage is that members of the public and stakeholders lost confidence in the government and lost confidence in the government's intentions with this bill

with regard to what appeared to be a very extensive power grab.

I think it's important in that context that we do all that we can in making amendments to this bill to try to re-affirm that people can and should have confidence that the way that it is potentially administered will protect their privacy and their data.

So with that in mind, this amendment is designed to ensure that if government collects any information about an individual, either directly or indirectly, they are informed that their information has been collected.

In this age of data breaches and hacked information systems, being aware of where your personal data has gone or is being taken is important for the protection of personal privacy. Government can have the most noble of intentions, but personal privacy and protection of personal information must always be of paramount importance, and if that requires a belt-and-suspenders approach, then good.

It is our intention on this side of the House, with this amendment, to ensure that the government always act with the best interest of British Columbians and ensure that prioritizing British Columbians' personal data remains a top priority. We strongly encourage the government and the Third Party to show British Columbians that they hold protection to personal privacy as a core principle by joining us in supporting this amendment.

Rob Botterell: To hear the member's statement is to suggest that as the Green caucus member at this committee meeting, in some way, the Green caucus does not treat privacy protection as a priority. In fact, we do treat privacy protection as a fundamental priority in British Columbia.

The point that I'm trying to make is that we have a very comprehensive regulatory and legislative framework to protect privacy, and if there are privacy breaches, then we have the system in place to deal with those breaches.

[8:40 p.m.]

But I wouldn't want any British Columbian to be concerned that because this amendment does not proceed or if it's voted down, there isn't a comprehensive, detailed set of protections for privacy in this province.

I'm more than happy to spend as much time as the members would like going through the legislation, clause by clause, that is already in existence. This is not a vacuum we're trying to fill. This amendment muddies a comprehensive, thorough framework that's already in place.

Steve Kooner: I'd just like to add that the Third Party House Leader made some remarks about me introducing this particular proposed amendment and talked about drafting.

I'd also like to confirm what my colleague here from Kelowna-Mission has stated, that this proposed amendment was ruled in order. That was after a review was done of this particular amendment in terms of the drafting of it.

So I'd like to put on the record that it was ruled in order.

The Chair: Seeing no further questions or comments, the question is the amendment to clause 17.

Amendment negated on division.

The Chair: Seeing no further questions, shall clause 17 pass?

Hon. Niki Sharma: I was going to see if there were any more questions.

Steve Kooner: I have questions.

Hon. Niki Sharma: Should we just wait till next time?

Steve Kooner: Well, I've got a line of interpretation that will come. It's going to take a while.

So yeah, if you want to adjourn.

Hon. Niki Sharma: I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 8:42 p.m.

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