LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

First Session, 43rd Parliament

OFFICIAL REPORT OF DEBATES

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Afternoon Sitting
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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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Arora, Rohini ..... Burnaby East
Bailey, Hon. Brenda ..... Vancouver–South Granville
Beare, Hon. Lisa ..... Maple Ridge–Pitt Meadows
Begg, Hon. Garry ..... Surrey-Guildford
Blatherwick, Jennifer ..... Coquitlam-Maillardville
Boyle, Hon. Christine ..... Vancouver–Little Mountain
Brar, Hon. Jagrup ..... Surrey-Fleetwood
Chandra Herbert, Hon. Spencer ..... Vancouver–West End
Chant, Susie ..... North Vancouver–Seymour
Choi, Paul ..... Burnaby South–Metrotown
Chouhan, Hon. Raj ..... Burnaby–New Westminster
Chow, Hon. George ..... Vancouver-Fraserview
Davidson, Hon. Tamara / Laanas ..... North Coast–Haida Gwaii
Dhir, Sunita ..... Vancouver-Langara
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Eby, Hon. David, KC ..... Vancouver–Point Grey
Elmore, Mable ..... Vancouver-Kensington
Farnworth, Hon. Mike ..... Port Coquitlam
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Higginson, Stephanie ..... Ladysmith-Oceanside
Kahlon, Hon. Ravi ..... Delta North
Kang, Hon. Anne ..... Burnaby Centre
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Ma, Hon. Bowinn ..... North Vancouver–Lonsdale
Malcolmson, Hon. Sheila ..... Nanaimo–Gabriola Island
Morissette, Steve ..... Kootenay Monashee
Neill, Hon. Randene ..... Powell River–Sunshine Coast
Osborne, Hon. Josie ..... Mid Island–Pacific Rim
Parmar, Hon. Ravi ..... Langford-Highlands
Phillip, Joan / Amshen ..... Vancouver-Strathcona
Popham, Hon. Lana ..... Saanich South
Rotchford, Darlene ..... Esquimalt-Colwood
Routledge, Janet ..... Burnaby North
Sandhu, Harwinder ..... Vernon-Lumby
Shah, Amna ..... Surrey City Centre
Sharma, Hon. Niki, KC ..... Vancouver-Hastings
Sunner, Jessie ..... Surrey-Newton
Toporowski, Debra / Qwulti'stunaat ..... Cowichan Valley
Whiteside, Hon. Jennifer ..... New Westminster–Coquitlam
Wickens, Hon. Jodie ..... Coquitlam–Burke Mountain
Yung, Hon. Terry ..... Vancouver-Yaletown

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Bhangu, Harman ..... Langley-Abbotsford
Bird, Rosalyn ..... Prince George–Valemount
Block, Lynne ..... West Vancouver–Capilano
Boultbee, Amelia ..... Penticton-Summerland
Chan, Hon ..... Richmond Centre
Chapman, Brent ..... Surrey South
Clare, Sheldon ..... Prince George–North Cariboo
Davis, Pete ..... Kootenay Rockies
Day, Brennan ..... Courtenay-Comox
Dew, Gavin ..... Kelowna-Mission
Dhaliwal, Mandeep ..... Surrey North
Doerkson, Lorne ..... Cariboo-Chilcotin
Gasper, Reann ..... Abbotsford-Mission
Giddens, Kiel ..... Prince George–Mackenzie
Halford, Trevor ..... Surrey–White Rock
Hartwell, Sharon ..... Bulkley Valley–Stikine
Hepner, Linda ..... Surrey–Serpentine River
Kindy, Anna ..... North Island
Kooner, Steve ..... Richmond-Queensborough
Loewen, Kristina ..... Kelowna Centre
Luck, Tony ..... Fraser-Nicola
Maahs, Heather ..... Chilliwack North
McCall, Macklin ..... West Kelowna–Peachland
McInnis, Scott ..... Columbia River–Revelstoke
Milobar, Peter ..... Kamloops Centre
Mok, Lawrence ..... Maple Ridge East
Neufeld, Korky ..... Abbotsford West
Neufeld, Larry ..... Peace River South
Paton, Ian ..... Delta South
Rattée, Claire ..... Skeena
Rustad, John ..... Nechako Lakes
Stamer, Ward ..... Kamloops–North Thompson
Sturko, Elenore ..... Surrey-Cloverdale
Tepper, Bryan ..... Surrey-Panorama
Toor, Jody ..... Langley-Willowbrook
Van Popta, Misty ..... Langley–Walnut Grove
Warbus, Á'a:líya ..... Chilliwack–Cultus Lake
Wat, Teresa ..... Richmond-Bridgeport
Williams, David ..... Salmon Arm–Shuswap
Wilson, Donegal ..... Boundary-Similkameen

BC GREEN PARTY

Botterell, Rob ..... Saanich North and the Islands
Valeriote, Jeremy ..... West Vancouver–Sea to Sky

INDEPENDENT

Armstrong, Tara ..... Kelowna–Lake Country–Coldstream
Brodie, Dallas ..... Vancouver-Quilchena
Kealy, Jordan ..... Peace River North

PARTY STANDINGS

Total seats – 93

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

ALPHABETICAL LIST OF RIDINGS

A

Abbotsford-Mission ..... Reann Gasper
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

Cariboo-Chilcotin ..... Lorne Doerkson
Chilliwack–Cultus Lake ..... Á'a:líya Warbus
Chilliwack North ..... Heather Maahs
Columbia River–Revelstoke ..... Scott McInnis
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

Ladysmith-Oceanside ..... Stephanie Higginson
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
Maple Ridge–Pitt Meadows ..... Hon. Lisa Beare
Mid Island–Pacific Rim ..... Hon. Josie Osborne

N

Nanaimo–Gabriola Island ..... Hon. Sheila Malcolmson
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

Peace River North ..... Jordan Kealy
Peace River South ..... Larry Neufeld
Penticton-Summerland ..... Amelia Boultbee
Port Coquitlam ..... Hon. Mike Farnworth
Port Moody–Burquitlam ..... Hon. Rick Glumac
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
Vancouver-Kensington ..... Mable Elmore
Vancouver-Langara ..... Sunita Dhir
Vancouver–Little Mountain ..... Hon. Christine Boyle
Vancouver–Point Grey ..... Hon. David Eby, KC
Vancouver-Quilchena ..... Dallas Brodie
Vancouver-Renfrew ..... Hon. Adrian Dix
Vancouver–South Granville ..... Hon. Brenda Bailey
Vancouver-Strathcona ..... Amshen / Joan Phillip
Vancouver–West End ..... Hon. Spencer Chandra Herbert
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

CONTENTS

Monday, May 26, 2025
Afternoon Sitting

Page

Routine Business

Introductions by Members 2951

Tributes 2952
- Mike Trask
  - Hon. Spencer Chandra Herbert

Introductions by Members 2952

Members' Statements 2953
- National AccessAbility Week
  - Dana Lajeunesse
- Kassidy Rutledge and Special Olympics
  - Kristina Loewen
- Celebrate B.C. Event in Coquitlam
  - Jennifer Blatherwick
- Kiwanis Village West Affordable Housing Initiative
  - Lynne Block
- 5X Festival and Punjabi Arts and Culture
  - Jessie Sunner
- Anti-Racism Awareness Week
  - Teresa Wat

Oral Questions 2955
- Government Policies on Substance Use and Supportive Housing
  - John Rustad
  - Hon. Ravi Kahlon
- Government Action on Drug Trafficking and Border Security
  - Elenore Sturko
  - Hon. Garry Begg
- Government Action on Reconciliation and Legislative Commitments
  - Rob Botterell
  - Hon. Christine Boyle
- Government Consultation with Stakeholders
  - Rob Botterell
  - Hon. Christine Boyle
- Community Safety and Involuntary Care for Mental Health Issues
  - Claire Rattée
  - Hon. Josie Osborne
- Education Funding
  - Lynne Block
  - Hon. Lisa Beare
  - Trevor Halford
  - Peter Milobar

Speaker's Statement 2961
- Accessibility and MLA Use of Cell Phone in the House

Petitions 2961
- Scott McInnis

Tabling Documents 2961
Labour Relations Board, annual report, 2024
InBC Investment Corp., annual report, 2023-24

Reports from Committees 2961
Private Bills and Private Members' Bills Committee, Bill M202, Eligibility to Hold Public Office Act
Amna Shah

Orders of the Day

Government Motions on Notice 2962
Motion 32 — Appointment of Special Committee to Review Provisions of the Human Rights Code
Hon. Mike Farnworth
Motion 33 — Membership Change to Private Bills and Private Members' Bills Committee
Hon. Mike Farnworth
Motion 34 — Membership Change to Lobbyists Transparency Act Review Special Committee
Hon. Mike Farnworth

Committee of Supply 2962
Estimates: Ministry of Finance *(continued)*
Hon. Brenda Bailey
Peter Milobar

Proceedings in the Douglas Fir Room

Committee of the Whole 2984
Bill 15 — Infrastructure Projects Act *(continued)*
Kiel Giddens
Hon. Bowinn Ma
Misty Van Popta
Rob Botterell
Gavin Dew

Proceedings in the Birch Room

Committee of the Whole 3010
Bill 14 — Renewable Energy Projects (Streamlined Permitting) Act
Larry Neufeld
Hon. Adrian Dix
Trevor Halford
Á'a:líya Warbus
Sheldon Clare
Jeremy Valeriote
Scott McInnis

MONDAY, MAY 26, 2025

The House met at 1:34 p.m.

[The Speaker in the chair.]

Routine Business

Introductions by Members

Hon. Ravi Parmar: It was about a year ago that I stood in this House and joined in celebrating Mr. Highlands', Bob McMinn's, 100th birthday. It was an incredible celebration, May 10.

I am pleased to update the House that Bob McMinn is living life in the Highlands. He didn't have his licence removed, but he made the decision not to drive anymore. Anyone who has been out to the Highlands knows that the roads there are a little windy.

He just celebrated his 101st birthday a couple of weeks ago. This guy is beloved in my community.

I hope the House will join me in wishing him a very happy birthday.

[1:35 p.m.]

Kiel Giddens: Joining us in the gallery today are members of the Electrical Contractors Association of B.C. I come from a family of electricians, but I was the odd person out, getting into politics.

These are people that literally power our province. I want to welcome Matt MacInnis, their president and CEO; their board chair, Derek Fettback, vice-president of Western Pacific Enterprises; and the treasurer of ECABC, Don Bayda from F&M Installations.

Will the House please make them very welcome.

Hon. Jennifer Whiteside: I'm so pleased today to be able to welcome two constituents from my community of New Westminster to the House.

Laura Kwong is New Westminster's DPAC chair. She's here this afternoon with her daughter. They're doing a little bit of a deep dive into our democracy, which I think is just awesome.

I really appreciate the work that Laura does and that the DPAC does to advocate for education in our community.

Would the House please join me in making them feel very welcome.

Reann Gasper: It is a privilege of mine today to welcome members of my Abbotsford-Mission constituency staff. I have Candis, Chelsa and Sean Mark.

These are the people who carry the day-to-day weight of public service with grace, strength and compassion. I am so proud to call them my staff.

Would the House join me in recognizing and welcoming them today.

Hon. Jodie Wickens: Today in the House is one of my absolute favourite constituents. He also happens to be one of the reasons I'm standing here in this role today.

Fin Donnelly is a beloved leader in our community. He was a fantastic city councillor, a fantastic Member of Parliament, a fantastic MLA and a testament to lifelong public service. He's still working tirelessly for our community, for a better future, for our environment and for our children.

I am honoured to fill his shoes. It's a bit of tradesies. I asked him to run; he asked me to run.

I hear it's his birthday tomorrow.

Happy birthday, Fin.

I also hear that the staff did a really good job of making sure all of the pencils were well sharpened in the Legislature today.

Would the whole House please help me in giving Fin Donnelly a very warm welcome.

Gavin Dew: It's a pleasure to welcome to the House Blair Ireland, the mayor of the district of Lake Country and vice-chair of the district of Central Okanagan; along with Lake Country CAO Paul Gipps.

It's a pleasure to have you guys here today. Good to meet with you. Thank you for coming.

Hon. Josie Osborne: I'm delighted to have three visitors from my riding of Mid Island–Pacific Rim here today. Joining us are Alberni District Teachers Union president Ryan Dvorak; vice-president Wendy Arnett; and then from even a little bit further, out in Ucluelet, Marc Garand, who is the president of the Ucluelet-Tofino Teachers Union.

I'm just delighted to have them here and have them representing their members' interests. I'm so grateful to them for all of their support to our public education system.

Would the House please join me in making them feel very welcome.

Lynne Block: Today at the Legislature, we have the welcomed members of the Telus leadership team as part of their Kits for Kids initiative, including Jill Schnarr, Juggy Sihota, Dee Brown, Tyler Mooi and Marissa Nobauer.

Alongside volunteers and board members, they're helping pack and deliver 930 backpacks filled with school supplies to families in need across B.C. as part of Telus's Days of Giving and their long-standing commitment to community as B.C.'s hometown team.

Thank you, Telus.

Tributes

MIKE TRASK

Hon. Spencer Chandra Herbert: I rise with some sadness to report to the House the passing of an incredible fossil hunter here in British Columbia — Mike Trask, up in Courtenay. For those that don't know, Mike and his daughter discovered our provincial fossil, which at the time was identified as an elasmosaur.

[1:40 p.m.]

I'm pleased to share, on behalf of his family, that in fact, it is a new genus. It is not an elasmosaur; it's a specific plesiosaur. So his discovery with his daughter outlives him. In fact, it has been named Traskasaura sandrae, named after Mike Trask himself because of his incredible contribution to palaeontology in this province.

For those that want to get to know his discovery even better, I'd urge them to go up to the Courtenay and District Museum and Palaeontology Centre. You'll probably get a chance to meet his twin brother, Pat Trask, who is also an incredible fossil hunter and somebody who has given so much to this province in terms of our knowledge.

Please, Hon. Speaker, if you mind, on behalf of the House, to acknowledge the passing of Mike Trask and his incredible contribution to this province.

Introductions by Members

Jody Toor: I am honoured to introduce my community staff that works with me at my Langley office, Isabella Stockfisch and Sean Mark.

Along with them, and I have introduced them earlier as well, three important people — my husband, Charn Toor; and my two daughters, Nya and Jaya — in the chamber.

Can the House please make them feel welcome.

Harwinder Sandhu: As we know, we're always excited to welcome guests. But many of us also carry a memory of loved ones who are no longer with us — for me, my dad and also my late husband, Sammy, father of my two daughters.

But that said, while this moment is emotional, at the same time, I'm excited to welcome his parents, Manjit Singh Gill, a millwright who served in Mackenzie sawmill for over 52 years; and his mother, Paramjit Gill. Besides raising three kids, she also worked at a local Greek restaurant with their daughter, Anoop Gill, Sammy's only sister. She was born and raised in Mackenzie, and we shared many cherished memories.

Despite living in B.C. for decades — their ancestors came here over a century ago — work kept them busy, and life. It is their first time being in the gallery today.

They are also joined by my daughters, Manreet and Jasreen, and my son, Avishaan.

Would the House please give them a big round of applause and make them feel very welcome.

Donegal Wilson: It's not often that I get the chance to welcome someone from my own riding of Boundary-Similkameen, but I'm pleased to do so today. In the gallery today, I have Emily Wolbeck from the Princeton parent advisory council.

I had the pleasure of meeting her, knocking on doors during my campaign. She's very passionate about advocating for the students in Princeton. I appreciate that she's come today.

I want to thank all the volunteers and parents that are here today at the Legislature for their rally.

Please make her feel welcome.

Lorne Doerkson: I'm certainly proud to make three introductions from my community.

The first two individuals are from Esk'etemc. That is the incredible First Nation just southwest of Williams Lake. David DeRose and Calvin Dubray are here. They are here advocating not only for their community but for parents and children in their education program.

With them today is George Hobi. He is a member and one of the founding members, I suppose, of Concerned Parents and Caregivers of Williams Lake.

I welcome them all here today. They are here for the rally as well and here to advocate on behalf of our parents and children in our communities.

Thank you very much, gentlemen. It's been a pleasure.

Bruce Banman: I also have three introductions to make.

It is my absolute pleasure to introduce Drs. Chris Vallee and Melissa Carr from the acupuncturists of British Columbia, here to talk with us about concerns that they have. We look forward to that conversation.

Also, for those of you that have been around for a long time — Mr. Speaker, like yourself, in the Legislature since 2008….

Interjection.

Bruce Banman: Thank you, 2005. So it's even longer than I figured.

We actually have Mur Meadows here, who formerly was in the dining room downstairs, a resident here and also an all-around actor extraordinaire.

Please, will the House welcome them with warm applause.

[1:45 p.m.]

Ian Paton: I want to welcome my wife, Pam, who's here today for a couple of days to join me.

We brought along our two really good friends from

Tsawwassen, Scott and Michele Harris. They're famous for Harris Nursery in Tsawwassen and Ladner, an expert on everything to do with the nursery business.

I want to thank Pam. She works hard at her full-time job, and then she looks after our farm when I'm not here, and then she rides her horse every afternoon. I grow hay to feed her horse.

There are three reasons she married me. I had a farm, I grow hay for horses, and my brother is a horse veterinarian.

Please make Pam feel welcome.

Bryan Tepper: I've got two things today.

One, I would like to welcome Alex Sagert. Every time I go to a Richmond event, I seem to see him there, a dedicated community advocate. He works on community-focused change: the drug crisis, housing inequality, environmental concerns and government accountability. He strives to implement sustainable solutions that enhance the well-being and resilience of the local communities.

If we could give him a big hand.

Personally, for myself, today is my wedding anniversary. I'm not an overly romantic fellow. My wife isn't here today. She's on the road, but I will say: "It could have been worse."

Misty Van Popta: It begs the question for whom.

Today in the House, I've got both of my constituency assistants: Leda, who I've introduced here before, and then new to my office is Ashley McDougall. She's a recent grad from the University of the Fraser Valley — I believe arts, political science major and maybe economics? Yup, I got the thumbs up.

Both of them make me look good on a daily basis, and I really appreciate their work.

If the House could just say thanks that they're here.

Hon. Brenda Bailey: I just want to give a shout-out to Telus, who are here on the premises today doing their Kits for Kids. I was able to go out at lunchtime and stuff some backpacks with Jill Schnarr and Juggy Sihota.

Telus just does such a great job of engaging the community with their volunteer work.

I really want to congratulate them for that and thank them very much.

Members' Statements

NATIONAL ACCESSABILITY WEEK

Dana Lajeunesse: It's my pleasure to speak today in recognition of National AccessAbility Week, which takes place from May 25 to 31. This week is a time to reflect and celebrate and to acknowledge the work and leadership of people with disabilities, as well as the contributions of those advancing inclusion in our communities.

Having faced barriers myself, I know there's still much work to be done to build a province that works for everyone. This is why our government is committed to advancing accessibility and inclusion.

As Parliamentary Secretary for Accessibility, I'm proud to support this work, refreshing our three-year accessibility plan and developing B.C.'s first accessibility standards under the Accessible B.C. Act, in partnership with our provincial accessibility committee, which is led by an incredible group with diverse lived experience.

Our efforts are guided by the UN convention on the rights of persons with disabilities and the principle "Nothing about us without us." This ensures people with disabilities help shape laws and policies that affect them.

[1:50 p.m.]

Everyone benefits when our communities are accessible, and ensuring inclusion is a shared responsibility.

As we mark this important week, I encourage all members to be champions for accessibility. Let's build a province where every child can play, every person can connect, and every space is open to all.

KASSIDY RUTLEDGE AND SPECIAL OLYMPICS

Kristina Loewen: Today I rise to honour a special athlete and to highlight the Special Olympics in B.C. I'm honoured to recognize Kassidy Rutledge, an incredible Special Olympics athlete whose strength, determination and spirit inspire us all. Kassidy exemplifies the true meaning of perseverance and sportsmanship, proving that no challenge is too great when faced with passion and heart.

Kassidy made a mark at the 2025 Canadian Powerlifting Union championships in Moose Jaw, Saskatchewan. Kassidy completed a perfect nine-for-nine performance, claiming the national championship title in the 63 kilogram category.

Kassidy competes in both Special Olympics and mainstream competitions. In March, she won a national title and earned a spot at the International Powerlifting Federation world championships, which is being held this coming November in Romania. Her dedication to her sport and her unwavering positivity remind us that ability is limitless when fuelled by courage and hard work.

Kassidy began her Special Olympics journey at only 11 years old. She started in swimming, but she has participated since in almost every sport Special Olympics offers. She also participates in social sports like bocce. Last February she went to the nationals for snowshoeing.

Next Kassidy will compete in the provincial games in Prince George this July. Her goal is to represent Canada at the Special Olympics World Games in Santiago, Chile in 2028.

Here are some quick facts about our Special Olympics programs in Kelowna. Three years ago our local com-

mittee unanimously decided to be the first community to make sport free for the athletes. At a net programming cost of over $165,000, they have been able to sustain their free-sports initiative via an aggressive fundraising program and with the help of some fantastic local philanthropists.

Kelowna hopes that by showing the rest of the country that providing free sport to our underserved population is achievable, eventually sport will be free for all Special Olympics athletes nationwide. Currently Kelowna has 221 athletes, 16 sports and over 100 coaches and program volunteers.

I wish I could post a photo on the screens right now of Kassidy, because she is as adorable as she is strong and tenacious.

Kassidy, you are a shining example of what it means to be a champion, both on and off the field.

Let's celebrate Kassidy and all Special Olympic athletes who continue to break barriers and inspire greatness.

CELEBRATE B.C. EVENT IN COQUITLAM

Jennifer Blatherwick: As British Columbians, there is a great deal that unites us, most notably our collective commitment to this great province we all call home. On August 4, B.C. Day, the first annual Celebrate B.C. event will take place in Coquitlam Town Centre Park, on the traditional territory of the kʷikʷəƛ̓əm First Nation.

The one-day festival will be hosted by the kʷikʷəƛ̓əm and SUCCESS, a multiservice agency that is renowned for assisting newcomers in all stages of their lives.

We will honour Indigenous and settler histories and will bring together British Columbians from all regions to celebrate who we are and our shared future through music, art, a regional showcase and B.C.'s largest salmon barbecue. This vibrant event will be a tribute to the rich cultural fabric, natural beauty and diverse communities that define our province.

A heritage walk exhibit will highlight the many cultures that make our province so unique. Celebrate B.C. will also serve as an expression of our collective aspiration, the spirit of collaboration, reconciliation and the pride that unites us.

As members of this House know, an event of this magnitude does not come together without a great deal of collaboration. We would like to acknowledge the kʷikʷəƛ̓əm people, who are helping spearhead this event and are demonstrating the meaning of the word "partnership."

On a personal note, I cannot lift up highly enough the members of the kʷikʷəƛ̓əm Nation, who are small in number but enormous in heart, both in their compassion and dedication to the community and in spreading the teachings of their culture to all of us who are willing to open our hearts to it.

[1:55 p.m.]

What better time to celebrate who we are as British Columbians. This B.C. Day, you are invited to join us at Celebrate B.C.

Let's come together not only in celebration but in recognition of all of those who have shaped this land and continue to build its future.

KIWANIS VILLAGE WEST AFFORDABLE HOUSING INITIATIVE

Lynne Block: I rise today to share news of a truly transformative initiative in affordable housing in West Vancouver, Kiwanis village west.

This project is the latest achievement by the Kiwanis North Shore Housing Society, a trusted community pillar since 1953. Founded by the Kiwanis Club of West Vancouver, the society has spent over 70 years providing below-market rental housing for individuals, families and seniors, fostering inclusive, healthy communities across the north shore.

Starting with their first site between 21st Street and 22nd Street, Kiwanis has grown that original village and vision into Kiwanis Garden Village. It is now home to 303 rental units and an adult day centre. Across the North Shore, Kiwanis operates 744 apartments in eight buildings, all managed by dedicated volunteers, a board and a team of caring professionals.

Building on this legacy, construction began in 2023 on Kiwanis village west, a new 156-unit, purpose-built rental project. These modern, affordable homes, ranging from studios to three bedrooms, will be offered at approximately 75 percent of market rent, with priority given to our first responders, school staff and municipal workers.

I'm proud to share that although completion was expected in March 2026, the project is ahead of schedule, with first occupancy now anticipated by December 1 of this year.

More than just housing, Kiwanis village west will include landscape gardens, outdoor spaces and a community hub, fostering connection and well-being among residents.

This progress is a testament to what's possible when a committed non-profit works hand in hand with local government. The partnership with the district of West Vancouver has been essential to bringing this vision to life.

I want to commend executive director Stefan Baune, the board and the entire Kiwanis team for their vision, hard work and steadfast dedication to building homes and building community.

5X FESTIVAL AND PUNJABI ARTS AND CULTURE

Jessie Sunner: I rise today to recognize an organization that has brought extraordinary diversity, creativity and cultural richness to British Columbia's art scene for the past 20 years, 5X.

Founded in 2004, and originally named the Vancouver International Bhangra Celebration, 5X has been at the forefront of supporting emerging Punjabi artists, reshaping arts and culture in British Columbia and making waves across the globe.

I also have a personal connection to 5X, as ten years ago I volunteered with what was then known as VIBC. Back then, we were organizing community bhangra competitions and panel events in Vancouver. Today that seed has grown into the 5X Fest, a full-scale cultural movement that merges music, art, fashion and film. And 5X has become a creative force that has launched careers, brought Punjabi culture to the international stage and made Surrey a hub for the South Asian arts.

The impact of 5X goes far beyond culture; it's economic. In a time when we're talking about diversification and taking control of our own economy, we must also talk about the creative economy. Artists like Inderpal Moga, Intense and my very own constituent Chani Nattan are all building global music brands from right here in B.C.

Not only are they putting Punjabi music on the world stage. They are generating millions in economic activity through music production, streaming, tours, merchandise and branding. This is a homegrown industry, and it is future-facing.

For too long, the arts were seen as either a risk or a luxury, especially in immigrant households, but 5X has changed that. It's made culture a career, it's made Surrey a creative capital, and it's shown the world that our language, our sounds and our stories are not just relevant; they're in demand.

[2:00 p.m.]

I invite all members in this House to come visit Surrey on June 14 to experience the 5X Fest for themselves and see what a future rooted in culture and driven by youth truly looks like.

ANTI-RACISM AWARENESS WEEK

Teresa Wat: As a former minister responsible for multiculturalism and as someone who proudly represents one the most diverse constituencies in B.C., I rise today with both urgency and hope as we mark Anti-Racism Awareness Week.

This week is not just symbolic. It is the result of years of advocacy, including my call way back in 2021 for an annual anti-racism education day on May 29. The call was driven by the heartbreaking rise in racism and hate during the pandemic, particularly anti-Asian hate, which surged by over 700 percent in Vancouver alone amid the pandemic.

These acts of hatred do not exist in isolation. We have seen increasing incidents of racism against Indigenous and South Asian communities, and we must not ignore the surge of antisemitism, what many historians rightly call the oldest and most enduring form of hate in this world. This historic hatred has taken on new and dangerous forms, and it must be named, confronted and condemned without hesitation.

Fighting racism isn't a partisan cause; it's a human one. It's about standing shoulder to shoulder with every British Columbian no matter their faith, their background or their language, and saying: "You belong, and we will fight for you."

British Columbians have told us they want action. Over 11,000 people signed our petition, and over 170 organizations came out to support the proclamation of anti-racism education day in 2011. They want a province where their children can walk safely, can speak freely and live without fear of discrimination.

Let's listen, let's lead, and let's commit not just this week but every day to the work of ending hatred in all forms.

The Speaker: A reminder to all members: when you are making two-minute statements, please follow the time limit. It is a two-minute statement, not longer than two minutes. Keep it within the time limit.

Thank you so much.

Oral Questions

GOVERNMENT POLICIES ON SUBSTANCE USE AND SUPPORTIVE HOUSING

John Rustad: A *Globe and Mail* exposé over the weekend laid bare the devastating reality on Victoria's Pandora Avenue, where addiction, death and chaos are spiralling out of control under this NDP government. Even Victoria police, like Det. Insp. Conor King, a strong supporter of harm reduction, now admits it's worse than ever.

The Premier said safe supply and supportive housing would save lives. Instead, he's created taxpayer-funded sites where drug use is rampant, crime is routine, and people have no hope for recovery.

Will this Premier end this failed experiment and replace it with treatment-focused housing that bans these deadly drugs and restores law and order to communities like Victoria?

Hon. Ravi Kahlon: I want to thank the Leader of the Official Opposition for his question.

We know that when communities have challenges and when they face encampments, the best solution, the best way to address them, is through housing. In the case of Pandora, the members should be aware that last year we had over 100 people in the encampment there. Because of the supportive housing that we brought on, because of the fact that we scaled up so many housing options, we now still have 19 people.

I appreciate that 19 people is still too many. That's why

we're going to continue to work with the local government. We're going to continue to work with our partners. In fact, after the situation around a paramedic facing violence last year, we put together a table where police, health officials, Ministry of Housing, local government officials, all of our not-for-profit partners meet monthly to talk about what we can do to address the challenges that every individual is facing in that community.

[2:05 p.m.]

We know the supportive housing works. I know the Leader of the Opposition started his question with some doubt that supportive housing maybe doesn't work. It works. It saves lives. It gets a lot of people out of the streets, out of the encampments, and helps them reconnect with family, helps them reconnect with employment.

We're going to continue to scale that up to support communities throughout the province.

The Speaker: Member, supplemental.

John Rustad: Well, an interesting response from the minister, considering that residents are smoking and injecting fentanyl in taxpayer-funded housing units, and B.C. Housing is confirming it. Police are constantly called to these buildings for standoffs, trafficking and weapons. Just last week they seized a kilo of fentanyl, a loaded handgun and $40,000 in cash from one of the Premier's so-called supportive housing sites. Yet the NDP still claims, as the minister just did now, that this is helping people and moving them towards recovery.

Will this NDP government stop destroying lives, be straight up with British Columbians, admit its policy has failed and shut down these drug dens?

Hon. Ravi Kahlon: Surely the Leader of the Opposition isn't talking about closing down supportive housing throughout the province. Surely he understands that by doing that, you're putting people's lives at risk.

If he needs advice or if he needs some guidance on how important supportive housing is, he should just turn around and talk to his Housing critic, who, as the mayor of Surrey, was a strong advocate for more supportive housing. In fact, she told other mayors about the value that it provides a community.

I praise the critic for Housing for her leadership when she was the mayor of Surrey, because she understood what supportive housing meant. It made a huge difference in her community. It's making a huge difference for people in other communities.

As for the rest, as I said earlier, we have a table where police, our not-for-profit providers, all of our health officials, everyone sits together. When challenges arise, we work with our officials to be able to take steps to address that, and that's what's happened in this case. We don't want to see people that are preying on vulnerable people in supportive housing, outside of supportive housing, on our streets, and we'll continue to work with law enforcement to ensure that doesn't happen.

GOVERNMENT ACTION ON DRUG TRAFFICKING AND BORDER SECURITY

Elenore Sturko: This is the side of the House that does believe in housing, but allowing rampant drug use and setting up situations that are ripe for exploitation by drug traffickers isn't supportive.

The government has scoffed at recent warnings from U.S. officials about fentanyl production in British Columbia, calling it trade war rhetoric. But Canada's own intelligence reports confirm that foreign government-backed gangs are using B.C. to traffic drugs to the U.S. and beyond.

A B.C. man was just charged, exporting enough fentanyl out of Vancouver to kill 750,000 people. Last fall the RCMP pulled 54 kilograms of fentanyl and 390 kilograms of crystal meth out of a super lab in Falkland. It's only one of 47 such labs that the NDP have busted in the last six years under this NDP government.

Organized crime, cross-border smuggling and chemical super labs are a national security threat. Will the Premier continue to hide behind trade war rhetoric as an excuse for his inaction, or will he finally admit that the explosion in drug production is also a provincial security threat?

Hon. Garry Begg: Thank you to the member opposite for the question.

This government is working very hard to fight illegal drug manufacturers, and the Premier, our Premier, has been leading the charge here and in the nation's capital. This is yet another example of the B.C. Conservatives parroting the talking points of Donald Trump. They don't apply here.

We've been working with provinces across the country…

Interjections.

The Speaker: Members, Shhh.

Hon. Garry Begg: …to stand up to Trump and his tariffs.

Interjections.

The Speaker: Members. Members will come to order. Members.

Hon. Garry Begg: Meanwhile, B.C. Conservatives continue to ignore the goal of Canada being the 51st state. We're not for that.

[2:10 p.m.]

We've opposed all of their actions. We've matched their tariffs, removed alcohol from B.C. liquor stores, and some over there even voted…

Interjections.

The Speaker: Members, the minister has the floor.
Minister, continue.

Hon. Garry Begg: …to not condemn Trump's tariffs. That's what we do. We condemn them.

We're focused on getting people with addictions the treatments that they need.

The Speaker: Member, supplemental.

Elenore Sturko: There we have it again, a prime example of a member of this government conflating the crisis that we have, the national security threat, with some type of trade war rhetoric.

But the reality is and this minister should know that the 2024 Criminal Intelligence Service Canada report shows that the number of crime groups producing fentanyl nearly doubled in one year between '23 and '24 right here in British Columbia. Meanwhile, the city of Delta confirmed that less than 1 percent of shipping containers at B.C. ports are ever physically searched. It's no wonder that the FBI's director says that traffickers bypass the U.S. straight for Vancouver.

We campaigned, on this side, to establish a B.C. port police agency and to send the bill to the federal government.

Will the Premier adopt our proposal or keep misleading British Columbians about the scale of this national security threat?

Hon. Garry Begg: The FBI director, Kash Patel, is blaming Canada for all of their woes.

The reality is data from the U.S. border and customs authority says….

Interjections.

The Speaker: Members.

Hon. Garry Begg: These are the facts. You may not be interested in them, but they're important in this House: 6.3 kilograms of fentanyl were seized at the Canadian border in April, nearly 300…

Interjections.

The Speaker: Shhh, shhh. Members.

Hon. Garry Begg: …kilograms intercepted from Mexico. Do the math. It's not coming from Canada.

B.C. Conservatives are again calling for a public inquiry…

Interjections.

The Speaker: Members.

Hon. Garry Begg: …into decriminalization and for the province to develop a fentanyl strategy.

Interjections.

The Speaker: Minister, hold on.

Hon. Garry Begg: One member opposite has also called for fentanyl trafficking to the U.S. to be declared a national security scandal; it's not. Get accustomed to the facts: 6.3 kilograms of fentanyl from Canada, nearly…

Interjections.

The Speaker: Members.
Member for Surrey-Cloverdale.

Hon. Garry Begg: …300 kilograms intercepted from Mexico.

GOVERNMENT ACTION ON RECONCILIATION AND LEGISLATIVE COMMITMENTS

Rob Botterell: DRIPA, the Declaration on the Rights of Indigenous Peoples Act, was created to provide a framework for reconciliation. It ensures better-informed policymaking and helps address harms from where the government has historically failed to cooperate with Indigenous governments.

However, the First Nations Leadership Council as well as many other First Nations and local councils, have shared fundamental concerns regarding this government's tendency to repeatedly ignore its DRIPA commitments. DRIPA must be respected at every opportunity, not simply when it is convenient for this government.

To the Premier: how do you expect First Nations to trust that you are committed to reconciliation when you continuously fall short of your commitments to DRIPA?

Hon. Christine Boyle: Thank you for the question and the opportunity to talk about what, I agree, is an incredibly important piece of legislation that was passed unanimously in this House and that continues to be a focus and priority for this government.

B.C. was the first jurisdiction in Canada to pass legislation to adopt the internationally recognized standards of the UN declaration on the rights of Indigenous Peoples. These are, as articulated by the UN, the minimum stan-

dards for the survival, dignity and well-being of Indigenous People.

We continue to do work in partnership with First Nations and Indigenous People across this province, guided by the Declaration Act action plan, an action plan that was co-developed and that we report out on annually in terms of the progress.

I'm happy to report out on a bit of that progress now, in addition to a report that will be coming forward to this table soon — a great number of actions that we have seen improve the lives of Indigenous People and continue to be work we take on.

[2:15 p.m.]

I look forward to outlining more of it.

The Speaker: Member, supplemental.

GOVERNMENT CONSULTATION WITH STAKEHOLDERS

Rob Botterell: This government has displayed a troubling pattern of neglecting public consultation, beyond just its failure to consult First Nations. This month alone the UBCM and local governments have said they were not consulted on significant municipal issues. Environmental organizations have said they were not consulted on fast-tracked energy projects. It would seem that the only voices this government cares to listen to are the ones that agree with them.

To the Premier, how is this government ensuring that all interested stakeholders are meaningfully consulted, including those who might disagree with them?

Hon. Christine Boyle: Again, I appreciate the question.

Engagement and consultation are important pieces of how we do all of our work here, because we know that how we get to success is in partnership.

It continues to be a clear commitment of this government that partnership is the way that we get things done in this province. That includes working with local governments and my colleague for Housing and Municipal Affairs as well as across government. We do that work in our local ridings as well as in our ministries.

It is the same that reconciliation work is a cross-government commitment. It not only falls under my ministry but each ministry of this government doing relational work, building partnerships to see things move forward that benefit all British Columbians.

That's work we will continue to be committed to.

COMMUNITY SAFETY AND INVOLUNTARY CARE FOR MENTAL HEALTH ISSUES

Claire Rattée: British Columbians with serious mental illness are being released from involuntary psychiatric care with no follow-up, oversight or access to psychiatric support. This government admits that they have no ability to track them or even know how many there are.

After the Lapu-Lapu Day tragedy, it was revealed that the suspect was one of those people on extended leave from involuntary psychiatric care. How is this anything but a catastrophic failure of care and accountability?

When is this government going to put public safety first and stop releasing potentially dangerous psychiatric patients without proper care?

Hon. Josie Osborne: Thank you to the member for the question.

Clearly, this is an issue that everyone in this House takes extremely seriously. We know that people need supports at every stage of a recovery journey, and that includes whether it is substance use issues or serious mental illnesses.

One of the questions the member raises is around people who are released from a designated facility under extended leave, for example, and they are each attached to teams. Health authorities have the responsibility to ensure that those people continue to receive those supports from those teams, and they do exactly that. As part of that, they do track patients who are on extended leave, and I would be happy to tell the member more about exactly how many there are and for how long and when they are recalled to involuntary care early.

We are going to continue to build out a seamless system of mental health care and supports for people experiencing illnesses, experiencing substance use issues, everything from early intervention to treatment and recovery and aftercare.

The Speaker: Member, supplemental.

Claire Rattée: Thank you, Mr. Speaker.

I don't know how that is possible when there was an article that was published this weekend stating that the government did say that that is not being tracked. We don't know how many people are on extended leave right now from involuntary psychiatric care, so something is not adding up there. I would be very interested to know what those numbers are and how you can provide supports to somebody when you're not tracking how many there are or who they are, because you can't fix what you refuse to measure.

Mental health care in B.C. is a broken system that's been propped up by slogans and platitudes, and people are being discharged into communities that have no resources to support them. We are seeing the lowest mental health care worker to population ratio across all of the provinces, and no solution in sight.

When will this government take responsibility for the risks that they have created, for the patients that they have abandoned and fix this system before more lives are lost?

[2:20 p.m.]

Hon. Josie Osborne: Unfortunately, I have to reject the premise that the member is putting forward, because it is absolutely not true. I'm very happy to correct the record on this issue.

The numbers of people who are released on extended leave do change on a daily basis, but as I've already said, health authorities do track this. I can affirm to the member and to the rest of this House, for example, that on May 20, 2025, there were 5,915 people on extended leave in B.C. This includes 910 in Island Health, 1,829 in Fraser Health, 652 in Interior Health, 322 in Northern Health and 2,202 in Vancouver Coastal.

Every single one of these people matters, and getting them the care that they deserve matters.

That is why those numbers are tracked by health authorities. That is why those people have teams that are assigned to support them, to ensure that they have access to what they need, and it's why we will continue to do everything that we can to support these people.

EDUCATION FUNDING

Lynne Block: Parents, teachers and support staff from all over B.C. are protesting on the lawns of the B.C. Legislature today. Some are in the gallery. They want to know why this government continues to underfund B.C.'s education system. They want to know why, in 2025, in communities like Surrey, firefighters have to fundraise for printer paper and paper towels.

Can the Education Minister tell these parents, teachers and support staff who are here today why it's acceptable that on her watch, schools have to fundraise for basic supplies?

Hon. Lisa Beare: I want to begin by thanking all the parents from across the province and any of the partner organizations who are outside, rallying today. It is absolutely important to hear voices from all across the province about our education system.

Particularly, we share their goals of having a supportive, inclusive education system for all.

Interjection.

The Speaker: Members.

Hon. Lisa Beare: I know that there are some boards across this province that are facing budget challenges this year — not all, but there are some boards. You know, we have an incredibly difficult fiscal situation for every single family.

Interjections.

The Speaker: Members. Members, please be quiet. Enough.

Minister.

Hon. Lisa Beare: Every single family, every single nonprofit, every single level of government, every single business is facing the challenges of increased inflation and the threats south of our border.

Interjections.

The Speaker: Members, how many times does the Chair have to remind members who have asked a question to let the minister answer? You may not agree with the answer. Just wait for your turn to ask the next question.

Please, the minister will have the floor.

Hon. Lisa Beare: Thank you, Speaker.

You know what? I wanted to provide a really good answer for the members, but they're clearly not interested in hearing. So you know what I will provide? A quote from the member opposite who just asked the question.

When she was on CBC radio recently, getting interviewed, she was asked repeatedly if she and the B.C. Conservatives would increase funding to education.

Do you know what the member said? "Well, yes, no. You know what? Not necessarily add but change how we do education. We're going to do learning pods. We're not going to necessarily have people in the classrooms. We're going to do it with technology, so that students…. Not all of them have to be with one teacher, 30 of them in a classroom." That's their solution.

We're going to continue to provide funding year after year, increase funding for education, because those are our values.

Interjections.

The Speaker: Shhh.

Member, supplemental.

Lynne Block: Thank you to the member for reminding me of some of the reasons that I got into education in the first place.

Best practices. Best practices we're not doing right now. That's what I would like to have in the future: best practices from around the world coming here. I would ask, then, if the minister would like to thank the people in person, perhaps, this afternoon, because they are here.

[2:25 p.m.]

For supportive, inclusive education, yes, we have seen an increase in inflation, but we haven't kept up with inflation. That's why we are underfunded in education right now.

One of numerous concerned parents has contacted my office, one from Burnaby just this week, regarding the

Burnaby school district's $4.2 million budget shortfall, which is leading to a number of different educational cuts. She said she reached out to her MLA, the member for Burnaby North, about the elimination of the multi-age cluster class, a program which has nearly 100 students, four classes specifically for neurodiverse and highly capable learners who need counselling, language support and much more.

She never heard back from her MLA or the ministry.

Why are the NDP Education Minister and this Premier leaving vulnerable students in Burnaby and B.C. behind? It's going to come back and bite us in the future.

Hon. Lisa Beare: I thank the member for the question.

I have met the rally organizers already at lunch today. I got to spend time over the lunch hour with them. We had a long conversation about the concerns they want to bring forward and what changes they'd like to see in education. So thank you for that.

I think it's really important to note that we have continued to increase supports, especially supports for diverse learners in our classrooms. In fact, we have more than doubled funding to support kids in need who need that extra support. I met with the Burnaby school board last week and had a long conversation with them as well — I spent an hour with them — about the challenges that they are facing in Burnaby.

These are incredibly difficult fiscal times. We are seeing the effects of inflation all across the globe. In fact, the threats south of the border are significant as well. We wake up in the morning, and the world is one way. Then with the stroke of a pen, two hours later the world is completely different.

We as a government are going to continue to increase funding year after year, because that's what we believe in.

Trevor Halford: We're hearing from the minister that the reason Surrey is treated once again like a second-class city, the reason that she cannot give increased funding is because of south of the border. That is the line of rhetoric we're getting from this Education Minister today, sad and desperate.

Front-line workers — they're burning out. Programs — they're getting cut. Buses for kids with disabilities — gone. Band programs — gone.

What we're seeing is students moving to shifts now. Hybrid learning, learning centres — wiped out, all under this NDP government watch, not even to mention the highest number of portables we've ever had in the city of Surrey after this government campaigned not once, not twice to get rid of them all. We've got the highest now ever.

Why does this minister continue to fail the kids in Surrey, the parents in Surrey, the teachers in Surrey because she just doesn't understand that she needs to properly fund Surrey?

Hon. Lisa Beare: I want to make sure that we send a very clear message that we value the education system. We have increased per-pupil funding from $9,000, when we formed government in 2017, to over $13,600. Every single student in Surrey receives that per-pupil funding. Every single student across the province is treated as a priority as we ensure that we are creating environments where kids can thrive.

I know that Surrey school board is facing a challenging budget this year, and it's really unfortunate that….

Interjections.

The Speaker: Members.

[2:30 p.m.]

Hon. Lisa Beare: It's really unfortunate that the members opposite want to bury their heads and pretend like there isn't increased inflation globally across the province and that we don't have a threat across….

Interjections.

The Speaker: Shhh.

Member for Surrey-Cloverdale.

Hon. Lisa Beare: The official critic was asked if she would give more money, and she said, "No, you know, I'm going to do things differently. I'm going to increase classroom sizes." So no, the B.C. Conservatives don't have a leg to stand on here.

In fact, the Leader of the Opposition, when he was in government, he fought the teachers all the way to the Supreme Court. He closed 256 schools, including…

Interjections.

The Speaker: Members. Shhh.

Hon. Lisa Beare: …selling off 21 properties in Surrey. That is not what we do as a government. We continue to increase student education.

Interjections.

The Speaker: Members. Members.

Hon. Lisa Beare: We continue to increase funding. I absolutely will continue to work with districts like Surrey. I meet regularly with the board chair, meet regularly with parents, with union partners because we value the public education system. And we're going to continue to invest.

Peter Milobar: Talk about a government that is completely out of touch with their own commitments. It was

this Premier that campaigned on education assistance for every K-to-3 classroom. Let's look at how that's going.

In Kamloops, they've had to cut 80 support staff positions last week because of funding shortfalls from this government. Campbell River is having to make cuts. Nanaimo is having to make cuts. Burnaby is having to make cuts. Surrey is having to make cuts. The list goes on and on and on.

If this was one district having a financial issue, I could understand the minister trying to deflect away and blame the President of the United States for funding issues in education in B.C. But Vancouver is having issues. In fact, Vancouver is no longer a living-wage-designated employer — their school district. All under this NDP's watch.

The simple reality is, and the minister can try to spin it any way she wants, that outcomes are worse. Supports are being cut across this province to the point we now have firefighters having to fundraise for school districts, and the minister seems to think that's acceptable.

When will this government properly listen to the parents that are out on the lawn, the teachers that are out on the lawn, the school districts that are out on the lawn and recognize that they have created a fundamental mess within the school districts from K to 12 in British Columbia and actually start living up to their actual commitments and deliver what parents are demanding?

Hon. Lisa Beare: I absolutely listen, which is why I just spent the lunch hour with those families, with those parents, with those partners, because we all have a shared goal of ensuring that we're providing the best education system to our kids that we can.

Boards across the province, some of them are facing some difficult financial challenges and are making those tough decisions at the local level. That is a conversation those boards are having with their families in their local districts. I think it is so important to continue to recognize the challenges that we face.

I know the official opposition doesn't want to accept that, but in a difficult fiscal time, an incredibly challenging, difficult environment, we protected….

Interjections.

The Speaker: Members. Members, let the minister conclude.

Members.

Members, let her conclude please.

Please conclude.

Hon. Lisa Beare: Globally, in fiscally challenging times, we made the very important decision as a government to protect core funding for education. In fact, our budget increased by $300 million.

That is our values. We are going to continue to work with our partners. We are going to continue to support education.

[End of question period.]

Speaker's Statement

ACCESSIBILITY AND MLA USE
OF CELL PHONE IN THE HOUSE

The Speaker: Members, before we continue, I just want to clarify some of the concerns raised by many members during the question period.

One member, from Burnaby East, was holding her phone. She has an issue with hearing, and she was reading the voice-to-text, so she's allowed. That's the only reason she was holding that phone in front of her, okay? Thank you.

[2:35 p.m.]

Petitions

Scott McInnis: I have a petition to present on behalf of residents and business owners in the town of Golden.

Tabling Documents

Hon. Niki Sharma: I have the honour to present the annual report of the Labour Relations Board for the year ending December 31, 2024.

I have the honour to present the InBC Investment Corp.'s annual legislative report for the year 2023-2024.

Reports from Committees

PRIVATE BILLS AND
PRIVATE MEMBERS' BILLS COMMITTEE

Amna Shah: I rise to present the report of the Select Standing Committee on Private Bills and Private Members' Bills on Bill M202 intituled Eligibility to Hold Public Office Act.

The committee reports the bill complete with amendment.

Orders of the Day

Hon. Mike Farnworth: I call Motion 32 on the order paper.

Government Motions on Notice

MOTION 32 — APPOINTMENT OF SPECIAL COMMITTEE TO REVIEW PROVISIONS OF THE HUMAN RIGHTS CODE

Hon. Mike Farnworth: I move Motion 32, of which notice has been given in my name on the order paper.

[That a Special Committee to Review Provisions of the *Human Rights Code* be appointed to review sections 47.01 to 47.24 of the *Human Rights Code* (R.S.B.C. 1996, c. 210), pursuant to section 50.1 of the Act.

That the Special Committee have the powers of a Select Standing Committee and in addition be empowered to:

a. appoint of its number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Special Committee and to delegate to the subcommittees all or any of its powers except the power to report directly to the House;
b. sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
c. conduct consultations by any means the Special Committee considers appropriate;
d. adjourn from place to place as may be convenient; and,
e. retain personnel as required to assist the Special Committee.

That the Special Committee report to the House within one year of its appointment, and that during a period of adjournment, the Special Committee deposit its reports with the Clerk of the Legislative Assembly, and upon resumption of the sittings of the House, or in the next following Session, as the case may be, the Chair present all reports to the House.

That the Special Committee be composed of the following Members: *Jennifer Blatherwick* (Convener), *Rohini Arora*, *Dana Lajeunesse*, *Scott McInnis* and *Teresa Wat*.]

Motion approved.

Hon. Mike Farnworth: I call Motion 33 on the order paper.

MOTION 33 — MEMBERSHIP CHANGE TO PRIVATE BILLS AND PRIVATE MEMBERS' BILLS COMMITTEE

Hon. Mike Farnworth: I move Motion 33, of which notice has been given in my name on the order paper, regarding one change to the membership of the Select Standing Committee on Private Bills and Private Members' Bills.

[That *Nina Krieger* replace *Dana Lajeunesse* as a member of the Select Standing Committee on Private Bills and Private Members' Bills.]

Motion approved.

Hon. Mike Farnworth: I call Motion 34 on the order paper.

MOTION 34 — MEMBERSHIP CHANGE TO LOBBYISTS TRANSPARENCY ACT REVIEW SPECIAL COMMITTEE

Hon. Mike Farnworth: I move Motion 34, of which notice has been given in my name on the order paper, regarding one change to the membership of the Special Committee to Review the Lobbyists Transparency Act.

[That *Susie Chant* replace *Paul Choi* as a member of the Special Committee to Review the *Lobbyists Transparency Act*.]

Motion approved.

Hon. Mike Farnworth: In this chamber, I call the estimates for the Ministry of Finance.

In the Douglas Fir Room, I call committee stage on Bill 15.

In the Birch Room, Section C, I call committee stage on Bill 14.

[2:40 p.m.]

The House in Committee, Section B.

The committee met at 2:41 p.m.

[Lorne Doerkson in the chair.]

Committee of Supply

ESTIMATES: MINISTRY OF FINANCE
(continued)

The Chair: Thank you very much, Members. We'll call this chamber back to order, and we will call on the minister to move the vote.

On Vote 26: ministry operations, $426,950,000 *(continued)*.

Hon. Brenda Bailey: If you'd like me to begin where we left off with the member's question, or would the member like to…?

No? Okay. Thank you very much.

I'll begin by offering good afternoon to the critic opposite and to yourself, Chair, and to welcome my team who will be supporting me today in estimates.

As we left estimates on the last day of this House, the member had just asked a question in regards to timing of when we began the work to do efficiencies, and I'll respond to that question now.

As the member mentioned, the Premier issued mandate letters to ministers on January 16, 2025. The Minister of Finance's mandate letter includes the following:

"In order to protect key services that British Columbians rely on, work with your ministerial colleagues to review all existing government programs and in-

itiatives to ensure programs remain relevant, are efficient, grow the economy and help keep costs low for British Columbians. This is important in the context of provincial budget constraints, proposed American tariffs and other global threats to B.C. families.

"Put B.C. on a clear path to balanced budgets, and maintain the province's debt-to-GDP ratio as among the best in Canada."

This is the work that is underway now. As part of Budget 2025 tabled on March 4, government is taking initial steps by limiting new spending to critical services, putting a hiring freeze in place, implementing program reviews and introducing initial expenditure management targets through administrative and operating efficiencies. The initial expenditure management target is $300 million in '25-26, with future targets at $600 million annually in the fiscal plan.

Government is taking a measured approach to expenditure management, starting with administrative and operational efficiencies and a review of government programs. The work will take successive budgets, but we are committed to doing the hard and necessary work to ensure we can protect the critical services that people rely on, while managing our finances carefully and finding ways to strengthen and grow the economy.

As part of the usual financial reporting process, fiscal updates for the '24-25 fiscal year will be shared as part of public accounts later this summer, and updates on the '25-26 fiscal year will be shared as part of our first quarterly report in September 2025.

[2:45 p.m.]

The Chair: Thank you, Minister, for starting us off on the budget estimates of the Ministry of Finance today.

Peter Milobar: To be clear…. I thank the minister for that answer, but that really didn't get to the core of what I was asking.

My last couple of sentences were that surely after five months of looking at non-essentials, the ministries have reported back as to what they feel they are going to cut in this fiscal for expenditures. Is there not a dollar figure yet, five months post-mandate-letter, of non-essential-spending savings that this government has actually found?

The minister, frankly, just repeated the same statement over and over about the $1.5 billion over three years with no clear path, roadmap or understanding of where exactly any cuts — and they would be cuts — are coming.

I'll come back to that after we deal with the Crowns, though, because I did commit to the minister that we would start on Monday with Crowns and with GCPE and work our way through and then follow that up with lotteries after however long GCPE may take.

First, a fairly general question around GCPE. Could the minister please share with us her view of the mandate and the role of GCPE in terms of service or provision of conduct for both the government and the public at large?

The Chair: Just for those joining us in the gallery, what's happening here is the Finance Minister is changing out a team of experts to help answer the question that has just been introduced by the member for Kamloops Centre, who is the critic of the Finance Ministry.

[2:50 p.m.]

Hon. Brenda Bailey: Thank you to the member for waiting while we switched into a different team for this line of questioning.

The role of GCPE is really to perform the important role of communicating to the public on issues about programs and services and priorities of government. They do that in a number of different ways through communication. But they also create content. They handle media relations, they take care of advertising. They also take care of multi-language delivery and more.

Peter Milobar: Is it the minister's view, then, that GCPE should be what would be commonly considered as non-partisan, non-political, but more information-based, more informative to the public as to what government is doing without the extra editorialization or what would be more in line with coming out of a caucus or the political staff side of the equation?

In other words, does she consider GCPE to be political staff or to be more public servant, public agency, information staff?

Hon. Brenda Bailey: They're considered part of the public service.

Peter Milobar: I assume that they would also, then, operate and be charged with handling any of the social media platforms, like on X or on Instagram — those that would push that information out. There's one in particular on X which is called B.C. Government News. When you scroll through it, it seems to be pushing out information from other government agencies or government programs, emergency information, those types of things.

Could the minister, then, explain why, on that particular site, it seems that from time to time, the only actual politician that they ever seem to actually retweet would be the Premier from his own personal X account, which he uses in elections? He uses the same account for very much NDP-caucus-related announcements versus just letting government communications do non-partisan government communications instead.

[2:55 p.m.]

Hon. Brenda Bailey: The Premier, of course, is the head of government, and he is retweeted in that role as

head of government as he makes public appearances, for example.

Peter Milobar: Well, that answer, frankly, doesn't hold up. There was, in particular, filming with the NDP caucus around Holi. That video was retweeted by B.C. Government News on X, directly from the Premier's account.

Yet interestingly enough, the government communications arm on Instagram used a more generic government acknowledgement of the celebration, not one of the NDP caucus being filmed — one would assume, hopefully, by caucus funds and not by GCPE funds, because that offer certainly wasn't offered to the opposition to make those types of videos.

Can the minister explain in more certainty, then, how it is that what would be seen as directly from the Premier's personal account, picking and choosing, again, the only politician…?

It would be understandable, frankly, if they retweeted the Minister of Emergency Management in the time of an emergency, but they haven't done that. They do it with the Premier with targeted messages, infrequently, but it still happens.

One would have to assume B.C. Government News, which is run by GCPE with communication experts, would understand what they are doing, whoever is in charge of that account with the ability to actually hit "retweet" or "like," and why that is happening.

[3:00 p.m.]

Hon. Brenda Bailey: We're looking into what happened in that particular circumstance. In respect of the time that we have together, I suggest we move on with questionings. As this information comes forward, I'll return to it, if that's agreeable.

Peter Milobar: Well, if that's being looked into, perhaps then GCPE can also be looking into whether or not GCPE filmed the Holi video, had any input into the Holi video and shoot, if there was any funding there, if there was any help in advising, creating, writing — I'm trying to cover off everything so there are no loopholes here — and whether or not it was 100 percent done by the NDP caucus or if, in fact, it was created and developed and paid for in any way, shape or form by GCPE.

I ask that, I guess, as a simpler follow-up. I appreciate, though, that it will get answered with the other as well.

Just to make sure we're 100 percent clear, the former head of GCPE is now the Premier's chief of staff. Is that correct?

Hon. Brenda Bailey: That is correct.

Peter Milobar: Just how much involvement has GCPE started to inject themselves in, in terms of being involved in inquiries coming through to ministries and ministers and in terms of responses back to MLAs? There seems to be a bit of a reach, a bit of a creep of expanded roles of GCPE. That's a little concerning. Has there been a change?

[3:05 p.m.]

Hon. Brenda Bailey: GCPE's role is to advise ministers on public-facing statements.

Peter Milobar: Well, that's interesting. I thought GCPE, based on previous answers by the minister, was supposed to be non-partisan, non-political. It sounds like advising ministers on public-facing statements is advising on how best to word policy and direction, not clean up grammar and punctuation to push out a press release.

It seems that GCPE is now guiding how things will be talked about in the public and advising the minister on how they should be structuring their statement on ministerial issues. That seems to me a bit of a reach into the realm of partisan. How does the minister square that circle of advising ministers on public-facing statements?

Advising is not taking the minister's statement and creating a communication document out of it. Advising is advising the minister on what to say. That's what the word "advising" would, I think, be broadly understood as in the general public. Can we get more clarity and certainty around the language that's being used today?

[3:10 p.m.]

Hon. Brenda Bailey: Of course, the role of all public servants in this place is to provide advice to government, to provide advice to ministers. What to do with that advice remains the purview of the minister, as it has always been.

I want to specifically give an example of advice that one might get from GCPE. For example, if you're communicating on a particular project, a housing project that might be opening in an area, GCPE might have particular insight on how to reach the community that is being targeted by that particular program. It might be an in-language piece of advice about how to reach people. It might be about how to communicate in a disparate media landscape. There are many different types of advice that we receive from GCPE.

Peter Milobar: Does GCPE make any determinations whether or not ministers or agencies of the government should meet with MLAs?

Hon. Brenda Bailey: I just want to be very clear of the choice of words that the member opposite has used. I understand the member to have asked, "Does GCPE determine," and the answer is no. Any advice that a minister may receive from any public servant…. The decision, whatever that might be, rests entirely with the minister.

Peter Milobar: Well, that's interesting. The reason I'm asking these questions is we have a government communications arm that was formerly run by the now Premier's chief of staff. We have what seems to be an ever-escalating politicization of a group that is supposed to be non-political.

I've asked these questions in advance because in Kamloops, we have a long-standing issue that's been going back and I've been advocating for now for the better part of a year and a half. I don't expect the Finance Minister to weigh in about ophthalmology services within Kamloops and Interior Health but neither would I expect GCPE.

After the election, on December 10, myself and the Kamloops–North Thompson MLA sent off a request to meet with the president and CEO of Interior Health to talk about ophthalmology that is supposed to be covered off by Interior Health — not by the Ministry of Health but by Interior Health.

It's back and forth from my office and Interior Health over the course of a couple of months, trying to set up what appeared to be a meeting. One date fell apart for various reasons by one party and the other, and then the next one did as well. That can happen.

[3:15 p.m.]

Then lo and behold, two months later, almost to the day, on February 13 — an auspicious day; it's actually my birthday — we got an interesting reply back from Interior Health. This is from the executive assistant to the president and CEO. It's not a typo. It's not a cut-and-paste error. They didn't accidentally say minister instead of ministry or ministry instead of minister as to waiting for the meeting.

It's very short. This is the whole response: "I appreciate your patience and wanted to let you know I haven't forgotten about you. We are just waiting on direction from GCPE regarding MLA meeting requests." That's at an Interior Health level. That's not at a minister's level.

Can the minister explain why GCPE is dipping their toes into things like health authorities and providing direction as to whether or not meeting requests should happen or not around health issues going on in opposition MLAs' ridings?

[3:20 p.m.]

Hon. Brenda Bailey: MLA requests sometimes come through GCPE, and they're sorted to a health authority for casework or advocacy. GCPE essentially acts as a pass-through, and there is no decision-making power there. Any instruction or decision-making would be flowing through from the MO, not from GCPE.

With your approval, hon. Chair, I have a response to the previous question the member asked that we paused on, if I may.

As part of the general supports that GCPE provides, it's a normal course of action that their digital team would provide coverage of events attended by the Premier or other members of cabinet, non-partisan events. They maybe capture things like Holi and other days of significance that are culturally relevant. It would be possible and common for GCPE to provide supports that include video and photography for the Premier as well as for ministers. I will highlight that this was also the case before 2017.

Peter Milobar: Well, I always love the chestnut: "This is how other governments did it, so we're going to keep doing it." Right is right, and wrong is wrong.

You know, it's interesting. I guess we'll kind of split the two. I'll come back to the Holi after, because I don't want to lose the GCPE and Interior Health.

[3:25 p.m.]

It sounded like the minister is saying that health authorities…. Although GCPE is supposed to be a non-partisan, non-political communication vehicle, GCPE is fully within their bounds of operations to dip their toe in and have things flow through them to advise whether meetings should happen between an Interior Health president and CEO or other doctors to talk about a very specific thing around ophthalmology services.

I don't quite understand how that fits the communication model. That sounds like gatekeeping for political expediency. I would point out that waiting on direction from GCPE was February 13. It's now — what? — May 26. I have not had a meeting.

It doesn't sound like advising. It sounds like if there was advice, it was, "Don't have a meeting to talk about health," even though that's your sole mandate as a health authority. If you try to talk to a minister on something like that, the minister would, understandably and rightfully so, tell you to go talk to the health authority. So that's what we did.

Health authority says: "No, no, we've got to check with GCPE, the non-partisan, non-political communication arm of government, to see if we can meet with you or not." No wonder it's taking forever to get meetings for opposition MLAs, not just with Health but with every ministry.

I know Interior Health has their own communication arm. Does GCPE manage and oversee health authorities' communication departments, or are those communication departments independent from GCPE?

[3:30 p.m.]

Hon. Brenda Bailey: In no way would GCPE have been the final decision-maker in the example that the member has shared but, rather, a pass-through for information.

In regards to the question on health authorities, health authorities have their own communications team who collaborates with GCPE on supporting the Minister of Health.

Peter Milobar: I'm just trying to understand why

GCPE has to get in the middle of any of this and why the minister feels it's appropriate and won't give direction to GCPE to back off. These are standard meetings that are supposed to happen. This is a government that keeps talking about trying to fast-track things and move things along quicker and be more efficient. Yet we have GCPE — my understanding is that most of them are not bound by the hiring freeze, not exactly efficiency there — being a gatekeeper to MLAs trying to do their job by just discussing things going on about something as simple as health care.

Not simple, obviously. Health care is a very complicated issue. But it affects everyone in my riding. The fact that I've been waiting since December, and it's now end of May, for a meeting, that the GCPE is in the middle of advising on whether or not it's appropriate for a health authority to meet with a local MLA, is ridiculous in the extreme.

Is the minister prepared, while looking for efficiencies, to look for a restructuring of GCPE so that we don't need maybe as many in GCPE creating firewalls? There could be an efficiency found there in the cost structure of GCPE.

Hon. Brenda Bailey: All of government is engaged in this efficiency review, including GCPE.

[3:35 p.m.]

I did hear the member opposite say that GCPE is not subject to the hiring freeze of the civil service. That's not correct. Of course they are. I think we'll have opportunity to talk about that further.

Peter Milobar: Well, it's interesting, because when we've questioned orders in council of various communications staff that have been hired, the minister's answer was that they're exempt from the hiring freeze. Is the minister now saying that those political hires are no longer exempt, and there is now a hiring freeze on political staff, be it in communications or other places?

Hon. Brenda Bailey: The way that the hiring freeze works is that if there is a request for an exemption to the hiring freeze, which applies all across the civil service, that exemption goes to the head of the public service for review, and a determination is made based on the impact that not hiring that role would have on government.

We've been able to make significant reductions on the percentage of hires across government since bringing in this hiring freeze. I'll have to get the exact average, but if memory serves, a 6 to 8 percent increase is kind of what we would have seen in a prior year, whereas right now it's 0.3, less than 1 percent, and it's our determination to get that to zero or below.

I will share with the member opposite that some of the OICs that the member has seen in regards to GCPE are because when someone moves across government, that is also an OIC. It doesn't always indicate that it is a new hire, so that's important to note.

[3:40 p.m.]

I will share with the member some numbers. When we look at GCPE refilling positions that had been left vacant in the lead-up to the election, GCPE's head count is lower now than last February. It was 310 at the end of April of this year, compared to 315 of last February.

Peter Milobar: The minister has repeatedly referenced that people left GCPE in the election, which is actually a savings for government. Is that a normal course of practice leading into any election, or was this an anomaly?

Hon. Brenda Bailey: I apologize to the member that I wasn't more clear when I made that statement. This is the correct information. In the lead-up to the last election, GCPE deliberately held back on hiring, anticipating a reduced communication workload during the writ period — in other words, not filling positions rather than people leaving. It's attrition, really, that we're talking about — not filling positions that were vacated by people who left the GCPE permanently, not people on leave.

Following the election, GCPE began the process of refilling required positions.

Peter Milobar: It sounds like they got about 98 percent of the way there.

In terms of GCPE, what is the current budget allotted for this year for polling?

Hon. Brenda Bailey: The research budget in this year's budget is $432,000.

Peter Milobar: What is projected, then, for the following two years in the fiscal plan?

[3:45 p.m.]

Claire Rattée: Could I get leave to make an introduction?

Leave granted.

Introductions by Members

Claire Rattée: I just wanted to introduce the Centennial Christian School. There are ten grade 12s here and a few adults and their teacher Joshua. I honestly didn't think that I would get the opportunity to introduce a school from my riding, so thank you to them for making the trip down here. I was quite excited to see that they were coming today.

If everybody could please welcome them to the Legislature.

The Chair: Welcome to everyone joining us today.

Debate Continued

Hon. Brenda Bailey: That $432,000 is consistent throughout the fiscal plan.

Peter Milobar: Is there any additional money for multi-language polling as well?

Hon. Brenda Bailey: No, that's all contained in the same budget.

Peter Milobar: It's interesting. In a time of rising costs across the board, this seems to be the one area — thankfully, I guess — that government is holding the line in, because the '24-25 budget was $432,000 as well.

What type of polling is intended? Last year I had quite a bit of back-and-forth with the minister because it was very targeted polling around Surrey policing. It never was released publicly. In fact, none of the polling ever seems to get released publicly, despite the hundreds of thousands of dollars spent on it.

How frequently is the polling being done currently?

Hon. Brenda Bailey: I've just been alerted to an error that I'd like to correct. There, in fact, was an additional $110,000 planned for multi-language program research this year.

[3:50 p.m. - 3:55 p.m.]

The majority of research is through the quarterly omnibus research. This is really about the important goal of listening to British Columbians as they tell us their priorities and their day-to-day challenges, which allows us to work on the programming to address those challenges.

That is also what the $110,000 in'24-25…. That was research with multi-language markets, really, on the issues of affordability, housing and health care. I do just want to clarify that we are using language research which includes not just polling but also in-person and online focus groups.

Peter Milobar: Is the multi-language polling the same polling as what would be considered the mainstream that was part of that $432,000 spend, or are they a different subset of questions diving into different things, that the various ethnic communities would require those other languages to be properly communicated with?

I don't take issue with that, of course. You want to communicate with all British Columbians, and language shouldn't be the barrier. But are the questions and intention of the polling the same, or is it microtargeting into specific populations to see what various populations would think on a topic?

Hon. Brenda Bailey: Yes, this is, by and large, the same. The intention of the research is the same, and there may be some shifts in regards to specific wording.

Peter Milobar: Is the polling done in-house, or is it done by way of outside polling firms?

Hon. Brenda Bailey: Public opinion research is an important tool for government to go out and talk to people across B.C. GCPE uses third-party firms to provide specialized consultation services to engage British Columbians about changes to policies and programs that people rely on.

Research conducted by GCPE also helps B.C. Stats to develop an accurate understanding of people in B.C., including on issues like affordability, where we've worked to understand how much people are spending on major costs like housing, food and child care.

Vendors used by GCPE were selected through a competitive bid process.

[4:00 p.m.]

Peter Milobar: Again, we're always flying a little blind on these questions as an opposition, and for the public, because the government never shares any of the polling. They don't even want to admit if they're actually in the field polling. They don't like to talk about what the subject area might be. God forbid the public find out what the results of that poll were in a very clear-to-understand release.

One would think GCPE would be able to issue a release. That's what their business is, in communication. Maybe it's those five missing people that would be doing those releases. I'm not sure.

The minister has said $432,000 and another $110,000 for multi-language, which will be polling that is done very similar to the other, if not the same, as the $432,000. That's almost $550,000. It's $542,000.

The minister indicated it would only be quarterly omnibus polling. Is the minister saying that we'll be spending upwards of $125,000 a poll for every quarter, or is there other polling that is actually going to happen for that?

I ask that, maybe just to speed this along a bit, because last year the omnibus polling for Surrey policing was $24,400, a large population. They did outreach into the various communities. The minister made it very clear. We went through it step by step because there are very diverse communities within Surrey, so they wanted to really capture what people were truly feeling about Surrey policing or not.

I'm not trying to re-litigate the Surrey policing issue at all. I'm talking about just the sample size of polling. It's very representative to what it sounds like the minister is saying. The other polling is going to happen — omnibus, multi-language, everything else. But the minister has now

said it's only going to be done quarterly, yet we have the same budget as last year.

Interestingly enough, in a week where there's a whole bunch of contentious confidence votes coming up, the government has the same amount of money budgeted for polling this year, next year and the following year as they typically do in an election year. I've canvassed this a few times, and polling always spikes in an election year — conveniently enough, but it does.

I'll save the minister…. I'm sure it used to happen that way too. It doesn't make it right, but I'm sure it used to happen that way, as well, in the past, with other governments.

At any rate, we've only heard that there are going to be four routine, regular check-in omnibus polling — quarterly — to make sure the government is providing the services people actually need. Yet we have a $542,000 budget, which would be $125,000, $130,000 a quarter.

Is that the only polling that is going to happen? Why so expensive, then, if you can do the whole of Surrey very comprehensively for $24,400?

Hon. Brenda Bailey: The omnibus research that occurs is sort of the largest bulk aspect of the research, but there are other pieces of research that occur during the year on a number of different topics, as need requires.

Peter Milobar: I always love the interplay of language between opposition and government. Government refuses to call it polling, even though that's what it is. It's polling companies phoning people up or contacting them in various ways to get polling. The government calls it research to somehow make it seem less political, I guess.

[4:05 p.m.]

Has there been, or will there be, any polling…? Has there already been polling scheduled, done, completed or in the works on Bills 7, 14 or 15?

Hon. Brenda Bailey: I first want to respond to the member's quip about the choice of the word "research." The reason we're using that word is that it's more comprehensive than the word "polling." Research includes polling, but it also includes focus groups, as I previously mentioned. So nothing cute there, simply trying to be reflective of the work being done.

In regards to the question if there has been polling on Bills 7, 14 and 15, the answer is no. However, we have done polling on tariff response, and it included gathering information on questions of strengthening the economy and expediting projects.

Peter Milobar: When was the polling on tariffs completed, then?

Hon. Brenda Bailey: That particular research was in the field March 11 to 16.

Peter Milobar: That's a couple of months ago now. We must know (a) what it cost and (b) if will it be released to the public.

[4:10 p.m.]

Hon. Brenda Bailey: The cost of that particular research was $30,000, and it's generally not the practice of GCPE to release polling while it's being used to inform cabinet deliberations.

Peter Milobar: Except these are extraordinary times. The government wants us all on the same page. They want us all pushing together. They don't want opposition to be obstructionists. They want us to be part of Team B.C., part of Team Canada. Things need to be acted on urgently. We need to be moving quickly. We need to have a united front. All that language.

This was a week after the budget got released. There was polling done about tariff response, $30,000. Surrey policing was only $24,000 heading into an election to make sure that the government was doing what they thought would be in the political best interests of the government at the time.

So $30,000 in polling about an issue that this government has made the centre point. We heard it today. According to the Education Minister, K to 12 is being underfunded right now because of the President of the United States and the tariff war.

But we can't have access to the polling because it's guiding cabinet decisions — cabinet decisions that should be urgent and being dealt with quickly. I mean we're not back in this place — in three days — for another several months.

One would think, if the government wanted the opposition to be working with them collaboratively, for the public to get on board with actions needing to be taken by the Finance Minister and the Premier — that having that level of understanding of what the true public sentiment is, not public sentiment for political gain but public sentiment for public good — the polling would be released, especially over two months, almost 2½ months, after it's already been done.

Surely cabinet has already made their decisions if they're trying to act urgently and expediently on things. I mean, public mood has probably even changed in those 2½ months. We've had the election federally. There's been ever-shifting sands in the trade war. I don't quite understand why there'd be a hesitancy to release the polling. And the minister said that GCPE doesn't release the polling. Well it's not GCPE's to own; it's cabinet's.

Can the minister commit today, given the urgency of the fight against the tariff war and the urgency to make sure we're taking decisive action and the urgency to make sure that we're all rowing in the same direction, that we're all in the same team in this chamber…? Can the minis-

ter commit today that that $30,000 worth of polling that happened 2½ months ago will actually get released — at a minimum, to the opposition, but certainly, to the public as a whole?

[4:15 p.m.]

Hon. Brenda Bailey: To the member's request, no, we're not going to do that. It's a long-standing principle to protect cabinet decision-making that advice and recommendations to executive council are not generally released. This, again, is to protect cabinet deliberations.

I will share with the member that I was very pleased to hear him say that these are extraordinary times. He sounded deeply concerned about the threat of tariffs, and I hoped that he would share that with the rest of his party.

Peter Milobar: Well, we are deeply concerned about tariffs. We've never said anything otherwise. But we're also deeply concerned about how the government goes about trying to politicize the issue in terms of partisanship when it comes to any questions we ask in question period, when it comes to any questions we ask in budget estimates and when it comes to questions we ask about polling.

[4:20 p.m.]

Did that polling around tariff response back in early March…? Keeping in mind that we didn't see anything in terms of legislation for tariff response until Bill 7, which was shortly after that polling, so it wouldn't have informed that.

Did the polling, though, help inform Bills 14 and 15 when they finally got brought forward to this House just a few weeks ago?

Hon. Brenda Bailey: It's my view that this is a question that is beyond the probing of estimates of GCPE. GCPE is providing the polling. That's the work that they do. We're talking about the estimates and the expenses and timelines, and everything of that nature is appropriate. But how the polling is used is beyond the estimates of GCPE, in my view.

Peter Milobar: I was wondering when we'd start getting to "these aren't relevant questions," even though we have a budget book and a STOB 60 that has $432,000 plus another $110,000 in it. Granted, that's vote 27, and if the minister wants to stick specifically to vote 26, can she then answer when vote 27, vote 28, vote 46, all the other votes that the ministry is responsible for, will come forward, or are we only going to be dealing with vote 26 and just pretend that there are no other responsibilities of the Minister of Finance?

[4:25 p.m.]

[Mable Elmore in the chair.]

Hon. Brenda Bailey: I'm happy to answer questions related to all of my areas of responsibility related to the estimates. The votes that the member asked about will be moved at the end of the week.

Peter Milobar: Has GCPE started, have underway, completed any polling at all, any research from April 30 to today? If so, what were the topics or the themes of it?

[4:30 p.m.]

Hon. Brenda Bailey: In regards to the member's question as to whether there has been any polling underway from April 30 to today, the answer is no. There has been none in that time frame.

Peter Milobar: In terms of the overall advertising budget of GCPE, what is…? Independent of the polling/research of $542,000, what is the advertising spend anticipated for this year?

Hon. Brenda Bailey: The advertising budget for GCPE for this fiscal is $3.537 million.

Peter Milobar: Thank you. I'll just assume that's going to be similar, moving forward.

Previously, there were massive spends during Canucks games, which obviously haven't been around for a little while, so no need to worry about that this year.

Given the constraints that the minister is trying to direct every other ministry under, has there been any direction by the minister to GCPE to change that number? It has been two months into the new fiscal. In this day and age of social media and other ways to push out, we certainly don't necessarily need to have maximum saturation during a hockey game in the playoffs.

[4:35 p.m.]

Has there been any direction by the minister to show that leadership to all the other ministers and ministries and subsets of those ministries that the Minister of Finance, through GCPE, has decided that $3.5 million is too high and that, in fact, we're going to cut it back to $3 million or $2.8 million? Pick a number. Has there been any direction whatsoever?

Hon. Brenda Bailey: The direction on financial controls applies to GCPE, as they do to other aspects of government. GCPE is subject to the efficiency review, just as everyone else in government is.

Peter Milobar: Well, GCPE is almost a $33 million budget. We know that they're actually staffed at 98½ percent of what they would have been last year, so there's been no constraint there of any shape or form. We know that their polling is at the same dollar value as it was last year.

We now know that their advertising is at around the same dollar value as it was last year.

This is a department that's under direct control of the Minister of Finance, who's supposed to, by virtue of their mandate letter, be directing all of government to find efficiencies and cost savings and ways to save money. One would think that there would be leadership shown within this ministry to demonstrate to the other ministries that, yes, tough decisions had to be made.

One of the last questions I asked — in fact, the last question, that we started today off with an answer to — was around non-essential things and core service reviews and how what one minister might think is essential the Minister of Finance might not and vice versa, and on and on it goes. So if there's not a clear delineation by the person at the top of this review of what should be deemed essential and what's deemed extra, it's going to make it pretty tough to identify any actual savings.

Is the minister saying that GCPE, despite the fact they fall directly under her leadership, is being left to their own to figure out whether or not they can find cost savings within their $33 million budget?

[4:40 p.m.]

Hon. Brenda Bailey: As the member knows, there are spending controls that have been brought in across government. That includes being applied to GCPE.

The next phase of the work that we are doing in our efficiency review is happening now. It would be premature for me to surmise what the outcomes of that work are because it's ongoing right now. As I have mentioned to the member on previous occasions, we are going to be reporting back on this. We'll start to see some information being shared in Q1.

This is important work that we're doing very carefully. We're doing it very precisely, and we're doing it with the objective of protecting core services for British Columbians.

Peter Milobar: Can the minister clarify "being shown in Q1" as in sometime between now and the end of next month or being shown in the Q1 update, which is September 15?

Hon. Brenda Bailey: The latter. The Q1 update.

Peter Milobar: Here's the problem. We're sure hearing a lot of "just trust us" from this government. It's not going so well for the Premier right now.

We're two months into the first quarter. I'll get into all of this in more detail tomorrow, because today is about the Crowns. But we're two months into the first quarter. We have a $2 billion hole in revenue blown through the budget that the minister doesn't even want to acknowledge and keeps saying: "Well, wait until the Q1 update on September 15. We'll talk about it then."

We won't talk about CleanBC till then. We won't talk about any efficiencies or cuts that may or may not have been made — efficiencies and cuts that, by direction of the mandate letters, should have started well before even the budget was introduced, months before the budget was introduced. We're now almost five to six months into ministers and ministries supposed to be finding efficiencies, and all we hear is that they're looking at things.

Can the minister not see why it might be problematic for the public to just trust the government yet again when, on something as simple as a $3.5 million advertising budget for an arm of government that is directly under the responsibility of the Minister of Finance, that's supposed to be responsible for finding literally billions of dollars of savings, has not even been given the direction to rein in advertising spending? Not research and polling so cabinet can make decisions. I'm not even talking about that. I'm talking about advertising.

How can the minister reasonably expect other ministers to be making any meaningful decisions on spending within their ministries if she cannot even direct the advertising arm of the government that she is directly responsible for to make cuts to their budget on advertising?

Hon. Brenda Bailey: Hon. Chair, through you to the member, they are misconstruing the work that is underway. I think British Columbians understand that when government is reviewing our spending, we have to do so in a very careful and thoughtful way.

[4:45 p.m.]

That's what British Columbians will expect from us, and that is exactly what we were doing. Every single ministry is looking at their programs and their budgets to ensure that every dollar is being well spent. We're looking under every rock. It's being done very carefully.

I don't own a magic wand where magically this work can happen. It's happening through a thorough process that is occurring in every ministry, my ministry included. My ministry did not go before the other ministries. We're all doing this work now. This is deeply important. It's deeply important that it's done carefully and thoughtfully, and that is exactly what we were doing.

We're going to be able to report out. Our initial report out will be in the Q1 report, which will be in September.

Peter Milobar: Will that Q1 report, then, include a very detailed breakdown of the cost savings and changes to the individual budgets? Q1 reports don't typically do that.

Will there be a full accounting, given that there's been such a lack of transparency and willingness to discuss even the most fundamental and basic things like adver-

tising budgets and given that we're going to have to wait until September 15 to get any clarity, it sounds like?

Is the minister committing today that there will be a full accounting for all those decisions that were made in this Q1 time frame, highlighted and clearly understood within the Q1 update in mid-September?

Hon. Brenda Bailey: Hon. Chair, may I request a five- or ten-minute bio break?

The Chair: Certainly. The committee will be in recess for ten minutes.

The committee recessed from 4:47 p.m. to 5 p.m.

[Mable Elmore in the chair.]

The Chair: I'll call the committee back to order. We're in Committee of Supply estimates continuing for the Ministry of Finance.

Hon. Brenda Bailey: We left off with a question in regard to the Q1 update, which I'll answer now. The Q1 update will reflect initial government decisions on our spending review, and more will be reflected in Budget '26.

Peter Milobar: Wow. This is getting to be quite the budget estimates on the actual budget, where we can't actually get any answers because we're going to talk about a snapshot in time on something that's completely irrelevant, and we're being told to wait until Q1 update. But now we just heard that the Q1 update will be a brief overview and more detail in next year's budget. This is a $90-billion-plus operation we're talking about, and we can't get direct answers.

This is supposed to be all about efficiencies and finding efficiencies and finding things that can be cut that aren't needed, that are non-essential, because the government says that they don't want to cut core services to people. Yet we had parents protesting today about cuts to education that the minister and the ministry and the government don't want to acknowledge is actually happening.

The minister can say there haven't been cuts. Then she can go and talk to the 80 people in Kamloops that lost their jobs at the Kamloops school district because of a lack of funding for that school district. If she thinks that's not a cut, I don't know what is.

But we're going to protect the GCPE advertising budget at all costs, it sounds like. Six months — no decision has been made on a $3½ million advertising budget, of all things. The minister mentioned earlier that GCPE provides oversight and guidance to things like health authority communication departments. We have health authorities that have their own large communication departments that interconnect with GCPE.

One would have to assume that the same would hold true for universities; for ICBC; for B.C. Lotteries which will come up after GCPE today; for any of those agencies. Has the minister, in conjunction with GCPE, as part of the efficiency reviews that were supposed to be well underway at this point, taken any look at the overall size of communication departments across government not just within GCPE but all of those ones that GCPE interacts with?

Have any decisions started to be made about the overall size of the communication arms of all things government in British Columbia, be it at a health authority level, be it at GCPE, which it sounds like the two interconnect? The minister shook her head, saying no, but when I was asking questions about Interior Health, that was very clearly what she was saying. It shouldn't have changed operation with GCPE in the course of two hours, given that the head of GCPE is here currently.

What efficiencies is the minister looking for within GCPE and their $33 million budget, or are they hands-off and there will be no cost savings at GCPE? The minister has indicated they're going to have the same amount of money to spend next year when it relates to polling as they have this year. That was the same as last year, so no change there.

No change in advertising. We must make sure we have a full ad buy on any popular sporting event, apparently, to tell something that the government is doing, to try to convince people things aren't as bad in B.C. as they might be otherwise.

[5:05 p.m.]

What efficiencies within GCPE is the minister looking for? I'm not even asking about other ministries. I'm asking about Vote 27, which is directly under the control of the Minister of Finance, 100 percent. The overall efficiency review is supposed to be overseen by the Minister of Finance for all of government. What leadership is being shown with the minister through GCPE to the rest of government when it comes to this efficiency review, or are there going to be no cost savings whatsoever to be found in GCPE?

Hon. Brenda Bailey: The member has chosen to wrongly characterize what is going on in terms of our efficiency review and how it's being reflected in the estimates that we're debating today, so I will be very clear.

We're discussing the estimates from the budget, Budget '25. It includes $300 million of what we expect to be the initial results of an efficiency review. We are not able to share with the member decisions made on the efficiency review because they haven't been made yet. The work is going on right now across government, including in everything that I'm responsible for. It's that simple.

We're talking about the budget, Budget '25, and it's reflected in the budget as $300 million of savings. The work that we're doing right now is reviewing every single min-

istry to look at where we can find savings. We expect to reach that $300 million mark, and it's my hope we go further. That work is ongoing. It must happen at some moment in time. It has to happen at some moment in time, and there will inherently be time when we don't have the specific results from it because we're in the middle of doing it.

That's simply where we are. This is important work. It's being done carefully. It's being done thoroughly. It's being done with prioritizing the core services for British Columbians, and that's the work that we're undergoing.

Peter Milobar: I'm going to need some clarification on that because I think the impression, certainly through the media, certainly that I've had, certainly that the public has had, is that whenever the minister has talked about $300 million of savings in this year's budget, it's already been accounted for.

Is the minister saying that if they do not find $300 million worth of savings, we actually have an $11.2 billion deficit, based on the budget that was released on March 4?

Hon. Brenda Bailey: Not at all. The $300 million is the initial savings that we have booked for the work that we are doing right now that will lead to that number or more. That is the work that is going on right now.

Peter Milobar: To be clear, then, the minister's path to a balanced budget goal is to take a $10.9 billion deficit and reduce it to $10.6 billion.

[5:10 p.m. - 5:15 p.m.]

Hon. Brenda Bailey: To get back to the question of the fiscal review that's underway, the first lens that we have applied is one of expenditure controls. Those began in February — things like salaries, travel, professional services, office supplies, business expenses, office leases, tenant improvements and more. So that's the initial sort of lens by which we began this work of efficiency review.

The part that we're in now are the program reviews. I'm not going to be pushed into a situation of presupposing what the outcomes of those reviews are going to be. We're doing the reviews right now. It's important work, and it's being done with a very careful lens. I'm very encouraged by the work, and all ministries are deeply involved in it. They've all received specific instruction from the Premier that they must work with the Minister of Finance on finding efficiencies, and that's the work that we're doing.

I want to make two corrections to the member, who incorrectly stated two things in his last question. It is not true that GCPE provides oversight. That's why I shook my head. They do not provide oversight to, for example, the Ministry of Health communications team.

Also, Education has not been cut. There was a $370 million increase in the last budget to Education.

Peter Milobar: This is incredible. I walked the minister through GCPE actually being a roadblock to me getting a meeting with Interior Health, and the minister said very clearly that GCPE coordinates with the ministry, Interior Health and all the health authorities around direction they should or shouldn't be taking on matters of communication.

We'll pull the *Blues* up, and I'm paraphrasing a little, but if the minister wants to really get into parsing versus what the theme and the context of what she was saying is, it's going to be a long few days. Frankly, it took eight minutes to get a non-answer.

The question was about the…. I'm not even asking where the $300 million is coming from. I'm asking for clarification on the $300 million. There is currently booked — which we know is a flawed number anyways, but I'll get into that tomorrow — a $10.9 billion deficit.

The question was: if the $300 million of savings is not found, does that mean we have an $11.2 billion deficit? The minister said no, so I said that then means you need to find the $300 million in savings to get us down to a $10.6 billion deficit.

[5:20 p.m.]

Is that the goal of finding $300 million? If not, I don't understand how the government math is working these days, with their moments in time on a document that apparently is completely out-of-date and inaccurate.

The Chair: Just a reminder. Questions and answers through the Chair.

Hon. Brenda Bailey: Thank you, hon. Chair. Through you to the member, the $10.9 billion deficit assumes the $300 million in savings.

I do continue to push back on your choice of language in reflecting my language. I was very specific when we talked about the GCPE — that it's a collaborative approach, that it's flow-through information from the MO. When you choose to use words that are different than what I've said, I'm going to respond to that. I did not say that there was a control. That is not correct. I'm not going to have words put in my mouth, so the correction stands.

Peter Milobar: Direct from IHA: "We are just waiting on direction from GCPE regarding MLA meeting requests." The minister can try to spin it any way she wants. GCPE has created roadblocks for MLAs to try to get meetings with health authorities. Plain and simple. It's in writing from a health authority. Surely, they understand the difference between their own internal communications department and GCPE, because they spelt out the initials in bold letters. That's not an autocorrect. That's not a spell-check. It's not a cut-and-paste error.

If I sound agitated about it, it's because it's about health

care in my riding, and I've been waiting since December for a meeting that GCPE apparently hasn't approved.

Now, the minister a little while ago, when I asked about the $10.9 billion and if $300 million is not found, said: "No, no. It wouldn't go to $11.2 billion, but it also won't drop it to $10.6 billion." That means the $300 million of savings must have already been accounted for in various line items in this budget.

Why is the minister refusing to say where those $300 million in savings that have currently been identified in the budget and have already made up the $10.9 billion deficit are? Why can we not find out from the minister where those $300 million of efficiencies have already been found in this year's budget, given that they're not going to change what the projected deficit is?

[5:25 p.m.]

Hon. Brenda Bailey: The $300 million in expenditure management is a target that we expect to achieve in the category of discretionary and administrative spending. It represents half of a percent of ministry budgets.

[5:30 p.m.]

This is a multi-step play, and it's a separate thing than the efficiency reviews that are underway across ministries.

Peter Milobar: Except the minister has indicated that the efficiency reviews are targeting $300 million this year, $600 million next year and $600 million the next year. Is the minister now saying that that efficiency review will target dollars other than that, and if so, what is the dollar figure that is being targeted?

Hon. Brenda Bailey: I will just refer the member to page 20 of Budget 2025, in the top right corner, where it really speaks to what we're talking about right now: the two components of the expenditure management and program review. The expenditure management targets total $1.5 billion — $300 million, $600 million and $600 million — to be achieved through management of administrative and discretionary spending while still protecting front-line services people rely on. Expenditure management will continue through '25-26 fiscal year and beyond.

The second component is that the Ministry of Finance will also be working with ministries to review all existing government programs and initiatives, to optimize resources by ensuring programs remain relevant, are efficient and sustainable, grow the economy and help keep costs low for British Columbians. That's the efficiency review component that we are involved in now, and that work is underway. As I've mentioned and the member is tired of hearing me say, we'll have initial results on that in Q1 reporting and further results shown in Budget '26.

Peter Milobar: I do not understand, then, how we have a budget document that has already accounted for $300 million in cost efficiencies. Because the $10.9 billion deficit will not change, the $300 million needs to have been found, which means the government would have already had to have budgeted in those various areas to not expend that money, because that money does not exist in this budget for expenditure.

Can the minister provide us with a reconciliation of where that $300 million was found in the creation of this fiscal plan? It doesn't exist in the book. It doesn't need to be found; it's already been found. Yet the minister is unwilling to say where, other than non-essential travel. Well, which ministries, and how much? Because when we've asked the other ministers, they said we have to wait until Q1. But Q1 is irrelevant to this. It doesn't exist in this book.

[5:35 p.m.]

The $300 million has already been removed from spending, according to the minister, or it would impact the deficit situation, positively or negatively, once it was found. It's been found already. It was found before this went to the King's Printer.

Can the minister provide to this House, as is required for us to properly do our jobs during budget estimates — otherwise, it is a point of privilege — the accounting of the $300 million, of where exactly those savings were found and a detailed itemized list of it?

Hon. Brenda Bailey: I think the member is struggling with what a budget is. A budget is a plan. It is a future-facing document, not a past-facing document. This plan very clearly includes $300 million in savings that is found through the items that we have already identified to the member. This is a plan. This is the work that is happening now. That is what a budget is. It's the plan for the year. It's not a past-facing document; it is a future-facing document.

Peter Milobar: Madam Chair, I am not sure how to proceed. I'm going to need a little advice from the Clerks' table here. The minister has very clearly said the $300 million has already been found and is not in this budget. It will not impact the deficit positively or negatively.

She's now saying, no, it's a work in progress. We're getting literally two different answers on the exact same question from this minister repeatedly. Does the minister want to change her answer, then, as the $300 million relates to the deficit, or not?

I've asked very clearly. If the $300 million is not found, will it impact the deficit and increase it to $11.2 billion? The minister said no. I then asked: if the $300 million is found, does that mean the deficit drops to $10.6 billion? The minister said, no, it stays at $10.9 because it's already been found, which means it's not in the projections for expenditures in this budget document, which means it had to have been removed for it to be called savings.

Otherwise it wasn't savings, because nothing was removed, in which case, the minister is using completely

inappropriate language to describe the $300 million as savings. If it's the savings of what was otherwise budgeted, where is the detailed itemized list of where those $300 million were saved?

It's pretty straightforward, and for the minister to suggest that I don't understand budgeting is, frankly, absurd. It's even more absurd, given the evasion of the answers we're getting on this. It's a pretty straightforward question.

The minister has made it very clear the $300 million is not part of this budget book but is savings. If it's savings, that means it has been removed from our projected expenditure to make it into the final book. That is what this government has been touting since budget day — that they found $300 million of savings. It's actually 0.33 percent of the overall budget, not 0.5.

[5:40 p.m.]

We're asking where those savings were found. What was cut? What was not approved for expenditure that otherwise was going to be? That is what is called a savings. It's not just pulling a number out of the air and saying, "Oh, we saved $300 million," without actually being able to show your work.

I'm not sure how the minister thinks we can keep proceeding with these snapshot-in-time conversations about forward-looking documents when I'm trying to ask about the creation of this forward-looking document and the snapshot in time that led her to believe there was $300 million worth of savings.

Can the minister provide a detailed breakdown of where that $300 million in savings was found in this year's fiscal plan?

Hon. Brenda Bailey: I'm going to tackle this from a different angle and see if we have more luck.

The budget includes an expenditure management target, a savings line, and that is the value of the financial controls that we have put in place. That's what we've been talking about.

The expenditure management controls, for the member, include STOB 50, salaries; STOB 57, travel; STOB 60-61, professional services; STOB 65, office and business expenses; STOB 66, informational advertising; STOB 68, statutory advertising and publications; STOB 73, amortization; STOB 75, tenant improvements; STOB 77, transfer grants; and STOB 80, transfer shared-cost arrangements. Those are the STOBs that are identified in the expenditure management.

Peter Milobar: I will wait until I have the *Blues* for tomorrow and come back to this, because the minister very clearly made some very clear statements about the money already being out of this budget. Frankly, the fact she lists off STOBs is wonderful. I'm asking for how much money out of each of those STOBs, and that's what the minister doesn't seem to want to answer. So we'll wait for that.

There's really not much point continuing on with GCPE at this point because it appears those answers aren't forthcoming either.

[5:45 p.m.]

We might as well move on to BCLC, if the minister has them around. I know we might need a few minutes to switch out.

I've got quite a bit to dive into with BCLC this year, and a lot of it is around the virtual gaming space. I do recognize that GPEB plays a side to it, so I know there will be a little bit of crossover on some of my questions, but there is still a financial mix to all of these themes and questions.

My understanding is that it's the position of BCLC that they should be the sole provider of e-gaming in British Columbia and that there should be no outside Bet365s, Bet99s, those types of things that we see flooded on commercials right before and after GCPE ads — that we would see those be the only site and not those other out-of-province operations. Is that still the position of BCLC?

[5:50 p.m.]

Hon. Brenda Bailey: The government has not changed its position. We are the only legal provider of online gaming. But we do acknowledge that there is a challenge with illegal gaming in the B.C. market.

BCLC is concerned about player health and continues to advocate for enforcement measures both provincially and nationally, as well as to promote player education. BCLC also continues to work with the PSSG's gaming policy enforcement branch to address illegal online gambling.

In 2022, BCLC joined with other regulated provincial organizations to create the Canadian Lottery Coalition to combat illegal online gambling activities through education and through collective legal action. As part of its actions, the coalition intervened in the Ontario reference case on international liquidity, emphasizing fraud and money laundering concerns.

As well, to remain competitive, BCLC is focused on providing excellent player experiences and advertising campaigns which emphasize the risk of gambling on illegal sites and the benefits of keeping profits here in British Columbia.

Peter Milobar: So the government has taken those steps.

Is the government taking any steps within B.C. itself to try to protect its overall revenue streams and any leakage that may be happening to people using sites that are not regulated within B.C.?

Hon. Brenda Bailey: There have been efforts in B.C. to protect overall revenue streams, including educating players on the implications and the risks of illegal gambling

and the benefits of gambling within British Columbia on the legal site.

There is an advertising campaign called "What's played here stays here." That's an example of that work.

Peter Milobar: Has the minister or the Ministry of Finance met with these outside providers in their desire to be allowed to operate within B.C. and have a series of regulations set up so that they could operate here?

[5:55 p.m.]

Hon. Brenda Bailey: I am aware of this request being known to government, the desire to open that opportunity. I have not personally met with any of these folks.

Peter Milobar: So the minister hasn't personally met with any of the providers. Has her ministry met with them?

Hon. Brenda Bailey: I would like a clarifying question. Is the member specifically referring to during the time that I have been Finance Minister, or would they like me to look back at previous timelines?

Peter Milobar: It's "has the government in general," but obviously the Finance Ministry or Minister. I'm not so worried about the semantics of timeline. It's if they've been meeting with this industry that's trying to get a toehold in B.C., that's currently operating illegally, or not. I'm trying to ascertain if there have been meetings or not that have taken place.

Hon. Brenda Bailey: At the Ministry of Finance, there have been staff-level meetings before the timeline that I was Finance Minister. I'm learning from my team that there have been staff-level meetings.

Peter Milobar: Now, I can totally understand why an industry that would like to set up in B.C. would want to have meetings with government. However, they are, at this point…. It's not a grey area. They're operating illegally in B.C. at the same time.

Have there been any conditions put, moving forward, by the minister or the ministry that any future meetings will only happen if operations cease in B.C. until proper regulations are in place?

[6:00 p.m.]

[Lorne Doerkson in the chair.]

Hon. Brenda Bailey: I think that there may, in fact, be times when meeting with folks who are operating in our market illegally could be helpful in regards to reviewing of policies and considerations, particularly those operating in the Ontario market. I could see a situation where there may be a benefit to having those meetings. But I reiterate that in the Ministry of Finance, we haven't had any of those meetings in the last six months.

Peter Milobar: Nothing in the last six months, I heard.

What is the order of magnitude this year that Lotteries has pegged the revenue drop associated with this type of activity? I notice some gaming revenues are dropping. We're struggling to be at, or we're not even at, 2018-2019 revenues.

[6:05 p.m.]

The population of B.C. at that time was almost one million people less than it is now. One would think, with population growth — post COVID, enough time frame, everything else — that our in-person sites and our online gaming platforms, especially going to single-game bets, would see a revenue increase, not be struggling to get back to the 2018-2019 revenue levels.

What is the projected revenue hit overall in B.C. right now that B.C. Lotteries is using as a number?

Hon. Brenda Bailey: The member made reference to a decline in revenues from 2018 to now. My understanding is that the revenues in the larger category of gambling, specifically the online component, have actually increased year over year moderately. I'll share with the member that the fiscal year '24-25, projected, is $460 million and '25-26 is $499 million.

Peter Milobar: That's great. It's not great for the bricks-and-mortar operators, then. That means that their business is even suffering more.

But the question was: what is the projected revenue loss that B.C. Lotteries is feeling the government is not receiving as a result of these out-of-province online operators? We're at a point where, as the minister says, we're scraping to find all the pennies and efficiencies. We can find efficiencies, and we can also find more revenue.

[6:10 p.m.]

What is the lost revenue that B.C. Lotteries is currently charting, or using as a working number, for the impact of these operators?

[6:15 p.m.]

Hon. Brenda Bailey: Thank you to the member opposite for waiting for an answer on this question. As indicated by how long it took for me to consult on that, it's a deeply complex question.

I'm going to share with the member some back-of-the-napkin math. Of course these illegal operators don't open their books to us; they don't share their data with us. But there has been some work done on estimates of how much money is leaving the province to these illegal operators. Where we've come to — again, this is not con-

firmed; this is an estimate — is that we think it may be as high as $400 million.

To try and figure out what could be done about that, I'll share that the U.K. has a model where we think they've captured about 80 percent of their illegal gambling. So in an imaginary world where we had perfect enforcement and could capture 80 percent, BCLC returns back 54 percent to government, and that number would be $172 million. That's in a perfect enforcement scenario.

In regard to regulating, though, that's work we're undergoing right now, to ask the question about what a regulated market would look like. We don't know yet what the result to that research will be, but essentially it asks the question: if this market were regulated, would it be revenue-generating or would it cannibalize the current offerings through the BCLC? We're reviewing that now.

Peter Milobar: Well, the minister may want to double-check with her staff as well, because it appears, based on lobbyist registries, that perhaps high-level ministry staff are still meeting with the industry as recently as end of February, which would only be a couple of months, not six months.

I'm asking these questions because there are large dollars involved. That net $174 million, $175 million — that's over half of what the minister says they're trying to find for savings in the first place. There are also impacts to those brick-and-mortar operators, and I'll get into that in a little bit.

[6:20 p.m.]

This is my third year as Finance critic. We've asked these questions every year. It appears the studying is endless, but the decision-making never seems to happen. Year after year ministers have talked about illegal gaming, but no action.

We at least go through trying to take steps around other sorts of illegal activity. Yet here, the government seems, year after year, to say: "Well, we're in discussions. We're modelling. We're thinking about it. We're talking about it."

The off-province operators want to be regulated. That's pretty clear. They want in the market legally. BCLC has a difference of opinion on that, so do bricks-and-mortar operators, which is understandable. I'm simply trying to figure out what direction the province is actually taking on this.

You have high-level meetings that keep taking place with no caveats that will keep meeting with you to talk about a path to regulation. But you have to stop operating in this jurisdiction, if you want to be actually in this jurisdiction, as a show of good faith. So instead, it's endless meetings. Meanwhile, the operators just keep operating. BCLC sees a drain on their revenues, and, ultimately, we see a drain to the bottom line for the taxpayers of British Columbia.

Given the urgency the minister has been talking about with the state of our finances, and given the significant revenue hit this is making — or not, potentially, if it's regulated — is there a timeline to either bring in regulation or actually cut it off?

This never-ending loop of just discussing it and acknowledging and everyone recognizing the problem does nothing to our bottom line. It does nothing for bricks-and-mortar operators, it does nothing for BCLC's online gaming operations, and it does nothing for the out-of-province operators operating illegally.

They might not like the regulations you bring in, but at least they would have the rules that they're operating under or not. But if the province is not prepared to regulate it, why do they allow it to keep happening? What is the timeline to have a final determination, one way or the other, for all of those industries involved that have significant dollars invested?

[6:25 p.m. - 6:30 p.m.]

Hon. Brenda Bailey: I first just want to respond. I did speak in error. We do have a result of a lobbyist meeting with the Canadian Online Gaming Alliance on March 31 with an executive in the policy and legislative division. My apologies for misspeaking.

The member portrayed that there have been a number of ministers working on this file, accurately so. But I will share that there has been a lot of work along the way and decisions along the way as well. When Ontario made the decision to legalize the illegal gambling space, it provided us an opportunity to do some good evaluation and analysis to help inform our decisions. We continue to watch and work on this, watching how it goes in Ontario, but we do have some initial information that I'm happy to share with the member opposite.

First of all, Ontario actually brings in less on a per-capita basis in their online gambling program than we do here in British Columbia. In British Columbia, BCLC brings in $62 per capita, whereas in Ontario, it is $40. It's also the view of the members here from BCLC that it has had a negative effect on the bricks-and-mortar side of business. It has cannibalized that business in Ontario.

I will also share with the member that some of the work that we've done in the time frame that he has referenced is introduce the program "What's played here stays here" in order to help British Columbians become aware of the importance of decisions they make with their gambling dollars and the implications of those decisions.

I will also share that we do know that Alberta has now announced that they will be opening their market. Interestingly, the Finance Minister said it wasn't a financial decision. We are interested in that. There's ongoing work right now happening within the ministry on the question of whether regulation would be positive or negative in regards to revenue.

The last thing I want to mention to the member on this

particular question is that it's not only a financial question — it is a revenue question, for sure — but also a player health question. British Columbia is considered a world leader in regards to our player health and our programming. We're award-winning. We're very proud of that work, and it's an important consideration for us as well.

Peter Milobar: The minister referenced that it impacts bricks-and-mortar operations. We've ascertained the order of magnitude, the back-of-the-napkin guess, that BCLC has around $400 million, which translates to about $174 million net to government. What has been the modelled impact of bricks and mortar with this activity, that BCLC has been able to track?

[6:35 p.m.]

Hon. Brenda Bailey: Could I just ask for a quick clarification in regards to the question? Two of us heard it different ways. Is the member asking: what is the impact of illegal gambling in British Columbia on our bricks-and-mortar companies, or is the member…?

Yes? Okay, thank you.

There has been a slight decline in land-based casino revenue, but we haven't been able to isolate the reason for that decline. I will also share that BCLC actually works with land-based service providers to ensure that there's complementary service and there's cooperation between them.

Peter Milobar: Well, if BCLC's online portfolio revenues are up — fairly dramatically, actually, by the sounds of it — but overall revenues are down, it's not a slight drop with bricks and mortar. What is the actual drop in bricks and mortar over the last couple of years, then?

[6:40 p.m.]

Hon. Brenda Bailey: It might be a small number in terms of percentages, 3 percent, but because casino gambling is such a large revenue generator for the province, it's a big number, $60 million. That's the decrease year over year, whereas for online gaming, it's a 4.5 percent increase. But that actually only comes to $20 million. That's the difference.

Peter Milobar: Well, I'm kind of jumping around, so I'll come back to bricks and mortar in a minute, I guess, just try to close out on the online portion.

Basically, I'm coming back to the question around timelines, in terms of what the minister and BCLC's expectation would be.

[6:45 p.m.]

It seems, on the one hand, we're asking BCLC to continue to push and maximize their online as well as working with bricks and mortar to make sure those partners are healthy. Yet, at the same time, we're not providing guidance or certainty that those other operators either will be regulated or won't be regulated into the market. We're not providing any certainty to those outside operators whether they will have a path to regulation or not.

We have other Canadian jurisdictions that have been doing this for quite some time. Ontario, namely, I believe, was the first one to do it. There's lots of data. There's been lots of discussion. There've been meetings happening even up to the end of March.

What is the timeline for a definitive answer from government of yes or no? If it's a no, is Finance pushing for the enforcement side, under the guise of protecting revenues for the province, to take further steps to ensure that we're not regulating? That means there'll be no more…. There'll be ways to block it or stop it or action taken. Is it just going to be this perpetual never, ever decision, and all investors are going to have to be trying to figure out an ever-shifting playing field that doesn't really have a set of rules and regulations to it for anyone?

[6:50 p.m. - 6:55 p.m.]

Hon. Brenda Bailey: There really has been a large amount of work done on this file to learn about the implications in other markets and what's happening here. I would say it's not correct to say that no decision has been made. A decision not to do it is also a decision.

That's really where we are so far, but it's a moving landscape. It's important that we, through the normal course of business, keep analyzing whether that is the right decision because of the complexity of the market and the changes in the market and of course the additional compulsion of the importance of the additional revenue.

In regards to enforcement, I'll point out that this is a particularly difficult area to enforce. It's not just British Columbia that struggles with it. This is true in all markets. Ontario has been struggling with enforcement. Even the U.K., which is really kind of the leader of online gambling and enforcement, hasn't fully been able to enforce. We're continuing to look at all the levers that other markets are exploring and that we're exploring in regards to enforcement.

Peter Milobar: Well, again, I'm not saying work hasn't been done, but final decisions, though, haven't been made. That's the key piece here, that there doesn't seem to be any indication of a timeline of a defined decision.

The door is wide open, and it leaves a lot of uncertainty to the bricks and mortar, and 14,000 people rely on that. Communities that host rely on the revenues from them. Frankly, the out-of-jurisdiction online operators probably would like to know what actually is going to happen or not happen as well.

Not taking definitive action, yeah, might make enforcement hard, but there are lots of things that are hard to enforce. It doesn't mean we don't stop trying to enforce

them, especially if we're seeing massive revenue drops and a hit to not just B.C.'s online gaming but also the bricks-and-mortar side of things.

Like I say, I can also understand, though, why the out-of-jurisdiction people want regulation and want to be operating legally in B.C. That's where that uncertainty piece comes in, and I think everyone is just trying to get certainty. We're not getting that out of government currently.

In terms of the bricks and mortar, though, as I say, there are upwards of 14,000, probably 25 or so spinoffs, related jobs, as well, connected to it. What steps has BCLC been looking at or initiating or working in conjunction with the bricks-and-mortar side to try to regain their business so that they are more stable? That obviously leads to a lot more community benefit in the communities that they have hosting agreements with as well.

[7:00 p.m.]

Hon. Brenda Bailey: BCLC has made some significant investments in programs to assist land-based casinos, really, for exactly the reasons that the member correctly articulated. They are important to us, and they contribute in many ways, not only in jobs and in the community and also, of course, to funding many important social services.

To share with the member some of the programs that we've been investing in to support the land-based casinos, one example is a temporary slot commission program that has allowed an increase in the percentage of slot takes that goes to the casino operators so that they can make investments in their casinos and specifically investments in things like food and beverage and better amenities. One example would be the Gordon Ramsay new food and beverage program at River Rock Casino. I'll share with the member opposite that last fiscal that was a $15 million program, and it's expected to be $18.7 million this fiscal.

We also created and launched sportsbooks in casinos. I didn't know what that meant, so I asked the team, and they explained that they're essentially sport lounges that have food and beverage offerings as well.

We have three other examples. We're trialling changes to the mix of games that are on the floors in the land-based casinos. It is about different types and styles, also with a different mix of payouts, also an increase in the number of leased products using known IP — things like James Bond games or *Wheel of Fortune* games, things of that nature. The last one is that there have been regionalized marketing and promotions programs as well.

[7:05 p.m.]

Peter Milobar: What is the host community cut for this year anticipated to be, and how does that compare to last year?

Hon. Brenda Bailey: The numbers for '23-24 are $94 million, and the numbers for '24-25 are projected at $86 million.

Peter Milobar: Is the drop…? I'll have to be refreshed a little bit as my municipal days are a little behind me. I can't remember if it's 10 percent directly tied to the ones within each jurisdiction or if it's cumulative. I'm assuming it's tied to each jurisdiction, so in Kamloops's case….

Actually, both happen to be in my new riding, both casinos. I think I might be the only MLA in B.C. that has two casinos in the same riding, at least in the same city.

Anyways, is that drop…? It's around $6 million, it sounds like. Is it predominantly in one community, or is it spread out evenly across all communities, in terms of where the impact seems to be felt? In other words, are there one or two jurisdictions that are seeing significant declines and others that are holding steady, or is it a kind of across-the-board decline?

[7:10 p.m.]

Hon. Brenda Bailey: We have a list of the different casinos and the revenue breakdown. If the member would like, we could share that with the member. Just giving a glance at it, it's our perspective on first glance that it doesn't look like there are any dramatic changes. It looks like it's evenly distributed across the casinos.

Peter Milobar: Well, that's good, and I guess that's bad in a way too. It also, one could say, shows a systemic decline in general, in terms of what's going on in the bricks-and-mortar locations across B.C., be it a bingo hall or a full-on casino or anything in between.

So that's the community host grants, but there's also the First Nations revenue share agreement. What was projected for this year? Also, what was last year, then? What's the differential there?

Hon. Brenda Bailey: I've got some numbers to share with the member in regards to the First Nations revenue sharing in millions.

In the years '21-22, $91.2 million; '22-23, $113.6 million; '23-24, $107.5 million; and '24-25, projected $97 million.

Peter Milobar: Can the minister refresh my memory, then, as to why there is a difference between the host community grants that were received based on the 10 percent? Is it because that's calculated that the First Nations is taken off?

Is that considered a cost, so the net for hosting is different for the hosting communities, because the net is a higher net for a First Nations calculation? That happens, it gets paid out, and then it gets deducted off, obviously. The new net that the host communities are based on is minus the payout on the First Nations agreement?

[7:15 p.m.]

Hon. Brenda Bailey: I'll just explain the two different models that are used for these calculations.

The member was first asking about the host community cut. The calculation there is the casino that is within that community. It's 10 percent of the gaming revenue, so not other operations but gaming revenue.

The model of calculation for the First Nations sharing is 7 percent overall, so all gaming in the province. That includes three revenue sources, which would be online gaming, brick-and-mortar casino and also B.C. Lottery Corp.

Peter Milobar: Thanks for that clarification. I couldn't remember the exact way it all got brought in.

Obviously, it's still in that $100 million ballpark, which was always what was projected, I believe, when it first got announced. It was a 20-year projection. I think it was. I'm going off the top of my head. It was billed as a $2 billion, 20-year commitment, so we're still in that $97 million range. We're close to the 100 — and obviously, that's just a guesstimate — when it was first brought out.

What are the projections in this fiscal plan, then, over the next couple of years, for that Indigenous side and the possible implications if it continues to drop?

Hon. Brenda Bailey: The projections in the fiscal plan '25-26 are $96 million; '26-27, $100 million; '27-28, $103 million.

Peter Milobar: Has there been any outreach to the host communities in advance of what seem to be declining host grants so that, for their planning purposes, they're aware that there's going to be a significant change to projected revenues?

[7:20 p.m.]

I'll only speak for Kamloops, because I know how they budget it. They budget it for the nice-to-do's. They know it's a fluctuating number every year, so it's never put into anything that's ongoing. They're always one-time projects that otherwise would not happen — things to do in parks and things of that nature.

What type of communication has been done? My view of it might be a little skewed coming from Kamloops because B.C. Lotteries headquarters and city hall share a wall, so you tend to have a little bit more conversation, perhaps, between staff and that level than maybe their other communities might enjoy. Just getting a sense of what type of communication is happening with those other host communities.

Hon. Brenda Bailey: I understand that the stakeholder engagement team meets regularly with a number of different communities, including UBCM, and we always have a team present at UBCM as well.

In addition to that, they meet quarterly with the First Nations Revenue Sharing Partnership — as I said, quarterly.

Peter Milobar: Just going to touch a bit on overall operations of BCLC and where that's headed. I'm wondering if I could get an updated org overview, I guess, of what the staffing complement and executive complement in Kamloops look like and what it looks like down in Vancouver. I almost said Richmond, and then I remembered it moved.

A perennial question that comes out of any politician's mouth from Kamloops is always around making sure that those executive positions and staffing complement at what is supposed to be the headquarters in Kamloops are still strong. Can we get a breakdown of the two locations?

[7:25 p.m. - 7:30 p.m.]

Hon. Brenda Bailey: We captured data at '22-23, and as of March 31 of that year, there were 1,237 employees: in Kamloops, 596, and in Vancouver, 472.

In '23-24 and '24-25, the data capture changed a bit. Rather than capturing by Kamloops or Vancouver, they also captured Kamloops office, Vancouver office, remote worker and mobile worker. Many people became remote workers, but they're still tied to a desk.

Let me share those numbers first: '23-24, 14 percent, Kamloops; 13, Vancouver. That's the same, '24-25: 14, Kamloops; 13, Vancouver; 56 remote and then a smaller number, mobile. The team has shared with me that it's their understanding that although workers are identified as remote, they're still tied to the desk that they were tied to. When they come in, they come into that place. It's not our expectation that those numbers from '22-23 will have shifted even though the capture is now the category of remote.

Additionally, I'll share with the member that of the executive team, the CEO, the CFO and the chief legal officer all reside in Kamloops. The four other members of the executive team live in the Lower Mainland.

Peter Milobar: With the 56 percent remote now, there's still physical space. There's still all of that. What has been the overall operational spend, then, of BCLC in regards to helping tech support and all of that with remote workers versus people physically in those locations, given the physical footprint?

I've toured both. Actually, I toured both when the Premier was administering charge at the time and reneged on the rebuild in Kamloops. That's what precipitated the tour. At the time, obviously, space and things like that were at a premium. The building hasn't shrunk. The building is the same size. There's got to be an operational cost of that. There must be some form of an operational cost to have the remote workers as well. There was an operational cost and a footprint in Vancouver. I'm assuming that hasn't shrunk either.

What has been the overall operational outlook with BCLC as a cost measure going to more of the remote work versus people physically at a desk as opposed to attached to a desk?

Hon. Brenda Bailey: Operating costs have not changed with remote workers. They're offered the same suite of technology and support as they would be were they physically located in the office 100 percent of the time.

[7:35 p.m.]

Peter Milobar: So the 14 percent and 13 percent — is that kind of the bare-minimum staffing component that's needed to be physically in the buildings? Is there a plan to either shrink or eventually get that number back up, or is this kind of the mix that's deemed to be workable, moving forward?

Hon. Brenda Bailey: The 14 and the 13 percent are those people that are in the office 100 percent of the time. The 56 percent are there one or two or three days a week, for example. The BCLC is actually looking at the question of whether there is opportunity to use less space, as part of the efficiency review.

Peter Milobar: In terms of the worker that is remote, how much of that would be made up of the sales reps teams or those that are the ones that would typically be out in the field anyways in terms of connecting with operators or gas stations, corner stores, those types of things, versus the other types of typical office work?

Hon. Brenda Bailey: When I shared with the member numbers from the chart that I was provided, I shared…. Let's just use '24-25 numbers for ease: 14 percent in Kamloops, 13 percent in Vancouver, 56 for remote and then a small number for mobile. It's actually 17 percent that are mobile, and that 17 percent are the category I believe that the member is speaking of now.

Folks who are working in the field — we call them territory managers. They're not captured in the 56 percent remote. They're a different category, referred to in the chart as mobile.

Peter Milobar: Just for the minister's information, I'm pretty much done with BCLC, then.

I will have a few questions on BCFSA and then probably just close the night out with general budgetary questions as well.

Hon. Brenda Bailey: I wonder if we might entertain a 15-minute break at this time.

The Chair: We will do exactly that, Minister.

I would suggest that we make it ten, with five minutes of room, but we'll return in 15 minutes for sure, not 15 with five of room.

This committee will sit in recess.

The committee recessed from 7:39 p.m. to 7:55 p.m.

[Lorne Doerkson in the chair.]

The Chair: Thank you, Members. We'll bring this committee back to order. I want to thank everybody for being very punctual.

Peter Milobar: I'd be remiss if I didn't start off by saying that over the break, Carolina finalized the game at 3-0 with a winning goal by Kamloops' own Logan Stankoven. We've got to get a little shout-out there for a good old Kamloops kid.

Just a few questions for BCFSA in regards to a couple of general areas.

I have had contact over the last little while with some people in the financial adviser side of the world, and they're wanting title protection in terms of some form of…. That when people call themselves what they call themselves, they actually have some backing in terms of the professionalism and things of that nature. Has there been any work done by BCFSA in looking and expanding some of their oversight and bringing in some of those types of protections around the financial adviser side of the world?

[8:00 p.m.]

[Mable Elmore in the chair.]

Hon. Brenda Bailey: We have decided not to go the direction of title protection for financial planners at this time.

Peter Milobar: Well, that's a little troubling, I guess, without more detail to the why. There are a lot of people out there, especially in this growing age of seniors, worried about fraud and being taken advantage of, having snake oil salesmen in their lives, so to speak. The title protection and the fact that we have financial advisers actually asking for this to be layered on….

We have all sorts of legislation that has been heaped upon various industries, be it the real estate industry and others, that they didn't actually ask for in terms of oversight and changes to how they operate, but they've adapted. Here we have a whole sector that is actually wanting to professionalize and make sure that especially seniors are actioning people with confidence that they've met certain parameters and certain credentialing.

I'm just wondering the logic behind such an emphatic statement. Everything else, even illegal gaming, is still under review and being considered and being talked about and being studied, yet this has been a pretty em-

phatic answer of: "No, we're not dealing with title protection for financial advisers."

Why such a firm line in the sand on something like this when we have such rampant issues, especially related to seniors, but not on these other things? What is the mindset behind this from the minister and BCFSA that this is just a no-go zone, apparently?

[8:05 p.m. - 8:10 p.m.]

Hon. Brenda Bailey: Two things in the member's last question.

One was a comment that the whole sector wants this. I'd provide feedback from our team that there's an organization that's quite a loud advocate for this particular direction, but there are also other stakeholders who, in fact, don't want this and others who really don't think title protection is the way to go. There have been concerns expressed by the investor advocates on the implications of title protection in Ontario, for example.

I'll also share with the member that a number of the folks — in fact, we think the majority of people — who provide financial services as financial planners are very likely covered under other types of regulations. Most financial planners provide an offering of things to purchase. That's the revenue model. It's a commission model.

In selling insurance, for example, they would be regulated by insurance regulators and selling securities through security regulators. So we think that they're largely captured. Also, it is unclear as to whether or not the goal of investor protection, seniors in particular, would be best served through title protection.

Peter Milobar: I guess that will lead me into some questions on the real estate side of the world where, I would point out, some wanted changes. Some real estate didn't want changes. Yet the government said: "Well, we're going to make changes." Simply because some stakeholders don't want change and others do…. It seems like a strange way of picking winners and losers for government, but that seems to be par for the course these days.

In terms of what has transpired in real estate, we had the right of rescission that came in as the market cooled. It has created some problems. We're hearing from realtors in smaller centres. Then we have others that are saying it's not long enough. Some are saying it needs to go completely. Others are saying it's not long enough, because you can't reasonably contract with a home inspector, even in these conditions, to get in there, do a proper report and report back out by the time the timeline goes.

What discussions have been undertaken with the real estate sector around those timelines? Is there any appetite or discussion with government about either extending or removing those changes that were made in the last couple of years?

[8:15 p.m.]

Hon. Brenda Bailey: A couple of numbers to share, in regards to rescissions. In 2023, there were 231 rescissions, and in 2024, there were 216, so not a huge uptake of the tool.

I'll share with you that the BCFSA has monthly meetings with the BCREA and multiple meetings with real estate boards across the province.

[8:20 p.m.]

Peter Milobar: Thank you for those steps, but I'm assuming BCFSA would've had the same conversation as we've had with the BCREA. Like I said, some members want to see an extension in terms of the length of time; others just want to see it gone.

We're seeing a dramatic softening of the presale market and condo market in Toronto, and other types of housing stock. Experts are saying it's foreshadowing what's coming to B.C. by a month or two. We've already seen where realtors are being told there are no more posts available for, for-sale signs because the market is being flooded with people trying to sell. All signs point to a buyers' market, not a sellers' market, and the sellers' market is what kind of drove the policy in the first place.

What work, if any, is being undertaken? Or is the minister saying that there is zero appetite to look at this particular issue, either by extending the days or just removing it completely?

Hon. Brenda Bailey: This was a tool that was designed during a hot real estate market, and as the member has rightly shared, it seems that we're in a time of a cooler market. Our perspective on that is that the tool, then, lies dormant.

I would also share that given the numbers of use that we've seen — 216 in 2024, for example — it's our assessment that this really isn't a thorn in the side of individuals.

Peter Milobar: Well, that's not what we've heard from the real estate industry, and I would suggest, unless they're saying something completely different in their monthly meetings, that's not what BCFSA would be hearing either.

The minister is right. It's a tool, but tools become cumbersome if they're inappropriately in place when not needed. It seems that if it's truly meant to try to make adjustments for what's going on in the market, it was delayed, and it took forever for government to bring it in, and they kind of missed the market by the time it got implemented. Things were already cooling off. Fair enough.

But it sounds like the government…. Regardless of what's going to happen in the market, moving forward, there's an unwillingness to ever make an adaption to a policy to better reflect. Now that the legislation is in place, it seems it would be much simpler, unless I'm misremembering or not remembering the legislation accur-

ately. It seems that the times and the length of time can be changed by regulation, not by legislation.

Is that actually the case? Am I remembering things correctly, or is it actually that it takes a legislative change to change the length of time?

Hon. Brenda Bailey: Yes, it can be changed by regulation.

Peter Milobar: I'm glad I'm at least recalling things at this late hour accurately. I guess that goes to the premise, then….

[8:25 p.m.]

We have a piece of legislation that took quite a while to come in and was predicated on trying to protect buyers in a hot seller's market where people were putting in sight-unseen, no-condition offers, all those types of things that were going on, trying to outbid each other and the craziness that it was. It seems like forever ago now when you look at the current real estate market and what's going on, but that was the case.

Fair enough. We didn't support it; however, it's in place now. But it's in place and can be adjusted in real time now to much better, reflect the market and what's going on in that market.

The problem is that people do struggle to meet the timelines, not just with the prequalification side of things but what happens with the prequalifications in terms of making sure that you have your home inspection done so you can actually sign off with your lenders and things like that. It does put added pressure on the whole transaction. That's what we're hearing very clearly from the industry.

Again, people can argue whether it should just be extended, stay in place and be extended for more days to give that better window of time so that those types of things can be looked at properly, or just removed completely in the short term while we're in a buyers market as opposed to a sellers market.

Given that those discussions continue to happen, I guess…. The minister is emphatic. Despite all of these other things that the government says they want to take quick action on and be able to move on and address things going on in our economy, housing, which is one of the key drivers of the overall economy, is one area that, when it comes to this particular government policy, there is zero willingness by the government to take into account what they're hearing from the industry and make a regulatory change.

This is as simple as signing off on an order in council. That means it would be just as simple if the market heated up again to change it back to what it is or find some happy medium again.

There's zero appetite for government to intercede in the housing area this way with BCFSA, but they're willing to tinker with a whole bunch of other things is what I'm hearing.

[8:30 p.m.]

Hon. Brenda Bailey: This was a tool that was designed not to have to be adjusted. It's perhaps better thought of as a pressure valve. In a circumstance like the circumstance that it was addressing when the market was very hot, it was a situation where buyers didn't have time to even have inspections.

If they put in an inspection clause, they would lose the chance to purchase. If they put in financing, they would lose the chance to purchase. Under that degree of pressure, this could be employed to help buyers who, under that pressure, made decisions that weren't correct.

However, in a circumstance where there are more normal circumstances, in a circumstance where you're able to have a home inspector come in and take the normal amount of time that it might take to bring in a home inspector or set up your financing that isn't under that same pressure valve, then this wouldn't come into play. So it becomes dormant in that circumstance, and it's not designed to be tinkered with. It's designed more to be a pressure valve that can stay in place in markets that are less volatile but be in use when the pressure valve is needed.

Peter Milobar: The outlook for unit sales in the budget seems like it may be incredibly optimistic given what's happening now. Has there been any look at what is happening right now in terms of that? Either in discussion through BCFSA with the realtor community in general or with the industry in general and the stats that would be provided in terms of the overall projections in the budget for what's going to happen in housing, especially in that resale sector and not so much the new housing starts but the resale piece within the budget.

Are those still on track or are those "severely underwater," as is a common phrase within housing in terms of mortgage holders, or anything else like that? Are the projections within the budget still holding up, or are they significantly or even lower at all?

[8:35 p.m.]

Hon. Brenda Bailey: I'll share with the member that the BCREA released some data on April 30 on unit resales, and it was a fall of 1.1 percent to 73,650 a year, a modest decrease.

Peter Milobar: Is that then on track with what the government was projecting in the budget and anticipating in the budget, or is it in fact a lower projection than what was being budgeted for?

Hon. Brenda Bailey: The projection in the budget for 2025 residential sales unit percentage change is 13.2 per-

cent to the positive. So yes, it is less than projected in the budget.

Peter Milobar: What does that do, then, to the anticipated tax revenues that would be associated with those sales, particularly the property transfer tax?

[8:40 p.m.]

Hon. Brenda Bailey: We don't have a revision on the projections on PTT. We're collecting that data as part of our Q1, and that information will be available as we do our quarterly update.

Peter Milobar: Man, am I excited for September 15. I tell you, the Q1 update is going to be like Christmas come early for me.

I think it would be safe to say, and maybe the minister could confirm this at least as an assumption…. I know we don't like to deal with assumptions. However, this is a whole document full of assumptions and projections and calculations. I don't say that as a shot. That's sort of how every budget is created. Every government of any political stripe, at least in Canada…. The best they can do are educated projections out of what they see markets doing and what economists predict and everything else.

That said, revenues would have been based on that 13.2 percent of sales. That's now down dramatically. It's one-tenth, basically, of what it was projected to be, almost 85 percent of what it was projected to be gone. Is it safe to say that if that held through the year, then, or even for a significant portion of the year, there would be a significant hit to revenues that have been projected based on that 13.2 percent resale prediction?

[8:45 p.m.]

Hon. Brenda Bailey: Yes, the revenue forecast on PTT is based on number of unit sales but, of course, also on price. Those two factors will inform what, in fact, the revenue is in regards to PTT. Like all revenue, we monitor it throughout the year with these variables, and we'll report back each quarter on the data, which does lag a little bit behind as well.

Peter Milobar: Has the reporting back…? We know that the actual sales are down. What does that forecast look like right now, then? Is the average price dramatically different — above, below or at least targeted in the same range of what was projected in the budget as well?

Hon. Brenda Bailey: Currently the information that we have is that prices have been trending down. The forecast amount that we have is a 2.4 percent price increase year over year. In the first four months of this year, prices have been down 3.6 percent.

Peter Milobar: Sorry, so just to confirm, that's negative 3.6 percent?

I'm seeing a nod from the minister.

That's a 6 percent differential in prices from what was projected to what's actually happening, which is…. I get why the minister would want to say "a bit of a change," but that's a pretty significant switch.

I see people starting to jockey, but only one room is here to report yet, so I'll keep asking another question.

We have much lower home sales, which would impact the property transfer tax. As the minister rightly pointed out, though, you also have to leverage what the average sale price is to figure out if there's going to be a massive hit to revenues. Instead of 13.2, we're down to, I think, 1.7 percent, the minister said, and instead of a 2.4 percent increase in price, we're at a 3.6 percent decrease in price.

That sounds like, the two together, a recipe for a total collapse of what is projected for property transfer tax. Am I misreading that data, or is that not the case that, in fact, when you have both sides of the property transfer tax calculation in decline, significantly below what the government was projecting, the end result has no choice but to be significantly lower revenues on that projection?

[8:50 p.m.]

Hon. Brenda Bailey: I don't agree with the characterization of the words "total collapse." But it is, of course, true that should the trend of a lower number of unit sales and lower price per unit continue, it will result in a lower outcome than predicted for PTT, if the recent months do become the trend for the whole year. Of course, we're talking about four months, so far, that are informing this dialogue.

With that, I move that the committee rise and report progress and ask leave to sit again.

Motion approved.

The committee rose at 8:51 p.m.

The House resumed at 8:52 p.m.

[The Speaker in the chair.]

Mable Elmore: Committee of Supply, Section B, reports progress of the estimates of the Ministry of Finance and asks leave to sit again.

Leave granted.

Jennifer Blatherwick: Section A reports progress on Bill 15 and asks leave to sit again.

Leave granted.

George Anderson: Section C reports progress on Bill 14 and asks leave to sit again.

Leave granted.

Janet Routledge: I rise on a point of order.

The Speaker: Okay.

Point of Order

Janet Routledge: My point of order is that the member for West Vancouver–Capilano stated during question period today that one of my constituents had tried to contact me as her MLA and that I had not been responsive. I pride myself on being accessible to the members of my community. I've met with parents. I have advocated on their behalf with the minister and with the Burnaby school board.

I think a more honourable thing would have been for her to contact me directly if there had been a miscommunication so I could correct the situation.

I'm asking that she withdraw her remarks.

The Speaker: Thank you, Member. Thank you for your point of order that you have raised. We will review the records, and we will continue after that.

Hon. Mike Farnworth moved adjournment of the House.

Motion approved.

The Speaker: This House stands adjourned until 10 a.m. tomorrow.

The House adjourned at 8:54 p.m.

Proceedings in the Douglas Fir Room

The House in Committee, Section A.

The committee met at 2:45 p.m.

[George Anderson in the chair.]

Committee of the Whole

BILL 15 — INFRASTRUCTURE PROJECTS ACT
(continued)

The Chair: Good afternoon, Members. I call Committee of the Whole on Bill 15, Infrastructure Projects Act, to order.

On clause 3 *(continued)*.

Kiel Giddens: Welcome back, folks, for committee stage debate for Bill 15.

I've had some time to, obviously, reflect and take time away after a break week of the Legislature here. I think the public also really had a chance to reflect and look at what this bill certainly means in context. A number of us started engaging with our own communities, local governments, with nations in our ridings and, resoundingly, we still have heard that there are serious concerns with Bill 15. Overall, we heard very loudly from the First Nations Leadership Council and the Union of B.C. Municipalities that they've gone as far as saying: "Kill the bill, and get it done."

We are still very much of the mind that this bill should be pulled in its entirety, but we will still go through the clause-by-clause debate and discussion in this order. We'll get into some of those concerns that we have heard in our ridings from various local governments and First Nations community members, from the business community, and you'll hear that reflected in some of our lines of questioning.

Just to pick up where we left off before the break, we had spent quite a considerable amount of time on the minister's powers back in clause 2 and are now on the minister's powers for category 1 projects in clause 3.

I think in starting off our questioning, we'd like to get into…. For the benefit of those communities that have raised those concerns, we're hoping that the minister could clarify, for clause 3, if any checks exist to limit the use of the minister's powers in clause 3 where a project really crosses into Indigenous or municipal jurisdiction.

[2:50 p.m.]

Hon. Bowinn Ma: This section relates only to those projects that are delivered by provincial entities. We're talking about public provincial projects. In this section, what we're really talking about are school districts as subprovincial entities, health authorities, post-secondary institutions — those projects — or other provincially owned and operated buildings.

Kiel Giddens: Just to confirm, if a local government or a regional district is planning or managing an infrastructure project, clause 3 does not allow the government to intervene or take any control of that? It does not allow any powers in that regard?

Hon. Bowinn Ma: That is correct.

Kiel Giddens: Could these powers within clause 3 be used to unilaterally replace or take over the role of B.C. Hydro, TransLink or B.C. Transit in regard to their work within local government jurisdictions?

An example in the B.C. Hydro context would be substations and work that requires zoning within municipal

regions and authority. The example in TransLink would be obvious in the Lower Mainland, overriding any zoning requirements that way, which local governments would be involved with, and then the same for B.C. Transit.

Could the minister maybe provide context on each of those examples we've asked for?

Hon. Bowinn Ma: Section 3 relates only to those powers that enable the Ministry of Infrastructure to become involved in the delivery of projects that are basically delivered by core government.

B.C. Hydro, B.C. Transit and B.C. Housing, as Crown corporations, would not fall into that category. They could, in theory, have projects that are able to access certain tools of Bill 15 as category 2 projects, but those tools are not those that are here in section 3. Section 3 is limited to access by the Ministry of Infrastructure for the delivery of those provincial public projects delivered by core government.

Kiel Giddens: When we last met, we talked quite a bit about UBCM's concerns on the downloading of costs, liability concerns and what have you. With that in mind, on clause 3, can the minister guarantee that this clause will not be used to off-load long-term operating costs onto municipalities after provincial control in this case has ceased?

[2:55 p.m.]

Hon. Bowinn Ma: I believe the member is referring to tools that are outlined under division 3 of part 4. Section 3 does not include any tools or powers relating to local governments.

Kiel Giddens: I'll move on. I'm wondering what, in the case of clause 3 and the powers included…. For government entities, would this allow the minister to enter into loan agreements, P3 contracts or issue project-specific bonds without Treasury Board approval?

Hon. Bowinn Ma: No.

Kiel Giddens: I think we talked about this in the last clause a little bit, but wanting to ensure that the regular public accounts process and everything is transparent, is there any risk that the powers under this clause could bypass the Legislature's typical public disclosure requirements? Is there also any risk that there could be any appropriations process that could be created outside of the normal processes?

[3:00 p.m.]

Hon. Bowinn Ma: No.

Kiel Giddens: Again, just trying to understand the public accountability measures included, will all decisions that are involved, clause 3 powers, be published in the *Gazette,* or are they subject to orders in council?

Hon. Bowinn Ma: Section 3 makes no changes to those processes.

Kiel Giddens: Just also going through a scenario in this case. Obviously, we've heard from local governments and First Nations who have voiced their opposition. This is at the association level, but we're also hearing from individual nations and local governments in terms of the transparency for their involvement in the process. Obviously, this is involving provincial entities, as we've heard, but there can be cases where a project that a provincial entity is involved with may not have the approval of that nation or local government. They want to voice their opposition.

At what point in the process do they in fact have an ability to raise those concerns? Would they be given enough timeline to actually participate in any process, and if so, what would that process look like?

[3:05 p.m.]

Hon. Bowinn Ma: First, I'll confirm that section 3 does not change any processes that currently exist or obligations or requirements relating to engagement with local governments or First Nations throughout. So I can confirm that. Then, also, I can talk a little bit about what it currently looks like and then how it might look differently, although the requirements don't change under section 3.

Currently school districts, health authorities and post-secondary institutions put together a five-year capital plan. They will engage with various partners as stakeholders in the development of that five-year capital plan. Those capital plans are submitted to the Ministry of Infrastructure.

The Ministry of Infrastructure takes a look at all of the different five-year capital plans across the entire portfolio, potentially even eventually across the entire ministry, and provides and basically does the work of prioritizing on a provincewide level, at which point the Ministry of Infrastructure proceeds to basically seek out funding through the government process.

We would then provide the funding back to the entity, along with reporting requirements, and the entity would carry out the business of developing the project and continuing on whatever engagements, depending on their relationships and the nature of the project and their conversations prior to the development of the project as to the level of interest of various stakeholders.

Now, what could change under section 3 is…. Depending on the depth, how far into a project the province will step, it becomes our responsibility to take on those conversations, whereas if we do not use any powers related to acting as a general contractor for a project, then it's status quo.

Where we choose, for a variety of reasons, or decide

that it makes sense for us to enter into that role, whether partially or fully, then we would also take on the responsibility for continuing on those engagements in the way that would normally be done by the delivering entity themselves.

[3:10 p.m.]

Kiel Giddens: I'm just understanding the minister's response there.

We are talking about long-term capital planning. That is typical in this case, but a five-year planning process for a hospital or school as they're going in through that…. I guess that sort of still begs the question of why this additional power under clause 3 for the minister's power is actually required in this case.

This is all the typical scenario where a health authority, for example, presents a concept plan for a hospital. It goes through all of that process. So why is this actually needed in this case when we already have a process in the province that local governments and nations are aware of?

Hon. Bowinn Ma: For greater clarity, my response was to the question as to whether or not this changes engagement processes, obligations. The answer is that it does not. The member also asked a question around what it kind of generally looks like, so I attempted to provide that response. This section is not about making changes to those requirements, so the member is right about that.

What this section is about is it provides the Ministry of Infrastructure the tool to become more directly involved in the delivery of provincial public projects, where it makes sense. Examples of where this might make sense is you have a school district that is very small, that does not have a lot of experience carrying out capital projects, but they desperately need a new school. They're given a budget of $85 million, $100 million, $150 million, if we're talking about a high school.

At this time, based on the current tools and statute, we do not have the ability to go in and help them with the delivery of that project. It is up to them. We have seen cases where a school district will not have a capital team because they're not involved in a lot of capital projects. So they're given $150 million and don't quite know how to start with the delivery of that project. We actually have a school district right now where the superintendent of the school district is also the project manager on the school that's being delivered.

We found ways without this tool to help some school districts along. But we are also hearing from school districts, in particular, that it would be nice and really beneficial to the public if the Ministry of Infrastructure could offer the expertise a bit more directly and maybe even take over delivery of those schools on their behalf, when it makes sense.

Not every school district is going to need this or want this. Frankly, we are not particularly interested in delivering every single school on behalf of every single school district. But we do recognize that there are some school districts that have limited capacity to engage and deliver these construction projects.

Another example of what we're talking about when we say: "Deliver a project, either fully or partially." We, as government, have communicated an interest in finding more efficient ways to deliver projects, more cost-effective ways to contribute to projects as well.

We would like to be able to explore concepts like a mass procurement of modular classrooms. Currently, because we do not have the authority to deliver projects on behalf of school districts, we are obliged to allow…. Not just allow, but school districts must go through their own procurement processes independently. If we dole out funding for 100 classrooms to 30 school districts or ten school districts, they all have to go out and procure modular classrooms in their own way, separately.

We would like to be able to actually explore procuring all of those modular classrooms together, providing a greater cost benefit to the public — basically, being able to leverage the economies of scale and, at the same time, be able to support those smaller school districts by doing that administrative work for them.

[3:15 p.m.]

Right now we don't have the authority to explore those kinds of creative solutions to our building problems. That's what section 3 is about.

Kiel Giddens: I'm just trying to understand why the authority does not in fact exist already, in the example that was provided. Formerly, how it worked in the Ministry of Education…. We're talking about education right now. Certainly, there have been mechanisms that have been used for procurement and that have been more supporting of school districts overall.

I guess I'm just trying to understand where that blockage exists, for which this tool is actually required. If that could be elaborated on further, that would be helpful.

Hon. Bowinn Ma: To confirm, keeping in mind that our ministry is kind of stitched together right now, the existing Ministries of Education, Post-Secondary Education and Health, in their statutes, do not currently have the authority to do what I previously described. The authorities don't exist. Government has not been involving themselves in capital procurement on behalf of school districts, post-secondary institutions or health authorities.

Misty Van Popta: In that vein, does a bill need to be created to afford procurement changes like that? Would it not just be a regulation or a policy? That would be my first question.

When I think of modular classrooms in my district,

which we've been receiving quite a few of, it's creating secondary issues with regard to expanding the size of a school and running out of gym space, gym time, art rooms, music rooms and things like that.

Are modular classrooms going to be used, and the bulk purchase of them, in substitution for building new schools at new school sites?

Hon. Bowinn Ma: We can only create a regulation or policy if there is legislative authority to do so. We're not aware of any statute that provides the legislative authority to create a regulation that enables this kind of authority, but we're happy to take a look. If the member has a specific reference that she'd like us to take a look at, we're happy to take a look at that. We are not aware of having the legislative authority for this.

In terms of the member's comments regarding modular classrooms, I'll note that it's not directly related to this bill. But I'm happy to engage in that conversation briefly, provided the Chair provides me the latitude to do so.

We see the use of modular classrooms, which can be delivered at twice the speed and half the cost of a regular stick-build, as an important opportunity for us to use in order to try to keep up with the growing demand for classrooms.

[3:20 p.m.]

However, we absolutely acknowledge that it is not the full solution. It is a useful tool, and it is a useful strategy, particularly when fiscal realities are as they are and when we're looking for ways to quickly put students in actual classrooms that are better than portables. But they are not the full solution, and they do not replace a brand-new school. They're only used in certain circumstances, when it makes sense.

I'll also note that there is some very interesting work being done in other jurisdictions that we would like to explore around the use of prefabricated and modular builds to build complete schools. It might not necessarily be like modular classrooms one by one, but prefabricated builds also mean prefabricated walls and components that can be brought on site and assembled much more quickly. Those are opportunities that we're looking forward to exploring.

Misty Van Popta: In regard to category 1 projects, using the example that the minister has just spoken about, I'm wondering why procurement and procurement items, such as modular builds and things like that, don't have a whole, complete, separate…? It seems to be a void in understanding how infrastructure will be procured.

In the case of modular classrooms, could the province just not purchase them and then sell them to the districts as part of their builds so that you can capture bulk buying but not have it encapsulated into something like Bill 15?

Hon. Bowinn Ma: I think what the member described was maybe the ministry acting as a buyer and a reseller of modular components. It would be worthwhile to note that in that scenario, should the ministry resell back to the school districts, the funding that the school districts would be purchasing the components from us with would be from us.

School districts capital funding comes from the Ministry of Infrastructure. In the scenario that the member is describing, the school district would come to the Ministry of Infrastructure for funds to then turn around to purchase modular components that the ministry has gone out to purchase on their behalf and then return the funds back to the treasury.

It's an interesting concept. It is not a process that we have explored in detail. It seems not the most efficient way.

I would note, also, that in the context of modular classrooms, we like to simplify them as Lego. They're not really Lego. There is consideration to the site conditions.

[3:25 p.m.]

There would also be, currently, no obligation for the school district to actually purchase those components from the ministry, either, without this authority.

That scenario also would not resolve the need for the ministry, in some cases, to step in to actually help underresourced school districts deliver their projects. It is an interesting concept, I think — quite incomplete for what our intentions are around section 3.

Misty Van Popta: If I look at section (a) and section (b), section (a) talks about developing and constructing and altering category 1 projects, and then section (b) is the power to act as a general contractor or project manager, which at times might offer some conflict.

Can the minister please describe what firewall prevents the ministry from hiring its own subsidiaries on a sole-source basis?

[Darlene Rotchford in the chair.]

Hon. Bowinn Ma: Could the member clarify her question around subsidiaries? We do not have subsidiaries. Perhaps greater clarity would help.

Misty Van Popta: Sorry, I'm kind of trying to figure out how I can reword this here.

I guess the close relations that we have, that the ministry has or that the government has with procurement and items like that…. What kind of firewalls have that arm of separation between relations that the government has with different companies?

Hon. Bowinn Ma: The Ministry of Infrastructure would be bound by the same rules and framework that the school districts, health authorities and post-secondary institutions are currently bound by, as well as every other

ministry of government. It's called the capital asset management framework.

Misty Van Popta: Does that framework have safeguards in it for the purpose of keeping arm's-length procurement?

Hon. Bowinn Ma: Yes.

Misty Van Popta: Again, in terms of those two, item (a) and item (b), there could be, also, conflict of interest when the same ministry that has the ability to issue permits also serves as a general contractor. Can the minister please describe what kind of safeguards are built into the process to prevent conflict?

[3:30 p.m.]

Hon. Bowinn Ma: The Ministry of Infrastructure does not issue permits.

Misty Van Popta: Understood. However, in section 2, item (h), "exercise any other prescribed power," it is within the ministry to be able to advise consultants or those who do issue permits to do so for the sake of fast-tracking a project. With that in light, it is potentially a conflict when also acting as a general contractor or a project manager. I just wanted to understand what safeguards could prevent clause (h) in section (2) to have a permit issued not be in conflict with the project itself.

Hon. Bowinn Ma: Just for greater clarity, we are on section 3 now. Section 2, clause 1(h) was canvassed quite extensively. We provided clarity that 2(1)(h) statutorily must be read in context of the list preceding it, so it can't be read to also include some other thing like permits.

[George Anderson in the chair.]

I don't want to go back to section 2, but I just want to be clear that that authority is not provided by section 2(1)(h).

Misty Van Popta: If we go into the powers of the minister as a general contractor, we get into contracts issued, which is the duty of a general contractor. With that in mind, will every contract issued under section 3 be posted on B.C. Bid with full tender documents, or can the minister award directly more easily through the powers in this bill, especially as itemized in clause (d) any other prescribed powers? That would be the first question. And does that include subcontractors where the minister also acts as the prime or general contractor?

Hon. Bowinn Ma: B.C. Bids will certainly be used in the same way as it is now. The capital asset management framework will continue to apply. Questions the member raises around the types of contracts and how they are issued, how they're procured — all of that is laid out by the capital asset management framework, and the Ministry of Infrastructure is also bound to it.

Misty Van Popta: Will the Auditor General run a live conflict screen on all subtrades hired by the minister to ensure no political donors receive subcontracted taxpayer paydays from employees or owners donated to the B.C. NDP?

[3:35 p.m.]

Hon. Bowinn Ma: The Auditor General is independent of the Legislature and independent of government, so that's an Auditor General question.

Misty Van Popta: Will the minister table monthly reports listing bidders, bid prices and final award values for every section 3 tender?

Hon. Bowinn Ma: The rules around reporting are outlined in the capital asset management framework, and the Ministry of Infrastructure is bound to that as well.

Kiel Giddens: I'm just jumping back in to ask a little bit more. The minister talked quite a bit about the capital asset management planning framework. We've spent quite a considerable time on that, but under these category 1 projects, we're talking about, obviously, the minister being the developer, the general contractor and involved in procurement, then getting into a more sort of, what we would consider, arbitrary powers piece of it in "any other prescribed power."

I guess in sorting out what that means, we're trying to understand what the intention behind taking so much control over projects would be.

I think in the context of Bill 7…. We talked quite a bit in that debate about arbitrary powers, and this is in relation to procurement directives. So when matched, those with the powers in this bill, we do still consider some of those authorities prescribed to cabinet to be very arbitrary powers, open to some pretty big policy shifts that the business community, the contracting community, local governments and First Nations will want to be aware of, certainly.

One of those models, the procurement that's currently in the capital management planning framework, is the community benefits agreement model and BCIB. Is it the intent of the powers included to utilize the community benefits agreement model for more projects in this way through these powers?

The Chair: I just remind all members to ensure that their devices are silenced. Thanks.

[3:40 p.m.]

Hon. Bowinn Ma: Section 3 does not change the Ministry of Infrastructure's authorities around community benefits agreements whatsoever.

Kiel Giddens: Just in relation to the use of any other prescribed power, what does that, in fact, change? I'm wondering if the minister could list the specific other powers that the cabinet intends to confer by regulation after royal assent in this case. Why are they not being presented now for public scrutiny?

Hon. Bowinn Ma: Section 3(d), just like it existed in section 2(1)(h) and in many other statutes…. It's a common legislative drafting structure to capture powers that are related to, in context with, the preceding list. So it's meant to capture authorities that are related to what (a), (b) and (c) are clearly attempting to do, but perhaps were not specifically contemplated at the time of drafting.

Kiel Giddens: I guess I go back to when we look at any other prescribed power when it comes to developing, constructing or altering a category 1 project, going through the procurement. That still leads to the belief that the community benefits agreements model would be something that would be more enabled through this power, taking away some of that autonomy from…. In this case, it could be a school district. We've used that example. But it could be other projects, as well, where there are other local considerations in bidding.

I look at where I live, in Northern Health, and the capacity for large Indigenous businesses, for example, to participate in a contracting process under the community benefits agreements. They've been shut out. We've had recent examples. The Cowichan Hospital, of course, was a large one on Vancouver Island, and we've had the Cowichan Tribes shut out of that project.

More recently on the R.W. Bruhn Bridge near Sicamous, the Splatsin First Nation has actually blockaded Highway 1 and the project itself, based on their concerns with that process. Then we have local individuals who have not been able to gain access to the work unless they join a specific union, and maybe they don't want to. So they're shut out of the project in that case.

I guess I look at all of the minister's powers under these category 1 projects. When you say any other prescribed power in relation to everything I read in the above three clauses, it's so open-ended that there are many things that could be added to a contracting and procurement process related to how a general contractor is managing these projects.

I guess if the minister could explain more specifically how community benefits agreements are not going to be pushed further on communities and local governments, First Nations, businesses who want to take part in public sector infrastructure projects.

[3:45 p.m.]

Hon. Bowinn Ma: I'm going to leave aside the debate on community benefits agreements, the pros and cons, and so forth, simply because it's not relevant to the legislation at hand. What I can say, though, is that the authority to require a project to be assigned as a CBA project is an authority that already exists for government.

Section 3, which is powers of the Ministry of Infrastructure relating to category 1 projects, neither increases nor decreases those authorities whatsoever.

Kiel Giddens: I think we are trying to understand the intention of use of these powers. We still do have concerns that limiting the contracting process overall to a limited scope of bidders…. I understand the minister doesn't want to open up the debate on community benefits agreements. We clearly have a policy difference that's been long-standing on that issue. But the fact is that there are businesses in British Columbia…. There are First Nations that have concerns on that. It's something that we will keep in mind as we're moving forward on discussion on this bill.

I want to ask another question in relation to First Nations, something that we've heard quite clearly. Obviously, we've heard from nations from a leadership council standpoint. Terry Teegee, for example, Chief of the Assembly of First Nations, lives in Prince George, in my area, actually. He has said: "We stand united in our call for the immediate withdrawal of Bill 15, Infrastructure Projects Act." We can read a whole dozen quotes from First Nations leaders, but I want to ask a question on behalf of a nation that is here right now.

Nisga'a Nation, of course, is a…. They're in the gallery today. I know representatives from Nisga'a are here. Modern treaties have a unique…. They have specific treaty entitlements and agreements with the province that need to be protected.

I want to just ask, on behalf of the nation, if they'll let me: could the minister use clause 3 powers to override land use planning processes already negotiated under modern treaties or self-government agreements?

Hon. Bowinn Ma: Absolutely not.

Rob Botterell: We talked earlier this afternoon about the minister, through section 3, if passed, and if the act is passed, having the ability to step into the shoes, if you will, of a small school district to effectively undertake a capital project.

[3:50 p.m.]

We also talked about, and the minister described scenarios where the minister or the ministry would be able to pursue modular types of opportunities — bulk-buy opportunities, that sort of thing — in an effort to reduce costs and deliver infrastructure in an educational setting.

My question is: if this act were passed, over the course of the next few months, say between now and the end of September, what work would be undertaken in relation to the exercise of those powers?

Hon. Bowinn Ma: In the context of how challenging the fiscal situation of the province is, we were, happily, able to secure funding for modular classrooms as part of Budget 2025, recognizing that estimates are still going on and that budget also has to succeed as well. It is our intention to use that funding as wisely as possible. We believe that exploring a bulk-procurement opportunity is integral to that.

Rob Botterell: Exploring a bulk-buying opportunity — what would that entail over the next three, four months?

Hon. Bowinn Ma: We would be working with school districts to understand their requirements. We would want to ensure that we have a good understanding of the market and plan around that with that information. Then we would put the procurement bid out.

It is likely worth noting that it has been government's interest in pursuing this concept for quite some time, but we have not been able to carry it out because we do not have the authority currently to do so.

[3:55 p.m.]

Rob Botterell: Working with school districts to identify requirements — obviously, there are numerous school districts across the province — as you mentioned, planning around, looking at the market and then finally putting a bid out….

To the minister: what would be your plan over the next three or four months, because it's not mentioned here, in terms of consultation and engagement with First Nations?

Hon. Bowinn Ma: We do this work in collaboration with school districts. The modular classroom expansions that we're talking about here will be on existing schools because, as the member for Langley–Walnut Grove rightly pointed out, classrooms themselves do not a school make. They are useful in some contexts and not in all contexts.

The school districts we will work with and the schools that we will be looking to provide modular expansions on will be based on the provincewide prioritization that flows from the submission of each school district's five-year capital plan. In the development of those capital plans, each school district undertakes their engagement with partners, including local governments and First Nations. Throughout this work that we do in collaboration, they will continue with that work.

Rob Botterell: What role does the minister see in terms of economic reconciliation and creating economic opportunities for First Nations in this type of bid process?

[4:00 p.m.]

Hon. Bowinn Ma: I think the member's question is a very interesting and important one. It's a question that is probably too early in this stage for me to be able to provide a fulsome answer to because, at this moment in time, having no authority to carry this out, or explore it with school districts to any great extent, it's unclear to us….

At this point, we would have to go through the process of figuring out the level of involvement that we would have as a ministry on the bulk purchase of these modular classrooms.

For instance, are we simply negotiating a price for school districts to be able to purchase from a single supplier? Are we actually purchasing the modular units and then shipping them off to sites, or are we working with school districts on on-site placement? If we are working with them on on-site placement, to what extent are we involved in the groundworks? It would probably be case-dependent project by project.

It's too early on for me to be able to provide a direct response to the member.

Rob Botterell: Is it true that, with the ministry's current authorities, the ministry is able to reach out to school districts to discuss modular opportunities as we've been talking out?

Under the minister's current authorities, is it the case that the minister can reach out to potential suppliers to discuss potential options, just as you've described, whether it's purchasing components or purchasing whole units? Are those two steps not something the ministry can do right now? I recognize you're looking for authorities, but those two steps, presumably, you could do right now. Is that not the case?

Hon. Bowinn Ma: The member is correct.

Certainly, the Ministry of Infrastructure has the authority to speak with school districts about their needs and the requirements, as we do every day.

[4:05 p.m.]

It would be unlikely for us to actually talk to potential suppliers. It would be important for us to follow the rules around conflict of interest, frankly. But we would be able to engage in market sounding. What we cannot do without the authorities of section 3 is actually bulk purchase the components or bulk purchase classrooms for school districts.

Rob Botterell: This is more of a rhetorical question, unless the minister wishes to disagree, noting for the record that this government did pass legislation earlier this

session in one day, being the repeal of the consumer carbon tax rebate. That legislation was passed in a day.

Is there any reason why the minister can't engage in market sounding, in liaising with school districts, to identify the elements that would go into the issuance of a bid? Certainly, in my experience as a former financial comptroller for the TD Bank, that happens all the time. Do that work over the next three or four months and then, with the support of the Legislature, pass legislation along these lines in October. Is there anything to prevent the minister from taking that approach?

[4:10 p.m.]

Hon. Bowinn Ma: I think we have heard raised many times in this House before — and certainly it will likely have been raised by the parents and the teachers outside, by educational stakeholders of all manner — that schools and growing communities are bursting at the seams. The recent massive increase in population has far exceeded our ability to keep up with them. Students, kids need classrooms to be in. In our fastest-growing communities, we are being called upon to respond as quickly as possible and get them safe, high-quality learning environments.

The ability to deliver a modular classroom is far faster than traditional stick-build, but it still takes time. We're looking at, in the school districts where these projects have had good success, a timeline of about nine to 12 months following procurement.

Schools and new classrooms open in September. If you miss September, kids don't get into the classrooms for the entire year because opening a school or opening a new classroom, asking a school to reconfigure their entire, I guess, class makeup partway through the school year is quite untenable.

So we're talking about trying to hit September 2026 with these classrooms. And that would require a procurement that is well underway by end of summer, beginning of fall, in that range. We're looking to move as quickly as possible.

Rob Botterell: If I may, what you're indicating, Minister, is that you will canvass school districts, do market sounding, prepare a bid and issue the bid, have the bid accepted, have the modular units done by September. Is that what you're suggesting?

That's unbelievable. And to my earlier point, that runs directly contrary to the commitments you've made as a government to consultation and engagement with First Nations. You said it's too early, yet here we are at the end of May. June is there. Many folks take holidays in the summer or exercise their rights and title and interests through the summer as nations.

So I, respectfully, find it very surprising that you would be able to pursue this opportunity and have modulars through this bulk-buy process — because that's the only process that's new in this legislation — all done, dusted, delivered by September. Is that what you're saying, Minister?

Hon. Bowinn Ma: I wonder if maybe there has been a miscommunication here. The target, what we are trying to aim for, is students to be in the new classrooms September 2026.

[4:15 p.m.]

Rob Botterell: Thank you for that clarification, Minister.

The process of canvassing school districts across the province, identifying the level of need, identifying the options, identifying the approaches doesn't require this legislation. The process of market sounding and talking to potential suppliers, but not in a way where it's a formal bid, or looking at the market options, and so on, doesn't require an amendment to this legislation. What does require amendment to this legislation is putting the bid out.

The other item that doesn't require this legislation is consultation, consultation with First Nations to ensure that they feel, as part of reconciliation, they're working as partners with this government. I submit that that work, to be done properly and in a detailed fashion with full and meaningful engagement, will take until the end of September or mid-October.

We know from this session that if the government so chooses, the government can move very quickly to pass legislation that has this clause, this type of power in it. I'm not seeing anything that stands in the way of the minister proceeding with consulting school districts, market soundings, developing an approach, consulting and engaging with First Nations over the next three months in the absence of this act. Is that true?

[4:20 p.m.]

Hon. Bowinn Ma: I really appreciate that the member is asking these questions and this line of questioning in the context of legislation and legal authorities, and I mean this with all respect. It is not intended to come across in any way other than respectful and sincere. I believe that there may be a lack of appreciation for how much work is underway and must get underway in order to deliver the critical infrastructure that communities need, particularly growing communities, in the context of the need for more student spaces, more classroom spaces.

Right now because we have the funding in Budget 2025, this fiscal year, in order to keep projects moving along, a portion of that funding will be allocated to school districts under our current authorities to purchase modular classrooms as separate school districts.

It is not ideal, because we know that if we were able to put the full amount into a bulk procurement, we would be able to leverage the scales of economy, save taxpayers money and produce more classroom seats, more student

seats, for the funding available. But we also need to take account time as well, so a portion of that funding will be going ahead to school districts to help them ease, or at least attempt to catch up to, the rapidly growing need for spaces in their classrooms.

If we were not confident that we had the authority to proceed with the bulk buy, it would be foolhardy and disrespectful of the Legislature for us to presuppose the passing of the legislation. So if we were not confident that we had the authorities in hand to actually deliver on a bulk buy, we could not in good conscience spend both public provincial resources and school district resources to come up with a plan that we might not ever be able to execute on instead of going with a plan that we were confident that we could deliver on.

We're talking about trying to get children in seats by September 2026. There is absolutely no time to spare. So we would not be proceeding with the work towards a bulk buy if we did not have the authorities to actually execute on the bulk buy; we would find a different strategy in order to try to deliver classrooms as quickly as possible.

The Chair: Members, I shall call a ten-minute recess, and we will return at 4:36 p.m.

The committee recessed from 4:23 p.m. to 4:36 p.m.

[Susie Chant in the chair.]

The Chair: Okay, I call Committee of the Whole on Bill 15, Infrastructure Projects Act, and we are on clause 3.

Rob Botterell: I'll just make some concluding observations and maybe a final question in relation to the line of questioning.

First of all, just for the record, I do want to indicate that I have two nieces who are teachers. I am well aware of the urgency of additional classrooms and modulars and of the desperate need for them across the province. So my line of questioning isn't intended to put modulars and expansion of classrooms on the never-never plan.

My line of questioning really follows on the fact that the government has made a choice. It made this choice in Bill 7 as well, where it introduced legislation, part of which was hardly objectionable. In this case, it's category 1 projects — schools, hospitals, long-term-care homes, cancer centres, and perhaps some ministry transportation infrastructure, whether roads, highways or bridges.

I mean, who could object? You know, these provisions were designed, as we've seen, in this clause, clause 3, to go beyond the current minister's powers in particular ways to facilitate a bulk buy of modulars or to facilitate strong project management in small school districts. Who could object? Then we add in designated provincially significant infrastructure, category 2 projects, and a whole range of concerns arose. We'll shortly get to those concerns when we start to discuss part 3.

As in the case of Bill 7, ultimately, through working in partnership with the government under our cooperation and responsible government accord, working with the Attorney General and responding to outcry from businesses, part 4 was pulled. Then we worked on amendments to ensure, as the Green caucus, that we'd be able to support Bill 7. We're there, and we will support Bill 7.

[4:40 p.m.]

Here we have a very similar situation, where there are provisions and powers that one would not object to if, through other parts of the bill, there weren't parts that were very problematic, similar to part 4 of Bill 7.

This is a choice the government made. We in the Green caucus have said publicly that we don't support Bill 15. But are there parts of Bill 14 we support? Absolutely. Is the government willing to take the step that we saw with Bill 7, which is to remove the most difficult and objectionable portions so that we can support the other parts? So far, the answer is no. So far, what we've seen is the Premier pretty much doubling down: it's Bill 15 with all of the areas or not.

This isn't about window dressing or minor…. There is some fundamental overreach here. First Nations and UBCM and many others have said: "Pull it back. Pull this bill."

My line of questioning was really…. You know, if this were an exposure bill and we did the work over the summer and we brought it back in the fall, you would have what we talked about earlier this afternoon in question period: a partnership with First Nations to find the legislative approach that will have broad-based support. But I'm not getting the sense from our line of questioning and discussion that that type of approach is on the table, although I will continue on behalf of the Green caucus to make that case in committee, clause by clause, until the guillotine comes down and we're forced to pass it.

I do want to raise one option because the minister has said…. I won't speak for the minister, but I will take some solace in the fact that the minister indicated that, yeah, we have to do work with school districts; yeah, we have to do market sounding; yeah, we have to consult and engage with First Nations.

And oh, by the way, we can't assume what First Nations will come up with, because in the very interim approach to implementing section 3 of the declaration on the rights of Indigenous Peoples, October 2022, article 19 of the UN declaration, which we are following, is: "States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

It's not just that the legislation theoretically will not pass in the fall if we wait and do an exposure bill and do

the work. It may be that the consultation process with First Nations does not secure their free, prior and informed consent to this legislative framework. But making the effort to see if we can get First Nations and government together, working as partners, is far preferable to the 100 percent guarantee of litigation and First Nations opposition if the bill is passed in its current form.

[4:45 p.m.]

I want to conclude by saying a question for the minister. If the minister was able to be assured of passage of the portions of this bill that relate to schools, hospitals, long-term-care homes and cancer centres and, subject to First Nations being comfortable, that you would have the support of the Green caucus to pass those portions in October, would you be prepared then — because you would have the assurance that you're not working with a legislative framework that won't get passed by the Legislature — to take more time and spend time with First Nations to discuss this bill in a lot more detail?

To be really clear, for the category 1 projects and the provisions that relate to those projects, if you were provided assurances, and they'd have to be negotiated and mutually agreed that in October, subject to fall session, subject to First Nations being comfortable…. Would you be prepared to proceed with this as an exposure bill so that you can do the necessary engagement with First Nations?

Hon. Bowinn Ma: I mean to be candid. I'm not comfortable answering this particular question because it is rooted in a lot of presumptions. Respecting, of course, that the member has every right to promise his own vote on a future hypothetical version of legislation, it is the privilege of the entire House to vote on legislation. The member seems to be implying that he is also able to promise the securing of a positive vote on behalf of other members. It doesn't seem like an appropriate hypothetical situation for me to engage in.

[4:50 p.m.]

Kiel Giddens: I appreciate the comments and the questioning from the House Leader of the Third Party.

I think this has been a good line of questioning in relation to using a relevant example in that, obviously, we've been talking about modular classrooms or portables, if you will, on a day when we do have school boards and teachers and parents who are out on the lawns of the Legislature. Some of those are from Surrey. I know that their concerns are that we have nearly 400 portables in Surrey, but we are talking about trying to find ways to support school boards' needs in the short term here.

Really, what it boils down to is: do these school boards have the tools that they need now? Does government actually need these powers? That's something that First Nations have been questioning. That's what local governments have certainly been questioning.

I look at sort of what is going on in the province right now. As I understand, the Premier is in Vancouver today announcing something around natural resource strategies for governments, saying it's going to be in full partnership with First Nations, whereas we, at this point, have First Nations who aren't taking government at its word. We've had Chief Don Tom from the W̱JOŁEŁP First Nation actually going as far as — these are his words, and I quote — calling the Premier a "snake oil salesman" at this point.

I don't take these concerns as something that I would put on the minister's shoulders. I actually think that this is a concern with the way that this Premier's office and this government have handled Bill 15 overall and these concerns that have been brought forward to us.

I looked at it in stark contrast with what's going on in Ontario right now. There was Bill 5 introduced on fast-tracking projects there. The government just today has stated that they'd be willing to pull back the bill to look at it further. The House Leader of the Third Party has made suggestions that perhaps the bill should be pulled back so that more work can be done.

I'm wondering if, in the context of clause 3…. We're talking about category 1 projects and granting the minister these powers. Are these powers that need to be looked at more clearly by First Nations and local governments and businesses and the broader public before we embark on this?

I'm wondering at this time, given what Ontario has just done, if the minister will again reconsider moving forward with this clause of the bill and pulling the bill back for further reconsideration.

[4:55 p.m.]

Hon. Bowinn Ma: As it relates to section 3, we have canvassed a number of important questions that members opposite have raised around whether or not section 3 does or does not change the nature of reporting, the nature of the procurement rules that the ministry would have to follow.

We've canvassed a number of those questions and have confirmed that whatever rules and obligations the entities — school districts, post-secondary institutions and health authorities — are currently obliged to follow are the same that the ministry would be obliged to follow should the ministry exercise the authorities under section 3, which are related to basically stepping into the project-delivery space on behalf of those entities.

The only entities that are impacted by section 3, aside from the folks that we talk to — as in, like, if a school district had to talk to somebody, it might now be us talking to them — are those school districts, health authorities and post-secondary institutions.

We have heard from health authority CEOs, superintendents and the chairs of school districts and post-secondary institution presidents that they are excited

and looking forward to government having the authority to better collaborate with them on the delivery of these projects.

We provided some examples, such as the intention to pursue a bulk procurement around modular classrooms. But it also enables us to collaboratively work with these entities around standardizing designs, provide greater collaboration across government, bulk equipment procurement, work with smaller post-secondary institutions and help them deliver some of their critical projects as well.

Overwhelmingly, the feedback we have received from these entities is support for government to have these authorities, to work with them in these ways.

Misty Van Popta: I would like to move an amendment. I'd like to move, in Committee of the Whole on Bill 15, intituled Infrastructure Projects Act, to amend as follows:

[**SECTION 3,** ***by deleting the text shown as struck out:***

3 The minister has the following powers in relation to a category 1 project:

(a) the power to develop, construct or alter a category 1 project or provide services in relation to developing, constructing or altering a category 1 project;

(b) the power to act as a general contractor or project manager, or provide or arrange for general contractor services or project management services, for a category 1 project;

(c) the power to acquire, by purchase, rental or otherwise, equipment, fixtures and other property, real or personal and movable or immovable, required for a category 1 project;

~~(d) any other prescribed power.~~]

The Chair: At this time, we will take a recess so that the amendment can be printed and circulated. We will take five minutes. I have exactly five o'clock on my watch. I'd appreciate it if everybody was back in their seats by 5:05, please.

The committee recessed from 5 p.m. to 5:05 p.m.

[Susie Chant in the chair.]

The Chair: I call Committee of the Whole on Bill 15, the Infrastructure Projects Act, back to order.

Misty Van Popta: Can I speak to the amendment now?

The Chair: I would be delighted if you'd speak to the amendment.

On the amendment.

Misty Van Popta: Oh, perfect. Thank you.

Just hearing the conversations around procurement and bulk-buy, you know, there are no school districts that I could think of that would have or would create a constraint on a modular build. It's an existing school site; it's not requiring new zoning. Issues of risk are very low on what would be a modular bulk-buy.

From our perspective, the need to fast-track this bill…. To fast-track what is essentially an easy procurement issue doesn't need any other prescribed powers. That's where the issue has come in. The term "any other prescribed power" is where the trust issues have come in. Blind trust in a bill already bypassing oversight by First Nations and local governments doesn't build that trust; it erodes it.

That's why we've put this amendment on the table: to have that clause struck from the bill.

The Chair: I advise the committee that I find the amendment to be in order and invite any members who wish to speak to the amendment to do so.

Kiel Giddens: I'm pleased to speak to the amendment today. I think that in the course of discussion overall on this bill, we've made it very clear that we as the official opposition believe that the bill should be repealed in its entirety. But in looking at clause 3, similar to some of this discussion in clause 2, we do feel that there is a need to limit the minister's powers in this case. That's why we've brought together and put forward this amendment.

You know, I look, overall, at what the minister described — certain government entities that are looking forward to having some of this availability. But those are obviously public servants who work at the order and discretion of government. They do hard work on behalf of the public, but of course they want to see things go well for government. That's what they're there for.

But also as MLAs and as politicians, we have a responsibility to the general public.

We're hearing from local governments and from First Nations that have expressed serious concerns with Bill 15 overall. We need to find ways to limit the discretion. Also, the business community has raised concerns. As we look at this clause and what we're trying to do with this amendment, in context, I'll just maybe quote Chris Gardner, the president of the ICBA.

He said: "The irony is impossible to ignore. The NDP has had to create an entire new ministry and pass legislation just to cut the red tape they created in the first place. Yes, permitting delays and red tape are slowing down schools and hospitals, but they're also slowing down homes, roads, energy, bridges and every other type of construction. This should have been an across-the-board fix, not a narrowly focused government workaround."

I say that, given the fact that we are granting, with clause 3, very broad, sweeping powers.

[5:10 p.m.]

There are things that need to be looked after from a permitting standpoint in another fashion, in other legislation, other acts, but we're looking at them in clause 3 of

this bill — which would effectively position the minister as a super-builder with very few constraints. That's something that we do need to find constraints on.

I will go back to the fact that we've heard from these local governments, these First Nations. They want a say in what happens in construction in their communities and the types of projects that go ahead. With that, the president of UBCM, Trish Mandewo, said: "Local governments welcome provincial efforts to expedite project development but not through transferring power from communities to Victoria."

I think, at this time, we do have to put this entire bill in context, and this amendment is looking to constrain some of the powers of the minister. I recognize that cabinet solidarity will be in force here, but I would ask other private members to take a look at this bill, and maybe this is something that we can do, as legislators, to constrain the powers of the minister.

With that, I, of course, will be supporting this amendment, and I appreciate the member for Langley–Walnut Grove bringing it forward.

Hon. Bowinn Ma: Section 3 provides the authority for the Ministry of Infrastructure to become involved in the delivery of construction projects on behalf of provincial entities, namely schools, post-secondary institutions and health authorities — all of whom have broadly supported that the new ministry have the authority to do this.

We have answered all of the members' questions around what other things section 3 might enable the ministry to do — questions around permitting, procurement, CBAs, constraints.

We've confirmed that no constraints are changed by section 3. The Ministry of Infrastructure is bound by the same constraints as school districts, as health authorities, as post-secondary institutions would be. We are bound by the same procurement standards as school districts, health authorities and post-secondary institutions would be. We are bound by the same procurement standards, rules and regulations that school districts, health authorities and post-secondary institutions would be.

Section 3 does not affect local governments, does not affect any other entities except those entities that we have described — school districts, health authorities and post-secondary institutions — all of whom have provided broad support for this authority.

Similar to the proposed amendment that was raised under section 2, the amendment speaks specifically to the line "any other prescribed power." I'll provide the same response as I did in section 2, which is that this phrase, "(d) any other prescribed power," statutorily must be read in the context of the preceding list, which means that it does not open the ministry or the minister to be able to access powers that are not related to (a), (b) and (c).

All the prescribed powers, any other prescribed power, would be related to "the power to develop, construct or alter a category 1 project or provide services in relation to developing, constructing or altering a category 1 project; the power to act as a general contractor or project manager, or provide or arrange for general contractor services or project management services for a category 1 project; the power to acquire, by purchase, rental or otherwise, equipment, fixtures and other property, real or personal and movable or immovable, required for a category 1 project."

Category 1 projects, of course, are those provincial projects, provincially funded, provincially owned and operated — schools, hospitals, long-term-care centres, cancer centres, student housing…. If we had projects related to courthouses or correctional facilities, that would apply. The plant and animal health centre, which will be owned and operated by the province through the Ministry of Agriculture, would apply. So only those projects.

[5:15 p.m.]

The consequence of removing 3(d) is the same as the consequence of removing 2(1)(h), so I will provide the same answer there as well.

If there was an opportunity that government needed to respond to quickly that was not fully captured by (a), (b) or (c)…. The example we provided under section 2, which is the example that also applies here, is if the federal government, for instance, offered a partnership with the provincial government but the format of that partnership did not fully comply with our current way of running a student housing project.

We expect and hope that the federal government will actually be quite interested in student housing and offer partnership opportunities there. We believe it is incumbent on us to be ready to seize those opportunities when they arise. Section 3(d) allows us that flexibility, within the context of (a), (b) and (c) under section 3, to be able to respond to those opportunities should they emerge.

For those reasons, we will not be supporting the amendment. But I will say that I am very grateful to members of the opposition for their thoughtful questions and the opportunity to have this dialogue.

The Chair: Shall the amendment to clause 3 pass?

Division has been called.

[5:20 p.m.]

Members, is there an agreement to waive the remainder of the time?

Leave granted.

The Chair: Before putting the question, I must remind all members that only the members of Section A or their duly appointed substitutes are authorized to vote.

The question is shall the amendment to clause 3 pass.

Amendment negatived on the following division:

YEAS — 6		
Van Popta	Dew	Boultbee
Mok	Williams	Botterell
NAYS — 6		
Osborne	Kang	Routledge
Ma	Chow	Glumac

The Chair: Members, there being an equal number of votes for and against, the Chair must make a casting vote.

[5:25 p.m.]

In accordance with recognized parliamentary custom, the Chair votes against the amendment to keep the bill intact in its original form and as adopted at second reading.

We'll take a couple minutes for the staff to get back in.

Recognizing the member for Prince George–Mackenzie.

Kiel Giddens: Thank you, Madam Chair. I appreciate the debate we've had on the amendment. Thanks for entertaining that.

At this time, maybe just since that amendment has not passed, I'm wondering if the government would be open to committing to mandatory consultation requirements or notice to affected jurisdictions before acting under this section of the bill.

Hon. Bowinn Ma: The exercise of powers under section 3 would absolutely be done in cooperation and collaboration with the affected entities.

Kiel Giddens: It certainly will be something that we will continue to engage with, with those entities, as we learn of the outcomes of this bill and follow up afterwards, should it be passed, to ensure that is occurring, but thank you to the minister for confirming that.

I spoke earlier about a bill in Ontario, Bill 5, that has similarities. But it's not the same purpose as this bill. It's not in regard to government infrastructure projects.

[5:30 p.m.]

Just in the context of this clause, I'm wondering: has this model of direct ministerial project delivery been used in other provinces or jurisdictions, and if so, were there lessons drawn from those experiences in those other jurisdictions?

Hon. Bowinn Ma: Yes, other jurisdictions in Canada do what section 3 will allow the province to do. In Alberta, the provincial government actually delivers all of the schools. So they do the construction for all schools and then return them to the school district.

The lessons learned from that is that the provincial government is able to benefit from economies of scale and deliver those schools quite effectively, particularly with a more centralized and experienced team of capital development and construction-related staff.

Saskatchewan is currently undergoing a multi-district procurement for schools as well. In our discussions with them, the lessons learned that they offered to us were actually to encourage the centralization of the delivery of these kinds of projects in a ministry, which is what we are now attempting to do.

That being said, I will say that here in British Columbia, recognizing that for many years schools have been delivered by school districts quite successfully in many cases, it is not our intention to go directly to what Alberta is doing, which is to immediately centralize the delivery of all schools on behalf of school districts. Rather, we see this as a case-by-case opportunity to participate when it makes sense and to support smaller school districts when it makes sense and allow those better-resourced school districts to carry on doing things that they've demonstrated they can do.

Kiel Giddens: I appreciate the response from the minister, just understanding that we do want to make sure school districts do have the ability to retain autonomy and that local decision-making wherever possible.

I'm wondering, because the examples in Alberta and Saskatchewan were used, how this would be applied in B.C. Coming from major projects work myself…. The minister will well know from her background as well that, obviously, once the project is completed, that main scope of work completed, there are always issues afterwards that need to be resolved.

[5:35 p.m.]

I'm wondering how the ministry would then work, whether it's a post-secondary institution or school district, on those issues afterwards that need to be resolved, given that that would be transferred back to that entity at that point so that they have their costs basically covered in that case.

Hon. Bowinn Ma: The member's question could be interpreted in a couple of ways, so I will attempt to answer both ways, based on my interpretation of the question.

If the question is about deficiencies and clearing deficiencies as projects are being delivered, I would say that if the Ministry of Infrastructure took on a project and took on the responsibility for the full delivery of the project, certainly, we would maintain responsibility for the entire life cycle of the project, including deficiency clearance all the way until the end of the project, unless, for whatever reason, the school district wanted a different arrangement. And that's where the cooperation and collaboration would come in, in terms of arranging what level of support the school district wanted from the Ministry of Infrastructure.

If the question is about maintaining the asset afterwards and maintenance through ongoing operations, I would say, ultimately, our ministry is responsible for funding capital assets and that includes providing an-

nual facilities grants to school districts for the purposes of maintaining school assets.

Kiel Giddens: Thank you very much to the minister. I had lost the word in my head, even though I said I worked in the project space, but the deficiencies were actually what I was referring to. I appreciate the response from the minister in that regard.

With that, maybe we'll move on. We've talked quite a bit about schools. We've talked about hospitals. But the minister did describe the case of a project, an animal control project in the Ministry of Agriculture, I believe.

Could there be a more exhaustive list provided of the types of projects that would actually be included as a category 1 project that the minister's powers would apply to? Is that something that would be possible, a more exhaustive list?

[5:40 p.m.]

Hon. Bowinn Ma: A category 1 project, given that section 3 relates to category 1 projects, is delivered by the province through a ministry or a provincial operating entity — i.e., school district, health authority or post-secondary institution. They are projects that are funded through provincial funding, all or in part.

The other funding would be funding from provincial operating entities: school districts, health authorities, post-secondary institutions. There must be no external funding, so no private sector or external, to provincial entity funding. So that's what would be captured by category 1.

In terms of the entities, it would be the school district, post-secondary institutions, health authorities and other ministries. So that's where other projects might come in place. For instance, the Plant and Animal Health Centre would be an Agriculture and Food project. It would be a project that is going to be delivered through the Ministry of Infrastructure.

[5:45 p.m.]

It could include projects delivered by the Ministry of Transportation and Transit. Although, I will say they have a very robust capital delivery team already. I can't imagine why they would want the Ministry of Infrastructure to take on one of their projects on their behalf, though there might be some types of projects that involve vertical buildings that they may want us to partner with them on.

The Royal B.C. Museum provincial archives, research and collections building in Colwood is a Tourism, Arts, Culture and Sport project. Courthouses and correctional facilities are currently delivered by Citizens' Services. We're talking about ministries, school districts, post-secondary institutions and health authorities. We're not aware of any other entities that we would be able to use section 3 powers for.

Kiel Giddens: I appreciate the fulsome response from the minister.

I guess it kind of does beg the question of why — in the language, the drafting of the bill — the choice was to keep it more vague for the public, when there's more depth in what the minister just provided. Why was the information included in the response not explicitly laid out in the bill itself as drafted?

[5:50 p.m.]

Hon. Bowinn Ma: We prepared an answer, but it occurs to us that this is actually a section 4 question. I'm wondering if the member had intended to ask the question under section 4, whether we should move to that.

Kiel Giddens: I appreciate…. Just wondering why it couldn't have been included more explicitly in the language. Obviously, the minister's powers talk about category 1 projects, but yeah, we'll take this to a further part of the bill if needed, I guess.

The Chair: At this time, I'm going to call a ten-minute recess. If everybody could be back in their seats at four minutes past six, please.

The committee recessed from 5:54 p.m. to 6:05 p.m.

[Susie Chant in the chair.]

The Chair: I call the Committee of the Whole on Bill 15, the Infrastructure Projects Act, back to order.

Clause 3 approved on division.

On clause 4.

Hon. Bowinn Ma: On clause 4, I am actually going to be tabling an amendment on behalf of the Crown.

I will first read the amendment in. We will provide copies, and then I will speak to it afterwards. I move in Committee of the Whole on Bill 15, Infrastructure Projects Act, to amend as follows:

[**CLAUSE 4, by adding the underlined text as shown:**
Designation of infrastructure projects
4 (1) The Lieutenant Governor in Council may, on the recommendation of the minister, make regulations to
(a) designate the following as a category 1 project:
(i) an infrastructure project;
(ii) a class of infrastructure projects, or
(b) designate a provincially significant infrastructure project as a category 2 project.
(2) The Lieutenant Governor in Council may establish eligibility requirements for a designation under subsection (1) (a).
(2.1) The minister must not make a recommendation to designate an infrastructure project as a category 2 project until eligibility requirements for a designation under subsection (1) (b) have been prescribed.

(3) A designation under subsection (1) (a) (i) or (b) must include a description of the infrastructure project that sets out the following:
(a) the scope of the infrastructure project;
(b) the intended purpose of the infrastructure project;
(c) anticipated constraints, if applicable;
(d) the name of the proponent of the infrastructure project;
(e) any other prescribed details of the infrastructure project.
(4) A designation under subsection (1) (a) (ii) must set out the following:
(a) the name of the proponent of each infrastructure project in the class;
(b) any other prescribed details of the class of infrastructure projects.]

I will sign three copies and provide for distribution.

The Chair: All right, then. About that recess. We'll give another five minutes for the amendment to be copied and circulated. If everybody can be back at 6:13, please, in their seats.

The committee recessed from 6:08 p.m. to 6:11 p.m.

[Susie Chant in the chair.]

The Chair: I call Committee of the Whole on Bill 15, Infrastructure Projects Act, back to order.

On the amendment.

Hon. Bowinn Ma: Thank you for the opportunity to table the amendment on behalf of the Crown.

We take our obligations under the Declaration on the Rights of Indigenous Peoples Act and section 35 of the Constitution Act very seriously, as we do the responses that we have heard from First Nations leaders following tabling of Bill 15 and the questions that have been raised by the opposition. We are committed to engaging on the concerns that have been raised around the bill, particularly around questions regarding the designation of category 2 projects as provincially significant.

Over the last week or so, both the Premier and I have provided our assurances that no category 2 project would be designated as provincially significant and therefore be able to access the streamlined permitting tools in Bill 15 without the consent of First Nations. To be clear, designating a category 2 project as provincially significant does not provide approval for a project to proceed.

All this being said, our intentions and assurances aside, we also accept that the current legislation as it reads today does not provide sufficient certainty to First Nations. As a result, the amendment I am introducing today would bind government by statute to have a regulation in place that defines the eligibility criteria for a category 2 project before a project can be designated as provincially significant.

As obliged by DRIPA and our section 35 obligations, this regulation would be developed in consultation and cooperation with First Nations. The regulation would, like all regulations, be made public. This consultation process will also allow for broader engagement with other interested stakeholders, which is something the opposition has requested.

I know that there are other questions on this bill which I look forward to continuing debate on through committee stage. This particular amendment is about holding space and guaranteeing in statute that this space exists for us to work with First Nations not only on what kinds of projects could be considered for category 2 designated as provincially significant, but also how this process will be operationalized.

It is my hope that opposition members will support this amendment, as it adds a binding element to government that does not currently exist in Bill 15 at this time.

The Chair: Upon review, this amendment has been found to be in order.

[6:15 p.m.]

Kiel Giddens: Speaking to this amendment brought forward by the government for clause 4, I would say that, overall, one of the things that I have repeated in the course of this debate over and over again is the word "arbitrary."

I used the same word in our discussion in nearly 40 hours of debate on Bill 7 because a lot of what we're talking about in the context of this bill has been quite arbitrary in nature with power concentrated in the hands of cabinet and through their ability to pick winners and losers.

In this case, for eligibility requirements for a designation for these projects, we still are looking at a scenario where the province, through the cabinet, is giving themselves the power to make these regulations to decide who's in and who's out. First Nations have clearly stated their opposition, and this does not do what the government intends in terms of enough of what meets First Nations….

The First Nations Leadership Council released another open letter only an hour ago: "As you know, the honour of the Crown is at stake when the Crown engages with First Nations. As part of honourable dealing, it is essential and should go without saying that statements and explanations provided by provincial government representatives about proposed legislation need to be clear. Without clarity, First Nations are not able to assess the import or impacts of the proposed legislation." Again, that was a joint letter by the First Nations Leadership Council.

When I look at the wording of this amendment, it's still not clear for anyone in this case. It's not clear for First Nations. It's not clear to the official opposition, and it's not clear to stakeholders across the province, including local governments.

I've talked previously about UBCM and their context

of the bill as well. I'll quote again Coun. Trish Mandewo, president of UBCM: "The provisions in Bill 15 constitute an unnecessary overreach by the province into local decision-making."

In this case, we have the province making eligibility requirements for a designation of these projects, but it's still completely arbitrary in cabinet's hands. It depends on who's lobbying, who's in and who's out, who's a friend of the government and who's not at this time.

This is a serious overreach and does nothing to address the concerns of these rights holders and stakeholders in the province. For the government to suggest, I'm sorry, that this is going to fix this clause of the bill, let alone the bill in its entirety…. It's simply not the case. For that reason, myself and members of the official opposition will be opposing this amendment.

Thank you for your time, hon. Chair.

Rob Botterell: Let me begin with the foundational document for First Nations, Indigenous Peoples' participation, involvement, influence over legislation, a document that I've referenced earlier this afternoon that was developed in consultation and in partnership with First Nations, *Interim Approach to Implementing the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act*, prepared by the Declaration Act secretariat, October 2022.

I'm going to quote two parts from this document. The first, I've mentioned earlier this afternoon, but I'm going to repeat this section because it's directly germane to this proposed amendment. It comes directly from the United Nations declaration.

The DRIPA act directly brings the UN declaration into consideration here, and it says:

> "States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

[6:20 p.m.]

This amendment is a legislative measure. Later in the same document, some of these key phrases are interpreted.

> "The phrase 'consultation and cooperation' in the Declaration Act" — that is, the B.C. act — "is taken from the UN declaration, and its meaning has been the subject of advice from the United Nations Expert Mechanism on the Rights of Indigenous Peoples:
>
> "'Use in the UN declaration of the combined terms 'consult and cooperate' denotes a right of Indigenous Peoples to influence the outcome of decision-making processes affecting them, not a mere right to be involved in such processes…"

I would add there has been no involvement of First Nations in this amendment. As far as I know, they haven't seen it or had a meaningful opportunity to comment on it.

> "'…or merely to have their views heard. It also suggests the possibility for Indigenous Peoples to make a different proposal or suggest a different model, as an alternative to the one proposed by the government or other actor.'"

Consultation and cooperate doesn't mean: "Here's what we propose. What do you think?" It also means: "Here's what we propose. Take the time to consider it. If you have an alternative proposal, we will meaningfully and in good faith consider it." None of that has happened with this amendment.

"As such, the province must approach policy and legislation development that may affect Indigenous Peoples in a manner that ensures Indigenous Peoples are fully involved partners in the process and have opportunities to influence the outcome of matters that may affect them."

For that reason alone, I will not, on behalf of the Green caucus, be supporting this amendment. But the concerns go further, and that is that this is a small step even if First Nations had seen it and supported it. It's a small step towards clarifying what will be the eligibility, what will be the criteria, for a category 2 project.

Last week or the week before last week, the minister read into the record these types of criteria: "But in order to be designated a provincially significant project, those projects would need to create significant economic, social or environmental benefits for people in British Columbia.

"Factors that are currently under consideration include whether a project significantly contributes to public infrastructure, critical mineral supply, food or water security, human health, safety, energy security, post-disaster recovery, trade diversification, access to new markets, supply chain security, replacing U.S. imports, British Columbia's climate goals in housing."

Basically, any project that I can think of would fit within one of those factors, so this is not a definition that provides any clarity. This is a definition that obfuscates what is a provincially significant project. This amendment does nothing to reassure British Columbians about what a category 2 project will be, whether First Nations or non-First Nations: "Yes, we'll pass a regulation. We promise we'll put it in legislation, so it's better than *Hansard*." But it doesn't take us any closer to understanding what a category 2 project will be.

[6:25 p.m.]

For the Green caucus, we have enormous concerns that this regulation could lead to oil and bitumen pipelines, natural gas pipelines, fracking wells and infrastructure, refineries, coal transport, any number of projects that, from our perspective, we would not want to see as provincially significant projects.

On the one hand, the consultation and engagement requirements required by the government's own policy

developed in partnership with First Nations is not met. From a policy perspective, the position of the Green caucus on this type of legislation…. We take no comfort from this clause because we have no idea…. We're no closer to knowing what this opaque provision around category 2 projects is than we were before we saw this amendment.

For those reasons, I return to our point made earlier this afternoon. Take the same approach as Bill 7. Pull this bill. Call it an exposure bill. You have the ability to do that. Take the time. Build the consensus. Don't build division. Build consensus around how we're going to approach. Have UBCM, First Nations, the government standing on the same podium supporting this as opposed to this type of approach.

We will not be supporting this amendment.

Hon. Bowinn Ma: I thank the members for their comments on the amendment. I will say, I want to acknowledge that the amendment itself is not…. Well rather, I have no expectation that this amendment on its own will change anybody's mind on Bill 15 in either direction.

However, I have also heard from members the desire to bind government to their promises. We promised that we would be consulting and engaging broadly on what the eligibility criteria around a category 2 project would be before we designate those projects as such. However, we also acknowledge that the bill as it is written does not require that — could allow government to go ahead and designate a category 2 project upon royal assent if we wanted to.

What this amendment does is prevent that from happening and hold government to its word that a regulation that would be made public, that would be transparent, that would be developed in consultation and cooperation with First Nations, because it is our obligation to do so, that that happen before any category 2 projects are designated. So it holds government to that.

It was not intended to somehow make the opposition change their mind on the bill. But I heard, earlier, the member referring to finding ways to constrain the authorities of the minister. This is a way to do so. That is why we have offered it.

The Chair: Seeing no further discussion, shall the amendment to clause 4 pass?

Division has been called.

[6:30 p.m. - 6:35 p.m.]

[Jennifer Blatherwick in the chair.]

The Chair asks if there is an agreement to waive time.

Leave granted.

The Chair: All right. Before putting the question, I remind all members that only members of Section A or their duly appointed substitutes are authorized to vote.

The question is on the amendment to clause 4.

Amendment negatived on the following division:

YEAS — 6		
Beare	Routledge	Popham
Greene	Ma	Arora
NAYS — 6		
Halford	Van Popta	Boultbee
Mok	Williams	Botterell

The Chair: Members, there being an equal number of votes for and against, the Chair must make the casting vote. In accordance with recognized parliamentary customs, the Chair votes against the amendment to keep the bill intact in its original form and as adopted at second reading.

Kiel Giddens: Would you like to wait for staff?

The Chair: Yes.

[6:40 p.m.]

Kiel Giddens: Moving into further discussion on clause 4, after we've just debated an amendment.

When we were completing clause 3, the minister may recall, we went through a list of the types of projects under category 1 in that case. To start off the questions, if we could go back to that question that we had moved and get into the criteria that the minister would use to designate a project as category 1.

[6:45 p.m.]

Hon. Bowinn Ma: Category 1 projects — here are the characteristics. Provincial infrastructure projects in the public interest would be considered for designation as a category 1 project. This includes those projects that provide a public benefit. For instance, they support citizens' needs, benefit community livability. They support provincial service delivery; support delivery of provincial ministries' mandates, such as public or community safety, provision of justice, mobility, social or cultural health and educational goals.

Eligible category 1 project types include those provincial public infrastructure projects that are delivered under the Ministry of Infrastructure mandate or public sector entities, such as a school district, health authority, or post-secondary institution. Examples that we have provided of this include K-to-12 schools, hospitals, care facilities, post-secondary buildings, facilities, on-campus student housing.

Major capital infrastructure projects that are delivered by other provincial ministries could also be designated as category 1 projects, such as major bridges, tunnels and highways that are currently delivered by the Ministry of

Transportation and Transit, although, as I said earlier in my response, it is unlikely that the Ministry of Transportation and Transit would require the Ministry of Infrastructure to take on those projects on their behalf, though it is possible that they may see benefit in accessing some of the tools that are provided in Bill 15.

Other project examples include the Royal B.C. Museum's provincial archives, collections and research building in Colwood; the Plant and Animal Health Centre; courthouses and correctional facilities, if there were major projects related to that.

These projects would be those that are delivered by the province and the Ministry of Infrastructure or a provincial operating entity, again, a school district, a health authority, a post-secondary institution. They would not include projects delivered by the private sector, the Crown corporations, First Nations, federal government or local government.

These projects would be funded through provincial funding, all or in part funding from provincial operating entities, such as school districts, health authorities and post-secondary institutions. It would not apply to projects that have external funding.

Kiel Giddens: Thank you for the fulsome response from the minister.

Before we get into category 2 projects, I want to continue to ask a little bit more about category 1 projects overall. Obviously, there are projects happening in the province now. I'm just trying to understand their eligibility for a category 1.

I'll use the example in my…. In Prince George, I just attended the groundbreaking start of a partnership between Providence Living, Northern Health and the Catholic Diocese of Prince George, who are building a long-term-care home, an important project, critical for my riding.

[6:50 p.m.]

About a third of the patients at University Hospital of Northern B.C. are currently patients that really should be in long-term care. They're actually living in the hospital when they should be in long-term care. This is a perfect project that we need to move forward. It's moving forward in spite of these rules.

Needing it…. It actually was fast-tracked, and I think part of that was having the private partnership as well. Finding these partners — private sector, non-profit — really helped to move this project forward in a way that will be good for people in the Northern Health region and certainly my community.

I look at a project like that. Is that an example? It does have those partners. It's Northern Health–involved, but it involves other private sector and non-profit partners there.

Is that something that could be named as a category 1 project? Is there a threshold or a point where the project has already started? Could it be named a category 1 project now that it's already begun? Or is this for new projects moving forward?

[6:55 p.m.]

Hon. Bowinn Ma: Thank you to the member for his patience.

Based on the member's description of the project, I could have provided an immediate answer, but we wanted to make sure that we actually tracked down the project and ensured that it's the correct project that we're all thinking of. I believe it is the long-term-care home that is expected to be built at 6500 South Ridge Avenue in Prince George. That project is eligible for a category 1 designation.

What I would caution, though, is that a category 1 designation in itself doesn't automatically resolve all of the problems that a project could have in its delivery. The usefulness of Bill 15 in relation to any designated project, including any category 1 project, would be dependent on whether the tools in the legislation actually helped to resolve whatever problem the project runs into as it's being delivered.

If a project doesn't run into any particularly challenging permits, or there are no permits that require any of the tools in order to be delivered more quickly, or those permits are not on the critical path of the construction schedule, then Bill 15 designation as a category 1 project might not have any real consequence.

It's too early for us to determine what those could be. But at this time, construction is beginning. We were able to provide that update a few days ago, and really looking forward to a speedy construction process on your new long-term-care home.

Kiel Giddens: Thank you to the minister and staff, sincerely, for looking into this specific project that I was referring to as well.

Again, Minister of Health was in Prince George on Friday, and I thanked her as well. It's an important project for my community. But it is a good example, I think, for us to discuss.

Thank you for looking into it specifically, and thank you for confirming that it would be, in fact, eligible. I think that's good to know.

This case, obviously, hasn't required any sort of Bill 15 powers to kind of move forward. Things have been moving smoothly. They worked pretty collaboratively with the city of Prince George, and I think the permitting has gone quite well from a local government perspective as well. It sounds like the construction is on track, which is good. But maybe it highlights sort of a retroactivity point, I guess.

Trying to understand a project, these are early stages, but it sounds like for projects that even are further along in the process…. They could be designated as category 1 to go

back and sort of, in effect, clean up past permitting challenges to try to fast-track. Is that the intent of this case?

Is there some sort of explanation of how it would work from a project, in particular, that's mid-construction or in the construction process somewhere already? Trying to understand where that kind of retroactivity applies and how its intended use would be.

[7:00 p.m.]

Hon. Bowinn Ma: The tools in Bill 15 are about getting to an answer on a permit faster. The member posed a question around a project that is under construction and the possibility of retroactively going back to a previous permit. We don't have the authority to go backwards on a permit here. But also, it would be unclear to me as to the benefit of that. If the permit is issued, the permit is issued.

If there was an active permit challenge at the time of designation, then certainly we could take a look to see if the tools are helpful in that. But going backwards and changing the decision on a previous permit is not what these tools are for. It's about moving projects along. If you get stuck in the process somehow and you need to get to the end stage of a permit, then maybe we can help you with that.

Examples of projects or the way that tools could be helpful in…. We're starting to get into the tools, but it's fine. We'll talk a little bit about it, provided the Chair grants us the leeway on it. Hoping we don't get too far into the tools, but I think that the member's question is more general and broad on this.

Projects that are under construction could still have permits that are required through the course of construction, in which case, some of the tools might be helpful in that way.

As an example, if you had a project that was underway, and it was discovered — this was the example that was provided to me — partway through construction that you had some rare amphibians on the land and you required an amphibian salvage permit that the project manager had not anticipated needing, then a potential use of Bill 15 could be one of the tools that allow for that amphibian salvage permit to be brought to the front of the line for review, so that they could actually get permission to proceed with the salvage sooner, provided they actually meet the conditions required for that permit.

Kiel Giddens: Thank you to the minister for the explanation. I definitely now understand the point about going backwards on permitting. I think that makes sense to me. On those new permits or ones that are kind of hung up in the system, the minister provided some clarity there that I think I understand.

[7:05 p.m.]

I happen to know a bit about the amphibian salvage permit. Some project I worked on…. I've seen how thousands of amphibians had to be moved and all that. That is a pretty challenging situation for construction projects, certainly, but it's important to respect those amphibians and make sure that they're protected. In fact, in the community I was thinking about, we had monitors from the community who came and watched how it was being done. So it was people…. It's a very serious topic.

In looking at it overall, rather than getting into the tools, I think I am still thinking of the designation and where that line actually is. I think the minister's response is useful in understanding that, yeah, it can be before a project, earlier or during it, depending on what the project's needs are.

We've talked about different scenarios of types of projects. Maybe just to move into the direction of health care, one that is topical is an example for a potential category 1 project to be designated. We talked about a long-term-care home, but one that seems to be topical in the Legislature quite a bit is an involuntary care facility, in some way.

Obviously, those are projects that are critically important, but it's also critically important that we find the right location that the community is going to accept and be okay with. With that in mind, we haven't talked about an involuntary care facility. An addictions treatment facility is another example. We hadn't talked about those as examples of category 1 projects.

Are those projects that could be designated? What safeguards would be in place for local governments or First Nations to have input into a location if they didn't agree with the particular location that has been brought forward by the ministry at hand?

[7:10 p.m.]

Hon. Bowinn Ma: Particularly as it relates to category 1 projects, we're not talking…. Bill 15 doesn't create a project where a project does not currently exist. Government projects are subject to capital planning processes. You have to have a business case. It's got to be approved by Treasury Board, and so forth. The tools in Bill 15 are really about after a project is approved — it's a real project, it's funded, and it's underway — and then perhaps that project ends up running into problems along the way.

In terms of how a project would come to the place where it becomes a real project, there would, of course, be the business case, during which there would be an assessment of what the needs are; about the clinical appropriateness of an existing site, if the secure care is meant to be in an existing site; if it is a new site, the appropriateness of that site.

The business case, depending on the size of the project, can take upwards of a year, two years or more — again, depending on the size of the project. I'm thinking about, for instance, large SkyTrain projects. The business case can take, like, three years.

During the process of developing the business case,

consultations and engagements with local government, with stakeholders — all of that happens. All of that happens well before a project is established as a project. It's funded, you're approved, and you're ready to go. Once that project is funded, approved and ready to go, it'd show up on our capital plan.

Where Bill 15 tools would come into play is after all of that has happened. After this project is funded, it's been approved by government to proceed, and you start to hit certain permitting problems, then the tools might be useful. Where those permitting challenges might involve a local government, the bill provides a structured way to work through those challenges. But again, this is after the project has been set and ready to go.

To the member's original question as to whether secure care could be designated as a category 1 project, the answer is yes. It would have to be a publicly funded secure care project. Again, this bill doesn't create projects where they don't already exist. It helps projects along that do exist and that are underway.

[7:15 p.m.]

Misty Van Popta: Great clarity, thank you.

I wanted to dial back a little bit, just to understand. When these tools are brought in, if the reason for which the tools are brought in is resolved, do you then peel back the designation so that it just follows through regular process and construction process?

Hon. Bowinn Ma: I want to make sure that we're super clear on this. Designation of a project as a category 1 project in itself doesn't do anything. Where it comes into effect or where it matters is whether or not tools are actually used for the category 1 project. Tools would only be used for a category 1 project where it makes a material difference, so basically where it's needed.

It is not the case that every tool will be used on every category 1 project. It is not the case that every category 1 project would require each of the tools. Using one of the tools, as an example — later on in the bill, but as an example, the tool to bring a category 1 project permit to the front of the line for review…. If we did that on all of them, you'd still end up with a pile. It's just reorganized somewhat.

The reorganization in itself is valuable in some ways. But speaking to the member's experience now, if you have a project schedule, and you have a permit that is waiting for review but is not on the critical path, then it's probably not a beneficial use of the tool to bring that to the front of the line. It doesn't actually make a material difference to the end result of that project.

[7:20 p.m.]

If you use the tool too frequently when it doesn't actually have a benefit to the end result of the project, then it diminishes the value of that tool. We would simply be reorganizing the permitting pile. So the tools will only be used when necessary and when it actually has a material impact on the project.

Kiel Giddens: Thank you for providing that response.

I'm just going to go back to maybe the scenarios we were talking about earlier. I appreciate the minister provided clarity around the case of, for example, a secure forensic care facility or something like that. I appreciate the minister described it going through a business case process, and there's a whole planning, capital planning process that's a part of that.

In my discussions with local governments, including this past week with a couple of UBCM board executive members, one of the concerns that was raised is that the current process has what they would believe are flaws in how local governments have a say in projects moving through the process.

As the minister can appreciate, I'm using examples based on my own personal experience in my own community, because that's what I can relate to the easiest. A number of years ago, when I was the president of the Prince George Chamber of Commerce, there was a Ministry of Social Development income assistance office that was going to be moving into a location in downtown Prince George. There was that business case, there was a building that was purchased, and it was all kind of moving ahead. The city didn't really feel like they had any place within that process. Certainly, members of the business community did not.

There was sort of a retail component, where the retail businesses around that particular location were quite upset. They wanted recourse and a process to be able to have their concerns heard. The other thing with that ministry at that time moving forward with this business case was that there was a daycare right across the street, and there were some serious concerns with that. It seemed that there was really no portion where these stakeholders could actually participate meaningfully in the process.

It led to, basically, just…. A massive grassroots outcry was the only reason there was a change. Now it's been kind of paused for the time being and hasn't moved forward. The ministry hasn't made a decision on what its long-term plans are for the building at this point. But it took, like, a very unorganized grassroots effort kind of thing, as opposed to a clear zoning and planning process that was involving the city of Prince George.

Just in thinking of that, an example like that, I do worry that a project designated as category 1…. We're fast-tracking a project that then…. We couldn't have prevented that, when it probably wasn't the right location.

I think that's where the concerns that I've heard from UBCM…. Members are really talking about, and local governments in general, that they're feeling unheard. They're almost saying, like, why have local government as

an entity anyway, where it's a creation of provincial legislation, in local government legislation by the province. So they're saying: "Well, we may as well not exist if the province just wants to do things in certain locations."

I guess, when it comes to locations and where municipalities, where stakeholders like businesses, like daycare providers in this example…. Where are they in this process, when a project is designated as category 1 and is fast-tracked through, but there is obviously discontent with the project at hand in that case? This, I think, would be an example that could potentially be designated. It's a ministry project, a ministry building that they purchased and were renovating for this purpose, so it could feasibly be an example of a project.

I'm wondering if the minister could provide any information on the recourse for these various groups, including local governments.

[7:25 p.m. - 7:30 p.m.]

Hon. Bowinn Ma: We had to take a little time with this question, because the example that the member raised is not the type of project that our ministry is typically involved in. Thank you for your patience as we kind of worked through this.

In this instance, where government is redeveloping a building that they already own, the government would interact with local government the same way that a developer would. If a project had been designated a category 1 project, I think…. I'm trying to work with the example, but maybe it's better for me to offer a scenario where government wanted to provide a service that's critical to the community. Local government, perhaps, saw the opportunity and saw that it was an important service that they wanted in their community but also recognized that the project might be contentious locally.

We have run into cases where local governments have said: "Look, this project is really important. We know we need the services. It is a really contentious issue on the ground for a variety of reasons for members of the public, and governments need to make decisions about these things. It might be very difficult for our local community, but we also can't see anywhere else that this project can go." Right now that local government would be forced to go through this very contentious rezoning process.

I have watched a housing project in my community that was designed to support local single moms and women-led families. I have seen projects in my community that are meant to house very vulnerable people.

[7:35 p.m.]

I have seen public hearings where community members, who maybe do not quite have the level of compassion that we would hope our community members to have towards vulnerable members of the community, say some of the most awful, awful things that you can hear said about vulnerable members of our community, single moms, children of families in poverty.

I know that these kinds of scenarios and these kinds of public hearings cause quite a significant amount of harm to the people we're trying to help, and they put local government officials in a very tough spot.

One of the new tools the legislation includes, which we can talk about at length later on, is actually a tool where local governments can ask the province to waive requirements on them around development, and permits that require development permits to follow their official community plan, to allow them to update their official community plan at the next stage instead.

It is a tool, I have heard from some local governments, that would be helpful to them, where sometimes some of these processes maybe are not helpful to the broader health of the community.

Kiel Giddens: I appreciate the minister's thoughtfulness on some of the more emotionally driven projects that she may have witnessed in her riding. There are many of those around the province certainly.

I'm not stating that, you know, full-blown public hearings are the only answer to everything, but it is…. Community planning involves many different ways. Part of that is a proper education campaign with the community. Some of those projects have been quite successful because they have had a very intensive engagement process along the way as part of that and some, quite frankly, have not. It allowed for misinformation in some cases. Or if it was the wrong location for a specific project, that process allowed it to go back to the drawing board and say, "Okay, what can we do differently with the project?" or "Can we move it to a different location?" or what have you.

I guess part of what I'm saying is that we want local government and community autonomy to make decisions about their community still to be respected and intact in some way.

I look at, particularly, clause 4(1)(a)(ii), a class of infrastructure projects. I think that might be one where transparency and education are going to be pretty critical for communities to be able to digest the rationale behind it and why it's needed and where and, you know, that their input is heard and all that. If it's an entire class of projects, that's a pretty big deal.

I appreciate we have been using a number of specific types of projects, because I think it is helpful for the public to understand these projects — say, for example, addictions treatment facilities. I think, by and large, many of us agree that we do need to obviously expand that treatment. It's about finding communities and the right places for all that to occur.

With that, that business case evidence that we've talked about…. Before an entire class of projects is categorized as category 1 here, will that business case evidence be pub-

licly provided by the government to make it explicit why that need is, and will that be a very transparent process?

I'm trying to understand how that particular tool of an entire class of infrastructure projects would work in practice.

[7:40 p.m.]

Hon. Bowinn Ma: I think that the member's question, fundamentally, is: how will government be accountable for the projects that it designates as category 1 projects? How does it explain the importance of a project to be designated as a category 1 project?

I actually think that this question is more foundational to the way government operates above and beyond what is in Bill 15, because fundamentally, it is not just the designation of a project as a category 1 project that will interest people. It's the fact that we're funding it at all, and that it's a project at all.

Once a project becomes a project that is funded by the public, we have already, at that point, the responsibility to be able to justify why we're spending taxpayer dollars, why we're spending taxpayer resources, why that project is being built at all.

It goes back to the Budget Transparency and Accountability Act, of course. Projects that are over $50 million must be publicly disclosed within 30 days. We have to be able to justify the fact that we're putting public funds towards a project.

Once a project is deemed to be a project that the province is funding and delivering, the goal is to deliver that project from start to finish more quickly, because the longer a project takes to construct, the critic will know, the more expensive it is. It is the most expensive stage of a project — the actual construction of the project.

[7:45 p.m.]

We're talking about projects that have been…. The consequences of the delay are much more significant, and the daily run rate of a project in the actual construction stage is much higher than when it's in planning or development.

When you enter into the construction stage of a project, you want to close that off as quickly as possible. Not only does an unnecessary project delay, delay the benefit that the community can have from that project, but it also costs more money. The decision has been made to fund the project. Now it's about actually putting the project through and completing it.

To the member's question: we always have to justify these projects, because they're being paid for through taxpayer money. That accountability and that work exist even prior to Bill 15 coming into play.

Kiel Giddens: Thank you to the minister for the response.

Maybe before I ask my follow-up question, I will just point out that this is fundamentally…. Obviously, the most expensive part of a project is during that construction phase, but if there is not proper consultation going into it, then that construction phase is going to encounter a whole bunch of change orders and problems when stakeholders are trying to influence changes in real time during that construction phase. That's why that initial consultation period is crucial.

Just a random anecdote, but I've taken certification, actually, in my past career, from the International Association for Public Participation. It's all about having…. I'm certified as a public participation professional, I guess.

Basically, having a durable project requires having really good, solid foundations going into it. So that's, I think, what my point I'm trying to make is. What I think in relation to this, where this fits into the bill as a whole…. When these projects are being designated, when we have local governments, when we have First Nations, who are raising concerns on the types of projects, we need to get, really, clarity on what category 1 projects and category 2 projects really look like in this case.

I appreciate the minister's answer, but I guess I just wanted to follow up on what I was specifically asking about subsection 1(a)(ii), a class of infrastructure projects — how those are determined, how they're designated; as opposed to just an infrastructure project in (i) there.

[7:50 p.m.]

Hon. Bowinn Ma: A class of infrastructure project would allow us to group similar projects together, such as, for instance, all modular classroom projects.

Misty Van Popta: Okay, we're going to jump into category 2 projects.

Last week, when we first started discussing and debating on Bill 15, starting with section 1, which was definitions, one of the things that came up was the term "provincially significant" within this bill and not having it defined. But we have heard anecdotally, and we have heard in this chamber, about what is classified as a category 2.

To peel that back a little bit further, I was wondering if the minister could speak to what objective or quantifiable thresholds might encompass a category 2 project, not just what it could be but what determines what it could be, whether it's jobs or GDP impact, private capital ratio.

Some of the feedback that we've been getting is that category 2 projects could create winners and losers in terms of what is being advanced versus what's not being advanced with the ministry. If there are quantifiable requirements or information that can be shared here, we would better understand the rationale of what could be moved forward.

Hon. Bowinn Ma: This is work that will be done in consultation with First Nations. During that work to be done in consultation and cooperation with First Nations,

we'll also be wanting to do broader engagement with other sectors of society.

[7:55 p.m.]

I do want to be clear again, because this seems to be often something that is conflated in the public dialogue around Bill 15. Designating a category 2 project as provincially significant does not provide approval for that project to proceed. The tools allow a designated project to access a decision on permits more quickly. It is not some type of guarantee that the project will be approved.

I just want to be very clear as to the limitations of the tool here. They're quite intentional limitations as well. It doesn't guarantee a designated project to actually receive a positive outcome on all of their permits, particularly under category 2 projects.

Misty Van Popta: Okay, so understanding that although it doesn't automatically create approval…. If a project that is a private project is underway and it finds a constraint, has a risk point that has kind of stalled it, and the ministry comes in and then at that point designates it a category 2, that is where the questions start coming in terms of what are those quantifiable pieces that would deem the ministry to come in and categorize it at that point.

We understand that you're not necessarily approving the project. It's a project that's already approved in the private sector or a municipality or otherwise. It's now being deemed a category 2 after it's already been approved to start or otherwise. At that point, what are the metrics that the ministry will use to deem it a category 2? Is there a quantifiable or something that we could attach to the term "provincially significant?"

Hon. Bowinn Ma: The minimum eligibility criteria for a category 2 project, including the thresholds and objective, in quantifiable or otherwise, would be designated through a regulation that would be created in consultation with and in cooperation with First Nations. That's the commitment we've made.

Gavin Dew: With regard to clause 4, subsection 3, I'm looking to understand a little bit more about the mechanism and disclosure of designation.

Could the minister please explain the timing, the format and the process through which such designations will be disclosed and, in particular, the extent of the details outlined. Will all of those details be disclosed to the public or only a subset of those details disclosed to the public and at what point in the process?

[8:00 p.m.]

Hon. Bowinn Ma: Referring to subsection 4(3), the process through which the designation is confirmed is through order in council. Following cabinet approval of an order in council, it is given to Her Honour, the Lieutenant Governor, for signing. Following the signing of the Lieutenant Governor, it is deposited on B.C. Laws.

B.C. Laws is updated every Friday at noon. All of the elements under subsection 4(3) are disclosed as part of that OIC. That includes the scope of the infrastructure project; the intended purpose of the infrastructure project; the anticipated constraints, if applicable; the name of the proponent of the infrastructure project; and any other prescribed details of the infrastructure project. It is all publicly disclosed.

Gavin Dew: I'm obviously pleased to hear that there is a robust disclosure plan.

I do, however, want to explore what the potential commercial implications could be of the disclosure of anticipated constraints. I come from the major projects world. When we begin to move forward with a project, you could have a spreadsheet with hundreds of anticipated constraints.

Those constraints could be physical constraints. They could be geotechnical constraints. They could be stakeholder constraints. They could be commercial counterparty constraints. They could be government constraints. Those constraints comprise the essence of risk for your entire project.

[8:05 p.m.]

It is not generally the habit of project proponents to provide to government all of their constraints to be disclosed to the public because doing so could actually be potentially very commercially consequential or could have adverse consequences in terms of their competitive positioning, in terms of their negotiation positioning, in terms of their ability to mitigate constraints before entering into discussions around those constraints with stakeholders, with Indigenous groups, with government.

It really is a thorny balance. I would just really like to hear a deeper explanation as to how, in the construction of the bill and the thinking around implementation, that trade-off between the desire for transparency and, in particular, the desire for transparency around the basis for designation is actually traded off with the ability of the project to move forward in a commercially sensible way that is, of course, transparent and respectful of stakeholders but that also is commercially sound.

Again, as I previously mentioned, the complete disclosure of constraints is something that I think the government might find is a very uncomfortable conversation to have with a private sector project proponent.

Hon. Bowinn Ma: I appreciate the question from the member. He brings a lot of important experience from the private sector. Welcome to the debate today.

I want to assure the member that it is not our expectation for any project to fully publish all of their project con-

straints or their risk registry, be it category 1 or category 2 projects. What we are referring to under subsection 4(3)(c) are constraints as defined under section 1 of the act.

So constraint is specifically defined for Bill 15: "'constraint', in relation to an infrastructure project, means a measure that, unless replaced under section 12 or 19, may impede or otherwise interfere with completion or operations of the infrastructure project."

A designated project…. If they wish to access tools, we would expect as much disclosure as possible around the reason why they are seeking the tools of the bill itself. So it's constraints relating to tools within Bill 15 that might actually be related to those constraints.

Again, Bill 15 is not a magic bill. It doesn't automatically build projects. It doesn't automatically grant approval or assure positive outcomes of permits and other decisions.

[8:10 p.m.]

There are streamlining tools that, for category 2 projects, are potentially assigned on a case-by-case basis. So a category 2 project, or any project that is accessing tools…. Well, the tools don't solve all the problems. Those projects have to have a problem or a constraint that could, in theory, be helped by the bill.

Gavin Dew: I definitely appreciate the explanation. I hope you don't mind if I delve a little deeper into that.

I'm still trying to understand, in a little bit more depth, that balance. The minister has stated in answer to the prior question that everything under designation would be made public through the OIC, and what I'm now hearing is that it might not be. Or I'm not hearing a really clear explanation of the balance between what information is made public around the identification of constraints and what is not. I would go back to, as a project proponent, in the context, for example, of a major capital project, constraints….

Construction methodologies, timings, risk registers — these are all extraordinarily sensitive, carefully managed issues that, under normal circumstances, would be developed, would be finalized, potentially would be disclosed, could be the subject of quarterly financial updates in the context of a publicly traded company. They could be accompanying details for project financing. These are matters that would not typically be made public.

What I'm hearing the minister describe is a process by which at least some of that information would be made public through the OIC process, which, effectively, for the purposes of a project proponent in a competitive context, in a financing context where terms are not yet defined, in a context where determinations around constraints and how they might be managed, the consideration of constraints….

These would normally be things that would be very carefully communicated, that would be communicated at certain specific times in the order of a project as it proceeds through financing, as it proceeds through various different disclosures required to different counterparties in the context of moving forward a project.

What I think I'm hearing described is a process by which a project, in order to be designated, would be required to provide commercially sensitive, potentially very commercially sensitive, information to government, some or all of which might well be disclosed prematurely or at a time that would otherwise not be standard or would not be normal for that project or that proponent.

I'm really just trying to understand how that's been thought through, and in particular, how government intends to make sure that that disclosure risk does not actually add to the risk premium associated with the project when the purpose seems to be to try to reduce the risk premium on projects.

How has that been thought through, and how will that be operationalized?

[8:15 p.m.]

Hon. Bowinn Ma: Thank you for the member's patience. I wanted to try to figure out how I can be more clear in my response to this.

[8:20 p.m.]

Everything listed under section 4(3), including "the scope of the infrastructure project; the intended purpose of the infrastructure project; anticipated constraints, if applicable" — as defined in section 1, those constraints; "the name of the proponent of the infrastructure project; and any other prescribed details of the infrastructure project," will be publicly disclosed through OIC.

The important piece to clarify here is that when we refer to "anticipated constraints" under 4(3)(c), we're referring to constraints as defined under section 1, which refers to "a measure that, unless replaced under section 12 or 19, may impede or otherwise interfere with the completion or operations of the infrastructure project."

The tools in the bill only point at local government and provincial permitting decisions, not at whatever internal constraints of a project around…. I think the member referred to their own risk registers, the project schedule or other commercially sensitive information. Section 4(3) is listing those elements of a project that are necessary for public disclosure in order to access tools in this bill, and the constraints are related to the tools of the bill, which refer, again, to provincial or local government decision points.

Gavin Dew: Thank you very much. I appreciate that clarification, and it leads naturally into my next question.

When a project proponent engages with government, seeking a designation, it appears that they are obliged to provide government with an understanding of all of their anticipated constraints and that they are required to do so before they are designated as a project.

I'm seeing a nod from the minister. It appears that's correct.

Interjection.

Gavin Dew: Okay, maybe I will just make that part 1 of the question, and I think this is a very simple portion of the question. Is it correct that a project proponent, in seeking to be designated as a designated project, would provide to government their anticipated constraints as defined by the minister, those constraints under the control of provincial and municipal government? Is it a fair statement that a proponent would provide that information to government before being considered to become a designated project?

Hon. Bowinn Ma: As I had noted earlier, we will be setting, by regulation, the minimum eligibility criteria for a project to be considered for designation as category 2 and as provincially significant. That regulation will be created in consultation and cooperation with First Nations.

[8:25 p.m.]

We anticipate that that regulation will include both objective and quantifiable criteria, as well as broader criteria. A project proponent seeking designation would have to demonstrate that they meet these criteria and, to that effect, would need to be willing to disclose aspects of their project that allow government to assess whether or not they are eligible.

That being said, not all of that information is publicly disclosed as part of the OIC. What is disclosed through the OIC are the anticipated constraints as they relate to constraints that could be helped by tools in the bill. We would need to know what those constraints are in order to assign the tools to each project. We would want to be transparent about what tools are being assigned. That latter piece would be disclosed, not necessarily all of the information that allows government to assess their eligibility, not by OIC anyway.

Gavin Dew: Thank you for the helpful explanation. That simultaneously illuminates and potentially mitigates some concerns around public disclosure. But it takes me into another very concerning aspect here.

One of the issues that has been flagged around this bill is the potential for government to pick winners and losers. And if government is in a position to pick winners and losers, for example, on the basis of political preference, what you're asking project proponents to do through this process is to provide you with the weapons to defeat them before you decide whether you will support them or not.

Having spent three years working on the Trans Mountain expansion project that this government, in opposition and then in government, pledged to use every tool in the toolkit to defeat, it strikes me that were I a project proponent and I did not already have a high level of confidence that government was going to decide that my project was wanted, it would be a severely, commercially irrational thing for me to do to go to government and provide government with an outline of every constraint and potential blocker to my project, such that if government decided, "No, we don't want this project," I have now handed government an outline of every single provincial and municipal tool that can be used to impede the progress of my project.

That's not a hypothetical, because this government has done that. This government, under the leadership of this Premier, used, and I quote, "every tool in the toolbox" to block a major project of national significance and, in fact, weaponized those processes.

If the objective here is to create conditions for private sector investment, I'm very concerned that this doesn't appear to have been thought out. Because if I were a private sector proponent advancing a project, government is asking me to play poker with it during a phase in which I don't know whether government is on my side or against me. I'm being asked to play poker and start by showing all my cards to government. That's a pretty big leap of faith to undertake, particularly if you're not sure whether the category of project that you are in, whether the location of the project, whether the politics around your project might change.

That's not a hypothetical either, because we now have a government that opposed to the hilt the Trans Mountain Pipeline and ignored the fact that it was a federal undertaking and weaponized provincial tools against it, but now is shrugging and saying it's indifferent to the dredging of Burrard Inlet because it's a primarily federal undertaking. Even in the life of this government, there's been a profound change in the approach to a category of trade-enabling infrastructure.

[8:30 p.m.]

Again, much has been made of the desire, through this legislation, to create conditions for investment, to create conditions where projects can move. Simultaneously, we see government creating these unintended consequences that could in fact increase risk, increase uncertainty and increase the concern by private sector proponents.

Should this government, which has a history of politicizing major projects, decide that you've been picked as a loser, you have just handed government all the weapons to block your project. That would be a very difficult conversation to have in a boardroom before making a decision to engage with government on that basis.

Could the minister explain how that risk has been or will be mitigated?

[8:35 p.m.]

Hon. Bowinn Ma: I have to say I simply reject the premise of the member's question that government would

act in such bad faith with potential partners as to weaponize information provided to us in confidence. I don't want to make this political, but it feels like a lot of projection, frankly.

We are being very transparent about what is going to be disclosed through order in council. We will be very transparent through the release of the regulation that will be developed in consultation and cooperation with First Nations around the criteria for minimum eligibility around designation of provincially significant projects.

It is already the current practice of government that if they are in conversations with businesses where businesses are sharing commercially sensitive information, NDAs, non-disclosure agreements, are used. So I think I'll leave it at that.

Gavin Dew: I will reject the premise of the minister rejecting the premise. I think there is a lot of fantasy around how government thinks that a bill that gives it very substantial arbitrary power will work in the real world.

I would submit that given the issues outlined over the last several questions, what I'm hearing is that proponents are going to provide a substantial amount of commercially sensitive information to government, some of which will be disclosed, a significant portion of which would be sufficiently commercially sensitive and sensitive to the complex navigation of a project through an approval process that could stretch for years and that hands to government the entire recipe for a project.

As a proponent, it's hard to foresee a situation in which you would choose to enter that process without first having a justified belief that government was interested in designating your project. I would submit that in the real world, what will happen is that project proponents will hire well-connected NDP lobbyists and former cabinet ministers and MLAs to act as intermediaries for them, and they will go and meet with the Premier's office.

[8:40 p.m.]

Before any of this formal process is ever undertaken, NDP insiders will have cashed in on selling access to the pre-screening process. At the end of the day, people will want to know whether they're wasting their time taking a risk on advancing a project, providing a tremendous amount of highly commercially sensitive information to a government when they do not yet know whether that government will designate their project as a winner or designate it as a loser.

I'd like to understand exactly what real-world safeguards are being erected around this process to make sure that it does not become a money-making machine for well-connected lobbyists to do soundings with the Premier's office or the minister's office before the formal process begins. What accountability will be in place to make sure that those kinds of processes don't happen? What safeguards will be in place?

Yes, we have a lobbyists registry. Yes, we have all of these things that we need. But this is creating an extremely powerful, arbitrary decision-making process over potentially billions of dollars in private sector capital investment. At the end of the day, before spending potentially millions of dollars on preparing to enter a process where government will knowingly pick winners and losers, there is a tremendous level of politicization, a tremendous level of risk, of selling access to the informal process that precedes the formal process.

I'd really like to understand how government is strengthening the accountability, strengthening the transparency and making sure that that kind of inappropriate use of power is not being undertaken and is not being monetized by NDP insiders.

Hon. Bowinn Ma: You know, I take the member's question seriously. Prior to becoming a member of the B.C. Conservative Party, he was a long-standing member, a very active member, of the B.C. Liberal Party, a party that held the reins of power in the province for many years. I believe him when he raises these possibilities, likely gained through his personal experience and understanding of how his government had worked in the province during their 16 years of power.

Certainly, I have heard the stories of the B.C. Liberal government selling off land to insiders and providing favours to friends of government. They had rolled during a time when big money reigned supreme here in the province, when there were no limits on the donations that could be accepted from any entity, both individuals and business entities, no limits on where those individuals or businesses operated. They could have been from anywhere in the world. Absolutely, it created an incredibly challenging environment for regular citizens who wanted to know that their governments actually worked for them, the voters.

This is why one of the earliest pieces of legislation that our government implemented when we formed government as the B.C. NDP was to ban big money here in this province, and now corporations, unions and other organizations are banned from giving money, donating money to political parties. There are limitations on the donations that individual citizens can make. They must be B.C. residents. They must be permanent residents and citizens. Gone are the days of big money ruling politics here in British Columbia.

That was an incredibly important change that our government made in order to provide greater assurance and certainty for British Columbians that their governments and their elected officials worked for them, not for some company based out of Dubai that tries to buy the election here in British Columbia.

[8:45 p.m.]

Absolutely, transparency is incredibly important. It is

incredibly important that British Columbians have confidence that their elected officials work for them. This is why we banned big money. It is why we brought in the most transparent and most rigorous rules around lobbying through the Lobbyists Transparency Act. I know at the time it was leading in the country on it. I don't know if it still is. Other provinces may have caught up.

I know that there is an all-party committee being brought together on democratic reform to find ways for us to continue to ensure that our democratic systems can be trusted and can continue to meet the expectations of British Columbians.

When it comes to this piece of legislation, we are being transparent in the act about what aspects of the information that is being provided to us are going to be publicly disclosed. We do expect proponents interested in streamlining tools under Bill 15 to meet and to be able to demonstrate that they meet eligibility criteria that will be defined by regulation in consultation and cooperation with First Nations. That regulation and that criteria will also be publicly available for all to scrutinize.

As I said earlier, it is already normal practice for government that if there are members of the public service or government that are engaged with entities that are providing commercially sensitive information, that work and those conversations be done under non-disclosure agreement.

With that, I move that the committee rise and report progress and ask to leave to sit again.

Motion approved.

The Chair: The committee stands adjourned.

The committee rose at 8:47 p.m.

Proceedings in the Birch Room

The House in Committee, Section C.

The committee met at 2:48 p.m.

[Jennifer Blatherwick in the chair.]

Committee of the Whole

BILL 14 — RENEWABLE ENERGY PROJECTS (STREAMLINED PERMITTING) ACT

The Chair: Good afternoon, Members.

I call the Committee of the Whole on Bill 14, Renewable Energy Projects (Streamlined Permitting) Act, to order.

On clause 1.

Larry Neufeld: It's an interesting bill. I would honestly say that on its basis…. The ability to fast-track and move projects forward is certainly something that I am very interested in having accomplished. My major concern is that given that we've used the Energy Resource Activities Act for a great many years already, I'm very curious why we need this bill passed.

There are a lot of things that we're going to be going through clause by clause that would, again, in my mind question why this legislative tool is actually required. If it is, I'm curious as to why it is.

There are a couple of things in here, as we went through the last time we met, that certainly are of concern, some things that there's public perception around that might be of concern, some things that I think that it would be very useful for us, in many places, for the minister just to simply restate some of the things that I've heard him say in the House before, just to get everything together in one place and on the record. I think that would be very useful for prosperity.

[2:50 p.m.]

I think, at this point, perhaps what we can start off with is…. Well, again, my question would be: can the minister highlight the need for this legislation in light of what is already in place and elaborate on why?

Hon. Adrian Dix: Thank you to the member for Peace River South for his questions, and welcome to everyone. I hope this will be a fruitful debate for everyone.

Perhaps if I could take a moment to introduce the staff who are with me. To my left is Deputy Minister of Energy and Climate Solutions Peter Pokorny. To my right is the assistant deputy minister in the Ministry of Energy, Viva Wolf. Behind me are our chief legal counsel: Sara Gregory; the executive director in the area, Claire Gibbs; and the legislative manager, Ryan Munroe.

Those are some of the people you'll see over the next few days. As the member will know, and as members will know, they will certainly continue to be available to members of the House who have questions beyond what may be asked for in this committee stage debate.

I won't give a long speech. I just gave a long speech on this. People heard it. I'll just say that in 1998 and '99 we introduced single-window permitting in the oil and gas sector. We did so because we felt that that efficiency could maintain high safety standards — and I think it has — an excellent regulatory response, develop a regulator who has specific insights.

So we have 300 professional staff now with the B.C. Energy Regulator who do, I think, an outstanding job and, unlike many ministries of government, are really distributed around the country. The largest group of our staff is in Fort St. John, in this area. One of the reasons why I think the B.C. Energy Regulator does a good job is because the majority of its employees are in the Peace River

area. They work closely with communities, with Treaty 8 First Nations. They do an excellent job.

In 2022, we made an additional change, essentially a name change, but also provided the hydrogen industry a similar single-window regulation, which was again passed unanimously in the Legislature. It was supported, amongst others, by the Leader of the Opposition and others, members of the Green Party, members of all parties in the House, which is essentially the core of what we're doing here and what the majority of the debate will be about, which is about the role of the B.C. Energy Regulator.

Now we're adding to that. We think it's a successful form of regulation. Why? First of all, it's life-cycle regulation. In the oil and gas industry, with which the member is familiar, it goes from the exploration stage and the claiming stage all the way around to the end of the life cycle of a particular drilling operation.

There's a fund. If, for example, a particular corporation is not able to fulfil its obligation, there's a fund created by the Energy Regulator to help support communities and pay for that and ensure people are held to their environmental, social and economic responsibilities around that.

That's been a successful form of regulation. It's self-financing. That puts a particular responsibility on the regulator, and we'll have a debate about that self-financing. I thought it was important in developing this legislation that we continue that, and in fact, as the energy regulator develops its renewable branch, if you will, the work that it's doing, that that be paid for by the renewable energy industry and not by the oil and gas industry.

So that's the reason why, and we'll get into this in this discussion, which was, I think, viewed by some members of the House as some sort of conspiracy of why there's some retroactivity in the funding to ensure that the people who are being regulated pay for it, which is an important principle of the B.C. Energy Regulator, which I think happen to think is a good idea and has worked well.

That 25 years of experience with the B.C. Energy Regulator, with the Heritage Conservation Act, for example, the Agricultural Land Commission, the agricultural land reserve, the Safety Standards Act and others…. They've demonstrated experience and demonstrated their role would be well applied to the renewable industry, where a single-window regulation has two advantages.

It does the same sort of life-cycle regulation that's important, increases the efficiency and a buildup of the expertise. And it also has the advantage of moving those renewable energy projects away from the line ministries and allows them to do other things and work on other projects while developing its expertise.

[2:55 p.m.]

We're strongly supportive of the renewable energy industry. We did a call for power, as the member will know, after extensive consultation, in particular with First Nations in 2023 and '24 and many others. There was a call for power. There were successful proponents in the renewable industry. In a competitive call for power, we saw the prices of that power dramatically below what they had been in the previous call for power.

I felt strongly that we needed…. With the experience we have through environmental assessments of wind energy projects, experience we have with other parts of the energy industry, this would be the right approach to take to improve efficiency, to streamline regulation, and to ensure that projects are not just announced but happen at a time when we need the energy and we need renewable energy, one that does not negatively affect the climate.

So that's the reason. It's permitting efficiency. It's ensuring projects get built. It's supporting our economy at a critical time when, I would suggest, our economy and our sovereignty…. We sometimes debate this in the House, but our sovereignty is being questioned by our neighbours. It's important because this allows us to build the self-sufficiency of our industry.

Those are some of the reasons. I didn't give the full second reading speech again, although it might have been invited, but those are some of the reasons why we were proceeding at this time. We're extending something that we started 25 years ago together under an NDP government but with the support of the opposition.

We extended it in 2022 with hydrogen under an NDP government with the support of the opposition, both the opposition parties, to that legislation. It was passed through the Legislature and now we're doing it again and extending that to renewables. It's consistently worked. It's highly regarded. We have one of the best regulators in the world, and I think this is a good way to go.

Larry Neufeld: Thank you for the answer, Minister.

Looking at the definitions in that legislation that we were just discussing, I do see hydrogen in there. I'm curious as to why hydrogen is prescribed in that legislation, yet we've just heard a lot of rationale as to why we needed new legislation for other green projects. That's my question to the minister.

Hon. Adrian Dix: Hydrogen is, in some ways, similar to natural gas, so it made sense to put it in ERAA. These renewable resources are significantly different in important ways, and that's why we've treated it this way.

Larry Neufeld: At this point I would like to relinquish the floor, with my right to return, to my colleague here.

Trevor Halford: I thank my colleague.

He'll be returning many times throughout this debate. I'm sure of that.

We actually canvassed quite extensively in Bill 15, and I think it's important that we do the same here in Bill 14.

Can the minister outline just the consultation that was done in terms of…? I'm not just talking about First Nations. I'm actually talking about energy. Were there proponents as well? When was the consultation plan developed for Bill 14? Where was it executed? Is the ministry able to kind of table those timelines today?

[3:00 p.m.]

Hon. Adrian Dix: I'll do it in three parts just to get all the information out, and then the member will have some follow-up, and there may be occasion…. If he wants a summary of it all, we'd be happy to provide that. We'll have people work on that for tomorrow, assuming the legislation doesn't pass by this evening.

We've had significant consultation with the industry, of course — with FortisBC, with project proponents, with clean energy associations. They've expressed strong support for the streamlining measures in this bill and the objectives of creating a more efficient, transparent and coordinated regulatory framework. The industry views the streamlining measures in Bill 14 as essential to the timely acceleration of renewable energy projects across B.C. and welcomes the focus of the bill on reducing project timelines.

I can give just a couple of examples of that. The Canadian Renewable Energy Association: "Bill 14 is a historic step forward for streamlining permitting processes in B.C. for critical energy projects that will contribute to the province's energy security and clean energy transition. By moving permitting to the B.C. Energy Regulator, Bill 14 creates the opportunity for a more consistent and fair approach across different energy industries."

The executive director of the Clean Energy Association of B.C.: "This legislation is an important step towards a balanced regulatory framework that encourages responsible clean energy development at a critical time for our communities, our economy and our climate. The Clean Energy Association of B.C. is proud to work with the province and the B.C. Energy Regulator to help build a framework that is efficient, transparent and aligned with the Declaration on the Rights of Indigenous Peoples Act. Together, we can build a cleaner, stronger and more resilient future."

From FortisBC, from their vice-president of Indigenous relations and regulatory affairs: "Our hope is that these legislative and regulatory changes will help streamline processes and accelerate projects to efficiently deliver power to our customers, including our plans to add up to 1,100 gigawatt hours of energy supply as soon as 2030."

What I'll do is I'll provide a summary of those consultations, sort of a list of them, to the member. Certainly, we've been working actively with people who have expressed interest as well.

With respect to First Nations, I'll do this in two parts, if that's okay with the member. The first is to talk about what happened as the legislation was developed and then the consultation that took place with respect to the projects themselves that are listed, at least in part, or provided in the legislation…. Just so we get it all out. There are, maybe, different sections where we could do this, but that may be convenient to the member and convenient to the committee.

The province has provided more than 50 letters in response to inquiries from 45 First Nations and First Nations organizations and held meetings with 12 First Nations to answer direct questions. On February 11, 2025, the province notified First Nations on various regulatory initiatives aimed at streamlining renewable energy projects and transmission times.

On April 17 and 18, the draft of the bill was shared with First Nations and First Nations organizations who requested it, which included 11 First Nations and First Nations organizations. A second letter was sent on April 23, 2025, to all First Nations, outlining the next steps in the legislative process and the regulatory development for renewable energy projects. It also included a what-we-heard report that outlined concerns and topics.

I can get into that more, but I think the member was just asking in a general sense what the frame of the discussion was. Obviously, letters went out to the 202 First Nations. We received responses, we've engaged some of those responses, and we will continue to engage. Perhaps the member will ask, in a supplementary question, where we're going in terms of the development of regulations elsewhere, but I'll leave it to him to ask the next question.

[3:05 p.m.]

Trevor Halford: How would the minister define "consultation" in this process, specifically for Bill 14? What is the minister's definition of adequate consultation in regards to the legislation that's before us right now?

Hon. Adrian Dix: Before I get into that, I didn't mention the engagement process on the call for power itself, which is an important part of the legislation. I'll just do that now, if the member will just be patient, and then I'll get to his question.

Between June 2023 and January 2024…. The idea for the call for power went out in June 2023. B.C. Hydro carried out 31 information sessions, focus groups and engagement sessions. It had 42 individual First Nations meetings, five surveys. Ninety-nine First Nations engaged. Over 650 attendees at events. Over 2,500 individual pieces of feedback received.

B.C. Hydro, and I can summarize this for the member, received responses, and those were reflected in the call for power that went out. There was generally positive feedback on the call design process and the First Nations economic participation model as a positive step toward economic reconciliation.

The First Nations Energy and Mining Council and B.C. Hydro established the FNEMC call for power advisory committee, including four First Nations leaders appointed by the FNEMC, in fall 2023 to discuss the scheduling of First Nation engagement activities and the design of First Nation economic participation.

Of course, as the member will know, in December 2024, at the end of that process, ten successful proponents were announced. Nine of them had 51 percent First Nations ownership, and one had 49 percent First Nations ownership.

In terms of consultation, it's informing. It's listening. It's responding to concerns, it seems to me. It's hearing and providing information and answers to questions where required. And certainly, through the regulation process, it's helping to develop the regulations on which the legislation would be applied.

So consultation includes, obviously, listening, responding to concerns, hearing concerns as the legislation is developed.

Trevor Halford: Would the minister feel that Bill 14 has met an adequate level of consultation to where we are today? Is that something the minister thinks that we've met the bar for proper consultation on a bill, as what this government has determined is so crucial, in front of us today? Does the minister stand by the level of consultation?

Let's just stick with First Nations, specifically, on that. Does the minister believe that that threshold has been met today as we stand before, now, committee stage of Bill 14?

Hon. Adrian Dix: I suppose the simplest answer to the question is the government introduced the legislation and believes it should be passed by the Legislature. The legislation is principally enabling, and there will be significant further consultation as to the regulations.

As the member has said, it's an important priority of the province, of the government. I detailed the lengthy consultation on the calls for power, and I could equally discuss the lengthy consultations on the North Coast transmission line that have taken place that are the immediate subject of the legislation.

[3:10 p.m.]

The answer is that the legislation was brought in and, I believe, is adequate in that respect, but there's more work to do. It's enabling legislation, and we'll work hard together on the regulations.

Trevor Halford: I just want to read a quote into the record here. It's from Chief Cheryl Casimer, who says: "It is outrageous that Bills 14 and 15 were developed with no meaningful consultation with First Nations, given the tremendous amount of time and effort we have collectively put into establishing a principled framework for reconciliation in B.C., one that respects First Nations title, rights and jurisdictions and enables Crown obligations to be met." That is from Chief Casimer.

I think in the past — not just the past couple of days, not just past couple of weeks, past months — we've seen an incredible amount of frustration, not just from First Nations but from all walks of British Columbians, with the authoritarian overreach that we've seen by this government on Bill 14 and Bill 15. I think the backlash has almost been historic. Yet the minister, today, is standing by and saying that we've adequately met what they deem as consultation, as we're here before committee on Bill 14.

Downstairs, down the hall, about ten days ago we had a Minister of Infrastructure that said there were significant errors made in the development of the bill — specifically on Bill 15, not 14 — in terms of their consultation. She talked about missed opportunities. She talked about the fact that they didn't think that there was going to be enough First Nations interest and that they weren't prepared for that level of consultation when we got to the stage that we were in.

Again, I'll ask the minister directly. Does the minister share the same concerns that his colleague had regarding Bill 15? Does the minister share those same concerns, regarding the lack of consultation for Bill 14?

Hon. Adrian Dix: Well, what we have here is a balanced proposal that puts in place a regulatory regime for renewables that's already in place in the oil and gas sector and the hydrogen sector. I think it makes a lot of sense for people.

In terms of our level of consultation on these projects, I'd just remind everybody that in June of 2023, we started a process with respect to the projects that are listed here — a process of consultation that, I think it's fair to say, is expansive and led to a historic set of electricity purchase agreements with proponents who were majority First Nations. That process was developed through extensive consultation with First Nations, which I've already described at length.

What the legislation seeks to do is to move renewable energy — and the North Coast transmission line — into the same category as oil and gas, into the same category as hydrogen, together in those categories with those industries. It does that, and in doing so, streamlines renewable energy projects in B.C. and, I think, improves regulation of those industries. The B.C. Energy Regulator itself does extensive, daily consultation with First Nations and is well equipped to address those questions.

That was the process and the development of the call for power, which is referred to in the legislation. Subsequent to the announcement of successful proponents to the call for power, we're moving forward to change the regulatory circumstances — change it from being five or six or seven or eight ministries dealing with a particular project to a one-window form of regulation — and in

addition to that, in the case of particular projects, to move them out of the environmental assessment process. We have consulted extensively and provided notice of our intention to act in this way, and we did.

[3:15 p.m.]

There is urgency on these issues, as you can expect — urgency to proceed with these projects, this historic call for power, which involves First Nations. From my point of view, regulation and legislation that's enabling will have significant consultation going forward with First Nations and others — but in particular, First Nations — will meet the test and will serve the interests of everyone in B.C. I strongly support the legislation.

Á'a:líya Warbus: In response to a couple statements I've heard from the minister in noting, from his point of view, that the historic call for power involves First Nations, that there has been extensive consultation — daily, even, I think was part of the statement that we just heard….

Despite all of that work, and some of the work I understand actually led by B.C. Hydro, a Crown corporation, we have First Nations leaders that have questions, critical questions, about how laws that are developed in this province that are related to any resources or any impact on unsettled territories, many of which have complicated overlaps that have not been addressed, as I understand is the mandate of this government….

This call from leadership is to have a moment's pause — we have the months between the spring session and the fall session — and ensure that the questions that they still have are answered and that the consultation is done to the satisfaction of all parties, not just the NDP government.

I want to read a quote from the First Nations Leadership Council, Chief Robert Phillips, a longtime respected leader in British Columbia, who says: "Our Chiefs are frustrated. They're upset, and they feel betrayed. But at one swipe of a pen, the Premier can put all of this off to the fall, and that's what we're calling for."

When we talk about a definition for consultation and we get numbers like 12 First Nations, a letter to 102 First Nations, what-we-heard reports, 99 First Nations engaged…. Many of us know that there are over 200 individual what were called Indian Act bands in British Columbia.

Maybe they won't all be impacted by these projects. But I think the fact is that if we're truly to abide by the NDP's — let's make it clear: your — enactment of UNDRIP, which is now called DRIPA, which implores us to abide by free, meaning it's not bought prior, meaning before the act is actually done, and informed, meaning all information is given to all parties, consent with First Nations leaders in true partnership, then I'm just wondering if the minister could explain to me how this legislation still meets the requirements of this government's own legislation and is in order to be passed as-is if we're hearing a clear outcry from First Nations leadership that it does not, in fact, from their perspective, align with DRIPA.

In order for their consent to be given on new legislation, although it may mirror older legislation that likely probably still needs work, they'd like that consultation to be complete to their satisfaction.

My question to the minister is: how can this legislation move forward if it in fact is being seen as out of line with the provisions of DRIPA as it's written?

Hon. Adrian Dix: Thanks to the member for her question.

[3:20 p.m.]

Those 202 letters sent out — that's where the consultation was, to answer the first question on this, so there's no disagreement with us there.

This legislation and this process are enabling. We need to move forward on these measures with urgency and with these projects with urgency. It's one of the reasons why the process to develop, for example, the nine wind and one solar project…. The legislation applies in different ways to wind and solar.

Why moving forward to those projects is so important…. It's important for the First Nations involved as owners, because they will receive revenue and benefits from that when the windmills are turning. Equally with the North Coast transmission line, which presents a different challenge, which is a long linear line on which we've been in extensive discussions. I've had, personally, many meetings with First Nations on that line myself. And, obviously, B.C. Hydro officials and the government have had extensive consultation on that line.

It's our view that the change in the regulatory structure, the consultation that's taken place, the fact that the regulations further to enabling legislation, will be coming forward in consultation meets those requirements. I understand that some people may disagree with that, and that's a legitimate debate, just as we disagree on DRIPA. We support it. The government supports it, and the Leader of the Opposition opposes it. So that's a difference of opinion.

The member's quite right to describe it now as a government initiative, although, initially, it was passed unanimously in the Legislature. So that's how we've chosen to proceed.

I respect greatly Robert Phillips, so much so that when we announced the new call for power just a couple of short weeks ago, he was there and speaking in favour of what we're doing. We work closely with him and with everybody else to ensure that what is, I think, going to happen with these projects is a historic development of wealth in First Nations communities.

The first call for power, $3 billion in equity. This is a work in the partnership of the provincial federal government, B.C. Hydro and First Nations community that will

be followed by further wealth that will be created by further projects in the next call for power.

This is a historic and positive thing. I think it's viewed so generally. That doesn't mean that everyone will necessarily agree on everything all the time, but it does mean we take our role in consultation very seriously. We have through this process. We understand the urgency and the need for that urgency for these projects in a time of climate change.

We also, I would say, and I strongly believe this, believe that this can be transformational and is transformational. Renewable energy projects in B.C. that will make an enormous difference to our future, that have met the commercial test, that are relatively low-cost projects and that ensure that the wealth created by that project is not as an IPP that might be held outside the country goes somewhere else, but it actually stays in B.C. and stays in local communities because of the ownership of First Nations in those projects.

All of those are important elements of why we took so long working on this call for power and why I think the call for power was so successful.

[3:25 p.m.]

Á'a:líya Warbus: Can you confirm, then, for the record, Minister, how the bill aligns with section 3 in the Declaration on the Rights of Indigenous People Act?

Hon. Adrian Dix: Yep. There was consultation in terms of an urgency to act on these important issues. There will be continued consultation and development of the regulations. That is important and critical in the development of legislation, and it will continue to be in the future because of our joint commitment to the Declaration Act.

In this case, there is an urgency to act, and we're acting on that urgency. We have engaged, listened and responded to concerns about the act and also provided information about the act — as we will continue to do as we work with First Nations and others to develop the regulations.

Á'a:líya Warbus: Just so I can be clear on the response, then, from the minister, if consultation is considered by this government to be complete by their standards but incomplete by Indigenous leaders' standards, then how do we communicate the reconciliation of that difference and the use of urgency as the sole vehicle to override consultation to their satisfaction?

Hon. Adrian Dix: By doing it — by continuing to consult on an enabling bill, which requires regulation, and continuing that work together. That's how it's done.

In terms of the projects themselves, as I've noted, we've extensively consulted on the development of those projects, and that's how they were selected. I think that was the process by which they were selected.

We did not, of course, consult on the decisions as to which projects were successful, ultimately. It was a decision based on the criteria of B.C. Hydro. It happened to be that the consultation guidelines required 25 percent First Nation ownership, and we ended up averaging more than 50 percent, which was, I think, a tribute to the success of the process and the success of that consultation.

How we demonstrate it is to continue to act, continue to consult and continue to work with First Nations, and of course others, to make this legislation work for everybody.

Sheldon Clare: On May 22, I was privileged to meet with Xatśūll Chief Phillips and the council in their boardroom on the reserve on Mountain House Road. They wanted to make viewpoints with me. They stressed that they're very supportive of development. However, they have serious concerns about not being consulted about Bill 14 and other matters.

They have concerns based on their experiences at Mount Polley, which I'm sure the minister is familiar with, and they have concerns about the ongoing issues there. They have issues and concerns about reclamation and environmental stewardship.

As their representative, I did articulate that I would take their concerns forward. The question I have to the minister is: was the Xatśūll First Nation consulted about Bill 14?

Hon. Adrian Dix: Yeah, a letter went to every nation offering the opportunity to engage in that. It was 202 First Nations.

Sheldon Clare: When did this letter go out? What kind of reception did you receive from this letter? Was this letter sent out two months ago, six months ago, a year ago? Was there adequate time for band council members to review the contents of this letter, hold meetings and do their own consultations within their community? Or was this something that was just sent out very recently, not really providing adequate time for proper consultation?

Hon. Adrian Dix: The communications went out February 11, 2025. There have been inquiries in that period from 45 First Nations, to which the government has responded.

[3:30 p.m.]

Jeremy Valeriote: I'm going to move to a different topic for the time being.

As we know, the bill puts the B.C. Energy Regulator, a Crown corporation that oversees oil and gas operations, in charge of renewable energy projects and at least one major new transmission line. This bill exempts wind projects and the North Coast transmission line from the environmental assessment process. Instead, the B.C. Energy

Regulator will develop a new regulatory process for assessing renewable energy projects.

I just want to key in on the B.C. Energy Regulator first. A couple of questions. Can the minister provide us with an outline of the timeline for the B.C. Energy Regulator to have the new regulatory regime in place, and what are the transition plans between now and then?

Hon. Adrian Dix: There are two ways to look at it, so I'll try and provide the member with the maximum information, because he knows that we're looking at three different levels of regulation. Part of the reason why we have the first level of regulation is to ensure that the B.C. Energy Regulator can take charge of these projects right away. That's the purpose of it. That's on a further section, and we'll get to that when we get there.

The Lieutenant Governor in Council regulations will be developed first. They're primarily about turning the relevant provisions of the ERAA on to renewable energy activities. If the act is approved, and I'm hoping it will be — I'm going to be very convincing in the committee — the regulations are expected to be developed in stages as follows.

Phase 1, by July 2025, the legislation would establish the BCER as the primary permitting agency for the North Coast transmission line, and the BCER will have delegated authorities for provincial natural resource authorizations needed to authorize early works and support the smooth transition of authorities for the wind projects.

Phase 2, by fall of 2025, BCER will be established as the primary regulator and permitting authority for wind and solar energy. Wind and solar energy projects will require a construction and operation permit from the BCER.

Then early next year, phase 3, BCER board regulations will establish a robust regulatory framework for the lifecycle oversight of wind and solar projects that will ensure safety and protection of the environment.

Jeremy Valeriote: The B.C. Energy Regulator is not set up for public engagement in the same way as the environmental assessment office is. Any person can make a submission to the BCER, yet there is no requirement for response.

A stakeholder recently asked the BCER about their decision-making process related to the PRGT pipeline and was told by the BCER that their decision-making process is not for the public.

I'd like to ask the minister: how will the BCER's process be accessible and transparent to the public?

Hon. Adrian Dix: In advance of issuing permits, information is provided for people in the area affected by a project. Obviously, a deadline is in place for people to hear from that. That forms part of the decision-making process of the BCER with respect to permitting.

[3:35 p.m.]

In addition to that, of course, the BCER also posts decisions, and there is a process for that as well, but I think that answers the question the member had.

Jeremy Valeriote: Just to clarify, I didn't hear anything in the minister's answer that suggested there is an ability for the BCER to take submissions, or to reply to submissions, within this process. I heard of information distributed and the posting of decisions. It's strictly a one-way information flow, from what I understand.

Could the minister clarify if there is no two-way flow of input within the process?

Hon. Adrian Dix: In the process, there is obviously information from the regulator to the concerned public, depending on what the circumstances are, who would be in the immediate vicinity of a renewable energy project, for example — or of the transmission line, in a different type of regulation. Then the people who are concerned have the ability to provide information and concerns to the B.C. Energy Regulator, which informs their decision-making process. This is essentially how it works, which I think is what I said before.

In addition, those concerns may well be brought to the attention of the proponents, as they well should be, to ensure that they're in a position to respond as well. That's the process that's involved and that has been involved from the time of the Oil and Gas Commission, now the B.C. Energy Regulator, for a time, and there will be a regulatory framework in place for renewable projects, in the time frame I suggested to the member.

Jeremy Valeriote: In addition to transparency issues, the BCER has a history of failing to regulate. BCER inspectors documented more than 80 potential infractions during 40 inspections of Coastal GasLink pipeline worksites but only flagged five as violations of provincial regulations.

Is the minister satisfied with the BCER's track record of compliance and enforcement activities to date?

Hon. Adrian Dix: The short answer is yes, but I know the member always wishes to get more from me, so I've got to give him a little bit more than that. Also, what I'll do, instead of reading the entire discussion, which is more of an estimates-debate discussion of the B.C. Energy Regulator than it is a bill debate…. I'll just go through some highlights in terms of compliance and enforcement.

The BCER maintains a comprehensive compliance management system to identify, coordinate, track and continuously improve compliance management activities.

[3:40 p.m.]

This ensures that energy companies in British Columbia operate in accordance with provincial legislation,

regulations, permits and authorizations designed to uphold public safety and environmental protection.

As part of this system, the BCER dedicates significant resources to monitoring compliance, including carrying out more than 4,000 in-person inspections of energy resource activity sites across the province each year. There are more than 300 professionals in all kinds of areas at the B.C. Energy Regulator.

Having had the occasion to visit Fort St. John and visit the offices there, the level of expertise and the detailed understanding of the issues is remarkable by the people at the B.C. Energy Regulator. The inspection level initial compliance rate, just to go through issues and compliance, was over 94 percent. During the period from 2017 to 2023, 254 out of 4,355 individual non-compliances were considered high severity, which requires permit holders to correct them within 24 hours. All others were of low severity, requiring correction within either 14 or 30 days.

In short, I think the B.C. Energy Regulator…. There's always criticism of a regulator. There is of other regulators as well. It's possible in the past I've criticized the CRTC a few dozen times. That doesn't mean that I necessarily think that the CRTC doesn't do its job.

Equally, the B.C. Energy Regulator, I think, does an outstanding job, not just of, as I noted earlier…. The hon. member may have heard earlier of a direct community-level involvement, in particular with First Nations, in particular with Treaty 8 First Nations, who are very involved in the main current regulatory focus of the Energy Regulator, which is the oil and gas industry.

When I referred to daily communications, I said to my other colleague the Opposition House Leader…. That's what I was referring to when I answered that question, the B.C. Energy Regulator. And I expect they'll continue to maintain those high standards in the coming discussion, in their coming responsibilities for renewables, as they have over time, as these outstanding public servants have done with respect to the oil and gas industry.

Jeremy Valeriote: With this bill, the province is taking regulatory power from the public service and putting it into the hands of a Crown corporation funded almost entirely by industry, doing so without environmental assessment. Can the minister tell us: is the BCER getting more staff and skills to administer the acts that other ministries would otherwise be responsible…?

Hon. Adrian Dix: Yes, of course.

One of the key questions is…. We discussed this earlier. There would be concern, perhaps, in the oil and gas industry if they were going to have to pay for the regulation of renewable industry. How the B.C. Energy Regulator gets funded is, yes, from fees imposed on participants, on applicants, whether it's in the oil and gas industry now, in the hydrogen industry now, because we passed this legislation, happily, with the support of the opposition three years ago, and will be with the renewable industry.

Of course, they'll build out capacity in the renewable industry, but that doesn't take away their responsibility and obligations with respect to oil and gas.

With respect to the public servants in the ministries, I think this has one other positive effect, which is to create, in fact to give, responsibility. When you think of these projects and how significant they are — $6 billion worth of projects, the energy equivalent to Site C, 51 percent owned by First Nations…. These projects, as they are developed, also come out of the responsibilities of the line ministries, which gives them more ability to respond to issues, I would argue, in other areas of endeavour, where the Ministry of Water, Land and Resource Stewardship is responsible.

I'd just say, finally, in terms of the B.C. Energy Regulator…. I don't know how you'd characterize that, but there's a team of 300 professionals. Subject-matter experts include biologists, engineers, hydrologists, agrologists, compliance and enforcement officers, First Nation liaison officers, heritage conservation officers and archaeologists.

[3:45 p.m.]

Of course, the B.C. Energy Regulator will continue and will need to expand as its responsibilities expand here, and you would expect that to be the case.

Á'a:líya Warbus: The minister has outlined the 51 percent ownership on, I believe, nine of the projects. Some clarification for the 51 percent ownership. Is the 51 percent ownership by Indian Act band First Nations, treaty nations, complete sovereign nations, or are there also corporate entities that represent First Nations that have the 51 percent ownership? Can you also clarify, of those projects and of those 51 percentages, are there more than one First Nations or corporate entities or treaty nations that claim ownership, and what those divisions may be?

Hon. Adrian Dix: Perhaps just to save time, I'm happy to provide this to the member.

The First Nations partners are the following. There are some Treaty 8 partners, some other partners who have different historic statutes, and so on: the Upper Nicola Band, the Wei Wai Kum First Nation, the Ashcroft Indian Band, the Westbank First Nation, the Lower Nicola Indian Band, the Lheidli T'enneh, the Stellat'en, the Oregon Jack and the West Moberly First Nations and the Saulteau First Nations.

Those are the owners. In nine of those cases, it's 51 percent; in one of those cases, it's 49 percent.

Á'a:líya Warbus: Okay. Just to gain clarity, those nations are the nations that are involved, and it is their territories on which the projects are. Do they have any of their

corporate entities that are representative in the 51 percent ownership?

Hon. Adrian Dix: How the First Nation participates is obviously up to them, but we're happy to provide the member with detailed information about it.

How they operate…. Some First Nations, as the member will know, have economic development offices that lead their ventures; others don't. Essentially, what we have are projects that have majority ownership by First Nations, and I think it's a remarkable achievement by them.

We're hopeful as we go into a new round of a new call for power which we announced a couple of weeks ago, which will go out — which will have, I expect, similar arrangements around First Nations and minimum ownership, in any event, which they can go — that we'll see the same thing there, which is lasting, ongoing electricity purchase agreements that provide constant and comprehensive revenue over decades. That's an achievement by B.C. Hydro, yes, and, I'd argue broadly, by the government or the people of B.C. but also by the First Nations themselves.

Á'a:líya Warbus: When the minister says that it's up to them, making reference to the First Nations, that they get to decide, whether that be their corporate entity that has ownership or it's the First Nations themselves, my question is trying to grapple with something here and that goes back to consultation.

If you are, in fact, dealing with the corporate entities for these projects and getting either consent and permissions through the corporate entities, then that looks and sounds quite different than dealing with the leadership of these Indigenous nations, who would in fact be the title and rights holders. That's why I'm looking for clarity on which falls where on which projects.

[3:50 p.m.]

Hon. Adrian Dix: Well, certainly, when I celebrated the projects, it was with the Chiefs, in a general sense, the day after we had a meeting with successful proponents, and that was the case.

I went over this earlier, just to say, in terms of the call for power projects, how the process developed. It really developed as a result of, in this case, an eight-month engagement with B.C. Hydro on the design for the call for power. It occurred, and then the development, as we went forward in that process with the First Nations Energy and Mining Council on an advisory committee that advises us to the provisions of that.

The result was that the First Nations involved have…. The ownership share was stated. I think that's of real value and certainly something that's been celebrated by the Chiefs, who…. I don't mean to imply in the discussion of Bill 14, because people would have different views and different processes…. I'm not suggesting they're supporting Bill 14. I'm just saying that that's who we celebrated with, and that's who the agreements are made with.

Á'a:líya Warbus: Just to have clarity, then, on that, it sounds like, by the minister's answer, the chiefs, the rights holders would have been the ones whose consultation and consent was given through these projects.

In the incidence of an overlap situation, which we have, definitely, riddled throughout the valley and throughout British Columbia, many unsettled territories that may be looking to have these kinds of partnerships with the province of British Columbia….

In that case, can the minister explain what the threshold for consent is by percentage, and would that be by chiefs and councils or by all citizens — every man, woman and child? What threshold of consent is considered satisfactory under the consultation window that's explained here?

If there is a timeline for that to happen…. Is there a certain amount of time that's typically outlined as being: "You have this much time, and then that's it. The deadline comes down, and we must move forward"? How would that actually work, then, in situations where projects are located on more than one First Nations territory and consent won't actually be a prerequisite once this legislation passes to a project being fast-tracked? There may be even less time for consultation and attempting to reconcile the project's impact on First Nations rights.

How can we understand that that is going to work under the current provision of free, prior and informed consent?

Hon. Adrian Dix: Well, I think we're talking about different things in terms of consent. This was a call for power. So there was consent by the governments and how they established their own criteria.

There was a call for power, and First Nations governments responded to that and developed their own partnerships and made applications and then won, in the process, because of the quality of their applications, the electricity purchase agreements. That was the process.

The rights holders, of course, we would hope, would work with other rights holders on these questions, but that was the process here. It wasn't a process of us reaching out and saying: "This project is there." It's a question of First Nations applying and being part of a call for power and a competitive process which, in this case, ten First Nations won.

Á'a:líya Warbus: Can the minister confirm that that would be the typical process moving forward, as to ensure, give assurances…. Again, the wording is what people tend to trip upon, because we're talking about, of course, projects that are already on the docket and are on their way to being completed in development.

[3:55 p.m.]

The questions that many Indigenous leaders have — and not just Indigenous leaders but leaders from municipalities, different environmental groups all over — are asking not what has transpired but what could transpire under this legislation.

Again, I go back to the wording. Can the minister confirm that if there was a desired project and, under the current Declaration on the Rights of Indigenous Peoples Act, if consent were not given, that that project would, in fact, be axed and not move forward?

Hon. Adrian Dix: I'd say that consultation is still required for permits, and being streamlined doesn't guarantee you get the permit, first of all. That's important to understand.

All proponents, First Nations or otherwise, have a responsibility to work with their neighbours to ensure that projects are ultimately successful. Streamlining processes doesn't guarantee success in those processes on permits or anything else. You have to meet the standard.

Á'a:líya Warbus: Definitely clear that the consultation piece is riddled throughout the conversation. I'd like to ask a direct question: if this government considers the underlined word "consent" in the Declaration on the Rights of Indigenous Peoples Act as binding in terms of projects moving forward or not.

[4:00 p.m.]

Hon. Adrian Dix: Our goal, of course, is to achieve agreement in all cases, and we seek to do that as best we can working with the laws that are in place. Our goal is to seek agreement. The term is "consent," and our goal is to achieve that, and that's what we do in all instances.

Á'a:líya Warbus: Just one more question with regards to agreement and what that looks like. Can the minister confirm if there is an identified threshold by this government upon which agreement would be satisfied in nature?

Hon. Adrian Dix: Well, I don't think it would be in the interest of anybody to have one formula. There are big projects and small projects, ones where overlap is different in different circumstances. You have to have a way of addressing projects that addresses involvement and seeks the widest possible support for a project. That's what we continue to do.

But the idea that a small project in one area and a large project that has huge implications for a number of nations are the same is not the case. We have to work through on a project-by-project basis in every case, in a way as to achieve the maximum support we can get for the project.

Á'a:líya Warbus: Seeing as there is no formula, there seems to be a lot of uncertainty around this one question among litigators, lawyers, leaders and people with vested interest in not just these projects but many of the dealings that Indigenous nations may have with the government moving forward.

If it is to be determined on a project-by-project basis, then my last question in this line of questioning would be: if a majority agreement cannot be achieved, if there is just an inability to actually meet the roadblocks that can happen on the way to these kinds of projects meeting their goals, then what is the intended response of this government in the case that a majority agreement as you defined it just simply cannot be achieved? What's the response under the legislation as it's written?

Hon. Adrian Dix: There's real value in having statutory decision-makers. Our policy guides those decision-makers to seek support and to listen and to hear and to engage with parties — in particular, First Nations, but obviously there are other parties in different circumstances. That's always the thing that….

The statutory decision–maker has some very different permitting decisions to make. Sometimes they're relatively small decisions about a particular matter, and sometimes they're large decisions about whether a project proceeds on an important permit. Those are different, but the purpose of the process is to guide the statutory decision-makers — in this case, largely the B.C. Energy Regulator. That policy drives them to listen and to engage, as they do every day in the course of their work.

Scott McInnis: I just have a short line of questioning here, as most of these topics have been covered by my colleagues. We canvassed this pretty extensively, and I know this is Bill 14, but some of the processes with Bill 15….

[4:05 p.m.]

I just want to make a couple of things crystal clear here for the record, because as my colleague for Surrey–White Rock pointed out, there were some concerns among First Nation leaders across the province around what this government has set in place with respect to the Declaration on the Rights of Indigenous Peoples Act and the expectation that First Nations are involved in the drafting of legislation. I think that's where a lot of this concern is coming from, from some of these First Nations.

Again, this is a framework that this government has strictly adhered to, but it seems like for this project, there's been some swerving around those pieces.

To the minister, I'm hoping that he could provide some clarity on whether or not…. I understand there was extensive consultation that took place before the drafting of the legislation. Were drafts of Bill 14 presented to those parties across the province for feedback along the way before we sit here today?

Hon. Adrian Dix: I noted this earlier, but I'm happy to do so again. On April 17 and 18, the draft of the bill was shared with First Nations and First Nations organizations who requested them.

Scott McInnis: Thank you for that clarification.

There were quite a few responses provided to the ministry in response to the drafting of this bill and to the consultation process generally speaking. Would the minister be able to share what some general themes of concern would have been among some of the First Nations related to the drafting of Bill 14?

Hon. Adrian Dix: Again, I put this on record, but I'll do it again just so we have a full exchange here. The province provided more than 50 letters in response to inquiries from 45 First Nations and First Nations organizations. They had direct meetings with 12 First Nations to answer questions directly. Some of those were in person, but probably a lot of them were virtually. That was as a result of the February 11, 2025, notification of First Nations on various regulatory initiatives aimed at streamlining renewable energy projects and transmission lines.

A second letter was sent on April 23, 2025, to all First Nations outlining the next steps in the legislative process — I guess this is one of them — and the regulatory development for renewable energy projects.

Just like there was a what-we-heard in the consultation with First Nations on the call for power, which took place over a longer period of time, there was a what-we-heard report that outlined some of the concerns of people. They did have to do with timelines and concerns around timelines and capacity.

Concern was raised about ensuring that the BCER diligently enforce permit conditions, which we've discussed already in the committee and will discuss again, I'm sure, and hold proponents accountable for infractions. That would currently occur, under the current framework, by ministries and now would occur by the B.C. Energy Regulator, which has done it with other energy industries for a while. Still, that's a concern that was raised.

There were concerns about the issue of the Environmental Assessment Act, which affects the North Coast transmission line, that were raised and have been raised by First Nations in our lengthy discussions on those lines. They were raised even beforehand as we've worked through, in detail, those questions with many First Nations the route and the development of the route of that line. Ninety percent of that line is on a current right-of-way, but nonetheless, there are obviously concerns raised. So those are some of the concerns raised.

[4:10 p.m.]

Scott McInnis: I just have a couple of questions, just a follow-up to that.

We've heard with some of the different regulations and legislation that have come forward around that issue of capacity and that downloading some of this capacity to nations that don't have it can actually really slow the process down when that's not the intention.

I'm hoping that the minister could describe in a little bit more detail some of the specific capacity concerns that nations brought forward when they were asked to provide their feedback about Bill 14, please.

Hon. Adrian Dix: There are concerns in development capacity to have resources to engage appropriately in the process. As we develop regulations out of the enabling legislation, we've secured some of those resources for First Nations.

Scott McInnis: Thank you to the minister for clarifying, working on some of those capacity issues here.

Just to my final question.

As the minister mentioned, there are some projects in the queue here which are on treaty land. It appears, just doing my homework here, that many are not. When we're entering into agreements which involve traditional territory for First Nations, relationships evolve over time, and potential disputes or what have you in the future about maybe ownership stakes or territory overlaps with First Nations could be a serious concern.

I just wonder if the minister could answer. Is there a plan, developing this legislation that also with those nations involved in these projects…? Is the ministry working closely with the Ministry of Indigenous Relations and Reconciliation to potentially fast-track reconciliation agreements in order to address title on some of these territories where these projects are taking place?

Hon. Adrian Dix: Well, the member will know, as a critic in the area, I think, that the Minister of Indigenous Relations and Reconciliation works on overlap issues, which are significant issues everywhere, for a long time. Those overlap issues aren't specifically dealt with in this legislation.

Jeremy Valeriote: A couple of questions then about the definitions in clause 1.

The North Coast transmission line is not specified from around Prince George to around Terrace. This strikes me as very vague, given the minister said 90 percent of the current alignment is a twinning. Can the minister tell us where the terminus of the North Coast transmission line is to be located?

Hon. Adrian Dix: As the member would know, we're still working with the nations, for example, on the routing, so the wording is appropriate given those discussions that are ongoing.

Jeremy Valeriote: Does the terminology of "around a municipality" have any legal meaning or constraint? I understand the vagueness, but does that mean it's within a certain distance of Prince George or Terrace, or could around be applied to any distance?

Hon. Adrian Dix: We don't define "around" in the act, and thankfully not. We'd have much longer bills. But it has its ordinary meaning.

We know where the line's going. We're twinning an existing line, so we know where the line's going. But there are specific questions about routing that the member will understand. But in a general sense, it's going from Prince George to Terrace. It's an established project, and I'm looking forward to it being built.

[4:15 p.m.]

Jeremy Valeriote: The term "renewable energy" is defined to mean energy derived from a renewable resource. The term "renewable resource" is listed in a number of renewable resources with an additional caveat of a prescribed resource.

Can the minister speak to how, when, where and why a resource might need to be prescribed as renewable after the legislation is passed?

Hon. Adrian Dix: Well, the definition does allow for other resources to be prescribed. We know this field of renewable energy is expanding. Opportunities expand. But what they have to be is renewable. It's not fossil fuels. It's not uranium. They have to be renewable resources. That's in the definition.

So what we're saying is — as we do in the Clean Energy Act, and this adopts exactly that approach of the Clean Energy Act — if there are new technological developments that assist us in having a new renewable prescribed activity, then the legislation gives government the opportunity to prescribe it, just as it does in the Clean Energy Act and just as you would expect it to do.

That said, what we tried to do is be more specific, to list off the ones that we expect are available today. We've done that, which, I suppose, may not be necessary but is designed to assist in the understanding of what we're doing, and it allows us to add other resources.

But what's absolutely clear is that it's not fossil fuels, and it's not uranium. Because there are two other regulatory regimes, one for nuclear, which says no, essentially, the Clean Energy Act; and the other, the application of the Energy Regulator to oil and gas, already in place for them.

The purpose of this is to support and to, yes, fast-track renewable energy projects, which are these projects and, potentially, in the future, projects that we don't imagine exactly today.

Jeremy Valeriote: If at some point in the future there is a new renewable resource that we're not currently aware of, such as cold fusion — I was going to say hydrogen, but that doesn't apply — would it not be simple to amend this bill rather than giving the need for this regulatory power to cabinet? I'm still not understanding why cabinet would need to prescribe this on a short-term basis, given what we already know about renewables and the possibility there.

Hon. Adrian Dix: We could, I would say, define renewables more broadly and then, when I'm asked a question in committee, list off the renewables that we're aware of now. What we've done instead is to add to that definition specific forms of renewable energy, which is what we've done, and then said that if others are developed and need to be prescribed, it would be added by regulation.

This is precisely the approach taken in the current Clean Energy Act. I suppose one could have a different approach in this act as the present Clean Energy Act, but that's not what we seek to do. What we're seeking to do is support renewable energy here with this legislation because it's in the public interest, not least of which of communities, of First Nations and of the public.

What we're attempting to do in the definitions section is say: "Here's what renewable energy is." There may be some things we haven't contemplated, and we will be able to address those by regulation without having — as much as I enjoy it — the extensive process that develops around legislation. Personally, I might appreciate that. I think it's a reasonable provision and one that mirrors the existing act.

Jeremy Valeriote: I appreciate the list that's in the legislation, and I believe I understand what renewable means. However, would the minister concede that it is possible that somebody could claim that a fossil fuel is renewable over a certain period of time? I mean, I believe LNG has been presented, certainly, as cleaner than other fossil fuels.

[4:20 p.m.]

Could a legal argument not be made that, for example, natural gas or fossil gas is renewable, whether it's within our lifetime or several hundred million years? Is that not a possible argument in the future?

Hon. Adrian Dix: This does not apply to fossil fuels. They are not renewable. I'll say that very clearly again so that everybody understands it. It's possible people understand it who are listening online. They're not renewable. Fossil fuels are otherwise regulated by the B.C. Energy Regulator.

So it is not possible, and I don't think any fossil fuel proponent would want it to be. But regardless, under this act, it's not for fossil fuels. It's for renewable resources, in the way that we understand it.

Jeremy Valeriote: I appreciate the definitive answer

and indication on this. However, I have to say that in this bill and another bill that is being considered, the government is indulging in a lot of: "Just trust us. We won't use it that way."

I do have a motion for an amendment to that definition of "renewable resource."

I rise to move an amendment to clause 1 in my name.

[**CLAUSE 1, by adding the underlined and striking the struck through text as shown:**

Definitions

1 "renewable resource" means biomass, biogas, geothermal heat, hydro, solar, ocean or wind ~~or a prescribed~~ resource.]

On the amendment.

Jeremy Valeriote: That would leave the existing list of six, seven, eight resources. The definition of "renewable resource" as it's written includes all the renewable energy resources that we know but seems to leave open the ability for cabinets to determine what is considered renewable without appropriate scientific input.

We don't know what this potential resource could be that would be included. The definition does not need the ambiguity to include some other form of renewable resource that could be potentially damaging.

I'm introducing this because I think it's important that we don't devolve some of these decisions to cabinets. We're debating the legislation. The legislation is clear until we get to "prescribed resource," at which point it could be something else that we're not aware of. I would suggest that if we come across another renewable resource, it would be worth taking the time to have this debate, sit in this room again and talk about it.

With that, I would encourage support to this amendment because I don't believe that cabinet needs this kind of discretion under the legislation as it's presented.

The Chair: The committee will take a recess while we consider the amendment. We'll say ten minutes, so please return at 4:35.

The committee recessed from 4:23 p.m. to 4:38 p.m.

[Nina Krieger in the chair.]

The Chair: Good afternoon, everyone. I'd like to call the Committee of the Whole on Bill 14, Renewable Energy Projects (Streamlined Permitting) Act, back to order.

We are currently considering an amendment to clause 1, which has been ruled to be in order. I understand that the Leader of the Third Party has already given his remarks, so the question is the amendment to clause 1.

Hon. Adrian Dix: I wouldn't want to miss a debate on an amendment, although I'd be happy to let the member for Peace River South go first if you'd like.

But in my view, the definition of "renewable resource" is clear. A resource has to be renewable to be added to this category. That's explicit. I've made that clear to the member. The definition here is consistent with the Clean Energy Act. I don't think having different definitions would be useful to the Legislature or to the public.

Just to be clear, nuclear is not a renewable resource, because it relies on finite resources.

So I would oppose…. I understand the reason the legislation has been brought forward by the Leader of the Third Party. I have no objection to it, but I don't agree with it, and I don't support it. I don't think it's helpful to make this piece of legislation inconsistent with another or to exclude future renewable resources. The issue of them being renewable is defined in the act. To put in roadblocks to the adoption of future renewable resources….

[4:40 p.m.]

I appreciate the spirit in which the amendment was presented, but I don't support it and will be voting against it.

Larry Neufeld: With extreme respect to the minister, I have seen and continue to experience people and members of industry that in fact are marketing natural gas as renewable if it's from a bio source.

I guess I haven't spoken of this in the Legislature before, but I did teach law when I was in high school. I was a TA, and while I taught tort law, I would be curious as to the actual definition of what a renewable product is. If we think about how natural gas is formed, it is from a biological product. It's an anthropogenic decomposition of a biological source. Again, I'm not a lawyer. I'm not pretending to be one, but I wonder if, in fact, there might be an opportunity for a challenge in that particular instance.

I'll give another example. I didn't confirm this, so I'm not going to say it with all certainty, other than I was of the understanding that the Energy Regulator was suggesting that the oil from northeast B.C. was green, for the simple fact that it was being produced under very high levels of scrutiny or very high-level legislative requirements.

In principle, I agree with the minister, but I think there is an opportunity here to actually take a little closer look at what that definition actually does mean.

Hon. Adrian Dix: I think we're talking about separate issues here. It may be that a form of energy or a process has, say, a low-emission characteristic, or that a company or an enterprise might define something as renewable because, generally, that's a nice word. It's one that I like. It's in the title of the legislation, as it turns out. I'm just saying that for the purposes of the definition in this legislation, as established equally in the Clean Energy Act, that would not be the case. You would have to address that differently if you wanted that to happen.

In response to the amendment put forward by the Leader of the Third Party, I'd say that while people may

advocate for different forms of energy, the Oil and Gas Commission was created to regulate oil and gas, defined as the Oil and Gas Commission. Now it's the B.C. Energy Regulator, designed to advance renewable energy projects, including those stated and ones that we might identify in the future and that are renewable in the ordinary understanding and the legislative understanding of the term. That's why it wouldn't apply to those things.

Should a future government wish to take different action with respect to renewable gas — or whatever, it's sometimes called different things — in this space or want to take different action with respect to natural gas and its regulation, it could do so under a different act. The Legislature is free to take actions in the future, but on this law, on this basis, it's renewable energy as we understand it here.

Currently those forms of energy are as described in section 1. Should you want to add that, it would have to be defined. It would have to be a future form of energy that would meet that criterion.

Larry Neufeld: Thank you to the minister for that answer.

Would this amendment not help us eliminate that potential for a misconstrual, misunderstanding or reinterpretation of that word?

Hon. Adrian Dix: Not at all, any more than the current definition in the Clean Energy Act would.

There's a definition in the act, if you look at section 1: "'renewable energy' means energy derived from a renewable resource." Then "'renewable resource' means biomass, biogas, geothermal heat, hydro, solar, ocean, wind or a prescribed resource." That would be something consistent with the definition of "renewable" as found in the legislation and in other legislation.

Larry Neufeld: Once again, I thank you for the answer.

[4:45 p.m.]

The one topic or the one situation that I am thinking of is that I was invited to attend a facility where they are proposing to market renewable natural gas from biogas or creating a biogas from landfill waste and marketing as natural gas.

How would the minister deal with that situation?

Hon. Adrian Dix: Well, if you look at the definition here, biogas is already included in that circumstance. That's in the section already and is reflected in that.

I think there's enormous progress being made in the space. It's one of the things…. When we talk with the Minister of Energy in Alberta and other jurisdictions, we talk about how it is that we can reduce emissions. I'm very proud, for example, that in B.C. we put forward projects that have the lowest emissions in their category in the world. I think it's something that we can market around the world and that will have a real impact on people.

This isn't a statement about that. I think we've got to encourage innovation everywhere as we address energy demands and issues around climate change, for example. So I'm not making a statement about that. I'm simply saying that's what the legislation will do, and it's why I'm opposed to the amendment.

Larry Neufeld: I accept the minister's answer.

The Chair: Seeing no further questions or comments, the question is the amendment to clause 1.

Division has been called.

[4:50 p.m. - 4:55 p.m.]

Before putting the question, I remind all members that only the members of Section C or their duly appointed substitute are authorized to vote.

The question is shall the amendment to clause 1 pass.

Amendment negatived on the following division:

YEAS — 6		
L. Neufeld	Paton	Maahs
Wilson	McCall	Valeriote
NAYS — 6		
Davidson	Gibson	Wickens
Morissette	Routledge	Dix

The Chair: Seeing that the votes are equal, as Chair, I must exercise a casting vote as per Standing Order 10.

On page 75 of *Parliamentary Practice in B.C.,* fifth edition, it is noted that the Chair should vote against an amendment or subamendment to a clause or schedule to maintain the bill in its existing form or to allow for further discussion. Therefore, I cast my vote against the proposed amendment. The amendment is, therefore, defeated.

Shall clause 1 pass?

Clause 1 approved.

The Chair: Shall clause 2 pass?

Recognizing the minister.

Hon. Adrian Dix: We passed clause 1. I think there was a misunderstanding. I think the opposition has more questions on clause 1. If we could revert to clause 1, by consent, I'd appreciate that.

The Chair: Is there unanimous consent that we can go back to clause 1?

Leave granted.

The Chair: Recognizing the member for Peace River South.

On clause 1 *(continued)*.

[5:00 p.m.]

Larry Neufeld: Getting back to the questions that we were discussing before we talked a lot about the consultation topics, one of the things that I was getting to was…. I'm curious why the government chose to go with Bill 14 and specifically identifying certain projects, as opposed to releasing or reducing the overall burden for all projects for the entire economy. I can't imagine that wouldn't be a windfall for the entire province.

Hon. Adrian Dix: Well, this is about the importance of these projects and of renewable resources as well. The member will know that a lot of Bill 14 moves the renewable resources into the B.C. Energy Regulator's supervision and regulation, as the oil and gas industry has been since 1998-99, as the hydrogen industry has been more recently. That's why this model, using the B.C. Energy Regulator, has been applied.

There are, of course, other provisions of legislation that have to do with wind projects and with the North Coast transmission line, in order to speed the regulatory process around those legislations, to give them the priority and the streamlined regulation that they require. But I think it's the centrality of the government's actions with respect to B.C. Hydro's energy plant, the need to get projects built and done, the need to get renewable projects built and done and the need to apply better regulation to the sector.

We have put forward the first call for power, which is significant. There's a second call for power. There's obviously, and this will focus on renewables as well, a call for expressions of interests on firm power. All of these are significant actions to address the economy and climate change, and that's why the focus on renewables has been placed in this legislation, as opposed to all projects.

We are, of course…. This is something we discussed in the estimates debate, and I don't want to revisit it, necessarily. But we're working hard to drive economic development across the piece. But this piece of legislation is specifically focused on renewable energy projects and really applies in many of its clauses and sections, things that have been applied to other parts of the energy industry for more than 25 years.

Larry Neufeld: Thank you to the minister for the answer.

In fact, that's a good segue to…. I got up this morning and realized that I hadn't read, well, in many years, the Energy Resource Activities Act, but I've re-read it today. So thank you for that, and I thank you for the impetus to do so. I do appreciate that.

My question still is…. I understand and agree with much of what the minister said. My concern remains: why are we cherry-picking, or why are we limiting it to a very few specific projects? Why are we not allowing the economy to flourish?

[5:05 p.m.]

Hon. Adrian Dix: I think these renewable projects are important, and the sector is important — that it fits in with the B.C. Energy Regulator. In other words, you probably wouldn't have the B.C. Energy Regulator regulating mining, although there are significant efforts, as the member will know and the House will know, to facilitate permitting and support for mining and critical minerals projects across B.C.

It's a combination of the existence…. If the B.C. Energy Regulator didn't exist…. In other words, if we hadn't put this regulatory method in place, it would be challenging to maybe create one, but it is in place. It allows us to streamline permitting and at the same time to advance certain projects on which other projects depend.

We talked about the North Coast transmission line. That project is foundational to economic development in the northwest. It allows energy produced, often in the member's region if not in his constituency…. He's got Site C.

Interjection.

Hon. Adrian Dix: Yeah, 40 minutes from his home. So the Site C dam to be used in the northwest as well.

I think one of the issues in our province…. And that's why I think the North Coast transmission line is a critical economic project. It has also sent a clear message in our province of the need to ensure that all parts of the province have access to the energy they need. I think it's a provincial priority, renewable energy. It's a provincial requirement, the electrification of the province as a matter of policy, as a matter of approach and direction.

This facilitates that. It doesn't mean that other projects are not being supported or facilitated. The member will remember we listed off 18 priority projects the Premier did in the immediate aftermath of Mr. Trump's actions. I won't bother the member for Surrey–White Rock by saying that too much; it's an inside joke. Those included these projects, but they included other projects as well, including mining projects, including in that case at least one LNG project, Cedar LNG, and the transmission line projects.

I think the government is pursuing economic development and support and a reduction in times of permitting across ministries and efforts. In the case of renewable energy, which has this particular priority, we're using this tool.

We believe, as well, that renewable energy projects, in

particular wind projects, are well understood, many of them having gone through environmental assessment, and that having a process where you have an average timeline of three, 3½ years for environmental assessment on a wind project was not desirable in a time when we need electricity.

Larry Neufeld: Thank you for your answer, Minister. I continue to struggle to understand the process by which these specific projects that are listed in the bill were chosen.

Was there a white paper? Was there some type of process or was it…? Perhaps the question would be: can the minister explain that very specific process by how these specific items or these specific projects were chosen for this bill?

Hon. Adrian Dix: Well, we did announce, in June 2023, a call for power. There was a very detailed consultation including First Nations, which I won't repeat but which I acknowledge. We talked about that consultation of how to develop a call for power for renewable resources that would attract capital, attract First Nations and create opportunity in our province.

The call for power was put forward, I think, in May 2024. It was formally announced. Then these projects were selected in a process that included a fairness commissioner and oversight on the decision-making process by B.C. Hydro. There were these projects that we talked about that were selected in early December in that call for power. That's how those projects were selected, how they were on this list and how they're on other lists.

The North Coast transmission line is a priority project of the government, but I think really of B.C. And transmission lines are critical. If we're going to build out our renewable energy capacity, we need transmission lines.

[5:10 p.m.]

And if we're going to take action, as we are in the member's region — we hope to further advance the electrification of the Montney, which is, I think, an extraordinary priority, which really gives strength to our efforts to address both our energy needs and our environmental needs — then these projects are our priorities for those reasons. That's how these particular projects were selected, and we'll be able to add projects to that.

Two weeks ago we announced a new call. I would expect at the end of January 2026, we'll have announced the winners, or those that are going to receive electricity purchase agreements on that call. I think on or around January 31, we'll do that. Those projects would be a class of projects, if they're wind projects, for which some of these provisions would apply. But they'd be renewable energy projects in any event.

Those would be the next projects, but these are the ones that are actually before us. Those would be selected with a fairness commissioner's oversight of the competing bids. That's the process by which they're selected.

I'll just give the member an example. I did announce, with the Premier, the winning projects. But the list of winning projects we didn't get till very close to immediately before, in the days just before, the announcement. Those decisions were made through a competitive bidding process, as these will be.

The requests for expressions of interest are different than that on firm power, so you'll see a different process there, where people will come forward with their proposals, and they could be applied here or not. They could be dam projects. They could be geothermal projects. Those would come forward. People are coming forward with their ideas to B.C. Hydro, and B.C. Hydro will view the partnership opportunities, which is different than a call for power.

That's the distinction on the firm power side and on the energy side. That's the way the projects were selected.

Larry Neufeld: Thank you, Minister. I appreciate that answer.

I keyed in on a very interesting word, in my mind: competitive bid. Would the minister be able to walk me through how this was developed? Were the sites selected and proponents came? Perhaps I would ask the minister to explain that, please.

Hon. Adrian Dix: We did a call for power. It was the responsibility of proponents to develop their own projects, and they had certain criteria they had to meet, including price as an important consideration for all the ratepayers, after all. The average levelized price was $74 per megawatt hour, which was competitive. Quebec had done a process that was at $80. We felt it was a competitive process on average.

The projects were considered, obviously, on price and other criteria that had been established, including First Nations participation. There was a requirement in that process, which came out of the extensive process to develop the call for power, which included consultation with First Nations and others — that there would be participation by First Nations in that process. The minimum participation required in that call for power was 25 percent, and the maximum was 51 percent. That was one of the criteria, and there were others.

When there's a competitive process, we're not saying that we're going to Taylor or Logan Lake or Fort St. James or wherever it would be. The process is a call for power. We're seeking applications. Of course, projects that are closer to transmission lines and others have some advantages, in terms of connection.

But those are the criteria that are set out in the call, and there will be a new one that people will be receiving. We're

seeking the best bits in the overall, but price is a consideration, and it needs to be a consideration.

Larry Neufeld: Thank you to the minister for that answer.

The process that we discussed…. My next question would be: is that available to us publicly?

Hon. Adrian Dix: Yes. I don't have it here, but I'll endeavour to share it with the member.

For the previous call from 2024, and when the documents go out for the new call, they're public documents, and we'll ensure that the member gets them on the day that they go out.

Larry Neufeld: Thank you to the minister again.

My next question would be: would the minister be able to tell us the percentage of those who applied and those who were chosen? Was it half of them that applied were chosen? Was it 75 percent?

[5:15 p.m.]

Hon. Adrian Dix: Initially, we were looking for a certain amount of energy. We ended up accepting bids for a greater amount of energy, partly — it's possible that projects fall away — to make sure that you get the energy you need. Those are the parameters. We're seeking, in the call, an amount of energy. We're not seeking a particular number of projects. I believe…. I'll share with the member…. This is just a detail from it. At least, we had a significant number of proponents.

It's obvious from the results in the EPAs, the electricity purchase agreements which are filed in the process with the BCUC — that information is publicly available as well — that there was a price advantage for wind projects over other projects. One solar project made the list, of the ten projects, but there was a price advantage to wind projects, in this process, over other kinds of energy.

Wind in B.C., onshore wind, is much less expensive than it was — and in constant dollars, 45 percent less than it had been 15 years before. This is true everywhere in the world. It's why wind is dominating along with solar. Solar dominates on some continents — in particular, Africa. This is where solar is dominating in these kinds of competitions.

In the energy markets, there are countries in Africa that, I believe, have 65 percent of their energy from solar resources, for example. But here in B.C., there's a competitive advantage for wind. I don't say that because I know a lot about these things; I say that because that was a result of the call for power and what we received. That doesn't mean it will be exactly the same this time around.

We've seen the breathtaking declines in the cost of solar and wind power across jurisdictions and the power and the strength of wind energy projects in Texas, for example, for all the people that try and pit wind energy against oil and gas, sometimes for reasons of ecology and geography. I mean, Texas has great wind and has great oil and gas, as we all know, and that's true of the member's region as well. That's true everywhere.

One of the things I would say about the call, as well, is…. What we were pleased about is…. Not knowing what the list would be, we would have been concerned if all of the projects were in Peace River South. It's not because we don't like projects in Peace River South. We love projects in Peace River South, but not all of them.

We wanted them distributed around the province, and it turns out two of the projects are in the Peace. The Saulteau and the West Moberly attached them, but most of the other projects are elsewhere in the province. I think, in a general sense, that's good news for the province and good news for the region.

Larry Neufeld: Price advantage — that's an interesting word to me as well. May I ask the minister for confirmation that wind power is being paid for by B.C. Hydro at exactly the same rate as any other source that they take? Has that always been the case?

Hon. Adrian Dix: Well, first of all, 21 applied; ten succeeded. That's the information on that, which they got for me. It's fun when you're looking for an answer to a question, and someone just provides it. That's really cool.

People are bidding on the cost of power. There are, for example, wood waste projects, which would be considerably higher than this cost of power. How do you compare the power produced at Site C, which, obviously, eventually cost more than it was anticipated to cost originally? I think the first press release from the then government was $8.335 billion. It cost more than that in the end, and we're expecting it to be $16 billion. Obviously, the cost of that power, amortized over 80 years, might be higher than a wind project.

On the other hand, that Site C power is valuable. It's firm power; it's valuable power as well. Part of the bidding is for people to come in and give us the lowest price they can while meeting our other criteria.

[5:20 p.m.]

Then we accept those projects, just as we do when we're making arrangements with, say, Atlantic Power or something in Williams Lake around their thing. We have a ten-year contract with them. Not all the contracts are for the same price. There's often confidentiality around these questions of price for that reason, but we're provided a fair amount of information.

When B.C. Hydro contracts, they have to go through the B.C. Utilities Commission as well. So they receive that additional level of scrutiny, which some jurisdictions with monopoly hydro companies, not the public hydro companies, don't do in the same way that we do. It's not that

everything is the same price. Obviously, nothing can compete in the present context with, say, Revelstoke. Because even if you're adding the sixth unit, which we are working on at Revelstoke, that's largely paid for. The cost of power is, in some ways, the cost of running and maintaining that dam, for example.

So nothing…. You would never, ever build any project again if they had to compete with that, because that is largely paid for into the past.

That's the process. People bid on price, and that's one of the considerations. We'll share the 2024 call so that the member can see the process. Further, if he wishes to be briefed in detail on it, the people who are doing it at B.C. Hydro can do that as well.

Larry Neufeld: Once again, I take the opportunity to thank the minister for being so generous with his briefings. I genuinely do appreciate them.

With respect to…. I guess, to ask my question in, perhaps, a more direct way: is there anything that has or is being done with wind power through B.C. Hydro that could be conceived by a layperson in the public as being an incentive, a financial incentive or a subsidization of wind power?

Hon. Adrian Dix: No. Wind power won the competition here, and of the ten projects that succeeded, nine of them were wind projects.

Obviously, there were other projects in the 21, and one of the significant issues is price. Now, you could argue, I suppose, that if you had conservation measures that meant we didn't need wind power or something, that they would be competitive on price too. But we believe we need more electricity and that this is a good way to get it.

We're particularly able to get it, access it, because of the nature of the B.C. Hydro system, the large battery that is the B.C. Hydro system. But we're going to obviously have to….

You'll see this in the integrated resources plan, which we produced, I think, in 2021, a 20-year plan, and a new version of which will be out this fall, in 2025. Over 20 years, we're going to require not just intermittent power, such as wind and solar, although there'll be, I think, an even increasing role in solar, including for individuals in our province, to maybe be contributing back into the system — the solar power — but we also need firm power.

Offshore wind, for example, has some of the shaping of firm power, but not quite. It's certainly an advantage for offshore wind against land-based wind in terms of the consistency of the wind resource.

Nonetheless, I think you need both. It's what we envision in the call for expressions of interest on firm power, which is: what are the hydro opportunities? What are the geothermal opportunities? What are the other opportunities that we might have in B.C. to achieve what we need in terms of firm power?

Larry Neufeld: Thank you, again, for that answer.

I would ask at this point if, in fact, the provincial government, or through any of its subsidiaries, B.C. Hydro in particular…. Is there any ownership or any financial input by using taxpayers' dollars into any of these projects?

Hon. Adrian Dix: Well, B.C. Hydro is a commercial Crown corporation, and it's purchasing energy, as it should. We've added, from the time since I've been a cabinet minister, almost getting close to one million people in B.C. No matter what you're doing in conservation, how many EVs people are buying, that's a significant pressure on energy demand. So B.C. Hydro will have to have new transmission projects, new electricity projects and others.

There is support for these projects that's been provided, especially for the First Nations, by the Canadian Infrastructure Bank, which is a federal bank, so that you could argue….

[5:25 p.m.]

There are, of course, significant tax credits that have been applied, that were first applied, really, in the United States, and then inspired the federal government to do significant tax credits on proposals that assist us in receiving bids that are lower cost than they would otherwise be. That's not a B.C. Hydro subsidy per se.

The requirement for First Nations participation, one might argue, might increase prices. Any requirement would, although it has value, and we believe in it and think it's the right thing. These efforts are commercial.

Now, there is also an argument that B.C. Hydro should perhaps partner, as well, in this area, and that's a different question. That's not within these calls for power, in general, but you will see it in the calls for expression of interest on firm power — for example, a project that we discussed in estimates that's put forward by the Xwémalhkwu First Nation, which is the upland storage dam.

That's a proposal that they've had that would be, undoubtedly, should it go forward, a partnership between B.C. Hydro and the First Nation, which would be different. That's not a subsidy, per se, although there's no question that the Canadian Infrastructure Bank and the federal government played a role in that, to that extent.

I could also share a copy of the request for proposals with the member.

Larry Neufeld: Thank you for that answer.

I'll make a very straightforward question. Does the ministry have any ownership shares in wind projects, and if so, how many projects and at what percentage?

Hon. Adrian Dix: No, these projects, the ones listed

here that the bill applies to, are owned as partnerships between First Nations and private corporations.

Larry Neufeld: I don't think I'm allowed to ask about things outside of the bill, am I?

The Chair: Our debate is related to, currently, clause 1 of Bill 14.

Larry Neufeld: Okay. I'll move on to my next question then.

Would the minister consider any increased conflict-of-interest amendments to the legislation so that government projects are ensured that they are a free competition?

Hon. Adrian Dix: Well, this is a rigorous process. I have another PowerPoint, which is an informational meeting that took place on the call for power which shows some of the regulations, but there is an oversight at B.C. Hydro for this kind of request for proposal.

Look, this is $6 billion worth of projects, and you have to ensure a fairness approach, so there is fairness oversight independent of B.C. Hydro for the process to ensure that the process meets the standard that we would expect from such a public process that's so valuable.

I've got another document now for the member, so I'll share that with him, which describes some of this.

I don't think the legislation needs that. I'd be happy to have B.C. Hydro brief on their processes, but I think they really meet the standard to ensure that there's fairness in the process but also that the public interest is protected.

Larry Neufeld: Thank you again to the minister.

Would the minister consider an amendment to this bill that would ensure no public money is used on future projects that would be included as part of this legislation, bill?

Hon. Adrian Dix: No. If the member means, by public money, B.C. Hydro investment in projects, I support B.C. Hydro investment projects. We're just building Site C, which is basically 100 percent a B.C. Hydro project.

You can see it is reasonable that B.C. Hydro, given how much it will be involved in the wind business, might want to do its own partnership on a wind project. I wouldn't agree with that, because I don't think that limitation is required.

That would be a public policy and an energy decision made by B.C. Hydro, in consultation with the government of course, which would be fully examined by the BCUC.

[5:30 p.m.]

There was a provision in the Clean Energy Act, and I'm potentially straying from this, which excluded certain projects from going forward, and we might have to address that.

The Xwémalhkwu project that I talked about earlier is in that category. That was done at the time partly by the previous government, for political reasons, as I recall. I was in the Legislature at the time. They were proceeding with a 100 percent Hydro-owned project, Site C, and there were some people in the independent power industry that were not 100 percent enthusiastic about that, so they were suggesting that they wouldn't do some other projects.

I think B.C. Hydro should have the capacity to produce and lead and manage energy projects. The North Coast transmission line, for example, is one of those projects to which the act applies, which is a B.C. Hydro project.

I wouldn't support such an amendment because I don't think such an amendment would be a good idea or meet what the member is trying to say or do.

Larry Neufeld: I definitely do appreciate and would agree with that answer. That's quite valid.

I'm going to move on to something that has been covered here already, but bear with me for just a second. We're talking about the definition of "renewable resource," which can be expanded by regulation. Are there any limits that the minister has incorporated or would consider on how long of a time frame during which this critical definition could be expanded?

Hon. Adrian Dix: There's no time limit. This would be the act. The act as proposed, Bill 14, says that it means biomass, biogas, geothermal heat, hydro, solar, ocean or wind resources, and then there's the prescribed resource. That's in the act as well. What it does is give the government the ability in the future to prescribe a future resource, just as the Clean Energy Act has the same definition now.

That would give the government…. I don't want to speculate, but I think it might be some aspect that's in connection with one of these resources that might come into play. One would have to think about that. But I think having that flexibility makes sense.

We just had a discussion of it, and I very much appreciated what the Leader of the Third Party said about it. I think it just gives the government flexibility, should new renewables develop, to be able to add those to that list.

Larry Neufeld: I do apologize if I am misremembering what you said during that time. But just to clarify, there are no other restrictions around renewable resource that would preclude future…? I guess, again, getting back to that earlier question: how are we comfortable as to what today's definition of a renewable resource is versus tomorrow's definition of a renewable resource?

Hon. Adrian Dix: The box is that it's renewable energy. That's the box around…. Currently in that box are the things listed. We're imagining that at some point in the future, other things might be added to the box, as did the people who brought the Clean Energy Act into place. Ul-

timately, first, the previous government did that. This just gives an opportunity to add something to that box if technologies change and the competitiveness of those technologies changes.

A number of things aren't included in that, including nuclear and others. They're otherwise dealt with in legislation, as well, and excluded in legislation as well. There's a reasonable public debate about those, perhaps. But that's what the legislation says, and it would require a change in that legislation to proceed.

In the case of this, it's renewable energy. It's energy derived from a renewable resource. The reason we define renewable resource this way is it had been defined this way in previous legislation under the previous government. It seems to capture the category as we see it now.

[5:35 p.m.]

We want to give the opportunity, just in case, as the previous government did when they passed this legislation…. We would give the opportunity if a future resource, constrained by that box of renewable, became available.

Larry Neufeld: I know we did talk about this before the break. Given that option of including new things in the box, as we say…. Renewable natural gas — I know we chatted about it, and I know we had some comments about it previously.

I would ask again for the record: is that potentially something that could be added, theoretically, to the box?

Hon. Adrian Dix: No, that's not the intention of the definition. By definition, it's not renewable.

That doesn't mean that, for example, the considerable efforts by Fortis and others in that regard aren't of value or importance. It just means that the intention here is for it not to apply, and that's why the definitions are as they are.

Larry Neufeld: Then I guess I would ask the next question. Is there any limitation on the definition of what is actually renewable? What I'm getting at here is mixtures or adding different products from a renewable source to something. At what proportion would it become a renewable product?

Hon. Adrian Dix: We have such energy sources now, and if the intention was to include them, we would have included them. We did not. We made the decision that this would be focused on renewable energy. That's energy that's not depleted when used, essentially, which is kind of a more dictionary definition of renewable. That's our intent.

We have such products now, and they play a role. They will continue to play a role, just as carbon storage will play a role in future as well. This is a definition of the type of energy — it's renewable energy; not of the climate outcomes or other outcomes.

Although it's true the renewable energy has the climate action outcomes that we know, it doesn't mean we're not dealing with these other areas, which are otherwise…. Generally, if they're in any of the natural gas space, they're regulated both by the BCUC — as is the case with Fortis, for example, and formerly B.C. Gas — or by the Energy Regulator.

Larry Neufeld: We've talked about the need for energy. We've talked about different sources that are available. That question just went straight out of my head, so I'm going to ask the next one.

If, in the event that the Lieutenant Governor in Council…. The way that this legislation is written, if that individual were to decide that heavy crude was renewable, is there anything preventing that from happening, to be included in this bill?

Hon. Adrian Dix: They would be acting contrary to the legislation.

Larry Neufeld: My follow-up question would be…. I think we have touched on this, so I apologize. I haven't read far enough ahead in my questions here, so forgive me if there's a little bit of repetition here.

Could any type of energy project that the government decides is a renewable fall under this legislation? You may have actually answered that already.

Hon. Adrian Dix: Well, it would have to be renewable. We couldn't just declare that something was renewable when it's not. It would have to be renewable. The current sort of list of things that are renewable are biomass, biogas, geothermal heat, hydro, solar, ocean, wind or prescribed resource.

Not all of these things are defined as streamlined projects. Hydro dams have vast implications — I don't need to tell the member — for systems and for communities, so you wouldn't apply the same standard for permitting and regulation in the building of a hydro dam as you would wind projects. This reflects that, but it just means that those are renewable resources. So it's not a choice for the government.

[5:40 p.m.]

If something else were added to this…. Forgive me. The member will know way more about this than I and could speculate as to possible sources of energy that might be renewable and could be prescribed.

What this does is just imagine that there are going to be new forms of renewable energy that we don't understand now. It allows the regulator the flexibility to have regulation applied to that, which, in general, is a good thing.

Larry Neufeld: With respect to talking about how much energy we needed and that we need overall and

some of the — I don't know how to describe them — perhaps borderline to renewable energy that we talked about earlier, is there an opportunity where a similar bill to this to streamline and account for the massive need of energy that we have could be considered or could be implemented for those items?

Hon. Adrian Dix: Well, there are two parts of this bill. The significant part, which most of the sections deal with, is applying the B.C. Energy Regulator to renewables. We did that for oil and gas 25 years ago. So the answer is, from the renewables side, they're getting what oil and gas got 25 years ago. I think that, equally, we need to make decisions, while maintaining standards, more quickly.

There was a lot of debate about LNG in B.C. I do think it's interesting that the final investment decision on the LNG Canada project took place in 2018 and the first LNG is being explored in 2025, which is not bad. Not bad, I would say, all things considered. But in the case of the Cedar LNG project, priority projects, there are other things to address, including issues and support for electrification, which, for example, the federal government has recently done. I think there are lots of different ways to prioritize projects. We want to maintain high standards. We want to grow the level of renewables.

One of the interesting things that happens and has happened…. I give the industry a lot of credit for this. We've seen remarkable success in the reduction of methane emissions from the oil and gas sector. It's a true achievement of British Columbia, 42 percent less emissions than in 2015. We're going to make 75 percent by 2030. That's a real source of emissions.

That didn't happen just because people put rules in place. It happened because of the ingenuity of the industry. That reduction of emissions upstream also makes our LNG and our whole industry more competitive in a world that considers climate change to be important, and that's an achievement, in a technical sense, that was put in place by the industry.

So there is a wide range of regulation of these questions. This is a specific regulatory response to the renewable industry that parallels the response we took 25 years ago for the oil and gas industry.

One of the reasons we took it 25 years ago — and sadly, I remember this — is that the existing regulatory framework didn't really work for oil and gas. There were too many small applications, right? You weren't just building Site C and that's what you were going to do. It was too many small applications, so we decided to put in a regulator who became expert in the area and did a good job regulating the oil and gas industry.

We want to see the same thing for renewables, especially as we go through one and now two calls for power on the renewable side: creating a regulator who can do that efficiently and well and maintain high standards and develop expertise and also have life-cycle regulations. So you're creating a fund in case, as I heard in the House on second reading from lots of people, there's need for a project, should it go out of business, to be in some way remediated, to have a remediation fund. I think the B.C. Energy Regulator will do a good job at that. It shares that.

There are other provisions in place, of course, around environmental assessment that don't apply to oil and gas interests, and I'm not sure you necessarily want them to apply in those circumstances, but this is what we've done in this case and that's why.

Larry Neufeld: I would encourage the minister to definitely not be embarrassed that he remembers that from 25 years ago, because I was there living it.

[5:45 p.m.]

My next question to the minister is that I think most of us in this room would have a very hard time describing hydrogen as not being a green energy source. I'm curious as to why it hasn't been included as a definition in this bill.

Hon. Adrian Dix: It's because we passed legislation for hydrogen in 2022 that applies this form of regulation to the hydrogen sector. That's why. We had a debate in the Legislature. It wasn't as extensive as this one, I say delicately but without conclusion.

But we put that in place in 2022. There was participation. The current Leader of the Opposition spoke in the debate, as did other members of the House at the time, and it passed without opposition.

Larry Neufeld: I apologize. Again, at the risk of being slightly repetitious…. I suspect you may have answered this in one of the previous questions, but I'm going to ask for a little latitude and ask it regardless.

Is the minister able to clarify with any type of precision what type of additional resources might end up being prescribed under this legislation?

Hon. Adrian Dix: I heard a different question than all the people around me, but I'm going to go with them on this one. I was going to start answering the question about how many resources the B.C. Energy Regulator might need to deal with….

Interjection.

Hon. Adrian Dix: That question is coming, but that's not the question the member asked. You see, I was probing there.

We put this provision in the Clean Energy Act to anticipate the future — things that we don't envision and we don't know yet. The prescribed clean or renewable resources under that act included things such as waste hydrogen, which is otherwise dealt with in the previous bill.

But we don't have anything envisioned for this. We're just creating the possibility for the inevitable technological advances of the future.

Larry Neufeld: Thank you for that answer, Minister.

Next question is: could the minister outline the criteria that will be used as a guide in the future to define what those potential new renewable resources that might be included are? Are there economic, environmental or technical factors that are prioritized in that definition?

Hon. Adrian Dix: Well, they'd have to be renewable. That's the first thing.

And then to go forward as projects…. I mean, one can imagine, and we've seen this, and it's one of the challenges…. The member and I talked about hydrogen during the estimates debate and some of the challenges the industry has had going forward. I think I said at the time that it wasn't a straight line up, that it would go up and down.

But ultimately, it has to be renewable, and to achieve success, it would have to be competitive and make sense, right? If something were to cost five times as much as a wind project, it wouldn't be considered right now — even if it was practicable. The legislation might apply to it, conceivably, but for a new technology to come forward, it has to be practical. It has to work. It has to be safe. It has to be able to go forward.

It would have to, for this act to apply, be renewable. That would be the key consideration.

Larry Neufeld: Thanks again to the minister.

Next question is: how will transparency be maintained when these new sources of energy are potentially included in this act or not? Will there be public or legislative consultation included?

[5:50 p.m.]

Hon. Adrian Dix: Well, I think, in my imagination, the development of a new renewable resource that would be practical and usable in B.C.…. There would be a lot of public discussion before you go forward. I would expect there'd be a lot of insight and a lot of knowledge.

I have learned, as a relatively new Minister of Energy, that there's enormous public interest, by a share of the population, in all of these issues, from EVs to natural gas to renewable resources to solar panels. There are a lot of people who are very interested in it.

We would be talking about the development of a renewable resource that would be available around the world. I think that discussion would precede a government action to add it to a prescribed list. I think, ordinarily, it would be discussed, and we'd be celebrating it.

Including all of the announcements and the regulations that would come forward to describe it as a prescribed resource, there'd be a press release where we would be talking about it and celebrating it, because it would be a new renewable resource that's competitive and cheap and can help us all. Holy mackerel. I think we'd be talking about it.

Larry Neufeld: Without further ado, then, I'm going to ask the question: how many resources does the Energy Regulator need to move forward with this act, and have those resources been in put in place? If not, how long are we expecting?

Hon. Adrian Dix: I went through the process of regulation in answer to a previous question from the Leader of the Green Party, so that's available. I won't go though that to give the same answer, essentially. It's going to happen in a staged process, with the final, third level of regulation being in place in early 2026.

We want level 1 in place to deal with the projects now as they present themselves, and to build that out. The great advantage of the B.C. Energy Regulator is that there are, and we'll get to this, retroactive provisions for financing it. The idea is that the oil and gas sector pays for its regulation. The hydrogen sector pays for its regulation. The renewable sector will pay for its regulation. So it's not a cost transfer.

The irony of the second reading discussion around retroactivity is that we put that provision in place to, essentially, ensure fairness for the existing regulated industries, to ensure that the renewable industry would pay its own way, as well, as they did. That's the principle of the B.C. Energy Regulator, in the way we finance it.

They will be building out, over the next year, their capacity, but there will be more resources. We'll need a team, expert in this area, who deals with that. Who will pay for it? Well, the proponents will pay for it, just as they do in oil and gas right now.

Larry Neufeld: As of today, there have been no new employees hired as part of this initiative, then?

The Chair: Recognizing the minister.

Hon. Adrian Dix: People are telling jokes behind me, hon. Chair. It's not right, yet I maintain my poker face. I don't know how that is.

Interjection.

Hon. Adrian Dix: I will. In the next break, we'll tell other jokes. Most of the staff members' jokes in committee stage are about the minister, so we've got to take these things in stride.

They're preparing, at the Energy Regulator, to do this work and to start hiring the appropriate expertise. Of course, that is, in part, dependent on this legislation pass-

ing, and I'm optimistic about that. They're preparing for the front-line staff to address applications for the engagement with First Nations staff that will be required to do that.

[5:55 p.m.]

The Energy Regulator has some of these staff now, but they've also got a whole oil and gas industry and a whole hydrogen industry to serve, so this will be incremental staff for that, and new levels of expertise in areas that the B.C. Energy Regulator is dealing with — expanded areas of expertise around the Heritage Conservation Act, the Agricultural Land Commission Act and, of course, the Wildlife Act.

Larry Neufeld: Just to clarify, zero new employees at this stage.

Hon. Adrian Dix: Can't be yet, but soon. The expectation is to go forward soon. When we discuss the sections around financing and why they're in place, it's so that once we give them authorities, they can start.

If you have legislation that is designed to streamline and get things going, you want to get going. So the B.C. Energy Regulator team, which is really an excellent team, is of course preparing for that, as you'd expect them to be. They will be hiring more staff, because this is an expansion of their authority, and that staff will be paid for by fees imposed on the regulated.

Larry Neufeld: Thank you for that answer, Minister.

My next question would be: what consultation has occurred with B.C. Hydro or other electrical producers regarding the impacts of potential expansion given this bill? Was the current chair of B.C. Hydro consulted as this legislation was being prepared?

Hon. Adrian Dix: I think that B.C. Hydro would have been consulted, of course, as they consult with the government on things such as the call for power, which we announced with them. I don't know, in particular, if that would be the chair. It would much more likely be people involved in energy projects, on the detailed side of these agreements.

Remember, the projects themselves aren't owned by B.C. Hydro. B.C. Hydro has electricity project purchase agreements with these contracts, so a lot of people are involved in this that are beyond the legislation — B.C. Utilities Commission, and B.C. Hydro, making its decisions on the call for power.

The current chair of B.C. Hydro came into his position after the announcement decisions on the call for power in the first round. Obviously, as chair of B.C. Hydro and chair of the board of directors, he would have been involved in decisions around this most recent call for power in the last two weeks.

Larry Neufeld: Has the ministry consulted with industry experts outside of this jurisdiction, around best practices when defining this bill?

Hon. Adrian Dix: Interestingly, Michael Sabia, who's the outstanding president and CEO of Hydro-Québec, praised our intent to go forward with the legislation in a very significant speech. Hydro-Québec, like B.C. Hydro, is involved in a significant economic development activity. I can tell you, as a minister, I'm very interested in learning about what other jurisdictions do.

With respect to industry consultation, there have been, of course, dozens of meetings with proponents since the call for power — meetings internally and meetings with Clean Energy B.C., Clean Energy Canada, the Canadian Renewable Energy Association and others — in the development of the legislation.

As you can tell, a number of jurisdictions are adopting and engaging in legislation right now to speed up development of essential public infrastructure. You see this not only on the legislative side but in the actions of the government of Quebec, the work they're doing with the Indigenous people in Quebec. The government of Ontario has legislation before its House, as we speak, that addresses these issues, and we are as well.

[6:00 p.m.]

The regulatory model here…. While there are differences between renewable projects, obviously — wind projects and the oil and gas industry — the regulatory model is one we have 25 years of experience on in BC.

Larry Neufeld: Move on to a slightly different avenue of questions here. What safeguards does the government have in place to prevent lobbying or political influence from dictating the inclusion of certain resources under this renewable category?

Hon. Adrian Dix: Well, we've listed them all that exist right now, so the short answer is, I'm not sure that's a major requirement.

That said, the important question: when you do calls for power, do you have processes that meet the standard of such a major investment? That's why we have independent oversight of those processes to ensure that they are conducted in the appropriate way, and I think that's the best way to do that.

I meet with everybody, or I try to, and I know members of the opposition do as well. Last week I met with people in the oil and gas industry. People have advocated to me for nuclear projects and for renewable projects and everything else, and I listen to them because I think it's important to learn and not be isolated from other people.

All the time, we speak and listen to people. But I think, when we're in processes where electricity purchase agreements are imposed, you have to have clear rules. I've

shared the process with the member. You need to have oversight to make sure that the allocation of $6 billion worth of resources, for example, is done in a fair way. Sometimes, when government contracts are issued, there are complaints about those contracts from people who lose. No one likes to lose a bid. So there are processes to deal with that as well.

I think that the short answer, and my message to everyone, is that my door is open to talk to everybody. That doesn't mean I agree with everybody. It doesn't mean the member does, but I think we should be open to that. We have rules around conflicts of interest, around what we do to ensure fairness and propriety, but we also have to be open to ideas and to thinking about ideas, so I try and do both. When it comes to specific contracts, it's why it's important to have rigorous calls for power, which say what you want, and then a rigorous assessment of those calls for power.

Larry Neufeld: Can the minister clarify how often the government anticipates using regulatory powers to expand definitions under this clause — regularly, rarely or exceptionally?

Hon. Adrian Dix: Sorry. Could the member tell me what clause he's referring to?

Larry Neufeld: Certainly. Clause 1.

Hon. Adrian Dix: Well, I think what he's asking about is the issue of prescribed resource. Are we still on that? And that would be exceptional. I mean, if we knew what it was, it would be on the list now, right?

I don't think in the well over a decade that the Clean Energy Act has been in place there's been much change in prescribing. I think there's one or two things that were prescribed under that act, so I would say this would be very rare. We would hope it would be more often, because it would mean there would be new renewable resources that would bring wealth to our province, and that would be a good thing. But if they existed now, they'd be on the list.

Larry Neufeld: Has there been an economic impact analysis conducted with respect to expanding the definition of renewable resources and how that would affect market stability, investments or consumer energy prices?

Hon. Adrian Dix: Well, no, there hasn't, because we're talking about prescribed resource, again, in the section of renewable resource.

I don't think there'd be a great deal of utility in doing an economic impact study when the prescribed resource currently doesn't exist as a commercial possibility. I don't think you would do that.

The Chair: It is now 6:05, and we will recess until 6:15, ten minutes. We will reconvene at 6:15.

The committee recessed from 6:05 p.m. to 6:17 p.m.

[Nina Krieger in the chair.]

The Chair: Good evening. I call Committee of the Whole on Bill 14, Renewable Energy Projects (Streamlined Permitting) Act, back to order. We are currently on clause 1.

Larry Neufeld: Madam Chair, I appreciate everyone's patience this evening. I know it's getting to that point of the day, but….

Interjection.

Larry Neufeld: Yeah, we're working for the people, so here we go.

Can the minister confirm if it's possible for a project initially defined at a lower streaming level — i.e., a level 3 — to be elevated or downgraded to another level? What criteria and process would guide such a change? Would that process and that decision be made public?

Hon. Adrian Dix: Well, that's not quite how the levels work. We actually have sections that are specifically related to levels 1, 2 and 3.

I'd just suggest, for the debate, that it would be useful to get to those, and then we can go through them in detail. I'd be happy to answer the question. We could answer all the questions on section 1. Really, we've got specific sections that deal with that part of it — not the definition but that part of it. If that would work for the member, I'm happy. I'm here to please.

Larry Neufeld: Again, just for the record, I'd like to say my appreciation to the minister for his acceptance and graciousness.

Well, I'm actually going to ask this one in clause 1. Hopefully, that's not too close to what I just did ask. Are there any statutory requirements to use, either exclusively or primarily, Canadian materials, Canadian parts or Canadian labour in the construction of these renewable projects?

[6:20 p.m.]

Hon. Adrian Dix: I'd say it's a little outside the scope, but it's a reasonable question to ask for this.

Not in what's defined in this legislation. But B.C. Hydro, as all Crown corporations, has taken up procurement rules that are intended to seek out Canadian suppliers. While such an approach is not reflected in the current RFP document for the call for power last year, it will be

reflected in the next call for power. The member will see that.

So while it's not part of the legislation, this is not procurement legislation. This is not Bill 7, where we deal with issues of procurement and which has impacted on B.C. Hydro. Those issues of procurement were dealt with in that piece of legislation. It's not here in Bill 14.

Clearly, B.C. Hydro is looking — as all Crown corporations are doing and as all households in B.C. are doing — to buy Canadian.

Larry Neufeld: Pretty difficult to argue with that answer.

At the risk of perhaps pushing the boundary just a little bit, I think I am a little more on side with this bill as opposed to Bill 7. But while I realize there's no statutory requirements, in the regulation phase, will there be a requirement for renewable energy sources in the construction of these projects?

Hon. Adrian Dix: The regulations in general will be looking at, obviously, protection of the environment, safety in the regulation process and a significant role for First Nations, as you'd expect. The economic side of it is really in these calls for power. That's where the economic side is determined. Are these projects viable? Obviously, the listed projects are seen that way.

So that's the approach of the regulations on this bill. There are other measures, including, for example, Bill 7, but also directions the Premier has made to all Crown entities that are looking and seeking Canadian content.

With respect to the energy, I guess we're saying "used in the building of a project." For example, is there a truck coming up? Does it have to be a renewable resource? Probably not the wisest course. The projects themselves are renewable. They're low- or no-GHG projects.

In the construction of the projects, I doubt there'd be regulations in place in the construction period that would require, for example — I don't know — a hydrogen fuel truck, or something like that. I don't think that would be the practical thing.

We'd want the projects to be built consistent with safety, consistent with environmental regulations, consistent with what you'd expect in the permitting of a project, but not necessarily that level of detail. You have to use renewable to get a renewable project. I think that would be a complicated regulation.

Larry Neufeld: That's a very fair answer. I could have, perhaps, reworked that question to make a little more sense.

The next question is…. I didn't see anything when I scanned through the table of contents for the RFP that was generously provided to me. Were there any requirements around these projects having majority Canadian ownership or a majority Canadian controlling interest?

Hon. Adrian Dix: The member's right. There was a requirement for First Nations participation. Effectively, I mean, as some of the companies obviously have Canadian participation…. One of the challenges in the sector, one of the things that I think will change in the sector, is our ability to also develop an industry around…. When you do two major calls for power, with others coming in the renewable sector, it will be important to build an industry around that sector.

[6:25 p.m.]

Some of the companies involved may be Canadian, but others, you know, including…. I think EDF is a French company, for example. Some of the partners are obviously building and creating a project in British Columbia but are not Canadian. So there's not that requirement in place in the procurement. But I think, more importantly, Canadians may be suppliers. And the creation of jobs in the province….

Obviously, the First Nations role is significant, and that's profoundly Canadian.

Larry Neufeld: Thanks to the minister for that answer.

Would we know the proportion of foreign ownership within the projects included in this bill for fast-tracking?

Hon. Adrian Dix: Well, what I'll do is…. It's no problem. It's a bit of an estimates question, but I'm happy to provide it to the member. We'll give him a breakdown of the different participants. We have the list, and we can do that.

Obviously, the North Coast transmission line is 100 percent Canadian. That's B.C. Hydro and partners. But as the member will also know, one of the interesting things about Site C, one of the great things about Site C, is Canadian steel. It's a great thing.

And B.C. Hydro is remarkable. When all this stuff about Mr. Trump and the tariffs came out, I asked B.C. Hydro: "Well, what are you doing with procurement?" What was remarkable about the procurement was that it was overwhelmingly Canadian, in terms of transmission lines, in terms of where we get things — not always British Columbia, although a good part British Columbia. Sometimes Saskatchewan, sometimes other places. But it was overwhelmingly Canadian.

In some ways, the measures we took on procurement at B.C. Hydro, because we were already doing very well, might have less impact. But clearly on the supplier side, that's something that we're looking at.

What I'll do is, I'll just give the member a detailed response tomorrow, if that seems reasonable.

Larry Neufeld: Once again, thank you to the minister for his open engagement.

How would the ministry intend to ensure fairness between projects listed in this bill and those potentially prescribed at a later date to be included?

Hon. Adrian Dix: Well, I want to talk about section 1, because there is a discussion of prescribed projects in section 2, and it may be that we'll get to that part of it when we get there.

Obviously, the listed projects that we know about, described here today, have been part of an RFP process. So they've won already. The projects that will win next January, say, in the next call for power, will be in a different position.

On the bright side for them, this regulatory process will be that much further along, so they'll have some advantages. But obviously, it's not fairness as between these two sets of projects. If we're talking about the prescribing of a type of power, I don't know what you'd say about fairness. Those don't exist yet.

I'll just say, finally, I guess, that administrative fairness is fundamental under Bill 14 and all permitting processes. The projects are in different positions, because some have electricity purchase agreements with B.C. Hydro, so they're along…. The North Coast transmission line is a different project. It's under the direction, in some ways, of B.C. Hydro. That's a different kind of project.

But I think other prescribed projects that might happen under a new form of renewable energy in the future…. I don't know. I think the issues there would be if they are practical and how they would compete.

[6:30 p.m.]

I would say that wind and solar are doing dramatically well right now in terms of investment, including and in particular in the United States, as compared to oil and gas, interestingly enough. Wind and solar are going way up, and oil and gas are not right now, partly because of international actions. We're seeing some real challenges for crude oil right now.

Those are all the things that are going on right now. But we believe that administrative fairness is fundamental in the process, and if a new prescribed form of renewable energy came forward in the future, it would have to face the same administrative procedures as any other form.

Larry Neufeld: Will successful future proponents receive expected fast-track application timelines in order to receive an outcome and answer, regardless of what that answer is?

Hon. Adrian Dix: Well, I think they'd face the same challenges as existing projects, which are the challenges of First Nations consultation, the challenges of…. Sometimes, they might well be different projects going through different circumstances. What they should and would expect is administrative fairness in the processes. The B.C. Energy Regulator is well known for that, and I'd expect that to continue in the future.

You can't compare existing projects and theoretical projects in the future. I would say that all of the projects should expect similar fairness but not similar timelines.

I'd say one other thing, which really isn't a timeline question or administrative item but is connection to grid, which is an important consideration in the timing of projects. If you have a project that's a long way from grid and requires significant transmission, that's one thing. That's the advantage of projects in places like Taylor, which are pretty close.

Larry Neufeld: The minister and I have discussed baseload power and intermittent power on numerous occasions in the past.

This question would be around: would Hydro or the ministry consider these projects to contribute to baseload, or would these be intermittent power sources? If it's considered to be a baseload contributor, what rough percentage would be the estimate?

Hon. Adrian Dix: In these projects, these wind projects are clearly intermittent projects. They're land-based wind. We discussed offshore wind, which has a slightly different profile — closer to base power, perhaps, than onshore wind, for example. But those are the projects on the list.

The North Coast transmission line isn't, of course, a power project at all. It's a transmission line, which is critical for ensuring that electricity gets to the northwest. It's an important economic development initiative, but it's not a base or an intermittent question, so those are the differences between those things.

[George Anderson in the chair.]

Larry Neufeld: Thank you to the minister for that answer. A lot of these are starting to get redundant, so I do apologize.

What I will ask is: what checks and balances — perhaps I did miss them — within the bill, specifically within clause 1, are there to prevent misuse of the broad definitional powers that we've been discussing?

Hon. Adrian Dix: Well, these are the definition sections. I'd say these are important in guiding the B.C. Energy Regulator principally; also, the application of the Environmental Assessment Act.

[6:35 p.m.]

I would say that the B.C. Energy Regulator, like all people in those circumstances, is responsible for abiding by all provincial laws. They don't have, on the Wild-

life Act, or they don't have, on the ALR…. They may have some responsibilities with respect to renewable projects, but they don't have independent discretion. They've got to follow the law.

That's true whether it's the Safety Standards Act, the Agricultural Land Reserve Act or the Wildlife Act. We'll get into the Heritage Conservation Act, which we'll get into later. All those apply. And most importantly, of course, the Declaration Act, which applies and is required. The B.C. Energy Regulator follows that in its procedures now and will in the future.

Clause 1 approved.

On clause 2.

Jeremy Valeriote: On clause 2, which specifies the wind energy projects we've been talking about and the North Coast transmission line, plus prescribed…. I just want to ask a few questions about the North Coast transmission line.

Can the minister provide verifiable information on the portion of the electricity the North Coast transmission line will supply to LNG projects and then, separately from that, other industrial projects?

The Chair: Recognizing the Minister of Energy and Climate Solutions.

Hon. Adrian Dix: Thank you very much, hon. Chair. Good to see you.

What we're seeing in the northwest is unprecedented potential demand for power. The difference, I guess, in the government's approach to B.C. Hydro's approach in the past is that we're being more risk-tolerant. In other words, the Premier talked about the northwest and the potential for mining critical mineral projects today, the work that's being done with First Nations on that project. That's unprecedented demand. None of it's a guarantee, but we want to not delay such efforts by years in order to seek that demand.

We did and have consulted with industries, including the mining industry, including the critical mineral industry and, I guess, broadly, the critical mineral part of the mining industry as well; the ports, including the Port of Prince Rupert; energy projects; and others to see what the demand would be. Would that demand justify the building of a clean transmission line?

I might add the growth in population in the region and the requirement to provide better service to the region. I think at times people who live in the region could tell you, certainly told me, that their service could be better and that the quality of the service could be better. B.C. Hydro is aware of that.

We feel that there is such demand. Obviously, when we seek private information from potential projects — for example, our incremental demand — we don't share that. But across those fields, there's significant interest in increasing our capacity to deliver electricity in the northwest. So it will include all of those things. It will include mining, critical mineral supports, people and, yes, energy projects as well, such as LNG.

The member will know that the Cedar LNG project is being electrified. In the region, in the northwest, there is the LNG Canada project, which is, compared to other such projects, a low-emission project. Nonetheless, it is gas-fired. The LNG 2 project, which isn't before us — there hasn't been a final investment decision made on that — has got its permitting now, and then there's the Cedar project.

[6:40 p.m.]

There's demand across for all of these things, and sufficient demand that we believe we should build a transmission line to take B.C. clean energy to the northwest and give people in the northwest equal or fair access to that electricity that people in other parts of the province have, because of where existing transmission lines are.

Jeremy Valeriote: Okay. We heard mines, Cedar LNG, potentially LNG 2, Prince Rupert port expansion.

Will these…? I understand there may be, but perhaps the minister can confirm there would be a call for expressions of interest. Through that, will these proponents be responsible for paying their fair share of the cost of this new transmission line?

Hon. Adrian Dix: Yes, they will. The difference…. LNG 2 is already permanent as, essentially, a gas-driven project, just to be clear about that. But yes, that's the policy in B.C. now.

What we want to do, though, in B.C. is also ensure and promote industrial activity in general, especially in critical areas like the critical mining strategy, by taking actions like building the North Coast transmission line, which is to meet the electrification requirements of the region into the future, even if there's not a guarantee in advance, which has been a different policy. That's the point I was making to the member.

But I think, in terms of the North Coast transmission line project bringing clean energy to the northwest — that's a good thing for B.C.

Jeremy Valeriote: In clause 2, I understand the selected wind energy projects from the 2024 call and the North Coast transmission line…. Can the minister give examples of when and how and where item (c), the prescribed renewable energy projects, might be used?

Hon. Adrian Dix: Those would be wind and solar projects, for example, those that would win electricity purchase agreements or be awarded electricity purchase

agreements in, say, the next call for power, which we just made. That's an example of it.

We had a call for power in 2024. We have a list of projects that were successful in that call for power. We're doing another call for power. Unless you wanted us to not apply the same priority to clean energy and green, renewable projects that are important for the planet and the climate, you need the capacity to add projects, and that's what this does.

Jeremy Valeriote: Just to be clear, wind and solar could be added to this list through an order in council. However, any solar would not…. The Environmental Assessment Act would not be disapplied or would still be applied. Is that…?

Hon. Adrian Dix: Yes, that's correct. The environmental assessment is dealt with elsewhere, but nonetheless, a prescribed renewable energy project would be wind and solar. That's not the environmental assessment section, I don't think, here. But the member's statement is correct.

Larry Neufeld: My question to the minister is: will there be a public registry or mandatory disclosure mechanism in order to keep British Columbians informed about projects prescribed under the streamlining category?

Hon. Adrian Dix: Yes. Regulations are published, so yes is the short answer. Remember, the projects would appear on such a list or, for example, in the second call for power, which would be a very public process.

[6:45 p.m.]

We'll be publishing the sort of book you see, the guidance that I shared with the member, and then go through a process and then the announcement of the successful proponent. Then any regulation would follow that, probably, in those cases.

There may be other circumstances where a project could be prescribed. For example, you could imagine a public interest project for renewable energy from another provider — say, Fortis; but it would all be published.

Larry Neufeld: Thank you to the minister.

Just to clarify in my own mind, we are saying, yes, there will be a place on the internet where British Columbians can go and look at the prescribed projects under Bill 14.

Hon. Adrian Dix: Yes, and as all regulations, it would be published, just to include and add the potential for the North Montney transmission line, for example, which would be of particular interest to the member.

Larry Neufeld: A question to the minister. If there is community or stakeholder opposition to a project identified for streamlining permitting under clause 2, how will the government address this opposition before moving forward?

In this particular case, I'm particularly interested in the Energy Resource Activities Act, the power to appeal, part 6, sections 70 through 72. It's a bit concerning to me that that's been removed. Again, we'll talk about that later on, but that's where my concern is on this part.

Hon. Adrian Dix: The appeal mechanisms, for example, that apply to other acts apply here. For some decisions around the Agricultural Land Commission, there's not an appeal mechanism in the Agricultural Land Commission's activities, so that's the value there, and we'll get to that question. But the appeal mechanisms in other acts are maintained, and because of the creation of this new act, new appeal mechanisms are in place, so that is unchanged.

In terms of the projects themselves when they're going forward…. You're building a big project somewhere. You're going to consult and connect with the local community. That's what's happening now. That happens with every project. It doesn't matter what you're building. So that will take place.

In terms of the decisions, if decisions are made on any of these projects, I assure you that there will be a press release. I assure you that I will be speaking to them and available. I assure you, if they're controversial, you will ask me questions. I assure you that I believe what we're doing here is profoundly the right thing — doing a call for power, a second call for power, facilitating that the projects get built.

I think it's good for the climate, it's great for the economy, it's great for First Nations, and it's good for all of us. I think these will be high profile because everyone will want them to be high profile. People will learn about them and be able to avail themselves of the law.

The B.C. Energy Regulator will have the same responsibilities it has with oil and gas to ensure fairness in respect of these projects. As the Wildlife Act, as the Agricultural Land Commission Act, as the Heritage Conservation Act or the Safety Standards Act affect this project very specifically and very narrowly, those responsibilities will be in place as they are now with oil and gas.

Larry Neufeld: Thank you to the minister.

Just to get it on the record…. Well, I'm going to ask the question. I won't make the assumption. Will the opportunity to appeal section 80 of the Energy Resource Activities Act be protected in the same way?

[6:50 p.m.]

Hon. Adrian Dix: Yeah, where there's a BCER permit, which there isn't in level 1, and we'll get into that discussion shortly. But yes.

Larry Neufeld: Thank you for that answer, to the minister.

My next question is: outside of the projects specifically listed in this bill, has the government received any formal requests from renewable energy companies or developers asking for their projects to be streamlined under the terms of clause 2? Clearly, I'm asking about the ones after the RFP.

Hon. Adrian Dix: Well, I think it's fair to say the industry associations are supportive of the legislation. I mean, if you hear from Cole Sayers, who, many of you will know, is a remarkable person in B.C. and the real leader in the area…. They're supportive of it going forward, and they have industry organizations that would be supportive of actions that support renewable energy. They were delighted when we went forward with a call for power in May 2024, delighted when we approved projects in December 2024 and, I think, delighted when I announced the legislation would be coming.

The Premier, with respect to the North Coast transmission line, and myself, with respect to renewable energy projects, that this would come forward…. So yes, but the key question for companies that want to connect to the B.C. Hydro system is winning calls for power. That's their first step. I mean, you deal with building the project afterwards. That becomes all-consuming, I'm sure, when you're building such a project.

Initially, the future…. Not the existing but the future companies that would be involved in the next call for power will be focused on putting forward the best possible proposal to B.C. Hydro, on First Nations, of course, but principally on price and on the quality of the project.

Whether they're wind or solar or whatever they are, they'll be concerned with that and not asking for some treatment under a law for which they don't yet have an electricity purchase agreement.

Larry Neufeld: So as part of the RFP choosing process, I would ask: has the minister met with project proponents that may have been part of that process that were eligible for fast-tracking? Was the legislation discussed? Then subsequently, did project proponents in any way shape the legislation?

Hon. Adrian Dix: I'm thinking we announced a project on Monday, and I met with successful proponents, including First Nations Chiefs, on the Wednesday. When we announced the proposal, I did say that we were going to exempt the proposals from environmental assessment for the reasons we've discussed, and we'll have that debate later. So I certainly informed them of that.

The industry associations were consulted, as were 204 — I said 202 earlier incorrectly; it's 204 — First Nations, where we sent letters out and addressed that. So all of that was part of the consultation we did.

With respect to future proponents, I think this reflects our commitment to not just announce clean energy projects but to build them. I suspect they're supportive of them, but the views of individual companies aren't really that important. This will be the law for everybody.

Larry Neufeld: More specifically, did their input shape the bill in any way?

[6:55 p.m.]

Hon. Adrian Dix: I'd say not really, because remember that we have legislation that largely is moving the renewable energy sector into the same place that the oil and gas sector has been and bringing in one-window regulation.

There will be consultation around the regulations, extensively with First Nations but with others, to make sure that we get it right and that we hear from proponents, people with expertise in the industry, but really, they weren't involved in shaping this particular legislation, which is (1) enabling, largely, and (2) consistent with the government's actions over decades.

Jeremy Valeriote: I rise to move an amendment to clause 2 in my name.

The Chair: Would you like to read out your amendment?

Jeremy Valeriote: I would, thank you.

[**CLAUSE 2, by striking the text as shown:**

Streamlined projects

2 The following are streamlined projects for the purposes of this Act:

(a) the selected wind energy projects;

(b) the North Coast Transmission Line project;

~~(c) a prescribed renewable energy project.~~]

On the amendment.

Jeremy Valeriote: This seeks to address a similar issue to clause 1 regarding the addition of prescribed resources or prescribed projects.

As we've heard, the assignment of the B.C. Energy Regulator to oversee this is not an established or a proven process. It has not even fully been developed, and I will say the B.C. Energy Regulator is not a trusted entity in some communities in the North, where the first set of projects would occur.

This addition of prescribed projects beyond the ones that we know of is ambiguous, and the process to determine it would happen through regulation. There's no transparent criteria provided that would help us or the public determine what would qualify as a prescribed renewable energy project, and this is concerning.

Given the untested, unproven nature of both the exclusion from the Environmental Assessment Act and the streamlining, and instead of proposing a sunset clause on this as occurred with Bill 7, I'm proposing this amendment as a period where there could be a trial run, an establishment of the BCER process with the 2024 call proponents to prove that the Energy Regulator is up to the task and can build the public trust and not create a backlash to these projects that could occur from not gaining the social licence that they need.

At some point in the future, once this has been proven that it is the appropriate one-window permitting and has achieved the environmental and social goals, then this legislation could be amended to add another set of renewable energy projects. However, to leave it open to cabinet to decide at any given time seems like an irresponsible sidelining of the legislative process.

I would encourage all members to support this amendment, and we can revisit this after the first nine or ten projects have gone through a process, it's established, and it can be shown that it works.

The Chair: The committee shall take a short recess and will return in ten minutes.

The committee recessed from 6:58 p.m. to 7:06 p.m.

[George Anderson in the chair.]

The Chair: I'm calling Committee of the Whole on Bill 14, Renewable Energy Projects (Streamlined Permitting) Act.

Before we continue, I'd just like to recognize the Leader of the Third Party, if you have any additional comments on the amendment.

If not, on the amendment, recognizing the Minister of Energy and Climate Solutions.

Hon. Adrian Dix: I support clean energy projects or wind projects or solar projects. Therefore, I'm against the amendment. I say, with great respect, that striking out the prescribed energy projects would mean all wind power projects, other than the 2024 call for power projects, and all solar power projects could not be prescribed, which is contrary to our announcements, to the intent of the legislation and to our consultations with First Nations.

I think that just in a general sense, you would have a circumstance where we have wind power projects that succeed in the first round, which are under one set of conditions; wind power projects approved in a second round, which might be an entirely different set of circumstances; difficulty in developing industrywide regulations; and an action which would be negative for renewable energy in the province. Of course, the member knows that the alternative to renewable energy — this is not a judgment, I'd just say — would be the utilization of more fossil fuels.

We've got to go. These projects are terrific. If they're not majority First Nations–owned, they're going to have a significant share of First Nations ownership. The North Coast transmission line, which is included in this, but also the Montney line will have a positive effect, should it proceed, on climate change.

I understand the intent of the legislation: "Let's wait several years to see how this goes." But I would say, for people who are as passionate as I am — I know the member is — about renewable energy, passionate about addressing climate change, passionate about renewable projects, we shouldn't be putting impediments in the way of such projects.

I disagree with the amendment. Respectfully, I think, as I say, it is against the intent of the legislation. I want to clarify, though, that prescribing renewable energy projects, as we do in this section, does not remove them from the environmental assessment process. The member referred to this, and I know he understands this. This is done on a separate part of the bill that is narrowly defined.

I'd just say that I hear the member's criticism of the B.C. Energy Regulator, but I would say that we will be developing an expert team to address renewable energy projects. We want them to go forward. It's good for the province. It's essential to the fight against climate change. Therefore, I oppose the amendment.

The Chair: Seeing there are no further questions, shall the amendment pass on clause 2?

Division has been called.

[7:10 p.m. - 7:20 p.m.]

Before putting the question, I remind all members that only the members of Section C or their duly appointed substitutes are authorized to vote. The question is on the amendment to clause 2.

Amendment negatived on the following division:

YEAS — 6		
L. Neufeld	Hepner	Maahs
Wilson	McCall	Valeriote
NAYS — 6		
Lajeunesse	Higginson	Routledge
Dix	Sharma	Boyle

The Chair: Members, there being an equal number of votes for and against, it's the Chair's responsibility to make the casting vote. I will be voting against the amendment to keep the bill in its original form, as adopted at second reading.

Larry Neufeld: A question for the minister is: can the minister clarify if, under clause 2, a streamlined project designation could be revoked or reversed, and if so, under what circumstances would that occur?

Hon. Adrian Dix: Well, it's obviously different with the North Coast transmission line — which is stated in the legislation — and with the selected wind energy projects, but if you can establish a prescribed renewable energy project by order in council, you can revoke it in the same way.

Larry Neufeld: Would the minister be able to describe to me under what circumstances that decision would be made? What would need to occur within the project for that decision to be made?

Hon. Adrian Dix: We'd essentially have to not want the regulator to regulate it, which I don't think would make sense. I'm saying that technically you could do it that way, because that was the member's question, but as a practical matter, I don't think that's what you'd want to do.

If there were an issue with the project that required regulation, that would be the responsibility of the regulator, and we would expect it to take that action. If the project was not successful in some way — they decided they couldn't do the project or something — it wouldn't exist on the ground, so it wouldn't really matter.

Undoing the prescribed energy project, while possible through OIC, is not really desirable.

[7:25 p.m.]

Larry Neufeld: Will the minister commit to public or legislative review periods before prescribing a project as streamlined, to ensure public transparency?

Hon. Adrian Dix: I wouldn't agree with that. These energy projects, in a general sense, would generally emerge out of very public processes.

When we talk about energy demand in the future, this fall B.C. Hydro will be presenting a 20-year integrated resource plan that will be reviewed by the B.C. Utilities Commission, in detail and in public. These electricity purchase agreements are provided by B.C. Hydro to the B.C. Utilities Commission. I believe they were in the case of the projects announced in December. By the time all the EPAs were signed in late December, maybe into January, they were provided to the BCUC and made public. This is a very public process.

Again, it's not the prescribing of energy projects to the regulator, which is a decision for the B.C. Energy Regulator, and for the government to prescribe certain types of projects to the regulator. The key question is, in some ways, the projects themselves. If people are unhappy, say, in Dawson Creek, maybe about a wind energy project, they're talking about the project.

We're talking about projects that will be part of a broad electricity strategy, to be announced in the beginning of May, part of an integrated resource plan that is fully consulted on, part of a call for power, in a general sense. They don't have to be part of a call for power; they could be part of a call for power that would be public, then a process, and then an announcement of successful projects.

Then naturally, significant consultation would occur afterwards, and a permitting process would occur after that. There's lots of a very public nature in the process. Adding an additional waiting period isn't really necessary; I would not be in support of that.

Larry Neufeld: Is there or will there be a plan or mechanism toward periodic review, and I'm talking about sunset clauses here in particular, for projects that have been streamlined yet fail to achieve clear benchmarks or milestones?

Hon. Adrian Dix: The member will know that in the oil and gas industry there are permits that expire. The B.C. Energy Regulator provides those permits, so it's certainly possible, in the regulatory process, that that's something to review.

[7:30 p.m.]

In other words, if you don't action the permit in a certain amount of time, that's something to be considered in the regulatory process; the B.C. Energy Regulator does do that. The projects are not identical, but it does do that now. That's a possible thing to be considered.

Under different acts, there are different circumstances. I think people know widely that there's an expiry date after ten years under environmental assessment. We're having some of those issues now. We've even discussed them in law, in the act, in this legislative session.

This is a little different in terms of a permit, but that's something clearly the Energy Regulator could consider in terms of the provision of a permit if a certain period expired, and that's the case currently for oil and gas.

Larry Neufeld: I'll certainly have to review clause 7 this evening with respect to permitting. Thank you for the heads-up.

With respect to my next question, is it possible that streamlined projects could have additional or altered environmental or other conditions attached to their environmental assessment certificates after the process has been fast-tracked and proceeded on that basis?

Hon. Adrian Dix: Well, in section 2…. Of course, section 2 doesn't really address the issue of environmental assessment. That's done later, but there's nothing in the act that would take away requirements and existing environmental assessment certificates, for example, perhaps, requirements that are in place for, say, the wind farm in Dawson Creek. In that sense, what happens is that those conditions, should that be the case on that project, should there be an environmental assessment certificate, would continue to be put in place and, of course, monitored,

overseen and enforced by the energy regulator as they are now.

But this section itself is not an environmental assessment section.

Larry Neufeld: This question is around the streamlined status. The question: if a renewable energy project that is fast-tracked through this legislation faces unforeseen environmental or safety issues after the streamlining process, will the project maintain its streamlined status or will the status be revoked?

Hon. Adrian Dix: Well, the advantage here, of course, is you have one regulator and not many. This is the advantage of the legislation. It's the advantage of the past legislation that we've discussed. If you have a permit already in place, you have your permits for your project, you are not continuing to be streamlined. You may have been streamlined, but you've got to act consistent with the permit you've received. That, I think, is how that process would work.

Larry Neufeld: Thank you to the minister for that answer.

Can the minister confirm whether or not local governments will retain any regulatory authority over projects streamlined that are identified through clause 2?

[7:35 p.m.]

Hon. Adrian Dix: I guess the question is: do streamlining projects take away powers from local governments? The answer is no. The bill does not override or change the power of local governments. The BCER, in fact, works closely with communities who may be impacted by the projects they regulate.

As has been noted before, BCER has a team of over 300 professionals in seven offices around B.C. with significant subject-matter expertise in this area. I think that's important when we're putting in place a single-window authority for renewable energy projects and transmission lines. It provides a consistent application decision regulatory compliance authority where the potentially impacted parties work with one agency instead of multiple ones, and that's the advantage of this process.

I would argue it's an advantage for everybody, not just the proponents but everybody, to have a regulator who has subject-matter expertise, who passionately cares about the environment but also about the issues involved, including local communities.

I think this regulatory change does not override that, and it's good for regulators but also interested parties.

Larry Neufeld: What measures or mechanisms would be in place within the regulator to monitor streamlined projects in order to ensure compliance with environmental and safety regulations?

Hon. Adrian Dix: It's all the enforcement powers that currently exist under ERAA, including compliance and enforcement, all of those powers being placed to ensure the public interest is protected. That's the purpose of the regulations now, will be the purpose under the B.C. Energy Regulator and is the B.C. Energy Regulator today.

We went over earlier, and we'll go back over the questions from the leader of the Green Party, who was asking about the extent of enforcement activity, which is considerable, by the B.C. Energy Regulator. The member will know that people who are regulated by it are respectful of that, respectful of the skills and expertise by the regulator, and it's our expectation that will be the same here.

Just to say a little more, the BCER maintains a comprehensive compliance monitoring system to identify, coordinate, track and continuously improve compliance management activities. The CMS is an integrated framework of people, policies, processes, information and tools to ensure conformity with requirements, legal, regulatory and permit conditions.

They also have a comprehensive approach to safety and compliance. We'll have an opportunity as we go through the bill to address some of those specific questions, including how, in the current context and with the current groups that are regulated under the act, the BCER deals with the agricultural land question, with the safety standards question, with the heritage conservation question and with the Wildlife Act question, because those are all questions for later on.

Those are areas, certainly, and we'll go through it when we go through those things. We'll discuss how many heritage conservation, how many archaeologists they have, how many people are dealing with heritage conservation — questions under the current legislative framework being the oil and gas and hydrogen and the experience that the BCER has in those areas.

Larry Neufeld: Next question to the minister. Is there any process or consideration in place to evaluate potential negative impacts on adjacent communities or stakeholders prior to a project's inclusion in the streamlined category now or in the future?

[7:40 p.m.]

Hon. Adrian Dix: The regulator has all the notification and consultation requirements on proponents that it would have. In addition to that…. Well, as the member knows, I strongly believe that the results of this legislation is a more streamlined system.

The regulator will continue to have the expectation of proponents and its own expectation that those affected will be heard and consulted, and that's what will hap-

pen. That's what happens now with respect to oil and gas. That's what happens now with respect to hydrogen. That's what would happen with respect to renewable energy.

One can disagree with the B.C. Energy Regulator in oil and gas, although, honestly, I haven't heard anyone wanting to redo that legislation. On hydrogen, well, I haven't heard anyone wanting to redo that legislation.

I believe the reaction, after we've gone through this regulatory process for a year or two, is there won't be anyone wanting to go back to the idea that there should be four or five or six ministries doing this and not the B.C. Energy Regulator.

Larry Neufeld: I'm looking for clarification here. Are we saying that the work has been done prior to the bill being passed and a funding mechanism put in place to compensate the energy regulator for that work?

Hon. Adrian Dix: We are taking a broad view of this section, but that's okay.

I would say that what matters to communities, in my view, anyway, is not the streamlining of the project and the moves to the B.C. Energy Regulator and these issues. I think what matters to communities is the impact of a project on their communities. The B.C. Energy Regulator will have all of the responsibilities and legal obligations that the ministries would have now in terms of that project.

Obviously, the bill hasn't been passed yet. The member is talking about money received. We'll have a whole discussion of how the B.C. Energy Regulator is funded by renewables, but I've laid out what that debate is. I think the member has heard me. It is a difference. There is a discussion about that.

[7:45 p.m.]

Some people don't agree with that approach. We may hear that as well, but I agree with that approach — meaning that, ultimately, the renewable energy projects sector that is being regulated here should pay for that regulation, just as the oil and gas section does, and there shouldn't be any cross between.

The B.C. Energy Regulator will have all those obligations to communities, and I think that's the important question.

Larry Neufeld: My question is…. This question is very specific to the projects that are identified in this bill. Has there been any work done on those specific projects around negative impacts to communities, and if so, which ministries did the work, and where did the money come from?

Hon. Adrian Dix: That will come through permitting.

Larry Neufeld: Sorry. I want to be clear, in case my ears are plugged. I thought I'd heard previously that that work had been done. Was I mistaken?

Hon. Adrian Dix: What's happening — I know we had this discussion earlier — is the B.C. Energy Regulator…. There's legislation coming through the House, right? We've announced that there will be legislation. The B.C. Energy Regulator is going to be responsible in this area. So the B.C. Energy Regulator, inevitably, as it should, is preparing for that.

Currently the proposals, and we're talking about the existing proposals, the nine wind…. Those proposals are not at the B.C. Energy Regulator because the law isn't passed. But they're preparing for them, as they should. We've got an outstanding CEO, Michelle Carr, who's dealing with that and preparing for that.

Part of the reason the legislation is constructed, and we'll start to see this discussion in the next four sections when we talk about level 1 streamlining and level 2 streamlining and then level 3 streamlining…. The reason it's constructed is to prepare for that process. So when I was saying that they were preparing for it, it's true.

I'm also saying that once they start to have legislative responsibility, then we have to have a way to ensure that they're financed to do that. That financing can't be from the other sections that are regulated by the B.C. Energy Regulator. It's done by this. That's why you'll see, in later sections, this discussion of retroactivity, which was much discussed at second reading.

Clauses 2 and 3 approved.

On clause 4.

Larry Neufeld: Can the minister explain the purpose of this clause, please?

[7:50 p.m.]

Hon. Adrian Dix: Broadly speaking, level 1 streamlining, which is dealt with in section 3…. We'll just take sections 3 and 4 together. We're on section 4, I think. I don't think it matters. The purpose of it is to allow for a transitional delegation of responsibility to the B.C. Energy Regulator for these projects. It's a transitional thing.

If you were to start a new group of projects that might have these provisions apply, you might create new level 1 regulations. But essentially, once we make the transition, level 1 will not be of any importance anymore or significant importance anymore. What it allows us is to immediately delegate authorities to the B.C. Energy Regulator so they can start taking action on these proposals, principally the ten plus the North Coast transmission line, in this interim period. They have delegation.

So the proposals aren't legally in one world, where the ministries are dealing with them, but in another world potentially. The level 1 authorities are for this interim per-

iod to apply the delegation so that the B.C. Energy Regulator is responsible and can start working on the projects as we develop the level 2 and level 3 projects, which is really the significant level. They're not three different levels. The project will either be, essentially, level 2 — the North Coast transmission line, in this case, is an example of that; and level 3, which would be the wind projects.

Larry Neufeld: Can the minister explain how much time projects defined as level 1 streamlining would expect to save?

Hon. Adrian Dix: Well, level 1 would apply to early works authorizations.

All of these projects will eventually go into level 2 or level 3. But the idea is to get going and allow them to deal with early works, early authorizations, as the regulatory framework is built out.

That's the purpose. They become the responsibility of the Energy Regulator. They're not in two places or in one place but are going to be in the other…. They're in that place. This enables that system to be in place as we build out the B.C. Energy Regulator as a regulator for renewable energy projects.

Clause 4 approved.

On clause 5.

Jeremy Valeriote: I believe I'm starting to understand the level 1, 2, 3. I'm wondering if the minister can give examples of what a level 2 streamlined project would look like, besides the North Coast transmission line specified.

Hon. Adrian Dix: Another streamlined project would be the North Montney transmission line, for example, where this might be applied as well. This is part of an act that allows for varying levels of regulatory oversight based on project needs.

[7:55 p.m.]

So for level 2 streamlined projects such as the North Coast transmission line and, let's say, the North Montney transmission line, BCER will have the authority to oversee most of the provincial natural resource authorizations needed to facilitate construction, operation and maintenance of the transmission line. The BCER will not be responsible for regulating the safety, construction or operation of the transmission line itself, which is a distinction.

B.C. Hydro transmission lines will likely be limited to level 2 category, rather than being subjected to level 3 life-cycle regulation by the BCER, as B.C. Hydro is an agent of the Crown. Additionally, B.C. Hydro is subject to oversight from other regulatory bodies, in particular, the B.C. Utilities Commission.

Really this is…. The difference on life-cycle regulation is this is the Crown, and it's responsibility for life-cycle regulation would be different from a wind project, or previously for an oil and gas project, where you're responsible for the project from the beginning, from the construction phase and throughout the phase of the project, so you don't have a situation which has been described in places where you would have an abandoned project.

The BCER is responsible for full life-cycle regulation of those projects. These projects, the level 2 projects, are different from that, the transmission line projects, because of the differing nature of their regulation.

Jeremy Valeriote: Thanks to the minister for that explanation.

I'm just wondering about the oversight of how these projects are selected. And is it not possible that a non-Crown project could find its way into level 2, thereby not requiring the life-cycle assessment as described? Is this oversight strictly through Lieutenant Governor in Council?

Hon. Adrian Dix: On a B.C. Hydro project or a project like this where there is other regulation in place, we don't need to duplicate the regulation.

Where that regulation isn't in place for, say, a wind project, we would have full life-cycle regulation. We would provide all the regulation. That's the distinction between the North Coast transmission line, which is otherwise regulated, and a wind project that would be exclusively regulated by the BCER.

What we are doing on the transmission line is regulating the natural resource permits and other things in the project to have a single window for regulation for that. But obviously, B.C. Hydro is significantly regulated, as are some interprovincial, for example, energy projects otherwise regulated, and that would be the case here.

Larry Neufeld: Can the minister confirm that through subsection (b) of this clause any project can be added as a level 2 streamlined project?

[8:00 p.m.]

Hon. Adrian Dix: The difference between level 2 and level 3…. They all have to be renewable. That's at its core. So that tells us that transmission lines, yes, would apply. And we'd see that in this case and other renewable projects, which would be largely level 3 if they're not otherwise regulated.

Level 2 is really created for projects such as the North Coast transmission line. As you're prescribing a project as a level 2 project, you would have to meet the requirements and the intention of a level 2 project, which is, as described, otherwise regulated, etc. Otherwise it's level 3, where it has the full life-cycle regulation. So they have to be renewable, and they have to fit the category.

Larry Neufeld: Thank you for the answer. That's perfect.

With respect to other, smaller transmission lines, perhaps from some of the wind energy projects into a transmission hub of some sort, would that then be a level 2 at a different scale?

Hon. Adrian Dix: Well, the intention here is for it to apply to the high-voltage lines, lines, like the North Coast transmission line and others. That's the intent here. I suppose it would be conceivable to do a smaller line as a prescribed activity, but that's not really the intent of this. The intent of the legislation…. It's typically Hydro's job, and they're doing that job very well now.

Larry Neufeld: Are there any specific projects currently in mind or currently that have been submitted or discussed that would potentially be added as a level 2 streamlined project?

Hon. Adrian Dix: I'd say the North Montney transmission line, which I think would make a lot of sense for all kinds of reasons. That would be the other project that I could think of and why I've kept mentioning it. The North Coast transmission line, absolutely. But North Montney, yes, and it has a similar provincial interest.

Larry Neufeld: My next question is around why we would not bring level 2 projects before the Legislature. Why would we want to deal with something of that magnitude in a bill?

Hon. Adrian Dix: Well, we are before the Legislature, and what we're saying here is that the North Coast transmission line and prescribed streamlined projects like the North Montney line — and we're debating it here right now in the Legislature — are projects that fit this category. We're debating it, and we're passing a law that allows us to address that.

[8:05 p.m.]

These are lines that are essential in the provincial interest, essential to the province's economy and the life of many people. They are lines that also positively affect our efforts to address climate change and GHG emissions in the province. So that's a good reason. But we're here. We're debating it. And Bill 14 seeks to address projects like that, large provincial interest projects.

It brings them under the provincial regulator for, in the case of level 2, major natural resource permits. It streamlines that process, which makes sense. It makes it more efficient, and it makes sense. These are public interest projects and, otherwise, projects that in any event will be much debated. They're major infrastructure projects in the province. So those get much debated everywhere.

There's a different point of view, at least in some place in the opposition benches, on the North Coast transmission line, and there might be a different point of view on the North Montney line, although we're working closely, in that case, with the natural gas industry on that question.

Trevor Halford: I just want to put forward a proposed amendment, if I can.

Do you mind if I read it first?

The Chair: Yes, please go ahead.

Trevor Halford: It's in section 5:

[**SECTION 5,** ***by deleting the text shown as struck out:***

5 This Division applies in relation to

(a) the North Coast Transmission Line project, ~~and~~

~~(b) a prescribed streamlined project.~~]

I can speak to that after I've….

The Chair: Yes, thank you. We'll circulate. Well, first off, we'll determine whether or not the amendment is in order and then circulate. In the meantime, we'll take a five-minute break. Thank you.

The committee recessed from 8:06 p.m. to 8:14 p.m.

[George Anderson in the chair.]

The Chair: I call Committee of the Whole on Bill 14 back to order. The amendment is deemed in order.

On the amendment.

[8:15 p.m.]

Trevor Halford: The reason I table this amendment, as I think my colleague alluded to before, is that it's important that we have guardrails and fencing. The minister did talk about the importance of coming back and debate and all this. This puts some certainty around that.

When we're talking about division 2, level 2 streamlining, subjectivity is an important thing. What the government deems is a priority…. We've already heard that there are differing views on consultation, whether it's a lack of consultation or whether the government thinks they've met a threshold of consultation.

I think with Bill 14 and Bill 15, there has been a real struggle to kind of find that proper framework of what the consultation looks like. And it has been — bumpy is not the right word — uncomfortable, I think, for a lot of British Columbians in the way that this legislation has been handled.

Also, when we add in the streamlining here, I think it's important. The fact is that these bills — specifically, we're talking about Bill 14 — are giving this government unprecedented powers. Albeit, it's unprecedented times. But for this, I think this amendment is fair. I think it's show-

ing some restraint. I think it's trying to keep government in check.

I look for my colleagues to support me in this amendment, and we'll go from there.

Hon. Adrian Dix: Well, I'm not going to bury the lede here. I'm against the amendment.

The purpose of the legislation, as we've discussed over time, is to do for renewable energy projects…. That includes these important transmission line projects, which would so benefit the economy of the province. Especially in this time of climate change and the need to get projects done, that is important — to move them to single-window regulation.

The member talks about our experience of this. Well, we have an experience with it. We've had with the B.C. Energy Regulator, previously the Oil and Gas Commission, a regulation in place for a quarter of a century that deals with single-window regulation. The member may view that as not long enough. I don't know.

What we're doing here is applying, first of all, regulation that has been in place for oil and gas for a long time and hydrogen for a shorter period of time — both supported unanimously in the Legislature and both successfully accomplished by the B.C. Energy Regulator. We're moving renewable energy to that level of regulation.

I think that makes a lot of sense. I think it makes sense for the North Coast transmission line. I'd say that there's a difference of opinion in the House about this. The Leader of the Opposition is against it. I think some members of his caucus favour it. I favour it strongly for what it brings to the northwest of British Columbia. I think it's fundamental.

It's a source of concern in communities around this province that our transmission lines frequently go down to the Lower Mainland, and we don't get the electricity we need to build the economy that we need in the northwest. So we think that's an urgent project. We're putting it forward equally.

The North Montney project, should it apply — it'd be the kind of project that would apply here — has very significant implications for the economy of the northeast of the province, real value for the natural gas industry and real value for the planet and for climate change. It makes a lot of sense. We think we should be able to proceed, just as we should proceed after the North Coast transmission line on north-of-Terrace projects that allow us to use these mechanisms to promote renewable energy projects.

So I oppose the amendment, because I support the bill. I support a bill that brings single-window regulation, that ensures that we move on with projects that are important and that we move on quickly. There will be, and there is, a political debate around the legislation, but I'm in favour of renewable energy and proceeding with projects. I'm in favour of economic development in our province. I'm in favour of addressing climate change. And this particular section and others address all those issues.

[8:20 p.m.]

I don't agree with the amendment. I don't agree with doing a project-by-project legislative approach here. Instead, I agree with a process that has been established, a regulator that has been established in the energy field that will do its work and streamlining of the process of permitting and approval of projects.

That's a difference between the government, which supports renewable energy and wants to proceed with projects in a time when we need to proceed with projects, and an opposition that has a different view. That's fair enough.

I know where I stand on the question, and it's no to the amendment.

Trevor Halford: My daughter is FaceTiming me right now, so I will….

Interjections.

Trevor Halford: No, I'm not going to put her on. I do have to call her back.

Interjection.

Trevor Halford: I'm getting heckled, yeah. Now I'm going to get in trouble for that and owe somebody a….

But no, I will say that it's not about economic development. This is about government overreach. I support renewable energy. We all do. We've had that. We support good projects. What we don't support….

Interjections.

The Chair: Members, we don't need any comments as the member for Surrey–White Rock is speaking.

Continue, Member. Thank you.

Trevor Halford: The members can all have a chance to speak to it, as my daughter just did.

I will say that it's important, though, that the minister talks about that he supports energy projects. We've been on record probably supporting a lot more energy projects than this minister has. I've been consistent in my support for TMX, been consistent in my support for LNG Canada, been consistent in my support for Site C. I think the Leader of the Opposition has been consistent in all those as well.

This amendment here is talking specifically and is addressing specifically trying to limit the powers of a cabinet, trying to limit the reach…. When we talk about prescribed powers, when we talk about government being able to pick winners and losers, I don't think that that's a business that we want to be in. That is why I put the amendment forward and why I'll be supporting the amendment.

Hon. Adrian Dix: I disagree, and I think…. I'd just say that there's overreach on the bill as well. I listened to lots of speeches at second reading on this bill which referred to sections of the bill as authoritarian, and those statements were simply false. There are existing provisions in the bill that…

Interjection.

The Chair: Member.

Hon. Adrian Dix: …had been applied by the B.C. Energy Regulator to oil and gas for a long time. People were saying that this was some sort of new thing, having one-step regulation of energy projects, when we've had it for 25 years.

The member was a member of another party at one time. They were here for 16 years. They didn't change that. In fact, they enshrined it further in law. It was started under the NDP, and it was built upon by the B.C. Liberal government. It has now been put in place for hydrogen by act of this Legislature supported by all members of this Legislature, including the hon. member. That had prescribing provisions as well.

I'd just say that we have a disagreement, and that's fair enough. But this legislation is consistent with past legislation. It seeks to move ahead with projects that are important economic and environmental projects in the province. That doesn't mean everyone has to agree with them all the time. People have different views. That's fair enough.

I don't agree with the hon. member, and that's why we're opposing the amendment.

[8:25 p.m.]

Jeremy Valeriote: I don't have a record to defend or lean upon, but the committee will have to trust me that I support renewable energy. What I don't support is prescription without any guardrails or criteria. As the minister says, if level 2 is meant for B.C. Hydro, Crown, BCUC projects, why not put it in there, instead of just a wide-open, prescribed streamlined project?

I support the removal of this clause because it's just so wide open when it doesn't need to be. I think I would happily accept, "These are the guardrails around the prescription; this is what we'll use it for," instead of just anything the cabinet chooses.

So I support the amendment.

The Chair: The question is the amendment to clause 5. Shall the amendment pass?

A division has been called.

[8:30 p.m.]

Before putting the question, I remind all members that only the members of Section C, or their duly appointed substitutes, are authorized to vote.

Amendment negatived on the following division:

YEAS — 6		
L. Neufeld	Hepner	Maahs
Wilson	McCall	Valeriote
NAYS — 6		
Lajeunesse	Higginson	Routledge
Dix	Sharma	Boyle

The Chair: The Chair must make a casting vote, and the Chair votes against the amendment in order to keep the bill intact, as adopted at second reading.

We're going to take a brief break.

The committee recessed from 8:34 p.m. to 8:35 p.m.

[George Anderson in the chair.]

Larry Neufeld: To the minister: I believe that you answered this, so I do apologize. One of my colleagues wasn't 100 percent sure on the understanding of your response. I'll try to be as plain as I can.

With respect to a level 2, is there no project other than a high-tension transmission line that would be assigned to level 2?

Hon. Adrian Dix: Not that we envision now. Possibly a low-voltage transmission line, if it made sense to do it. But right now the priority is the high-voltage line, such as the one I've already laid out for the member.

Larry Neufeld: Would the minister be able to lay out to us what would trigger that decision to make a low-voltage transmission line a level 2?

Hon. Adrian Dix: It would partly be, in my view, connected to a major project line which is already being regulated by the regulator. You wouldn't necessarily do it for a neighbourhood line in, say, Maple Ridge or something.

Clause 5 approved.

On clause 6.

Larry Neufeld: Can the minister confirm that via section 6(b)(i) of this bill, it's possible that spillage regulations and protections, meaning rules about oil spillage and other types of spillages, could be waived for these energy projects, under this bill, on ALR farmland?

Hon. Adrian Dix: This provision ensures that the provisions in the Energy Resource Activities Act apply with respect to spillage. It's not the opposite, which the member was, I think, just asking about, reasonably. It just says that those regulations apply.

It's the opposite clarification, but it's important to get clarification. I appreciate the question, but, quite emphatically, those rules apply.

Larry Neufeld: Thank you to the minister for the answer.

I think a lot of folks, perhaps, don't realize that there are spillage concerns around wind-powered projects. As a person that used to do that type of work for a living, I can assure you it absolutely is a real thing.

[8:40 p.m.]

On to my next question.

As the legislation stands, would the minister be able to provide other examples of what spillage could mean in regards to a level 2 streamlined project?

Hon. Adrian Dix: Just for the member, the definition of "spillage" is as it applies in the Energy Resource Activities Act, which reads: "'spillage' means an energy resource, oil, solids or other substances escaping, leaking or spilling from a pipeline, well, shot hole, flow line or facility, or (b) any source apparently associated with any of those substances." So what you're doing here is essentially applying this to renewable projects and, under this kind of project, transmission lines.

While, obviously, the risks are different, the application is the same around a transmission line. It would be a different set of rules for the North Coast transmission line or the North Montney transmission line than the obvious fixation on these rules when it comes to, say, pipelines. It just means that we're applying that definition to these projects as we do in the case of the act to other projects.

Clause 6 approved.

On clause 7.

Larry Neufeld: Under clause 7…. I'll start with the first question. Can the minister walk us through each subsection providing the reasoning for why it was chosen not to require specific portions that are identified in those subsections to apply to a level 2 project?

The Chair: There is no eating in the chamber. I would just like to remind the member for Ladysmith-Oceanside that food is not supposed to be in the chamber.

Hon. Adrian Dix: It's a long answer. What I'll do, because I talked to the staff, is prior to us starting at around 11 o'clock tomorrow morning, we'll go through and give him a written, detailed thing rather than me going through it, which would take five or ten minutes. Then you'll have that, and you can use that as the basis for further questions.

I'll just say that the broad significance is that proponents of level 2 projects will not be required to apply to BCER for an activity permit under the Energy Resource Activities Act. Since such permits will not be required, it would not make sense for other related provisions of the act to apply to level 2 projects. That's the broad question.

The member asked a detailed question, and it's absolutely fair to go through it. Why don't I provide that in writing to him and to other members of the committee, should they wish, in advance of our discussions. Then we can have a common basis for the discussion.

With that, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The Chair: This committee stands adjourned.

The committee rose at 8:44 p.m.

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For inquiries contact Hansard Services
612 Government Street, Victoria, B.C. V8V 1X4 | 250-387-3681 | hansardservices@leg.bc.ca