

Nos. 43 and 44

# VOTES AND PROCEEDINGS

## OF THE

### Legislative Assembly of British Columbia

Third Session of the Forty-second Parliament

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Thursday, April 7, 2022

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TEN O' CLOCK A.M.

Prayers and Reflections by Ms. *Alexis*.

The Hon. *N. Cullen* (Minister of Municipal Affairs) presented to the Speaker a Message from Her Honour the Lieutenant Governor, which read as follows:

JANET AUSTIN  
*Lieutenant Governor*

The Lieutenant Governor transmits herewith Bill (No. 20) intituled *Municipal Affairs Statutes Amendment Act, 2022* and recommends the same to the Legislative Assembly.

*Government House,*  
*April 4, 2022.*

Bill introduced and read a first time.

Bill *Ordered* to be placed on the Orders of the Day for second reading at the next sitting after today.

Order called for "Members' Statements."

Order called for "Oral Questions by Members."

The Speaker delivered his reserved decision as follows:

*Honourable Members:*

The Chair is prepared to rule on the question of privilege raised by the Member for Saanich North and the Islands earlier this week, which was taken under advisement.

On March 31, following Oral Question Period, the Member for Saanich North and the Islands reserved his right to raise a question of privilege regarding comments made by the Minister of Forests with respect to the spraying of glyphosate in the forest sector. The Member outlined his question of privilege on April 5, making a number of submissions to the Chair, primarily being scientific evidence that was not the subject of debate in this House. The Member repeatedly characterized the Minister's remarks as misleading and suggested that the Minister intended to mislead the House in making them.

Guidelines for raising a question of privilege are outlined in *Parliamentary Practice in British Columbia*, 5th edition, at pages 399 to 400, and one of the essential elements required is “a brief written statement of the matter, which the Member reads to the House.” The brief statement is intended to inform the House of the facts on which the question of privilege is based, and the statement should primarily focus on any applicable parliamentary authorities which may be of assistance to the Chair—not arguments with respect to differences of opinion or fact amongst Members.

The Government House Leader submitted that the question of privilege raised by the Member for Saanich North and the Islands was not a breach of privilege but was rather a dispute with respect to facts.

The Chair thanks the Member for Saanich North and the Islands and the Government House Leader for their submissions, which assisted the Chair’s review of this question of privilege.

The Chair will note that an allegation that a Member, and in particular a Minister, has deliberately or intentionally misled the House is a serious accusation and ought not to be made lightly. I emphasize this as it is an important reminder to all Honourable Members given the cut and thrust of debate that can take place in this Chamber, where matters may be raised that other Members may not agree with.

When such an accusation is made, the role of the Chair is to determine, based on the evidence presented, if the Member deliberately misled the House and to determine whether the House was thereby prevented from exercising its duties or was obstructed in doing so, which would amount to a contempt.

The Chair delivered a ruling on a similar matter a few weeks ago, on February 15, so the Chair encourages Members to revisit the Votes and Proceedings of that day to familiarize themselves with the full extent of parliamentary authorities that may guide a Presiding Officer in adjudicating such a matter.

In short, when deciding on such a matter, the Chair must examine any evidence that proves that the statement was misleading; that establishes that the Member (in this case, the Minister) making the statement knew at the time that the statement was incorrect; and that establishes that the Member intended to mislead the House in making the statement.

There is nothing that the Member for Saanich North and the Islands has outlined that would allow the Chair to make that determination. What the Member outlined amounts to debate—a debate that should unfold through other avenues in this House, and not by raising a question of privilege and making an allegation based on a difference of opinion regarding a statement of facts. The different views that may frequently arise in such a debate are not a matter for the Chair to weigh into.

Furthermore, not only is a dispute with respect to facts not something that should be raised as a question of privilege, but it is also not something that should even be raised as a point of order, as outlined in *Parliamentary Practice in British Columbia*, 5th edition, at page 133. It is simply inconsistent with the rules of debate that have guided the proceedings of this House for decades.

Having considered the submissions of the Member for Saanich North and the Islands and the Government House Leader, it is the finding of the Chair that there was no intentional or deliberate misleading of the House on the part of the Minister of Forests. It is therefore the ruling of the Chair that a *prima facie* breach of privilege has not occurred.

HON. RAJ CHOUHAN, *Speaker*

By leave, the Hon. *M. Farnworth* moved—

That *Norm Letnick* replace *Stephanie Cadieux* as a Member of the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

Motion agreed to.

By leave, the Hon. *M. Farnworth* moved—

That *Dan Davies* replace *Stephanie Cadieux* as a Member of the Select Standing Committee on Health.

Motion agreed to.

By leave, the Hon. *M. Farnworth* moved—

That *Norm Letnick* replace *Stephanie Cadieux* as a Member of the Select Standing Committee on Legislative Initiatives.

Motion agreed to.

The House proceeded to “Orders of the Day.”

Order called for Committee of Supply.

Pursuant to Sessional Order, order called for Section A of Committee of Supply.

On the motion for second reading of Bill (No. 17) intituled *Miscellaneous Statutes Amendment Act, 2022*, a debate arose.

Bill (No. 17) read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

Bill (No. 13) intituled *Passenger Transportation Amendment Act, 2022* was committed.

A proposed amendment by the Hon. *R. Fleming* (Minister of Transportation and Infrastructure) on the Order Paper to clause 1 of Bill (No. 13) passed.

On clause 1, as amended, of Bill (No. 13).

The Committee rose, reported progress and asked leave to sit again.

Bill to be considered at the next sitting.

(IN COMMITTEE—SECTION A)

Section A of Committee of Supply reported progress of the estimates of the Ministry of Citizens’ Services.

Report to be considered at the next sitting.

Committee to sit again at the next sitting.

And then the House adjourned at 11.58 a.m.

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**Thursday, April 7, 2022**

ONE O’CLOCK P.M.

The House proceeded to “Orders of the Day.”

Order called for Committee of Supply.

Pursuant to Sessional Order, order called for Section A of Committee of Supply.

Bill (No. 13) intituled *Passenger Transportation Amendment Act, 2022* was again committed.

Clauses 1, as amended, through 6 and the title of Bill (No. 13) passed.

Bill (No. 13) reported complete with amendment.

Bill (No. 13) as reported to be considered at the next sitting after today.

Bill (No. 14) intituled *Wildlife Amendment Act, 2022* was again committed.

Clause 1 and clause 2 of Bill (No. 14) passed.

On clause 3 of Bill (No. 14).

The Committee rose, reported progress and asked leave to sit again.

Bill to be considered at the next sitting.

(IN COMMITTEE — SECTION A)

21. *Resolved*, That a sum not exceeding \$656,645,000 be granted to Her Majesty to defray the expenses of Ministry of Citizens' Services, Ministry Operations, to 31st March, 2023.

Section A of Committee of Supply reported the Resolution and completion of the estimates of the Ministry of Citizens' Services and further reported progress of the estimates of the Ministry of Energy, Mines and Low Carbon Innovation.

Report to be considered at the next sitting.

Committee to sit again at the next sitting.

By agreement, summary of debate of estimates passed in Section A (Ministry of Citizens' Services) to be considered at the next sitting.

And then the House adjourned at 5.24 p.m.

HON. RAJ CHOUHAN, *Speaker*

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## NOTICE OF MOTIONS

**Monday, April 25**

**9** Ms. *Cadieux* to move—

Be it resolved that this House agree that British Columbians expect their elected representatives to work together despite their partisan perspectives and that seeking out, fostering and championing good ideas, regardless of their origin, is important to advance the broader public good.

**PROGRESS OF BILLS**  
**GOVERNMENT BILLS**  
*(Listing printed for convenience only)*

Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.
1	An Act to Ensure the Supremacy of Parliament .....	Hon. D. Eby .....	Feb. 8							
2	Municipalities Enabling and Validating (No. 4) Amendment Act, 2022 .....	Hon. J. Osborne .....	Feb. 9	Feb. 10	Feb. 15	Feb. 15		Feb. 15	Mar. 10	1
3	Protected Areas of British Columbia Amendment Act, 2022 .....	Hon. G. Heyman .....	Feb. 10	Feb. 14	Feb. 15	Feb. 15		Feb. 15	Mar. 10	2
4	Skilled Trades BC Act .....	Hon. A. Kang .....	Feb. 14	Feb. 17	Mar. 7	Mar. 7		Mar. 7	Mar. 10	4
5	Workers Compensation Amendment Act, 2022 .....	Hon. H. Bains .....	Feb. 16	Feb. 17	Mar. 3	Mar. 3		Mar. 3	Mar. 10	3
6	Budget Measures Implementation Act, 2022 .....	Hon. S. Robinson .....	Feb. 22	Mar. 10	Apr. 6	Apr. 6	Apr. 6			
7	Coastal Ferry Amendment Act, 2022 .....	Hon. R. Fleming .....	Feb. 23							
8	Attorney General Statutes (Hague Convention on Child and Family Support) Amendment Act, 2022 .....	Hon. D. Eby .....	Mar. 2	Mar. 8	Mar. 28	Mar. 28		Mar. 28	Mar. 31	5
9	Attorney General Statutes Amendment Act, 2022 .....	Hon. D. Eby .....	Mar. 2	Mar. 8	Mar. 29	Mar. 29		Mar. 29	Mar. 31	6
10	Labour Relations Code Amendment Act, 2022 .....	Hon. H. Bains .....	Apr. 6							
11	Commercial Liens Act .....	Hon. S. Robinson .....	Mar. 7	Mar. 10	Mar. 29	Mar. 29	Mar. 29	Mar. 31	Mar. 31	9
12	Property Law Amendment Act, 2022 .....	Hon. S. Robinson .....	Mar. 28	Apr. 5						
13	Passenger Transportation Amendment Act, 2022 .....	Hon. R. Fleming .....	Mar. 8	Mar. 30	Apr. 7	Apr. 7	Apr. 7			
14	Wildlife Amendment Act, 2022 .....	Hon. K. Conroy .....	Mar. 9	Mar. 30						
16	Transportation Amendment Act, 2022 .....	Hon. R. Fleming .....	Apr. 5							
17	Miscellaneous Statutes Amendment Act, 2022 .....	Hon. D. Eby .....	Mar. 31	Apr. 7						
18	Supply Act (No. 1), 2022 .....	Hon. S. Robinson .....	Mar. 28	Mar. 29	Mar. 30	Mar. 30		Mar. 30	Mar. 31	7
19	Employment Standards Amendment Act, 2022 .....	Hon. H. Bains .....	Mar. 28	Mar. 29	Mar. 30	Mar. 30		Mar. 30	Mar. 31	8
20	Municipal Affairs Statutes Amendment Act, 2022 .....	Hon. N. Cullen .....	Apr. 7							

**PROGRESS OF BILLS — Continued**

**MEMBERS' BILLS**

*(Listing printed for convenience only)*

Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.
M 201	British Columbia Transit Amendment Act, 2022.....	Mr. Sturdy .....	Mar. 3							
M 202	Equal Pay Reporting Act.....	Ms. Cadieux .....	Mar. 8							
M 203	Assessment (Split Assessment Classification) Amendment Act, 2022 .....	Mr. Stone.....	Mar. 9							
M 204	Crown Land Residential Lease Act, 2022.....	Mr. Sturdy .....	Mar. 10							
*M 205	Name Amendment Act, 2022.....	Mr. Clovechok.....	Apr. 5							
M 206	Preserving Brunswick Point for Agriculture and Migrating Waterfowl Habitat Act, 2022.....	Mr. Paton.....	Apr. 6							

\* Title changed.

**PRIVATE BILLS**

*(Listing printed for convenience only)*

Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.
Pr 401	Sea to Sky University Amendment Act, 2022 .....	Mr. Sturdy .....	Apr. 5							

# COMMITTEE OF SUPPLY

*(Listing printed for convenience only)*

## ESTIMATES, 2022 – 23

Ministry	Estimates Completed
Advanced Education and Skills Training.....	April 6, 2022
Agriculture and Food.....	April 4, 2022
Citizens' Services.....	April 7, 2022
Jobs, Economic Recovery and Innovation.....	March 9, 2022
Labour.....	March 9, 2022
Mental Health and Addictions.....	March 29, 2022
Tourism, Arts, Culture and Sport.....	March 8, 2022