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Tidings from the Legislature ~ Patrick Brown

The government has been busy passing bills in the provincial legislature, with, as usual, minimal debate and little explanation. It is left to the media to attempt to interpret their intentions and the probable results. Sometimes this is not easy and can lead to surprising conclusions, so treat the following comments (on just a few of those bills) with caution.

Bill 46, Land Amendments Act

This now has royal assent, providing a legal framework for the government's Working Forest Initiative (see islandtides.com for information on the Working Forest). Stan Hagen, Minister of Sustainable Resource Management, said in the legislature, 'We're offering certainty through the strategic sale of Crown land, which will be a catalyst for economic partnerships.'

MLA Paul Nettleton: 'Simply put, the BC government is dismantling several of the steps in the review process of Crown land sales ... While the government is denying that their Working Forest Initiative is privatization, we'd be fools to not recognize their step by step removal of the legislative and procedural frameworks that were designed to keep our public lands in public hands.'

Bill 48, Amendments to the Agriculture, Food, and Fisheries Act

This has now been given royal assent. Essentially, it gives the government the right to designate any shoreline and water area as agricultural, this permitting aquaculture, and removes any zoning or other rights local government might have had to oppose this use. This is, of course, of particular concern in the Islands Trust area, where a number of Islands, and Trust policy, have opposed the industrialization of their foreshore.

Bill 75, The Significant Projects Streamlining Act

First reading November 3. This gives the government power to override or bypass any legislation or procedures, provincial or local government, which might impede the fast-tracked development of anything the government designates as a Provincially Significant Project. Victims include the Community Charter, all local governments, the Vancouver Charter, and all provincial departments except the Agricultural Land Commission and the review procedures in the

Environment Ministry. It's sort of a last resort, no doubt with the Olympics in mind, but it's a significant assault on all the legislative safeguards against haste and stupidity built up over the years.

Bill 79, The Columbia Basin Trust Amendment Act

In 1995, recognizing that the residents of the Columbia Basin had received no benefit from the dislocation resulting from the development of hydro-electric power in their part of BC, the government created the Columbia Basin Trust (CBT), which owns generating facilities worth about \$250 million and other investments about \$50 million, and used financial returns (about \$2.7 million last year) to invest in more economic development projects in the region. According to the CBT, this has encouraged another \$100 million in private sector investment.

The CBT Board of Directors was originally set up with twelve representatives from six participating Regional Districts, and six appointed by the provincial cabinet. This *Act* changes that to a twelve member Board, all appointed by cabinet. No reason why is given, resulting in speculation.

Bill 85, The BC Hydro Public Power Legacy and Heritage Contract Act

First reading November 3. This grand-sounding title refers to legislation that starts out confirming that the 'legacy assets' of BC Hydro—the dams and associated installations—absolutely cannot be sold ... except if they become no use any more.

Does this mean that if they are no use to BC Hydro, they could be sold to someone who might make use of them? To generate power to sell to BC Hydro? Forgive our suspicions — it just doesn't seem necessary to legislate this.

But wait! Tacked on to the end of this Bill is a provision to repeal the *BC Hydro and Power Authority Privatization Act*.

What going on here? Oh, now I understand. This relieves Terasen Gas of the burden of being a 'special corporation' under the *Privatization Act* which removed it from public ownership (as part of BC Hydro) in 1988.

At that time, the government of the day legislated that, without cabinet approval, no more than 20% of the company (then BC Gas) could be sold outside the province, it could not

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be sold or merged, it could not sell, lease, or exchange substantially all of its property, and its head office should remain here; that's what it meant to be a 'special corporation'. Well, no more.

NDP leadership hopeful Leonard Krog notes that Terasen and its directors have been generous contributors to the provincial Liberals; Terasen itself says that this legislation would make it easier to raise capital to do new things (see their TV ads). Or sell the company.

Perhaps they should have called it the 'Terasen and BC Hydro Heritage More Privatization Act'.

Bill 88, Private Managed Forest Land Act

Third reading on November 6 makes it clear that local governments can't interfere in any way with anything a private owner might attempt to do with Managed Forest land. 'What the mighty province hath decreed, let no local government put asunder.' ✍

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