

PROVINCIAL RESPONSE

TO THE RESOLUTIONS OF THE 2004 UNION OF BRITISH COLUMBIA MUNICIPALITIES CONVENTION

Government of British Columbia

Ministry of Community, Aboriginal and Women's Services
Local Government Policy and Research Branch
<http://www.marh.gov.bc.ca/LGPOLICY/UBCM/>

October, 2004
Package 1

SECTION A

A1 PROCEEDS OF CRIME SALES

WHEREAS police departments are experiencing increasing demands for service, as both the amount and complexity of police work has increased as a result of court challenges, technology pressures, major crime investigations and organized crime;

AND WHEREAS municipalities cannot continue to sustain increased policing costs through one source of revenue (property tax):

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the federal government review legislative and non-legislative options in order to increase the ability to seize items that are proceeds of crime and to further ensure the funds from the disposition of these goods are distributed in an equitable manner directly to municipalities and regional districts to aid in covering policing costs.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The Forfeited Crime Proceeds Fund governs the disbursement of the forfeited crime proceeds in British Columbia. The province manages the Forfeited Crime Proceeds Fund in accordance with the *Special Accounts Appropriation and Control Act*. The funds are used to facilitate the administration of criminal justice and law enforcement in the province.

Criteria stipulating how funds in the Forfeited Crime Proceeds Fund can be disbursed are outlined in a protocol agreement between the Solicitor General, the Attorney General and the Minister of Finance. One of the criteria stipulates that the “monies must not be directly returned to agencies responsible for specific investigations or prosecutions.” This criterion is intended to avoid a conflict of interest situation with police concentrating resources and efforts on criminal cases that may cause proceeds of crime to be viewed as revenue.

British Columbia will continue to press the federal government for changes to federal criminal law and related statutes to better provide for the forfeiture of proceeds of crime.

At the provincial level, British Columbia will also introduce civil forfeiture legislation to ensure that people do not profit from illegal activity, such as illegal drug production and trafficking.

A2 ACCESSING INFORMATION REQUIRED FOR LAW ENFORCEMENT PURPOSES

WHEREAS existing lawful access legislation does not include new technologies such as the Internet, email and cellular phones and these tools are being used to conduct illicit activities;

AND WHEREAS local police services cannot continue to bear the financial responsibility of investigative costs where such illicit activities may expand to multi-jurisdictions or where communications service providers charge a fee for such information as may aid in a criminal investigation:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the federal government respond to this situation through both legislative and non-legislative options to ensure police the ability to lawfully intercept new technology communications and search and seize data to effectively carry out investigations and support prosecution of crimes;

AND BE IT FURTHER RESOLVED that a mechanism for financing such investigations be identified.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The interception of private communications in criminal investigations is a matter of federal legislative jurisdiction. However, the province will work with the federal government, police, industry and other stakeholders to address the matter of lawful access by police for investigation purposes.

The province recognizes that investigations involving new modes of personal communication vary and can be expensive. The province supports examining ways of addressing the costs of police lawfully accessing new technology communications. However, ensuring adequate funding for investigations should not necessarily mean added cost to private citizens or an additional compliance burden to the private sector.

A3 POLICING BASED ON AVERAGE ANNUAL POPULATION

WHEREAS many communities throughout British Columbia are subject to large influxes of seasonal visitors who are not recognized in census numbers;

AND WHEREAS policing resources are allocated on that census number, leaving those communities significantly under-serviced:

THEREFORE BE IT RESOLVED that the Policing Services Division of the Solicitor General's Ministry allocate policing resources on a basis which recognizes seasonal population influxes.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The RCMP has recently created a Reserve Program to address seasonal fluctuations in demands for policing, to provide policing for special events and to provide short-term enhanced policing where and when required.

While the Solicitor General of British Columbia provides overall direction respecting police services in the province and ensures there are adequate and effective levels of policing, police agencies operate at arm's length from government. A fundamental aspect of policing is that police agencies are independent in all operational matters, including the allocation and deployment of police resources.

**A4 SUPPORT FOR SAFE STREET ACT AND URBAN
TRESPASS ACT**

WHEREAS the increasing number of individuals creating disorder on streets (property crime/robberies, aggressive panhandlers/squeegee persons, graffiti and litter) is having a negative effect on the quality of life of citizens and visitors;

AND WHEREAS the existing legislative tools are inadequate to effectively deal with those issues:

THEREFORE BE IT RESOLVED that the provincial government enact a “Safe Streets Act” similar to the legislation already in existence in Ontario to allow police and communities to more effectively deal with aggressive behaviour and to ensure that the penalties and laws are consistent throughout the province;

AND BE IT RESOLVED that the provincial government amend the *Trespass Act* to provide useful statutory authority or enforcement action for businesses and private property owners.

RESPONSE OF: MINISTRY OF ATTORNEY GENERAL

Government is aware of the concerns surrounding aggressive panhandling and is considering a number of strategies to address them.

Government has introduced provincial legislation that will address a number of these concerns. As a longer term objective, the Ministry of Attorney General will conduct a broad review of the *Trespass Act*. Other options are being explored in addition to legislation, including further measures to support cities in dealing with aggressive panhandling.

**A5 IMPLEMENTING THE “NEW DEAL”
FOR MUNICIPALITIES IN CANADA**

WHEREAS the Federation of Canadian Municipalities has worked for years lobbying the Federal Government of Canada to create greater financial capacity for municipalities;

AND WHEREAS the quality of life of Canadians is largely determined by the prosperity of our cities and communities;

AND WHEREAS in the 2004 Speech from the Throne, the Prime Minister committed to a “New Deal” for Canada’s municipalities, which is to include raising the GST rebate for municipalities to 100 percent and working with provinces to share a portion of the gas tax revenues with municipalities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities strongly encourage prompt implementation of the “New Deal” for Canadian local governments.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN’S SERVICES

The Premier of British Columbia has written to the Prime Minister indicating the province’s strong support for a federal New Deal to help communities in BC manage the issues they face.

In preparation for future discussions with the federal government, the Province is working with UBCM to help define the details of the BC’s New Deal. This effort has already produced a draft set of principles that include stable and predictable long-term funding for local government.

A6 OTHER SOURCES OF REVENUE FOR LOCAL GOVERNMENTS

WHEREAS municipalities are continually faced with downloading of services from the provincial and federal governments and municipalities are facing increasing infrastructure capital costs and increasing operational costs;

AND WHEREAS the *Community Charter* initially proposed allowing municipalities to generate alternative sources of revenue and the Province has still not addressed new sources of revenue for municipalities:

THEREFORE BE IT RESOLVED that the *Community Charter* be amended to permit local governments to generate additional sources of revenue, other than what are currently listed in the *Charter* or in other provincial legislation.

RESPONSE OF : MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

A number of potential new tax sources for municipalities were considered in the development of the *Community Charter* but local governments did not broadly support any of the proposed own-source revenue tools and indicated their preference for revenue sharing with the Province. As a consequence, the Community Charter Council did not recommend any specific new own-source revenue tools for the *Charter*.

The provincial government committed to increase the municipal share of traffic fine revenues to 75% by the end of its current term. On October 22, 2004, the province exceeded that commitment when it returned the balance of 100% of net traffic fine revenues collected in 2002/03 to municipalities that pay for policing. This provided the municipalities with an additional \$31.8 million, on top of the previous \$10 million program, for 2004.

The provincial government also committed to reviewing the issue of Crown Corporation payment of property tax rather than payments in lieu of tax. As a result of the privatization of BC Ferries and BC Rail these former Crown Corporations will pay full property tax. Property taxation of BC Hydro assets is being reviewed by the Ministry of Finance.

The federal government has committed to share a portion of federal fuel tax revenues with Canadian cities and smaller communities as part of the New Deal for Cities and also appears to be seeking tri-partite arrangements similar to the Vancouver Agreement as a means of assisting communities.

The federal government has also increased the GST rebate available to all Canadian municipalities from 57.14% to 100% (equivalent to \$580 million in the first year and forecast to be valued at \$7 billion over ten years).

**A7 SMALL COMMUNITIES COST SHARING
UNDER NEW INFRASTRUCTURE PROGRAM**

WHEREAS small communities continue to express concern that they don't have the fiscal capacity to afford their one-third funding share required under the current Canada-BC Infrastructure Program (CBCIP), yet the need for new and upgraded infrastructure is significant in these communities:

THEREFORE BE IT RESOLVED that with respect to small community needs in the forthcoming Municipal Rural Infrastructure Fund, the new program should continue to set aside a portion of funding for small and rural communities;

AND BE IT FURTHER RESOLVED that the new program be structured to reduce the one-third share required for local governments that have a low fiscal capability.

**RESPONSE OF: MINISTRY OF SMALL BUSINESS AND ECONOMIC
DEVELOPMENT AND THE MINISTRY OF COMMUNITY, ABORIGINAL AND
WOMEN'S SERVICES**

The Province will consider both these propositions in developing its position in negotiating the proposed Municipal Rural Infrastructure Fund Agreement. The Province will propose that a minimum allocation for small and rural communities be included in the Agreement.

The Province will also raise the idea of allowing small rural governments, with limited financial capacity, to be able to contribute less than the one third share usually required of local governments. This proposal would be subject to the federal government agreeing to drop the requirement that limits the overall federal and provincial contributions to one-third of overall program costs. If this requirement is not dropped, then permitting some communities to contribute less than one-third will result in other communities having to contribute more than one-third. This result may not be acceptable to the Province, the federal government or British Columbia's local governments.

A8 PROPERTY TRANSFER TAX

WHEREAS housing is a cornerstone for building strong communities and access to housing is pivotal to community stability (it is a key determinant of a healthy community since where and how people live not only affects individual health, but the social and economic well-being and character of the whole community);

AND WHEREAS affordable housing is a key component of a community's social infrastructure;

AND WHEREAS senior government funding for social housing has not been sufficient to meet the needs of many communities;

AND WHEREAS local government lacks revenue sources appropriate to fund affordable housing;

THEREFORE BE IT RESOLVED that:

- 1) the Province of British Columbia provide a redistribution of a portion of the Property Transfer Tax to local governments (on a municipal and/or regional basis); and
- 2) the funds collected be directed to housing trusts dedicated to the provision of affordable housing.

RESPONSE OF: MINISTRY OF FINANCE

This government has made housing the most vulnerable a priority:

- Since June 2001, it has committed funding through BC Housing for the construction of 3,400 new units under the Provincial Housing Program.
- By 2006, through the Independent Living BC Program, the government will provide an additional 3,500 independent living spaces providing support for frail seniors and persons with disabilities.
- With the federal government, the province continues to subsidize the existing portfolio of 41,200 units, managed by BC Housing and non-profit housing providers.
- The provincial government also provides rent assistance to about 15,100 households renting in the private market.

Tax revenues are dedicated to fund particular programs only in limited circumstances because tax revenues fluctuate in ways that do not necessarily match changes in the funding needs of programs. Furthermore, any potential changes to the tax system or new expenditure programs must be evaluated carefully within the context of the government's fiscal plan and against competing requests for funding.

A9 HOME OWNER GRANT INDEXING

BE IT RESOLVED that the provincial government consider indexing the value limit of the Home Owner Grant each year consistent with the average residential property market value increase experienced in the Province of British Columbia.

RESPONSE OF: MINISTRY OF FINANCE

Each year the Minister of Finance reviews the Home Owner Grant threshold as part of the budget process. In 2004, the value threshold was increased to \$585,000 from \$525,000 so that approximately the same proportion of homes fell below the threshold in 2004 as in 2003. The threshold will be reviewed again prior to the preparation of the 2005 Budget.

A11 GRAVEL EXTRACTION AUTHORIZATION PROCESS

WHEREAS gravel, sand, silt and other debris extractions in waterways are required to control flood, erosion and/or seepage risks in many communities in British Columbia;

AND WHEREAS it is difficult for individual municipalities and operators to secure the necessary authorizations from the Department of Fisheries and Oceans (DFO) for gravel, sand, silt and other debris extractions in waterways:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government take the lead role in flood protection by working with communities and the DFO to streamline the authorization process for gravel, sand, silt and other debris extractions in waterways.

RESPONSE OF: MINISTRY OF SUSTAINABLE RESOURCE MANAGEMENT

Over the past several years, science-based studies have shown that gravel and sand removals on the Fraser River are necessary to reduce flood risks. Studies included hydraulic modeling of the river and its sediment budget, an inventory of gravel extraction, assessments of fish use and habitat, flood control and erosion control.

Land and Water British Columbia Inc. (LWBC) continues to initiate and support gravel and sand removals from the Fraser River. Sediment removal decisions on the River are based on contemporary river management science and adaptive management principles. Efforts to date have resulted in the removal of 70,000 cubic metres of gravel and sand in 2003 and 185,000 cubic metres of gravel and sand in 2004.

A letter of understanding between LWBC and Fisheries and Oceans Canada has been developed and will soon be announced publicly. As part of this agreement, it is expected that the river gravel extraction authorization process will be fully clarified. Highlights of the agreement also include the expected removal of up to 500,000 cubic metres of gravel and sand from the Fraser River gravel reach in 2005.

LWBC will continue to develop relationships with First Nations, other agencies and local governments.

A12 WEST NILE VIRUS FUNDING

WHEREAS West Nile Virus is a potential human and livestock health issue in British Columbia;

AND WHEREAS continuing funding is required for long-term monitoring, mosquito control measures and public education;

AND WHEREAS one-time funding grants available to local governments in 2004 are not sufficient to prepare long-term monitoring and public education programs and to undertake mosquito control measures:

THEREFORE BE IT RESOLVED that the Province provide annual funding to local governments who request it for monitoring, public education programs and mosquito control measures to enhance public and livestock safety.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

The West Nile virus has not yet reached British Columbia. However, we are working in collaboration with municipalities, organizations and agencies to prepare for that eventuality.

Government has provided a total of \$4.4 million to ensure the province is prepared for the potential of West Nile Virus. Funding has been provided through:

- Ministry of Health Services – in 2004, one-time funding of \$1 million to assist local governments in their West Nile Virus mosquito control program, \$1.4 million to the BC Centre for Disease Control for surveillance programs and \$400,000 to health authorities for coordination within their regions.
- In fiscal 2003/04, the Ministry of Community, Aboriginal and Women's Services provided \$1.6 million for advance planning work to help 128 local governments prepare for the possibility of the virus. This funding was available for the 2004 season as it was distributed after January 2004.

Government acknowledges and thanks local governments who worked in partnership with Public Health departments to develop the 2004 WNV prevention programs. Government will be reviewing the WNV funding that was provided in 2004 and will be advising health authorities and municipalities when decisions have been made.

A13 AVIAN INFLUENZA DISASTER RELIEF RECOVERY

WHEREAS municipal governments in the Lower Mainland of British Columbia are contending with the Avian Influenza crisis;

AND WHEREAS the poultry community is devastated by the disease and the economic impacts of the epidemic are now witnessed by businesses directly and indirectly associated with the poultry industry;

AND WHEREAS the City of Abbotsford appreciates the importance of eradicating the disease, and is cooperating with the federal and provincial governments on a range of related issues, the City is not in a position to provide financial support to those families and businesses devastated by this disaster;

AND WHEREAS the Federation of Canadian Municipalities adopted resolution CSCP04.2.06, entitled, "Disaster Relief Recovery – Avian Influenza" at its 2004 Annual Conference as a category "A" resolution and forwarded a letter regarding disaster relief recovery to the Minister of State (Public Health), the Honourable Carolyn Bennett:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the federal government of Canada and the Province of British Columbia to respond to the BC poultry industry request to the federal party leaders for \$340 million in rapid recovery support to help the industry recover from the devastating Avian Influenza crisis.

RESPONSE OF: MINISTRY OF AGRICULTURE, FOOD AND FISHERIES

The depopulation of the Lower Mainland poultry industry due to the outbreak of Avian Influenza (AI) had far reaching impacts on primary producers, support services, allied industries and communities in the Fraser Valley. These impacts have affected both the short-term and long-term economic welfare of the BC poultry industry and economy.

Under the *Health of Animals Regulations*, the Federal Government provided \$64 million in compensation at market value for birds ordered destroyed, as well as any related costs incurred in the destruction and disposal of birds to eligible poultry producers.

Industry and the federal Canadian Food Inspection Agency (CFIA) have determined what is fair market value to compensate for depopulated flocks.

Poultry producers affected by Avian Influenza are also eligible for different levels of income stabilization assistance under the federal/provincial Canadian Agricultural Income Stabilization (CAIS) program.

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Response to A13 CONTINUED

The Ministry of Agriculture, Food and Fisheries urges all producers to consider the Canadian Agricultural Income Stabilization program to assist with unusual declines in overall farm income.

Recent discussions between Ministry staff and the poultry industry groups indicate that repopulation is well underway in the Fraser Valley and producers are already exporting poultry to the United States.

During the Avian Influenza outbreak, extraordinary trade provisions such as supplemental imports and production from other provinces were put in place to meet BC processor needs — so that two-thirds of processor jobs were kept in British Columbia.

Job sharing arrangements and a waiver of severance payments for laid-off workers also assisted allied industries.

We are proud that during the crisis, British Columbia made what was a huge “in-kind” contribution of staff time and facilities to help industry and the CFIA control and eradicate the virus.

The Ministry of Agriculture, Food and Fisheries continues to work closely with the Federal Government, local governments and industry on the economic recovery strategy for the poultry industry.

The BC Minister of Agriculture, Food and Fisheries recently met with the federal Minister of Agriculture and Agri-Food Canada to discuss the economic impacts of Avian Influenza in British Columbia.

There will be costs associated with re-establishing the poultry industry in the domestic and export markets.

To re-establish these markets, we must ensure that poultry products are safe for consumers and prevent future Avian Influenza outbreaks. Industry and governments at the municipal, provincial and national levels are working together towards establishing strategies for enhanced bio-security measures.

Ministry staff are working closely with local governments and the Fraser Valley Regional District to ensure we have effective disposal strategies in place for the future.

SECTION B – PART I

B2 CIVIL LIABILITY REVIEW

WHEREAS the Town of Creston supports the Union of BC Municipalities – Municipal Insurance Association Joint Task Force recommendations contained in the Task Force’s submission to the British Columbia Attorney General’s civil liability review:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial government to introduce legislation that supports the UBCM/MIA Joint Task Force recommendations contained in the Task Force’s submission to the British Columbia Attorney General’s civil liability review.

RESPONSE OF: MINISTRY OF ATTORNEY GENERAL

The overall goal of the Ministry of Attorney General is to ensure that every law in British Columbia is as just, clear, predictable and effective as possible.

A public discussion paper was released in 2002, asking if civil liability law in British Columbia should be reformed. The Ministry met with stakeholder groups and received submissions from local governments, those involved in the building industry, victims groups including people affected by leaky condos, and other interested individuals.

Government carefully considered all of the issues and perspectives. Government also considered the experience in other jurisdictions. In the end result, government has decided not to proceed with law reform in these areas at this time.

B3 DRUG PENALTIES

WHEREAS illegal drug sources and sellers are associated with organized crime, creating health and safety concerns for innocent people, causing economic harm to legitimate businesses and governments and significant costs to police enforcement and judicial systems;

AND WHEREAS present drug-related fines, penalties and jail terms are not reflective of community values and do nothing to deter such actions:

THEREFORE BE IT RESOLVED that the provincial and federal governments increase all penalties associated with drug-related crimes to reflect the serious impact of illegal drugs on our communities and to discourage the trafficking of illegal drugs;

AND BE IT FURTHER RESOLVED that all drug-related fines and all property and proceeds of drug-related crimes be turned over to the local government responsible for paying related policing costs and any costs incurred by local government in relation to any related judicial proceedings.

RESPONSE OF MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The federal government has sole jurisdiction over drug offences and associated penalties. British Columbia, however, continues to press the federal government for changes to federal drugs laws (*Controlled Drugs and Substances Act*) to better counter illegal drug production and trafficking. Attacking the financial base of organized crime and enhanced sentencing are key elements of British Columbia's position.

British Columbia endorses the National Action Plan on Organized Crime, which includes measures that can be taken at every level of government to reduce the revenue obtained by organized crime from illicit drugs.

British Columbia will introduce civil forfeiture legislation at the provincial level to ensure that people do not profit from illegal activity, such as illegal drug production and trafficking.

Drug prosecutions are prosecuted by the federal Department of Justice and the federal government provides the province with a share of forfeited drug proceeds of crime using a sharing formula.

The province manages the shared forfeited drug proceeds in the Forfeited Crime Proceeds Fund in accordance with the *Special Accounts Appropriation and Control Act*. The funds are used to facilitate the administration of criminal justice and law enforcement in the province.

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Response to B3 CONTINUED

Criteria stipulating how funds in the Forfeited Crime Proceeds Fund can be disbursed are outlined in a protocol agreement between the Solicitor General, the Attorney General and the Minister of Finance. One of the criteria stipulates that the “monies must not be directly return to agencies responsible for specific investigations or prosecutions.” This criterion is intended to avoid a conflict of interest situation with police concentrating resources and efforts on criminal cases that may cause proceeds of crime to be viewed as revenue.

The province continues to press the federal government for enhanced transparency and equity in the sharing of the proceeds of illegal drugs sales resulting from federally prosecuted drugs offences.

Proceeds of crime funds are limited at this time. However, the Government of British Columbia encourages all police agencies in BC to apply for disbursements from the Forfeited Crime Proceeds Fund.

B4 ALTERNATIVE JUSTICE PROGRAM FUNDING GRANTS

WHEREAS the present justice system is not cost effective, timely, nor fair as it applies particularly to first-time and youthful offenders and minor offences;

AND WHEREAS victims of these offences do not receive a sense of justice in a system that has long delays and often trivializes offences;

AND WHEREAS Alternative Justice Programs can address all these shortcomings with appropriate criteria, set by the Province and monitored by the RCMP or other local police force:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities call on the Province of British Columbia to mandate, implement and fund Alternative Justice Programs where community organizations exist, meeting provincial criteria and standards, or where they may exist in the future;

AND BE IT RESOLVED that local government be given the option as to whether or not it wants to implement the mandated provincial program or implement its own Alternative Justice Program using volunteers from the community.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The Ministry recognizes that alternative justice programs (community accountability and restorative justice programs) offer a valuable and complementary alternative to the formal criminal justice system.

There is federal legislation respecting the use of alternative justice measures. Specifically, the *Criminal Code* deals with the use of alternative measures for adults, and the *Youth Criminal Justice Act* provides guidance for the use of extra judicial measures for youth.

In keeping with the federal legislation, for cases referred by Crown Counsel, the Ministry of Public Safety and Solicitor General provides alternative justice measures through Adult Community Corrections (Adult Probation) while the

Ministry of Children and Family Development provides a similar service through Youth Justice Services (Youth Probation).

For police-based referrals, a less formal discretionary process of alternative justice is available. This process may include referral to a Community Accountability Program as a way to respond to some minor offences. The

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Response to B4 CONTINUED

Ministry of Public Safety and Solicitor General provides start-up and ongoing funding for eligible volunteer-based Community Accountability Programs. To qualify for funding, programs must meet existing provincial criteria.

In addition to the financial support provided to these programs, the Ministry provides additional guidance, resources and training opportunities, as well as the opportunity to apply for limited insurance coverage.

B5 KEEP OF PRISONERS

WHEREAS the City of Prince Rupert pays \$2.6 million for policing services and along with other local governments whose policing costs make up a substantial amount of their budgets and it is recognized that the communities policed by RCMP have a cost sharing formula depending upon the population of the community and the City along with some communities pay for the keep of prisoners at an annual cost to the City of Prince Rupert of \$327,000 and the payment under the new Keep of Prisoners Program include reimbursement for federal and provincial prisoners and the payment received per hour as at February 2003 was \$9.52 per hour which is barely above the minimum wage rate;

AND WHEREAS the rate of pay for guarding prisoners in Prince Rupert and many other municipalities is governed by Collective Agreements and the hourly rate of pay on an average is almost twice the hourly rate of pay presently reimbursed by the Province and by setting such a low rate of hourly pay for reimbursement, the Province has effectively downloaded the cost to local property taxpayers:

THEREFORE BE IT RESOLVED that the Solicitor General be asked to reimburse the municipalities the cost of keep of prisoners who have allegedly committed offences under federal and provincial legislation at a rate equal to not less than the rate paid by municipalities to guard all prisoners.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The Keep of Prisoners program provides the same equitable rate to all municipalities for housing provincial prisoners because the cost of operating a police lockup is under the control and legislated responsibility of each local government.

Admission rates and length of stay for provincial prisoners in police lockups can vary due to a number of external factors. For example, regional demographics, economic opportunities, changing crime rates, policing initiatives, increased use of video court and prisoner transportation schedules can all significantly vary the number and duration of provincial prisoners in any given location.

The Ministry of Public Safety and Solicitor General is developing options with UBCM to ensure the annual Keep of Prisoners budget continues to be distributed equitably to all jurisdictions according to prisoner usage.

B6 HIGHWAY RESCUE SERVICES

WHEREAS highway rescue is an important service that is performed by fire rescue departments to respond to accidents both within and outside municipal boundaries twenty-four hours a day, seven days a week;

AND WHEREAS equipment needed to respond to highway rescue operations on the provincial highway system is utilized to serve all public travelling in British Columbia;

AND WHEREAS the cost of manpower and equipment to provide this service is borne by municipal taxpayers to enable response to accidents on surrounding provincial highways:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government for increased financial support for highway rescue equipment and remuneration and/or wages for fire rescue members while outside their fire protection boundaries to provide highway rescue service.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

Highway rescue equipment (including jaws of life etc.) is eligible under Joint Emergency Preparedness Program (JEPP) funding.

Road rescue is one of the five “Public Safety Lifeline” volunteer programs supported and funded by the province through the Provincial Emergency Program.

The ministry will reinitiate discussions with ICBC for the provision of financial support for a formal road rescue advisory structure, standards development and training programs.

The province supports the development of mutual aid agreements to facilitate out of fire protection boundary fire suppression and road rescue services.

B7 ILLICIT DRUG PRODUCTION AND PROCEEDS OF CRIME

WHEREAS illegal marijuana grow operations are the fastest growing organized crime in British Columbia, consuming escalating amounts of local governments' limited resources and putting protective services, such as police and fire, increasingly at risk from illegal marijuana grow operators protecting their crops;

AND WHEREAS the leniency of sentencing provisions in the courts is not acting as a deterrent for illegal grow operations;

AND WHEREAS law enforcement agencies that participate in investigations in British Columbia are largely funded by local government through either a contract with the Province for RCMP services or through a municipal contract for policing services, and the current legislation excludes local governments from sharing in the proceeds of disposition of forfeited property;

AND WHEREAS an increasing number of illegal marijuana grow operations are found in residential areas where residents, especially children, are at risk and vulnerable:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Attorney General of the Province of British Columbia to pursue legislative changes to seek harsher penalties for persons involved in the growing and distribution of illicit drugs, including a specific policing initiative to actively eliminate the production of illicit drugs;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities petition the federal government to amend the current legislation to include the direct transfer of the proceeds of disposition of forfeited property by the federal government directly to the local government where the original investigation was conducted;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities petition the Minister of Community, Aboriginal and Women's Services to pursue changes to the *Community Charter* to empower local governments to exact penalties on land owners that permit marijuana and other illicit drug producers to operate on their properties.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

The federal government has sole jurisdiction over drug offences and associated penalties. British Columbia, however, continues to press the federal government for changes to federal drugs laws (*Controlled Drugs and Substances Act*) to

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Response to B7 CONTINUED

better counter illegal drug production and trafficking. Attacking the financial base of organized crime and enhanced sentencing are key elements of BC's position.

British Columbia also endorses the National Action Plan on Organized Crime, which includes measures that can be taken at every level of government to reduce the revenue obtained by organized crime from illicit drugs.

British Columbia will also introduce civil forfeiture legislation at the provincial level to ensure that people do not profit from illegal activity, such as illegal drug production and trafficking.

The Forfeited Crime Proceeds Fund governs the disbursement of proceeds of crime forfeited as a result of illegal drug activities in British Columbia. The province manages the Forfeited Crime Proceeds Fund in accordance with the *Special Accounts Appropriation and Control Act*.

Criteria stipulating how funds in the Forfeited Crime Proceeds Fund can be disbursed are outlined in a protocol agreement between the Solicitor General, the Attorney General and the Minister of Finance. One of the criteria stipulates that the "monies must not be directly returned to agencies responsible for specific investigations or prosecutions." This criterion is intended to avoid a conflict of interest situation with police concentrating resources and efforts on cases that may cause proceeds of crime as revenue to be viewed as revenue.

Proceeds of crime funds are limited at this time. However, the Government of British Columbia encourages all police agencies in BC to apply for disbursements from the Forfeited Crime Proceeds Fund.

The Solicitor General supports the use of municipal bylaws and other legislation within provincial jurisdiction to counter illegal activity in communities and ensure safer streets.

B8 MOWING OF HIGHWAY RIGHTS-OF-WAY

WHEREAS the Ministry of Transportation has significantly reduced its budget for the mowing and brushing of its highway corridors, leading to highway corridors which look unsightly and leave a lasting poor impression on visitors to our province;

AND WHEREAS despite being characterized as an aesthetic concern by former Transportation Minister Judith Reid, brush and high grass are a safety concern in the following respects:

- a) Brush and high grass attract and hide wildlife along highway corridors leading to increased animal/vehicle accidents;
- b) Fuel build-up in highway corridors increases the risk of interface fires in our communities; and
- c) Tall grass and brush along highway corridors can increase the risk of vehicle or human-caused wildfires:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities call upon the provincial government to immediately restore funding for brushing and mowing of all British Columbia's highway corridors.

RESPONSE OF: MINISTRY OF TRANSPORTATION

The ministry has reinstated selective area mowing throughout the province. During 2002/03 aesthetic mowing of highway rights-of-way was eliminated in an effort to save one million dollars per year. Many british columbia communities, however, expressed concerns about the appearance of the rights-of-ways to tourists and residents. Fire departments raised safety concerns that the mowing levels created a fire hazard by allowing grass to dry and grow too long

The ministry reviewed its mowing policy and, in addition to mowing currently undertaken for safety reasons and for the control of noxious weeds, has been providing increased levels of aesthetic mowing for the 2004 growing season

The ministry initiated consultations with municipalities and regional governments to determine community's aesthetic mowing priorities and establish a baseline level of service. Treatments will be provided according to this baseline, up to two times per year.

In conclusion, Government recognizes that municipalities value the appearance of highways in their communities and, therefore, the ministry has restored virtually all of its mowing program this year. Government will continue to sponsor the Adopt-a-Highway program and use that program where it can to provide further care for provincial highways in municipalities.

B9 CELL SERVICE ALONG HIGHWAY 16

WHEREAS Highway 16 is the major east/west corridor in central British Columbia, and sees large volumes of commercial, general and tourist traffic travelling through remote areas that are without telephone access;

AND WHEREAS there is literally no cell phone coverage from the Alberta border to the City of Prince George along Highway 16, a distance of approximately 400 kms, and for many others areas west to the coast:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to ensure that cell phone coverage is available to the travelling public along the entire BC highway system.

RESPONSE OF: MINISTRY OF MANAGEMENT SERVICES

The provincial government agrees that the provision of cellular telephone service is an increasingly important service that effects economic development, tourism and safety. This issue is complicated by the fact that there are a number of suppliers of cellular service in British Columbia as telecommunications in Canada is a federal government responsibility and there are no regulations requiring cellular service in any region of the country. The provincial government will continue to urge telecommunications vendors to expand their services, particularly in remote regions of the province.

**B10 TAX REFUND FOR MUNICIPAL ENERGY PROJECTS
(CONSERVATION/ALTERNATIVE GENERATION)**

WHEREAS UBCM members stated in 2001 that the provincial and federal governments should consider using GST and PST revenues to promote energy conservation and alternative energy sources;

AND WHEREAS neither the provincial nor the federal governments have developed energy conservation or alternative energy generation programs funded from energy sales tax revenues:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial and federal governments to implement a full sales tax refund policy for machinery and equipment for municipal energy conservation and/or alternative energy generation projects.

RESPONSE OF: MINISTRY OF FINANCE

Local governments have a number of tax advantages compared to private sector suppliers and this can lead to concerns about fairness when local governments undertake commercial activities.

For this reason local governments were excluded from the provincial sales tax exemption for production machinery and equipment, an exclusion shared by other jurisdictions such as Ontario that provide similar exemptions.

Local governments generally have the ability to structure their projects, including power generation projects, to qualify for the exemption, although this may require forgoing other tax advantages.

B11 INSURANCE PREMIUM TAX

WHEREAS the government of the Province of British Columbia collects a 4.4% tax on the premiums for insurance;

AND WHEREAS the funds gathered through this tax are directed to general revenue and only a small portion of the amount collected is redirected through the budget to fund what was the original intent of the tax:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government direct the funds gathered from this tax to local governments, to offset the cost of fire protection related services.

RESPONSE OF: MINISTRY OF FINANCE

The fire insurance premium tax imposed under the *Fire Services Act* was repealed in Budget 98.

The tax revenue generated from the 4.4 per cent tax paid by insurance companies on property insurance premiums is intended to be a general revenue source and it is the provincial government's view that this is the appropriate use of the revenue.

Any proposed transfer of tax revenue to local governments must be evaluated within the context of the government's fiscal plan and the need to fund critical provincial programs.

B13 EXCESSIVE PACKAGING AND UNSOLICITED WASTE

WHEREAS the amount of packaging generated by industry that ends up in our waste stream has climbed astronomically over the past century, and municipal residents must cover the cost of this excessive waste;

AND WHEREAS municipal residents also receive significant unsolicited material at their homes through Canada Post and other forms of door-to-door delivery, and though residents do not request this material and many do not want or read it, those residents must dispose of the materials and all residents must pay for that disposal nevertheless:

THEREFORE BE IT RESOLVED that the UBCM write to the provincial and federal governments asking them to work with industry to reduce packaging and excessive waste that ends up in the municipal waste stream, and to increase the recyclability of packaging materials, including consideration of charging industries based on excess waste created by their products and packaging and/or offering incentives for waste minimization;

AND BE IT FURTHER RESOLVED that the UBCM write to the federal government requesting that a disposal fee be imposed on those sending unaddressed ad mail through Canada Post, to be spent on waste reduction initiatives and a portion returned to local governments to cover the costs of waste disposal.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

Future stewardship program product categories would be determined in consultation with stakeholders, including local government, and using the science-based process developed by Marbek Resource Consultants Ltd for assessing the suitability of products for industry product stewardship programs.

With respect to packaging, the ministry believes it would also be desirable to work with other provinces and the federal government, since a national program may be most effective.

B14 MILK CONTAINER RECYCLING

WHEREAS ready-to-serve milk containers are not included in the deposit/return system (*Beverage Container Stewardship Program Regulation*);

AND WHEREAS the exception of ready-to-serve milk containers is inconsistent with the Province's stewardship principle and plans in the British Columbia Industry Stewardship Business Plan:

THEREFORE BE IT RESOLVED that ready-to-serve milk containers be included in the provincial beverage container deposit/return system.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

Given the willingness of the dairy industry to assume responsibility for its containers and develop a voluntary stewardship plan consistent with the ministry's principles, the Ministry of Water, Land and Air Protection believes it is premature to remove the exemption in the regulation.

The ministry will monitor the BC Dairy Council's progress and reconsider the need for the exemption during a review of the beverage container program in about two years, as part of the review and approval of revised stewardship plans submitted by the three existing stewards under regulation.

**B15 HOUSEHOLD HAZARDOUS WASTE
STEWARDSHIP**

WHEREAS some household hazardous waste materials and products generated from residential sources that are prevalent in the municipal solid waste stream are not captured by provincial product stewardship initiatives;

AND WHEREAS there has been an increase in marketing and use of certain products containing hazardous materials, such as compact fluorescent light bulbs and electronic devices:

THEREFORE BE IT RESOLVED that antifreeze, dry-cell batteries, fluorescent light bulbs, electronic devices and thermostats be included in provincial product stewardship regulations.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

Future product categories would be determined utilizing the science-based process developed by Marbek Resource Consultants Ltd. for assessing when to implement new programs. Stakeholder consultation, including local governments, will also be a determining factor.

**B16 FLOOD PROTECTION INFRASTRUCTURE
FUNDING**

WHEREAS flood control works protecting infrastructure of local, provincial and federal interest require significant upgrades;

AND WHEREAS there is currently no accessible provincial or federal funding for necessary flood protection infrastructure improvements:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government take the lead role in flood protection by securing federal and/or provincial funds for flood protection infrastructure.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection recognizes the importance of flood protection infrastructure and continues to explore additional options and tools for successful implementation of the new flood hazard model. For example, the province has provided a grant of \$1 million to develop tools and information for municipalities to assist with future flood plain planning. These tools include flood plain maps, flood hazard information, a detailed global positioning survey of flood protection works, guidebooks, training and expertise. An additional grant totaling \$95,000 was provided to UBC for flood research.

B17 FLOOD PLAIN AND STREAMSIDE/ LAKESHORE ENVIRONMENTAL MANAGEMENT

WHEREAS the Province, through the Ministry of Water, Land and Air Protection, provided legislation and technical assistance to local government for floodplain management and the Province adopted the *Fish Protection Act* (1997) and *Streamside Regulations* (2001) and provided financial and resource support to local governments in British Columbia;

AND WHEREAS the Ministry of Water, Land and Air Protection has withdrawn the provision of technical assistance to local government and developers, without consultation, and the Ministry has indicated that it will continue to develop policies and guidelines which the Province intends local government will adopt, and which will impose on local government unforeseen costs and liabilities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities inform the Minister of Water, Land and Air Protection that abandonment of the provision of floodplain information and management and environmental management without local consideration or consultation has resulted in the stalling of development approvals and that the Minister should reinstate the mandate for floodplain management and streamside lakeshore environmental management to this Ministry.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

Changes to the *Land Title Act* enable both local government and provincial approving officers to determine requirements for subdivisions in flood prone areas. They also require an engineering report regarding safety of use and a restrictive covenant. Changes to the *Local Government Act* enable local government to develop flood hazard bylaws without ministry approval but with consideration of provincial policy and guidelines.

To assist local governments with these new enabling powers, the province provided \$1 million to develop tools and information for municipalities to assist with future flood plain planning. These tools include flood plain maps and flood hazard information. Additional grants totaling \$95,000 have been provided to UBC for flood hazard research. Extensive information forums have also been provided to assist local government with the transition to the new flood hazard model.

Environmental Stewardship Division advises that the Union of British Columbia Municipalities (UBCM) should support implementation of the Riparian Areas Regulation according to the current timetable which was worked out with UBCM and other partners. Once the RAR is implemented the Ministry would be willing

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Response to B17 CONTINUED

to discuss extension of the Regulation to marine riparian habitats and to other local government areas currently not covered.

The Ministry does not have resources for the scope of operational implementation of the Riparian Areas Regulation requested by UBCM.

B18 FRASER RIVER DREDGING

WHEREAS silt, gravel and debris are accumulating in the Fraser River between Hope and Georgia Strait;

AND WHEREAS there is a reduction of dredging in the lower Fraser River due to the elimination of federal funding, which when combined with the sediment accumulation is over time increasing flood levels and restricting commercial and recreational water activities along the river between Hope and Georgia Strait:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the federal government work with the Fraser River Port Authority and government agencies involved in channel dredging along the Fraser River from Hope to Georgia Strait, provide them with an immediate cash infusion of \$35 million and work toward developing a sustainable funding strategy for dredging of the main and secondary channels along this section of the Fraser River.

RESPONSE OF: MINISTRY OF SUSTAINABLE RESOURCE MANAGEMENT

Land and Water BC continues to initiate and support gravel and sand removal from the Fraser River. In so doing, LWBC will continue to develop relationships with First Nations, other agencies and local governments.

As noted in our response to resolution A11 sediment removal decisions on the Fraser River are based on contemporary river management science and adaptive management principles.

B19 DEVELOPMENT PERMITS FOR INSTITUTIONAL USES

WHEREAS there is currently no prescribed legislation that defines an ability for a local government to make requirements regarding the character of development, including landscaping and the form, exterior design and finish of buildings and structures that are to be constructed for institutional uses;

AND WHEREAS the lack of that prescribed legislation has led to institutional buildings that are not acceptable to local government and that are inappropriate and uncomplimentary to the communities in which they are located:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities seek amendments through the Ministry of Community, Aboriginal and Women's Services to the *Local Government Act* to prescribe that local government may include institutional uses within community plans and make requirements, by way of mandatory development permit regarding the character of development, including landscaping and the form, exterior design and finish of buildings and structures that are to be constructed for institutional uses, with the exception of institutional buildings and structures that are under the direct control of a senior level of government.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMENS SERVICES

The Ministry is prepared to consider the legislative change that the Union of British Columbia Municipalities is proposing the next time there is a general review of Part 26 of the *Local Government Act*.

B20 LOCATION OF RETAIL LIQUOR SALES OUTLETS

BE IT RESOLVED that the Union of BC Municipalities request that the provincial government change its regulation to require local government input into the location of retail liquor sales outlets.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

As the approval process for licensee retail store (LRS) applications is specific to zoning and land use, a change to the regulations is seen as unnecessary. The province will not approve an LRS application if it fails to meet local zoning bylaws. The Local Government Act gives municipalities the authority to limit the number, location, square footage and hours of operation of LRSs through local bylaws.

Unlike bars, nightclubs and pubs, LRSs are seen to have a low impact on the community as there is no on-site consumption of liquor or public participation activities such as dancing.

While the regulatory framework and the overall direction for liquor policy in British Columbia falls within provincial jurisdiction, local governments and First Nations now have significant input into all new liquor licences as well as changes to hours, capacity and patios.

B21 MOUNTAIN PINE BEETLE INFESTATION

WHEREAS the Mountain Pine Beetle infestation is assuming catastrophic proportions both for the environment and the economy;

AND WHEREAS this crisis will have an enormous impact on all affected communities:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to return a fair portion of the resource revenue generated through timber harvest via stumpage to affected local governments;

AND BE IT FURTHER RESOLVED that the funds be returned, proportionally to the size of the infestation in the area, for use in addressing impacts to the local region, including infrastructure degradation from overuse, economic development to utilize dead beetle wood, and activities to offset future harvesting downfalls.

RESPONSE OF: MINISTRY OF FORESTS

The spread of the mountain pine beetle will affect 30 forest-dependent communities and the livelihoods of 25,000 B.C. families. We recognize that we must act today to do what's best for the workers and communities that will be affected by this crisis 10, 15, 20 years down the road.

Through the mountain pine beetle action plan, government is committed to helping forest-dependent communities in the north central Interior diversify their forest economy. To that end, an economic diversification director is working with affected communities and First Nations to explore potential economic development opportunities to broaden their economic base. "Expressions of interest" have been issued for viable business proposals for new uses of beetle wood (for example, OSB plants, pellet manufacturing or hog fuel for power co-generation facilities). This will ensure the sustainability of forests, the livelihoods of workers and communities, and the well-being of the economy in both the short, medium and long term.

B22 PARK FOREST MAINTENANCE

WHEREAS provincial policy does not permit the removal of standing dead trees and windblown trees, or the removal of timber to create fireguards, from provincial parks;

AND WHEREAS this level of environmental protection leads to the accumulation of fuel, exposing provincial parks themselves and adjacent forest and communities to an ever-greater fire risk with consequential human, environmental and economic loss:

THEREFORE BE IT RESOLVED that the Province of British Columbia be petitioned to reconsider the parks forest management policy to:

- a) encourage the clean-up of blow-down timber and standing dead timber; and
- b) permit the construction of firebreaks to minimize the risk of fire damage to parks and adjacent areas.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection recognizes the concern of the Union of British Columbia Municipalities (UBCM) members in the intention of this resolution. The recent updates to the policies of the ministry does allow for fuel management, including fire breaks, in areas of concern. The ministry is preparing guidelines to help decision makers choose the appropriate response to fuel management. This includes utilizing prescribed burning, tree removal or a combination of these treatments as appropriate when required for human health and safety, ecological restoration and forest health purposes when natural processes such as fire cannot be used.

B23 PARK DAY USE AREAS

WHEREAS provincial park day use areas and highway rest stops are valuable services provided for the benefit of all British Columbians and tourists travelling through our province;

AND WHEREAS the Province has indicated an inability to properly fund these services and has invited local government to assume financial and operating responsibility for these services:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government to provide appropriate budgets for the continued funding and sustained operation of these services that contribute to tourism and road safety at no cost to local government.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

BC Parks' regional staff have worked hard to secure effective local community involvement in the operation and maintenance of these 33 parks not under Park Facility Operator agreements.

Recognizing government budget priorities and constraints, Parks' staff efforts are focused on securing longer term agreements with those local permittees and contractors where there will be benefits to both the park and the service provider. Those longer term agreements will help ensure the delivery of visitor services to standards appropriate to a provincial park setting.

**B24 PROPOSED LIFTING OF MORATORIUM
ON PACIFIC WHITING (HAKE)
THREATENS ON-SHORE PROCESSING**

WHEREAS the Regional District of Alberni-Clayoquot has invested millions in the development of the on-shore Hake processing industry with a view to diversifying economies hard hit by downturns in the forest industry;

AND WHEREAS the Canadian Government Department of Fisheries and Oceans, which declared a moratorium on the Joint Venture Hake fishing vessels in Canadian waters, is considering lifting the moratorium to facilitate an increase in the Total Allowable Catch, which will likely result in the closure of the plants in the Alberni-Clayoquot region and the loss of approximately 500 jobs and hundreds of thousands of dollars to the municipalities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities support the retention of the moratorium on Joint Venture vessels in BC and communicate a strong message to the Government of Canada Department of Fisheries and Oceans and the BC Ministry of Agriculture, Fisheries and Food that affected communities must be fully consulted prior to any further decision regarding this fishery.

RESPONSE OF: MINISTRY OF AGRICULTURE, FOOD AND FISHERIES

British Columbia reaffirms its support for onshore jobs for BC communities and remains committed to the importance of shore-based hake processing.

In fact, Minister of Agriculture, Food and Fisheries John van Dongen, committed to the Alberni-Clayoquot Fisheries Committee at a meeting on August 9, 2004 that for our part, the Province would ensure that we consult with them prior to any decision on joint venture factory ships.

The Minister also recognized that to deny a joint venture fishery for this year would be a major loss of in excess of \$12 million dollars for the harvesting sector.

This year there was a very large Total Allowable Catch (TAC) for hake announced by the federal government. Because there wasn't the capacity in on-shore plants to process all the TAC, the federal government made some of this large catch available to offshore processing.

However, the Minister provided a strong message to the federal Minister that British Columbia agreed to the allocation of hake to the joint venture only because of the unusual size of the hake Total Allowable Catch.

He also made it clear that BC hopes to see a return to all-onshore allocation in 2005.

B25 EXTENSION OF ELECTRICAL GRID TO THE NORTHWEST REGION

WHEREAS vast areas in northwestern British Columbia north of Highway 16 are not serviced by the provincial electrical grid, and the region's immense natural resource development potential is consequently not realized;

AND WHEREAS there is no government plan or policy to extend the electrical grid to this region, and current policies such as independent power production and reorganization of BC Hydro may undermine development of an integrated transmission system for the northwest:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Minister of Energy commit to writing a comprehensive plan for extension of the electrical grid into the northwest region that considers long-term community and resource development needs.

RESPONSE OF: MINISTRY OF ENERGY AND MINES

Under the Energy Plan the BC Transmission Corporation (BCTC) has the responsibility for planning the transmission system. In developing its transmission plans, the BCTC has committed to a process that will involve stakeholder consultation. Local governments should ensure the BCTC is aware of their interests in the development of a comprehensive transmission plan for the northwest.

BC Hydro and BCTC are regulated by the BC Utilities Corporation (BCUC). Interconnection requirements and grid extension policies are governed by tariffs and policies approved by the BCUC.

The province recognizes the potential for development in the area, and is working with BCTC and BC Hydro to identify issues and determine whether options are available that would facilitate the interconnection of the mines.

**B26 LOCAL GOVERNMENT REIMBURSEMENT FOR
EMERGENCY MEDICAL SERVICES**

WHEREAS the majority of local governments in BC deliver Emergency Medical Services (EMS) through their fire departments under the Emergency Medical Assistant First Responder program;

AND WHEREAS EMS delivery is the responsibility of the provincial government through the Emergency Health Services Commission and the British Columbia Ambulance Service;

AND WHEREAS local governments receive no compensation from the Province for their contribution to the EMS system:

THEREFORE BE IT RESOLVED that the Province provide a mechanism for local governments to recover costs incurred in the fulfillment of this provincial responsibility.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

The Ministry of Health Services currently provides over \$215,000 annually to cover the training costs of emergency medical assistant first responders, all of whom are volunteers, to provide emergency, pre-hospital patient care. The program ensures patients receive timely assistance in situations where first responders are the first to arrive on the scene, ahead of BC Ambulance Service paramedics who are able to respond to the full extent of the medical emergency. In 2003/04, a total of 900 first responders received this training, at no cost to themselves. Providing this training funding helps to ensure that this volunteer corps has the skills it requires to provide top quality, pre-hospital emergency assistance.

B27 PROVINCIAL FUNDING OF HEALTH FACILITIES

WHEREAS health facility capital funding levels have decreased significantly over the past two years;

AND WHEREAS deferred maintenance results in both more costly repairs down the line and buildings and their operating systems wearing out faster;

AND WHEREAS insufficient investments in building and modifications to reflect changing uses and new technology can compromise resident care and healing, perpetuate poor conditions for staff and staffing efficiencies and limit the number of and speed at which residents can be treated;

AND WHEREAS eventually the cost and benefits to renovate older health facilities to current standards exceeds the cost and benefits of replacement:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the Province of BC to invest in health capital at more appropriate levels to maintain, upgrade and replace publicly funded health facilities;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities urge the Province of BC to reinstate its historic share of major health capital projects and offsetting operating cost increases to all Health Authorities.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

The provincial health budget in British Columbia increased to \$10.9 billion in 2004/05 and now consumes 43 percent of the provincial budget.

The 2004/05 operating and capital budgets make approximately \$320 million in funding for facility and equipment projects available to health authorities.

In B.C.'s regionalized model, health authorities determine priorities for facilities and equipment according to local needs. To assist health authorities in addressing their capital needs within the available resources, the province has undertaken significant changes to the way capital is planned and managed. These strategies include:

- providing three-year rolling budgets to enable health authorities to plan for the long term;
 - undertaking a province-wide assessment of health system assets to provide better data for prioritizing projects; and
- government remains committed to encouraging health authorities to explore new funding options that provide diverse and innovative solutions to meeting capital needs, including the use of private-public partnerships where appropriate and cost effective.

B28 FUNDING FOR REGIONAL HEALTH AUTHORITIES

WHEREAS there is concern about the adequacy of current levels of health care funding in British Columbia;

AND WHEREAS budget documents show that Regional Health Authorities will see operating budgets drop \$100 million from 2003-04 to 2005-06:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities oppose the \$100 million cut to Regional Health Authorities' operating budgets and call on the provincial government to adequately fund Regional Health Authorities.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

The Ministry of Health Services provides health authorities with three-year funding targets, updated annually, to enable them to plan and act with certainty in providing high quality, accessible and sustainable health care services. The 2004/05 estimates show that the budget for the regional health sector decreased by approximately \$98 million from the 2003/04 restated budget. This reduction is primarily the result of an accounting change, whereby \$89 million of capital funding is now provided to health authorities through a different budget (prepaid capital advances). Subsequent to the tabling of the 2004/05 estimates, British Columbia received an additional \$148 million from the federal government through the Public Health and Immunization Trust (\$17 million) and the Canada Health and Social Transfer Trust #2 (\$131 million). All of this funding has been added to the Ministry of Health Services' budget and an additional \$123 million in new base funding has been provided to health authorities.

B29 IMPROVING COMMUNICATIONS BY HEALTH AUTHORITIES

WHEREAS Health Authorities are redesigning and realigning acute and emergency services and are downgrading hospitals without prior meaningful community consultation;

AND WHEREAS the transfer of specialized services has resulted in decreased access for some communities through the inability of BC Bedline to find appropriate care at an alternate facility, longer wait times at regional hospitals and additional transfer time from one community to another:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial government to require Health Authorities to develop a strategy for reporting out to communities, including plans for proposed changes to emergency and acute services and regular progress updates at the local level.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

The Ministry of Health Services encourages municipal leaders to maintain contact with their health authority to discuss the direction of health care reform in their communities.

British Columbia's health care system is facing significant challenges to remain sustainable and manageable as our population ages and new technologies become available. Consolidating services and exploring cost-saving measures enables health authorities to redirect savings to direct patient care.

As health authorities make reforms to ensure quality patient care is available within a sustainable, affordable health care system, they are endeavoring to ensure their planning and services are transparent and accountable through such activities as posting their health service redesign plans on their websites. Health authorities also keep municipal leaders informed about health planning activities through meetings with mayors/council, community advisory committees or forums, open board meetings and stakeholder newsletters.

B31 HERITAGE STEWARDSHIP

WHEREAS heritage in our communities includes not just old buildings, but also artifacts and architecture, historic sites and land, historic and prehistoric resources, archival and interpretive materials and activities that reflect our roots;

AND WHEREAS the current BC government has relinquished responsibility for heritage sites and buildings of the province through a policy of privatization of services;

AND WHEREAS the current BC government is divesting itself of responsibility for stewardship of a public trust, eliminating funding to programs such as the Heritage Trust, and jeopardizing future heritage policy and investment through ministry downsizing of the Provincial Heritage Branch:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the BC government to maintain stewardship of heritage resources by investing the appropriate funding levels required to preserve, protect and enhance our heritage resources throughout British Columbia and on Vancouver Island.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

- In order to implement the direction from the Core Services Review and to meet budget reduction targets, the Ministry of Community, Aboriginal and Women's Services undertook several initiatives to refocus the role of the Province in heritage conservation and to facilitate the long-term stewardship and sustainability of BC's heritage resources. These included:
- devolution of Provincial heritage properties to community management through 15-year site management agreements, a step that will enable increased community and private sector participation and investment in these historic places, promote heritage tourism and produce greater economic and social benefits for many communities;
- establishment of the Heritage Legacy Fund of BC, in collaboration with the Heritage Society of BC, The Land Conservancy of BC and the Vancouver Foundation, through an initial Provincial endowment of \$5 million, as a non-governmental source of funding for community heritage initiatives;
- development and implementation of the Historic Places Initiative, a major national program to recognize, protect, conserve, rehabilitate and promote Canada's heritage sites, in partnership with the Federal government, other provinces and territories, local governments, volunteer organizations and the private sector;
- refocussing staff efforts and program investments to build community heritage planning and management capacity and to enhance heritage-related training and education.

B32 HERITAGE FUNDING

WHEREAS it is important to many British Columbians that our province's history be preserved and protected to enable the public to understand the cultural, social and financial evolution of our province and to better appreciate and acknowledge the contribution of those who built the communities we live in that make British Columbia the place we now enjoy;

AND WHEREAS the study and enjoyment of our heritage can be an important part of the economy of the province, particularly in small and rural communities in the interior who rely on tourist dollars to create jobs, sustain existing businesses and stimulate investment:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government restore funding to the appropriate Ministries and local heritage organizations to enable them to preserve, protect and make available to the public, British Columbia's history through museums, archives and heritage related facilities and programs to a degree sufficient to benefit all British Columbians.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

While the Ministry of Community, Aboriginal and Women's Services has reduced its budget for heritage programs to enable the government to meet its fiscal targets, available funding has been focussed to enable the Province to meet its core heritage responsibilities and to build community capacity for planning and management of heritage. Major investments include:

- Partnership with the Federal government and local governments to implement the national Historic Places Initiative in BC. Through a Federal-Provincial contribution agreement, and the assignment of staff expertise, substantial investments have been made to develop and improve community heritage registers, to establish the Canadian Register of Historic Places, to provide training and advisory services and support community heritage planning, and to work with local governments and developers to facilitate project applications to the new Commercial Heritage Properties Incentive Fund.
- An initial Provincial endowment of \$5 million to establish the Heritage Legacy Fund of BC as a non-governmental source of funding for community heritage initiatives. This significant action was undertaken in collaboration with the Heritage Society of BC, The Land Conservancy of BC and the Vancouver Foundation.
- Continuation of the financial contribution to the programs of the Heritage Society of BC to enable that organization to serve as the key province-wide non-profit society supporting community heritage activities.

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Response to B32 CONTINUED

- One-time grants to the University of Victoria and Simon Fraser University to enable development of new educational and training initiatives in heritage conservation.
- An investment of \$5 million towards the maintenance and development of the Provincial heritage properties to facilitate the successful devolution to community management and a continuing commitment to significant operating assistance for the major sites.

B34 RESOLUTION OF TREATIES

WHEREAS the Aboriginal people of British Columbia have been promised resolution of treaties;

AND WHEREAS resolution of treaties will bring certainty and release prosperity for the benefit of all British Columbians:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition both the provincial and federal governments to give high priority to the treaty process and make a serious effort to negotiate fair and equitable treaties.

RESPONSE OF: TREATY NEGOTIATIONS OFFICE

The provincial government has undertaken a number of initiatives to revitalize the treaty process, including:

- β In 2002, the Province held a province-wide referendum on treaty principles with the objective of revitalizing the treaty process;
- β In 2003 and 2004, the Province added a number of innovative and new tools to the process, such as resource revenue sharing and accommodation measures; and

the Treaty Negotiation Office implemented a focused resourcing strategy that maximizes the opportunities for success at negotiating tables across the province. These efforts have resulted in an unprecedented level of success in progress at negotiation tables, including the signing of four Agreements-In-Principle (AIPs). These four tables are in advanced Final Agreement negotiations and the province is working to see final agreements signed within the next six to twelve months.

B35 IMPACT OF MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT BUDGET CUTS

WHEREAS the Province's effort to balance the provincial budget has resulted in province-wide budget cuts to social services;

AND WHEREAS community and social services are the responsibility of the Province of British Columbia and the Government of Canada and should remain so, especially since senior governments collect income tax for the express purpose of funding social services:

THEREFORE BE IT RESOLVED that the Province of BC be petitioned to maintain its funding for social services, since it continues to raise taxation for that purpose and, especially, be petitioned to maintain those services in full in northern and isolated communities, which do not have access to other private non-profit agencies or services that are usually existent in larger communities, nor the financial resources to provide locally-funded services.

RESPONSE OF: MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT

The Ministry of Children and Family Development (MCFD) will spend \$1.381 billion in 2004/05 to protect the health and well-being of the children, families and vulnerable adults it serves.

Over the past three years, MCFD has reduced duplication and its administrative overhead in order to focus the ministry's resources on services that work for the most vulnerable, in all parts of the province. In terms of practice, the use of Out of Care options, alternate dispute resolution and family group conferencing are achieving better outcomes and keeping children safe. As a result, since 2001, the number of children taken into care has dropped by more than 1500, while in 2003/04, the number of adoptions has reached its highest level since the early 1980's (338 in 2003/04).

These initiatives, including the move to regional service delivery hubs, are increasing the ministry's ability to serve rural parts of the province and, at the same time, are reducing costs.

B36 COMMUNITY SOCIAL SERVICES

WHEREAS community social services are vital to the health and well-being of thousands of British Columbians and provincial cuts have created a negative impact on families and communities;

AND WHEREAS it is the right and responsibility of local governments to advocate on behalf of their citizens to other levels of government;

AND WHEREAS the downloading of provincial responsibility for people in need onto local governments creates a strain on communities which were not consulted before the cuts:

THEREFORE BE IT RESOLVED that Union of BC Municipalities, on behalf of its members, request that the provincial government consult with and provide local governments with the opportunity to participate in discussions related to those policy changes that have an affect on families and communities regarding social assistance and social safety net programs.

RESPONSE OF: MINISTRY OF HUMAN RESOURCES

The Ministry of Human Resources (MHR) welcomes feedback from municipalities. Local government representatives always have the opportunity to bring their concerns, suggestions and ideas to local MLAs or to the Minister of Human Resources for consideration.

MHR recently introduced a new position at our regional office level—Community Relations & Service Quality Manager. With this new position, there is now a staff person in each of our five regional offices who is specifically responsible for establishing and maintaining effective, collaborative and constructive liaisons with community partners, other levels of government--including municipal governments--and other stakeholders. One of the duties of the position is to work with these partners to ensure community involvement and to establish services and programs for the region that are consistent with community needs.

In addition, MHR staff are working directly with municipal representatives in several jurisdictions to address social issues affecting their communities. For example, MHR has made contributions towards the Vancouver Agreement, a partnership between the federal and provincial governments and the City of Vancouver to support economic, social and community development in Vancouver, with specific focus on the Downtown Eastside. MHR has also been invited to work with the Ministry of Community, Aboriginal and Women's Services, the municipality of Surrey, Surrey MLAs and other partners to review options for addressing social issues in that community under the proposed "Surrey Solutions Project".

SECTION B – PART II

B37 OPPOSITION TO BILL 79 – THE COLUMBIA BASIN TRUST AMENDMENT ACT

WHEREAS Section 2 of the *Columbia Basin Trust Amendment Act*, Bill 79, replaces local government power to appoint Columbia Basin Trust Members with an opportunity to nominate candidates for the Lieutenant Governor's selection;

AND WHEREAS under Bill 79, the Lieutenant Governor may decline any nomination from a local nominating committee;

AND WHEREAS the Lieutenant Governor may "remove any director after receiving a written request to do so from, a) the minister, or b) the board of directors";

AND WHEREAS the above diminishes Columbia Basin communities' power to determine their representatives to the Columbia Basin Trust;

AND WHEREAS Section 5 of Bill 79 removes specified public accountability from the Board of Directors:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government rescind the legislation.

RESPONSE OF: MINISTRY OF ENERGY AND MINES

Changes to the structure of the CBT Board in the *Columbia Basin Trust Amendment Act, 2003*, were in response to evolving accounting rules.

The members of the smaller CBT Board must still all be Basin residents, with half the Board nominated by local governments in the Basin.

Government has not changed its financial commitments to the Trust, or the Trust's mandate to continue investing in the economic, environmental and social well-being of basin residents.

The Trust Board will continue to be guided by priorities set by Basin residents in the Columbia Basin Management Plan, but has greater flexibility over how it seeks public input on any changes to the Plan.

B43 POLICING COSTS

WHEREAS the City of Williams Lake received an increase of \$260,000 in RCMP costs for 2004 and municipalities between 5,000 and 15,000 population are making significant contributions to funding of police costs in their own communities, and policing costs are pooled between these 32 communities and then divided among them;

AND WHEREAS these municipalities do not have access to other revenue sources to offset the ever-increasing costs of policing and have little or no involvement in the development and oversight of RCMP budgets, and City Councils are held accountable to their taxpayers for all expenditures, including policing;

THEREFORE BE IT RESOLVED that the provincial and federal governments, with the Union of British Columbia Municipalities, bring together the 32 communities with populations between 5,000 and 15,000 to address the impact of pooled costs and to explore working together to lobby for municipal involvement in the development, prioritization and oversight of the RCMP.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

Overall police budgets for municipalities between 5,000 and 15,000 population are determined by the RCMP based on the number of members allocated to each municipality and the average per member cost for all 32 municipalities who were between 5,000 and 15,000 population following the last Canada Census.

RCMP salary increases are determined by Federal Treasury Board based on input from the RCMP Pay Council. Neither the province nor local governments have input to the process for determining RCMP salary increases.

We support the resolution to bring together the 32 communities with populations between 5,000 and 15,000 to address the impact of pooled budget costs.

B47 POLICING FUNDING REVIEW

WHEREAS the provincial government has determined that there are inequities between the amount paid for policing by communities with a population under 5,000 and those with a population over 5,000;

AND WHEREAS the provincial government has asked that each local government think outside the box when formulating suggestions for a new policing formula;

AND WHEREAS it is anticipated that \$4.8 million in revenue will be generated in the East and West Kootenays alone from traffic violations:

THEREFORE BE IT RESOLVED that the provincial government be requested to look at a formula that would see traffic violation revenues returned to each local government to offset its costs of policing.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

Returning traffic fines to their jurisdiction of origin would be administratively complex and would exacerbate the existing cost inequities between communities above and below the 5,000 population mark.

The Traffic Fine Revenue Sharing program (TFRS) distributes traffic fine revenues to individual municipalities that pay for policing based on the share of total policing costs paid by each municipality. Under this formula, which has been used since 1999, the municipalities which bear the greatest burden of police costs receive the greatest support through this program, while municipalities that bear little to no costs for policing do not receive a portion of traffic fine revenues. The Ministry has no intention of changing this distribution formula.

At Convention, the Premier announced a move to 100% traffic fine revenue sharing beginning in 2004/05. \$10 million was distributed to municipalities in the spring and on October 22, 2004, the province returned the balance of 100% of net traffic fine revenues collected in 2002/03 to municipalities that pay for policing. This provided the municipalities with an additional \$31.8 million, on top of the previous \$10 million program, for 2004.

B48 POLICE GOVERNANCE

WHEREAS while policing agencies are moving towards integration of services to better respond to public safety and security needs, there has been no collaboration between levels of government (federal, provincial and municipal) to reform current models of policing;

AND WHEREAS in addition to providing policing needs at a local level municipalities cannot sustain increased policing costs as a result of the demands of the integrated policing approach that is required today:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the federal government establish a task force (with municipal police input) to develop a model for a national unified police governance that will clearly identify the roles and funding responsibilities of each level of government and ensure a process that will work effectively and efficiently across the three levels of government.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

In recent years, it has been recognized that effective policing has been hampered by a police structure that has not changed in over 50 years. Police agencies have traditionally operated as stand alone agencies with limited sharing of information, resources and services. As a consequence, municipal, provincial and federal agencies have been working together to consolidate and integrate services. Some examples of this include PRIME, DNA analysis and witness protection program.

It should be noted that despite the successes of the some of the integration initiatives, progress on other integrations have been very slow. In order to make policing more effective and efficient across the country, all agencies need to participate in these integration initiatives.

The Province will continue to work with and consult local governments on integration initiatives through various mechanisms, e.g. lower mainland integration committees.

B49 SHARING OF LIQUOR TAX FOR POLICING

WHEREAS the provincial government receives a substantial amount of revenue from liquor taxes and recently increased tax on liquor to capture as much as \$81 million in extra revenue;

AND WHEREAS local governments with populations over 5,000 are mandated to provide and fund policing services on a cost share basis with the federal government, and municipal policing costs are rapidly increasing due to liquor related offences requiring increased enforcement:

THEREFORE BE IT RESOLVED that the Province provide a portion of liquor tax to local governments to defray the cost of policing or, alternatively, grant local governments taxation authority to levy a tax on all liquor sold within local government jurisdiction in order to defray the cost of policing.

Provincial response not yet received.

B52 BC HYDRO LOCATES SERVICE

WHEREAS BC Hydro has decided to no longer provide field locates of its buried underground hydro services;

AND WHEREAS BC Hydro's proposed alternative of using plans to locate its services is unreliable, creates a safety concern, and adds to a municipality's underground construction costs:

THEREFORE BE IT RESOLVED that BC Hydro reinstate the field locate service for buried underground hydro service.

RESPONSE OF: MINISTRY OF ENERGY AND MINES

BC Hydro will, at no cost, provide location drawings when requested and will assist in interpreting these drawings. Physical field checks would only take place if the drawings are insufficient or non-existent.

BC Hydro continues to work with a voluntary and multi-party provincial working group that is reviewing issues like underground locates to ensure all understand the significant financial and operational impacts involved.

B53 SIZE OF COUNCIL

WHEREAS Section 118 of the *Community Charter* introduced several new concepts related to, and effective prior to, the 2005 municipal elections;

AND WHEREAS these changes require municipalities whose population exceeds 50,000 to either increase the elected councillors from six to eight for the 2005 election, or to hold a referendum to determine if the elected councillors for the 2005 election should remain at six or be increased to eight, at least six months prior to the 2005 election;

AND WHEREAS the holding of a referendum has a significant financial impact on a municipality, which is not necessary given the other possible alternatives:

THEREFORE BE IT RESOLVED that the UBCM request that the provincial government legislate the following alternatives to the requirements of Section 118 of the *Community Charter*:

1. The provision of a counter petition opportunity;
2. The holding of the referendum at the same time as the 2005 election for application to the 2008 election.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

The ministry supports option 1 put forward by the City of Port Coquitlam for municipalities that are affected by Section 118 of the *Community Charter* this year. The ministry does not support the option for municipalities affected by Section 118 of the *Community Charter* this year to hold a referendum on the issue of council size at the same time as the 2005 election.

Government will be proceeding with an Order in Council to allow those municipalities that have exceeded a population of 50,000 to hold an alternative approval process to determine whether the electors are in favour of maintaining their current council size at less than eight councillors if the municipality has not previously held a referendum on the issue.

B54 HIGHWAY SAFETY ENHANCEMENTS

WHEREAS the Council of the District of Houston has a concern regarding general highway safety for vehicle traffic throughout the whole northern region of the Province of British Columbia;

AND WHEREAS this concern may be alleviated by additional highway safety enhancement in various areas of the northern region of the Province of British Columbia, where presently such enhancement is non-existent;

AND WHEREAS it is believed that, if every effort is made to increase highway safety, the physical harm, emotional and mental stress, and resulting medical and insurance costs of highway traffic accidents may all be reduced;

AND WHEREAS an initiative to increase highway safety is timely, considering the volume of vehicle traffic on highways in the northern region of the Province of British Columbia:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Province of British Columbia, through the Ministry of Transportation, to install rumble strips on the outside edge of each paved highway, where they do not presently exist in British Columbia;

AND BE IT FURTHER RESOLVED that this should be accomplished by establishing provincial policy that these rumble strips be installed whenever repair work or construction is undertaken.

RESPONSE OF: MINISTRY OF TRANSPORTATION

Safety is the Ministry of Transportation's top priority and provincial highways currently (as of June 2004) have approximately 1,400 km of shoulder rumble strips and 75 km of centreline rumble strips.

The Ministry revised its shoulder rumble strip policy in April 2004. Shoulder rumble strips are now considered in the following cases:

- constructing new rural highway sections
- re-paving, rehabilitating or reconstructing existing highway sections which include the shoulders
- on other rural sections of highway, subject to funding availability, where it is believed they would be effective in reducing single-vehicle off-road crashes

The Ministry issued a new centreline rumble strip policy in May 2004. Centreline rumble strips are to be considered on rural highways in no passing zones (i.e. a double solid painted centreline) in the following cases:

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Response to B54 CONTINUED

- constructing new undivided, rural two-lane, three-lane, or four-lane highway sections
- re-paving, rehabilitating or reconstructing existing undivided, rural two-lane, three-lane, or four-lane highway sections
- on other undivided rural two-lane, three-lane, or four-lane highway sections, subject to funding availability, that would benefit in terms of decreasing the number of crossover centreline crashes

The Ministry estimates that shoulder rumble strips may reduce off-road crashes by 20 per cent or more. It is estimated that centreline rumble strips may reduce the number of head-on, sideswipe, off-road-left and overtaking crossover crashes by 32 per cent.

B55 TRANSIT SERVICE TO SMALL COMMUNITIES

WHEREAS the residents residing in a number of small communities in the province have no public transit service and, as a result, have limited access to such services as health care and education in larger communities;

AND WHEREAS BC Transit has no flexibility in its funding formula to allocate funds for expansion of transit service to unserved small communities:

THEREFORE BE IT RESOLVED that the provincial government, through BC Transit, be requested to make further funding commitments to transit to provide funding for public transit to unserved small communities.

RESPONSE OF: MINISTRY OF TRANSPORTATION

The residents residing in a number of small communities in the province have no public transit service and, as a result, have limited access to such services as health care and education in larger communities.

UBCM claims that BC Transit has no flexibility in its funding formula to allocate funds for expansion of transit service to unserved small communities.

Government has protected BC Transit funding to sustain core services and has provided an extra \$1.0 million in 2003/04 to BC Transit to meet the short term pressures of higher fleet maintenance costs in Victoria and other communities in BC.

BC Transit will also assist communities in identifying innovative funding sources, including local partnerships with benefiting agencies and businesses, and other methods in support of the municipalities' initiatives.

The BC Transit Board of Directors has reviewed these service and budget requests and has met with representatives of these communities to discuss the local needs and priorities attached to these services.

Working within the funding constraints as they presently exist, the Board will make recommendations to government later this year on options to assist these communities in implementation of local transit service.

B59 FERRY SERVICE TO COASTAL COMMUNITIES

WHEREAS in 2003 the Province of British Columbia transformed BC Ferries from a Crown corporation into an independent commercial organization, with a mandate to provide a safe, reliable and efficient ferry service to coastal communities, while at the same time trying to find ways to mitigate costs to the Province of British Columbia;

AND WHEREAS coastal communities are almost solely dependent on ferry access to health/dental care facilities, purchasing goods and services as well as finding ways to diversify their local economies through tourism enhancement:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the BC Ferry Authority and the Province of BC on behalf of coastal communities to stress the importance of improving the current level of service, replace aging ships and recognize that marine highways are an extension of provincial highways and therefore travel must be affordable, accessible and dependable.

RESPONSE OF: MINISTRY OF TRANSPORTATION

Government is committed to improving the service levels for all communities with ferry service. In 2003, the government transformed BC Ferries from a Crown corporation into an independent commercial organization, with a mandate to provide a safe, reliable and efficient ferry service to coastal communities, while at the same time trying to find ways to mitigate costs to the Province.

BC Ferries is launching a vessel construction program to revitalize its overall fleet. It will replace 22 ships of varying sizes over the next 15 years. The *Coastal Ferry Services Contract* required BC Ferries to prepare a new strategy for its Northern Services that addresses both enhanced service levels and vessel replacements. The government is now reviewing BC Ferries' Northern Services Strategy report.

**B60 AMENDMENT OF *HIGHWAY ACT* AND
*COMMUNITY CHARTER***

WHEREAS adoption of the *Community Charter* was to have given "natural powers" to municipalities and enhance the role of local governments by simplifying the process to govern and regulate matters within the boundaries of municipalities;

AND WHEREAS the *Highway Act*, Section 54(2), which cites that a zoning bylaw under the *Local Government Act* does not apply to land or improvements within a radius of 800 metres of the intersection of a controlled access highway with any other highway, unless it has been approved in writing by the Minister before its adoption and which impedes the ability for smaller municipalities to simplify the process of adopting zoning bylaws by forcing them to obtain Ministerial approval prior to adopting zoning bylaws;

AND WHEREAS the *Community Charter*, Section 41(3), which cites that as a restriction on the authority under Section 40(1), if the highway or part of a highway to be closed or reopened is within 800 metres of an arterial highway, the bylaw under that section may only be adopted if it is approved by the Minister Responsible for the *Highway Act* impedes the ability for smaller municipalities to simplify the process of closing roads by forcing them to obtain ministerial approval prior to closing roads;

AND WHEREAS any zoning bylaw or road closure which does not have a direct impact on an arterial highway should not have to be scrutinized by the Ministry of Transportation, thereby allowing smaller municipalities to function in a more expeditious manner:

THEREFORE BE IT RESOLVED that the Minister of Transportation and the Minister of Community, Aboriginal and Women's Services be requested to amend the *Highway Act* and *Community Charter* to permit smaller communities the same ability afforded other communities when enacting zoning bylaws and road closures, unless said zoning bylaw or road closure directly impacts or interferes with an arterial highway.

RESPONSE OF: MINISTRY OF TRANSPORTATION

Provincial highways are designed and managed to provide for the safe and efficient movement of intercity traffic, including heavy truck traffic. To ensure safety and efficiency, access points and adjacent road closures must be determined not to impair traffic flow or jeopardize safety.

The *Highway Act*, Section 54(2), cites that a zoning bylaw under the *Local Government Act* does not apply to land or improvements within a radius of 800

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Response to B60 CONTINUED

metres of the intersection of a controlled access highway with any other highway, unless it has been approved in writing by the Minister before its adoption. The *Community Charter*, Section 41(3), cites that as a restriction on the authority under Section 40(1), if the highway or part of a highway to be closed or reopened is within 800 metres of an arterial highway, the bylaw under that section may only be adopted if it is approved by the Minister. The reason for the 800 metre approval requirement in both cases (the *Highway Act* and the *Community Charter*) is to protect the functional integrity of provincial highways.

The Ministry of Transportation is committed to working with local government to develop corridor agreements that balance local economic development and the integrity of provincial highways. Implementing agreements will streamline or alleviate the need for the ministry to approve individual zoning bylaws.

**B66 COMPENSATION FOR EMPLOYEE REGULAR
WORKING HOURS – EXTRAORDINARY
EMERGENCY EVENTS**

WHEREAS municipalities and regional districts responding to extraordinary emergency events such as wildfires and floods dedicate resources, including employees, to responding to events;

AND WHEREAS such response places a financial burden on the responding agency, because staff regular hours worked during emergency events are not paid for by the federal and provincial governments and at the same time staff are unable to perform their regular duties while protecting government-owned resources:

THEREFORE BE IT RESOLVED that the federal government Office of Critical Infrastructure Protection and Emergency Preparedness be requested to amend the Federal/Provincial Disaster Financial Assistance Arrangements and the provincial government be requested to amend the *Compensation and Disaster Financial Assistance Regulation* to allow local government to recover 100% of both regular time and overtime salaries of employees directly involved in responding to an extraordinary emergency event where a state of local or provincial emergency is declared.

**RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR
GENERAL**

Local authorities are responsible for providing emergency services for their citizens.

The province financially supports local authorities with incremental and extraordinary costs for employees involved in emergency response and recovery.

The Disaster Financial Assistance Arrangements (DFAA) are determined by the federal government without consultation with the provinces. DFAA reform has been proposed over the last 15 years.

B67 PROVINCIAL FIRE LOSS REPORTING REQUIREMENTS

WHEREAS the Ministry of Community, Aboriginal and Women's Services issued a request to all fire departments on November 24th, 2003 requesting that all fire departments send in fire reports for all fires regardless of dollar loss;

AND WHEREAS this reporting requirement imposes additional work loads for fire departments across the province and the compensation of \$3 per report barely covers the cost of investigation and filing:

THEREFORE BE IT RESOLVED that the Minister of Community, Aboriginal and Women's Services reimburse local governments for the investigation and reporting cost for all fires under \$500 at \$50 per report on fires of this nature that are investigated and reported.

RESPONSE OF: MINISTRY OF FORESTS

Approximately 6,500 fires are reported to the Office of the Fire Commissioner annually. However, not all fire departments report fires. The new requirements to report all fires may cause the number of reported fires to increase over three hundred percent; from 6,500 to nearly 20,000 incidents annually.

Remuneration at the proposed amount of \$50 per report would result in annual expenditures of nearly \$1 Million. Approximately 1,500 of the 6,500 fires currently reported record losses of under \$500. If the reported number of less-than \$500 loss fires triples, as expected, annual remuneration at the proposed rate would be \$250,000.

Current reimbursement entitlements for submitted fire reports are \$19,500.

The Incident Reporting Task Group has not recommended increasing the remuneration for report submission. The Fire Chiefs' Association has recommended eliminating remuneration for report submission.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

The collection of fire statistics is very valuable for the design of fire prevention and education programs, analysis of the BC fire situation, as well as providing data which will allow us to maintain and improve our excellent record of fire safety. The collection and analysis of this information benefits all British Columbians as it contributes to positive safety outcomes in fire prevention and suppression activities. The Fire Chiefs' Association of BC and Fire Prevention Officers Association of BC support the reporting of all fires, including non-dollar loss fires, to improve fire prevention activities. However, the Fire Chiefs' Association does not support increasing the fee payable for investigated and

B72 SUPPORT FOR INVASIVE PLANT STRATEGY

WHEREAS invasive plants can detrimentally impact the economy, social values and the environment;

AND WHEREAS the Fraser Basin Council, working with stakeholders throughout British Columbia, has developed the “Invasive Plant Strategy for British Columbia”:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government for full implementation and funding of the “Invasive Plant Strategy for British Columbia”, developed by the Fraser Basin Council.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry has:

- Increased Total Funding for Invasive Plant Program Expenditures
- Endorsed the Fraser Basin Council's *Invasive Plant Strategy for British Columbia*
- Appointed a new Invasive Plant Advisory Panel
- Continued its Internal Inter-Ministry Invasive Plant Committee.

Ministry staff will work with UBCM to identify further actions, that are possible within available resources, to help improve control of invasive plants.

B73 INCLUSION OF HOGWEED ON NOXIOUS WEED LIST

WHEREAS the Province of British Columbia imposes a duty on all land occupiers to control noxious plants designated in the *Weed Control Regulation* in Schedule A, Part 1 and Giant Hogweed is not designated as a noxious plant by the *Weed Control Regulation*;

AND WHEREAS Giant Hogweed is a noxious plant in several areas of the province and has a negative impact on human health, the environment and agricultural economic activity:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province designate Giant Hogweed as a noxious plant in the *Weed Control Regulation*, or some other legislation of comparable stature, and impose a duty on all land occupiers to control Giant Hogweed;

AND BE IT FURTHER RESOLVED that this duty to control Giant Hogweed be enforced using provincial rather than local government resources.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

This is an area of concurrent authority. The Union of British Columbia Municipalities (UBCM) should contact the Ministry of Agriculture, Food and Fisheries to discuss the *Weed Control Act* and the *Weed Control Regulation* they administer.

UBCM can use their existing authority under the Ministry of Water, Land and Air Regulation – Spheres of Concurrent Jurisdiction, Section 8(3) J and K – to help control Giant Hogweed.

RESPONSE OF: MINISTRY OF AGRICULTURE, FOOD AND FISHERIES

Last fall, the Ministry of Agriculture, Food and Fisheries advised the Regional District of Nanaimo that we would be pleased to support the addition of Giant Hogweed to Schedule A, Part II – Regional Noxious Weeds, Regional District of Nanaimo.

We had outlined that the next step was for Nanaimo Regional District to provide a management plan and confirmation that it requires the ability to enter lands and enforce control in situations where cooperation is not forthcoming. To date, the Ministry has not received such a plan.

However, local government is not prevented from controlling weeds on lands they are responsible for — they could add Giant Hogweed to by-laws regarding nuisance vegetation, unsightly vegetation or by-laws they administer and enforce.

**B74 BTK (BACILLUS THURINGLEENSIS
KURSTAKI) AERIAL PESTICIDE SPRAY**

WHEREAS the Gypsy Moth has been identified as a serious threat to the health of the native Garry Oaks and the ecological integrity of Garry Oak ecosystems;

AND WHEREAS aerial spraying programs of the pesticide BTK (Bacillus Thuringlensis Kurstaki) are one of the management tools used in Gypsy Moth management in British Columbia;

AND WHEREAS significant data gaps preclude comprehensive assessment of the short and long-term effects of spray programs on non-target species in Garry Oak ecosystems, including species at risk:

THEREFORE BE IT RESOLVED that the provincial and federal governments be encouraged to fund rigorous and comprehensive pre- and post-spraying inventory and monitoring programs to assess the affects of BTK spraying on non-target species in Garry Oak ecosystems.

RESPONSE OF: MINISTRY OF FORESTS

The Gypsy Moth poses a threat to forests and urban trees and parks. It also poses a quarantine threat and resulting trade restrictions. The application of BTK by the Ministry of Forests balances the need to eliminate the Gypsy Moth and maintain public health in a scientifically responsible manner.

Following large-scale use of BTK in the Victoria area in 1999, a Capital Health Region report determined that the aerial spraying program did not affect human health. This study supported the conclusions of previous federal and international studies. In 2004, the Gypsy Moth threat received aggressive attention in two small areas: Saanich and Delta. Aerial treatment was the only effective option to control this problem before it became permanently established. Results of the 2004 spray program are expected in October.

From 1999 to 2003, government commissioned a study to look at the effect of of aerial spraying on non-target lepidoptera (moths and butterflies). The study found that lepidopteran populations were depressed immediately after the spray but in most cases rebounded to pre-spray levels by 2003 if healthy populations existed outside of the spray area. The Ministry of Water, Land and Air Protection, along with the Ministry of Forests, is currently pursuing the possibility of a lepidopteran monitoring plan with scientists at the Pacific Forestry Centre.

Ongoing detection programs and prompt eradication measures will prevent this imported pest from becoming established in the province.

B75 RIPARIAN AREAS REGULATION

WHEREAS the Union of BC Municipalities is supportive of and vitally interested in harmonizing streamside protection measures;

AND WHEREAS the provincial government is drafting the Riparian Areas Regulation for enactment in late 2004 or early 2005, and has been proceeding without extensive nor open consultation with local governments;

AND WHEREAS the UBCM membership resolved, in the 2002 Environment Action Plan, that any new riparian assessment regulation should:

- Provide liability protection for local government when making land use decisions based on a report by a Qualified Environment Professional on fish habitat;
- Ensure that no new responsibilities are downloaded on local government and that all training costs and management costs required to implement the new Regulation are paid for by either the federal or provincial government;
- Ensure the process is timely and cost effective, from the community perspective;
- Ensure an integrated approach is implemented to avoid conflicts between different levels of government;
- Ensure that a balance is maintained between development and protection of the environment;

AND WHEREAS the proposed Regulation will not include institutional land uses, including federal and provincially administered lands, promoting a fragmentation of riparian protection, which may compromise the effectiveness of the Regulation:

THEREFORE BE IT RESOLVED that the UBCM membership not endorse a tripartite agreement for implementing a Riparian Areas Regulation unless the following measures have been satisfied:

- A comprehensive legal and logistical review of the Regulation by an objective party to identify, assess and address the implications of the Regulation to local governments;
- Full liability protection for local governments;
- Assurance of open involvement of local governments in the development of the compliance, enforcement and implementation strategies; and
- Assurance of open involvement of local governments in development of the guidebook for implementation of the Regulation;

AND BE IT FURTHER RESOLVED that the Riparian Areas Regulation be extended to apply to institutional uses, including federal and provincial Crown lands and lands under treaty negotiations. ...Cont

Response to B75 CONTINUED

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

Protecting riparian fish habitat, while facilitating urban development that exhibits high standards of environmental stewardship, is a priority for the Government of British Columbia.

We are encouraging an environmentally responsible approach to development by streamlining the process and making it simpler to meet the federal government's requirements.

Local governments and developers will have more say in the decisions that affect their communities, and our science-based framework will enable them to make those decisions without risking and damage to fish habitat. The previous approach used a one-size-fits-all approach.

Under the new regulation, development projects are assessed on a case-by-case basis.

Under the new rules, if local government believes that development is appropriate in these areas, developers may either adopt a predetermined set back, or they may have a scientific assessment completed by a qualified environmental professional to determine the setback necessary to provide the necessary protection.

Riparian areas protection is a shared responsibility. This regulation has been developed with the DFO and local governments. They will also be important partners in implementation.

The Department of Fisheries and Oceans is the government body responsible for authorizing impacts to fish habitat. We have received strong commitments of support from DFO regarding the proposed model; the Minister invites local governments to ask DFO directly for their views.

B76 UNCONFINED AQUIFER PROTECTION

WHEREAS the Union of BC Municipalities has previously endorsed a resolution supporting new provincial groundwater protection legislation and identifying a need for the Province to provide the resources and initiative to implement its legislative responsibility and authority for the province's groundwater resource;

AND WHEREAS it is recognized that although groundwater protection legislation should address all groundwater resources in the province, some areas of the province are underlain by unconfined aquifers that may be more vulnerable to contamination from certain surface activities and if these aquifers become contaminated, they may require a long time or substantial costs to resolve the impact:

THEREFORE BE IT RESOLVED that the Province, in enacting groundwater protection legislation, ensure that the regulatory and operational requirements that apply to the commercial, industrial and development sectors be sufficiently prescriptive and effectively administered and enforced to protect the province's unconfined aquifers from contamination and that the Province supports local government efforts to protect aquifers and their sources.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The ministry recognizes the vulnerability of unconfined aquifers to impacts from land use activities. Groundwater management plans will be a useful tool to address this issue in critical areas.

The ministry will continue to work with the Ground Water Advisory Board to develop and enact outcome-based regulations for Phases 2 and 3 of the Ground Water Protection Regulation.

The ministry will work with the British Columbia Ground Water Association and other key stakeholders to promote a high degree of voluntary compliance with industry and well owners.

Water, Land and Air Protection will continue to classify, characterize and monitor high priority aquifers in the province to support local governments in their groundwater protection efforts.

B77 ESTABLISHMENT OF WATER MANAGEMENT BOARDS

WHEREAS the provincial government indicates that there will be increased development of green power projects utilizing water sources and these projects will impact on existing and future water rights throughout the affected river systems throughout the province;

AND WHEREAS the projected drought due to climate change will further impact water resources:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province of British Columbia actively, and as soon as possible, establish and finance Water Management Review Boards, in consultation with impacted local governments throughout the province.

RESPONSE OF: MINISTRY OF SUSTAINABLE RESOURCE MANAGEMENT

Local governments are looking for greater control of local water resources and the more input to the water allocation process. This is particularly evident in water-short areas, where local municipalities view the allocation of the scarce, remaining water resources as the key to shaping future development in the area. It is these factors that are contributing the call for local Water Management Review Boards, being proposed by the UBCM. There have been similar resolutions from the UBCM for an increased role for municipalities in local water planning.

It is difficult to fully support this resolution without knowing the responsibilities and mandate of these proposed water boards. The Province is currently looking at opportunities to incorporate local government input and planning objectives into the water allocation process. Water Management Review Boards may be one such opportunity.

The Province encourages the UBCM to explore this concept further and provide additional details around the mandate and structure. The Comptroller of Water Rights is prepared to work with municipalities and the UBCM to further explore this concept along with other ideas to integrate water resource planning into the water allocation process.

B80 SPECIES AT RISK

WHEREAS species at risk are found throughout the Province of British Columbia;

AND WHEREAS it is imperative that species at risk are protected:

THEREFORE BE IT RESOLVED that the provincial government amend the appropriate legislation to allow for the granting of property tax exemptions to landowners who conserve ecologically significant areas containing species at risk, as defined in the federal *Species at Risk Act* and/or any future provincial Species at Risk Acts.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

We cannot look at the needs of species at risk in isolation. There may be social and economic implications from denying communities access to resources and we need to study that carefully before making a decision. There are also jurisdictional and potential negative economic effects if British Columbia is perceived as not sustainably managing its natural resources, including species at risk. Those landowners willing to forgo economic opportunities on their land or who might also benefit through certification from demonstrating that they protect species at risk, should be encouraged in their stewardship initiatives. This Union of British Columbia Municipalities (UBCM) proposal will foster a ministry objective for shared stewardship and avoid the need for government intervention on behalf of species and ecosystems at risk.

B81 BEAR AWARE PROGRAM

WHEREAS the Minister of Water, Land and Air Protection has stated that the Ministry is and continues to be a strong supporter of the provincial Bear Aware program:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to maintain the Bear Aware program and provide the required funding through the Habitat Conservation Trust Fund for communities pursuing the “Bear Smart” program, including community-based education programs.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection recognizes the importance of Bear Aware education in reducing bear-human conflicts within communities. The ministry continues to explore various options to make funding available to communities to pursue this and other “Bear Smart” criteria, including a dedicated funding envelope within the Habitat Conservation Trust Fund. It is important to note that funding for communities to achieve “Bear Smart” criteria cannot be provided entirely by the provincial government, but will require resources provided at the community level as well.

B82 SMALL APPLIANCE AND ELECTRONIC WASTE

WHEREAS small appliances are one of the fastest growing materials in our solid waste stream, with a 279% increase in GVRD per capita disposal of these items between 1998 and 2001;

AND WHEREAS these items are disproportionately high in toxicity, containing such toxins as lead, hexavalent chromium, tin, copper, mercury, polyvinyl chloride (PVC) plastics and brominated flame retardants:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities write to Electronics Product Stewardship Canada and the provincial and federal governments to express its concern over the increasing amount of electronic solid waste and the fast obsolescence of these products, the inability to economically repair or upgrade older products, the high toxicity of electronics and the manufacturer's responsibility for disposal of its own toxic products, and request immediate implementation of a national industry-funded stewardship program for electronics;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities urge the Province of British Columbia to pass legislation requiring that industry participate in an e-waste recycling program.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection will continue to work with the electronics industry and municipalities on e-waste solutions.

B84 COMMUNITY WATERSHED LAND USE RECREATIONAL RISK ASSESSMENTS

WHEREAS the *Drinking Water Protection Act* may now require a water supplier to undertake water assessments that identify, inventory and assess the drinking water source for the water supply system, including land use and other activities and conditions that may affect that source;

AND WHEREAS the water supplier does not have authority to control land use, including recreation activities that may affect the water source when the water source is located on Crown lands:

THEREFORE BE IT RESOLVED that the provincial government be required to conduct adequate risk assessments that identify, inventory and assess threats to drinking water, including recreation activities, prior to approving such use on Crown lands within community watersheds.

RESPONSE OF: MINISTRY OF SUSTAINABLE RESOURCE MANAGEMENT

Most community watersheds in British Columbia support multiple uses: Industrial uses are approved and managed in respect of standards and guidelines that minimize the impact of those activities on the water supply. The economic activity generated benefits British Columbians at a local, regional and provincial level. Recreational use in community watersheds also provides a benefit to the community, in providing local recreation opportunities, with associated economic opportunities. Recreation management strategies provide a means of identifying and communicating acceptable ways of recreating in a watershed, without unnecessarily precluding use.

Under the *Drinking Water Protection Act*, it is the responsibility of the water purveyor to carry out an assessment of the risks to drinking water if required by the Drinking Water Officer. It is appropriate that the purveyor identify the real, rather than the perceived risks to the water supply. The purveyor can then work with the appropriate government agencies to address the issues.

The Province recognizes the complexity of the issue. Through a director's committee and an Assistant Deputy Minister's coordination committee, involving a number of ministries, a coordinated management framework is under development that is intended to protect drinking water values.

B85 LOCAL GOVERNMENTS AND WATER SUPPLIERS

WHEREAS the Okanagan Valley has the fewest water resources per capita of any region in Canada;

AND WHEREAS local governments and water suppliers require the ability to optimize available water resources;

AND WHEREAS Land and Water BC Inc. (LWBC) is proposing to transfer to fee simple numerous existing leased location lots surrounding drinking water reservoir lakes which serve Okanagan Valley customers;

AND WHEREAS the vast majority of these lots are substantially smaller than the 1 ha minimum provincial funding standard for new lot subdivisions not served by community sewer:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Minister of Sustainable Resource Management instruct LWBC to immediately abandon the proposal to sell the leased recreation lots on all drinking water reservoir lakes serving the Okanagan Basin Watershed.

RESPONSE OF: LAND AND WATER BRITISH COLUMBIA

The province is not prepared to abandon the proposal to sell these lots. However, the project is currently on hold and there is no specific timeframe for continuation of the project.

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**B86 FEDERAL FUNDING FOR REFORESTATION
OF FORESTS IMPACTED BY THE PINE
BEETLE EPIDEMIC**

WHEREAS new information from the provincial government documents that the Pine Beetle infestation has now spread throughout most of the interior of BC, covering an area seven times the size of Vancouver Island, and will result in approximately 200 million m³ of unsalvageable forest in excess of the area that will be salvaged as part of normal forestry operations;

AND WHEREAS the federal government has signed the Kyoto Protocol and has made a public commitment to sustainability;

AND WHEREAS a dead and idle forest is a net contributor of carbon dioxide, while conversely a healthy forest represents a significant carbon sink and contributes to sustainability;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities immediately lobby the federal government to:

- significantly increase its investment in rehabilitation and reforestation with a focus on regenerating those areas of the forest that have lost market value and will not be returned to productivity as part of normal forest operations; and
- include in that discussion the issue of financial assistance to local governments and private property owners negatively impacted by this natural disaster;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities pursue this action both directly and in conjunction with BC area associations, the Federation of Canadian Municipalities, First Nations, Industry, and the provincial government.

RESPONSE OF: MINISTRY OF FORESTS

We support UBCM in its efforts. Federal assistance would be welcome to deal with the mountain pine beetle epidemic, which has evolved into a forest health crisis of huge proportions. Forest Minister Michael de Jong is travelling to Ottawa later in October to pursue federal funding for this major issue.

B87 INCREASED ELECTRICITY RATES

WHEREAS BC Hydro is proposing a seven percent increase in electricity rates effective April 1, 2004 and a further two percent increase to be effective in 2005;

AND WHEREAS resource dependent communities are facing economic hardship:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities object to BC Hydro's proposed increase in electricity rates.

RESPONSE OF: MINISTRY OF ENERGY AND MINES

The New Era platform and the British Columbia Government's Energy Plan commit to allowing the BCUC to again regulate BC Hydro's rates. BCUC's review of BC Hydro's revenue requirements application is the appropriate forum for addressing concerns about rates.

This is the first time in a decade that BC Hydro's costs and proposed rates have been reviewed. BCUC's open and transparent process should ensure that rates are kept as low as possible.

Even with the proposed increase, BC still has the third lowest electricity rates in North America.

**B88 REGIONAL DISTRICT INTERESTS IN
ADDITIONS TO TREATY SETTLEMENT LANDS**

WHEREAS four Agreements in Principle (AIP) negotiated with First Nations in 2003 by the provincial and federal governments have been ratified by all three parties;

AND WHEREAS only one of these AIPs required the parties to take into account the interests of the regional district in cases where a proposal is made to add land that is within the regional district but outside a municipality to First Nations treaty settlement lands post-treaty:

THEREFORE BE IT RESOLVED that all treaties and Agreements in Principle negotiated with First Nations by the provincial and federal governments require that, in addition to the current requirements with respect to municipalities, regional districts and local trust committees also be consulted and accommodated before lands are added to First Nations treaty settlement land post-treaty.

RESPONSE OF: TREATY NEGOTIATIONS OFFICE

The province is aware of Regional District's interest in additions to Treaty Settlement Lands post-Final Agreement.

Government is considering an appropriate means whereby these interests can be taken into account in the provincial decision-making process on future addition to Treaty Settlement Lands.

This will not be a veto and will be directed towards providing an opportunity for the provincial government to work with the Regional Districts and consider their interests, where applicable.

**B89 UNCONDITIONAL GRANTS TO
REGIONAL DISTRICTS**

WHEREAS provincial unconditional grant eligibility for regional districts is based on population;

AND WHEREAS local governments must prepare five-year financial plans to project revenue and expenses;

AND WHEREAS regional districts desire certainty concerning forecast revenue in the form of unconditional provincial grants:

THEREFORE BE IT RESOLVED that the Province utilize federal census information to determine regional district grant eligibility.

RESPONSE OF: MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES

Regional district basic grant allocations are calculated annually in accordance with the Local Government Grants Regulations. The allocation formula provides one of three grant amounts based on a population's jurisdiction. The population estimates provided by BC Statistics for these calculations are the most reliable third-party data available at the time of the calculation. These population estimates are based on census data Provincial population estimates obtained from Statistics Canada and are continually revised as additional regional population indicators (such as residential electrical accounts and Old Age Security recipients) as they become available.

While BC Statistics continues to revise its population estimates, after the annual grant calculation date the Ministry "freezes" the population estimates for grant allocation purposes in order to provide certainty to grant recipients that all announced grant allocations will be paid out. While re-assessment of grant eligibility might improve the allocation to one regional district, it may also reduce or eliminate an allocation to others.

B93 MANAGEMENT OF CULL ANIMALS

WHEREAS the recent BSE crisis resulted in a large number of cull cows that have no market, and greatly reduced access to markets for processing by-products and waste;

AND WHEREAS the recent closure of the Armstrong rendering plant has removed a possible avenue to deal with waste materials;

AND WHEREAS local government is not equipped nor prepared to accept cull animals, processing by-products, processing waste and specified risk materials in the solid waste management stream:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to devise a provincial strategy to facilitate the efficient, responsible and effective management of cull animals, fowl, processing by-products, processing waste and specified risk materials that does not include the disposition of these materials in the local solid waste management stream.

RESPONSE OF: MINISTRY OF AGRICULTURE, FOOD AND FISHERIES

We are all well aware of the need for a sensitive and science-based approach to disposal of animal carcasses and processing products.

Standards and protocols for safe handling and disposal of ruminant waste and diseased poultry are set by the Canadian Food Inspection Agency (CFIA).

Along with agency counterparts, the Ministry of Agriculture, Food and Fisheries has been working within the national context on science-based and economically viable options as part of a provincial strategy.

Both provincial and regional strategies are required and must be developed with input from both the industry and local governments in accordance with relevant national standards.

We are currently working, on a case-by-case basis, on immediate solutions. Any solutions developed may require adjustment as the provincial strategy evolves.

**B94 FUNDING FORMULA FOR EDUCATION IN
RURAL COMMUNITIES**

WHEREAS schools are a fundamental component of a healthy, vibrant community and vital to a community's future well-being;

AND WHEREAS the present formula for funding schools is based on student enrollment;

AND WHEREAS the decline in rural student populations has resulted in the closure and consolidation of some schools:

THEREFORE BE IT RESOLVED that the provincial government work with affected stakeholders, such as the BC School Trustees Association, to review the current school funding formula so that it better reflects the special circumstances of different communities.

RESPONSE OF: MINISTRY OF EDUCATION

Government recognizes that northern and rural communities have unique needs, and this is reflected in the funding formula for BC school districts. The simplified formula accounts for unique geographic factors like low enrolment, rural and remote factors, small communities, climate and sparseness. It also takes into consideration declining enrolment. The Ministry consults with school districts through the Technical Review Committee which annually reviews the funding formula and makes recommendations to the Minister.

B97 LIBRARY ACT

WHEREAS the *Library Act* forbids the payment of per diem to Library Trustees for attendance at Library Board meetings, etc.;

AND WHEREAS this causes some Trustees to be unable to attend some functions and also causes some hardships to local government:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities forward this matter to the Minister of Community, Aboriginal and Women's Services asking that the *Library Act* be changed to allow Library Boards to pay trustees a meeting stipend over and above their travel expenses.

Provincial response not yet received.

SECTION B – PART III

B102 COORDINATED APPROACH TO COMBAT CHILD SEXUAL ABUSE THROUGH PROSTITUTION

WHEREAS Article 34 of the United Nations *Convention on the Rights of the Child* states that participating countries shall “undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- b) The exploitative use of children in prostitution or other unlawful sexual practices;
- c) The exploitative use of children in pornographic performances and materials”;

AND WHEREAS there are a significant number of youth involved in the sex trade in the Lower Mainland and other parts of the province;

AND WHEREAS the reasons for children becoming involved in the sex trade are multi-factorial:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government support a province-wide network that incorporates youth, schools, parents, educators, police, social services, drug and alcohol counsellors and the Crown, which would focus on the education of youth and the criminal prosecution of those who are involved in all forms of sexual exploitation and sexual abuse of children.

RESPONSE OF: MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT

On May 17, 2004, MCFD announced it was beginning consultation on a Safe Care discussion paper in preparation for the introduction of proposed legislation in the spring 2005 session. The proposed *Safe Care Act* will provide for the involuntary detainment of commercially sexually exploited youth when they are unable or unwilling to access help through voluntary measures.

British Columbia's proposed *Safe Care Act* is designed to meet the needs of young people who are commercially sexually exploited and for whom the safeguards of family, school and community have broken down. The proposed Safe Care legislation will replace the *Secure Care Act* that was passed in July 2000, but which was not proclaimed into force. The new *Safe Care Act* will focus policy direction and services on the commercial sexual exploitation of children

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Response to B102 CONTINUED

and will address many of the issues identified in the consultation process that took place between November 2000 and February 2001 and involved over 800 stakeholders.

Five core values provide a foundation for the safe care legislative structure, program and service delivery:

- a) Child 'prostitution' is sexual abuse, not a lifestyle choice.
- b) Safe care is a protective intervention, not a punitive intervention.
- c) Safe care is a protective intervention, not a preventative intervention.
- d) Safe care services do not replace any existing services in the community.
- e) New, involuntary safe care placements must be supported by additional resources for new, voluntary services.

B104 YOUTH DRUG COURT

WHEREAS drug courts are proving to be cost effective to the justice system in other jurisdictions – as much as 1/10 to 1/20 of the cost of incarceration;

AND WHEREAS participants in drug courts have an over 50% lower recidivism rate and graduates are staying clean longer than “regular” attendants at treatment programs;

AND WHEREAS the new *Youth Criminal Justice Act* provides for extra-judicial measures and promotes non-custodial sentencing;

AND WHEREAS Article 33 of the United Nations *Convention on the Rights of the Child* directs that participating countries “shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances”:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the federal and provincial governments establish a youth drug court in the province, on a priority basis.

RESPONSE OF: MINISTRY OF ATTORNEY GENERAL

The Province has established an adult drug court as a pilot project in Vancouver. The Province endorses the goals and objectives of the drug court model as a positive response to a complex social issue.

British Columbia has entered into an agreement with the federal government, which has jurisdiction over drug offences, to undertake this project. The two governments are evaluating the drug court pilot project to determine if the drug court model is effective and cost-efficient.

Following the evaluation of the adult drug court, the Province will be in a better position to consider the possibility of a similar youth drug court. However, any decision in this matter would be contingent upon the results of the adult drug court evaluation and agreement by the federal government to participate in the project.

The Youth Criminal Justice Act requires that young offenders be dealt with outside the court system as much as possible. Court is to be reserved for only the most serious offenders and offences. Addiction treatment for youth would have to be consistent with the Act.

B105 ROAD SAFETY EDUCATION AS A REQUIRED LEARNING OUTCOME

WHEREAS vehicle crashes are the leading cause of death and injury among people between the ages of one and 25 in BC today;

AND WHEREAS road safety education can increase awareness among young people of the risks involved in being on the road and change their attitudes toward risk behaviour involving vehicles, making them less willing to engage in or support unnecessary risk-taking:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Ministry of Education to:

- designate road safety education as a required learning outcome in the provincial school system for all grades from Kindergarten to Grade 12; and
- designate the use of the new and existing ICBC road safety teaching guides and resources to deliver the road safety learning outcomes.

RESPONSE OF: MINISTRY OF EDUCATION

The new Planning 10 course includes road safety education as a required learning outcome. The Ministry of Education recommends ICBC's RoadSense teacher resource package for Grades 10, 11 and 12 as a learning resource to support the Planning 10 curriculum. The Ministry continues to honour its commitment to include road safety related learning outcomes in all grades of the curriculum revision to Personal Planning and Career and Personal Planning subject areas. Work in this area is currently taking place. It is anticipated that draft learning outcomes and achievement indicators for these subject areas will be posted for public review and response in the late fall 2004.

**B106 ROAD SAFETY EDUCATION AS A REQUIREMENT
TO OBTAIN A DRIVER'S LICENCE**

WHEREAS vehicle crashes are the leading cause of death and injury among people between the ages of one and 25 in BC today;

AND WHEREAS road safety education can increase awareness among young people of the risks involved in being on the road and change their attitudes toward risk behaviour involving vehicles, making them less willing to engage in or support unnecessary risk-taking:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Ministry of Public Safety and Solicitor General (Responsible for ICBC) to:

- require successful completion of a road safety education program within the Graduated Licensing Program to obtain a Class 5 driver's licence; and
- consider modification of existing ICBC road safety teaching guides and resources to deliver the road safety education outcomes.

**RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR
GENERAL**

ICBC implemented the Graduated Licensing program in 1998, and as part of that introduced changes to the driver test that increased the knowledge drivers must have in order to pass the driver licensing test.

At the same time, ICBC introduced two new, and comprehensive, education manuals, "Road Sense for Drivers" and "Tuning It Up". These manuals are very comprehensive. It would be difficult to pass the current driving test without exposure to the existing educational materials.

B108 ESSENTIAL SERVICE

WHEREAS the economic survival of business, tourism and industry for island communities depends on continuous, reliable ferry service for the flow of goods, services and people;

AND WHEREAS ferry service represents the only form of access for many island communities:

THEREFORE BE IT RESOLVED that the Government of British Columbia designate ferry services as an essential service whereby:

- a) work stoppages are not allowed, as a condition of employment; and
- b) any labour disputes be settled by a process of mediation and arbitration.

RESPONSE OF: MINISTRY OF SKILLS, DEVELOPMENT AND LABOUR

The Government of British Columbia recognizes the extreme importance of the ferry system to the economic health and prosperity of the province and our island communities. We have taken steps to address the underlying concerns that the Mount Waddington Regional District raises.

We passed legislation in 2003 clarifying that ferry services are essential services under the *Labour Relations Code*. This means that BC Ferries and its employees must continue to provide ferry services, at a level set by the Labour Relations Board, when there is a labour dispute. This is the same approach used for other essential workers, such as nurses, other health care workers, and teachers. It retains some pressure for the parties to settle their differences quickly, while providing an essential level of service to protect the health, safety and welfare of BC residents.

In 2003, we also updated the *Railway and Ferries Bargaining Assistance Act*. This Act allows government to order a cooling-off period for up to 104 days if the parties cannot conclude a collective agreement. During this period, the ferries must operate at normal levels and all job action is banned. A special mediator is also appointed to assist the parties in settling.

B110 HARMONIZATION OF PST ON FILM PRODUCTION

WHEREAS over 30,000 BC residents earn a living directly and indirectly from the motion picture industry and rising competitive pressure is causing the motion picture industry to relocate to other jurisdictions;

AND WHEREAS some provinces treat film production as a manufacturing process not a service while some jurisdictions have harmonized the PST with the GST and exempt film production from PST and other jurisdictions charge no PST:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province harmonize the application of PST and treat film production as a manufactured product for PST purposes.

RESPONSE OF: MINISTRY OF FINANCE

The government of British Columbia has followed through with its commitment to improve the competitiveness of the film and television industry through a number of measures including:

- Extending the Film Incentive BC and Production Services tax credits for five more years;
- Providing an enhanced regional incentive for film credits; and
- Introducing a Digital Animation or Visual Effects tax credit.

In addition, government has undertaken to clarify the application of sales tax to this industry by updating information bulletins provided by the Ministry of Provincial Revenue.

The film and television industry makes a valuable contribution to British Columbia's economy and the government's initiatives recognize and encourage that contribution.

In fact, film and television production in British Columbia reached a record \$1.405 billion in 2003 representing a 47% increase over the previous year. The highest previous total was \$1.18 billion in 2000.

B112 REDUCTION OF PHOSPHATES IN MUNICIPAL WASTEWATER

WHEREAS the discharge of phosphate nutrients causes the eutrophication of valuable fish bearing streams and pollutes drinking water;

AND WHEREAS local governments face considerable costs in having to comply with required phosphorous concentration guidelines:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the provincial government to implement measures to discourage the use of phosphate detergents and encourage phosphorous-free alternatives, through such measures as environmental taxes or rebates.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection recognizes the intention of the resolution that the province encourage the use of phosphorous-free detergents. To this end, the ministry will ask the Ministry of Finance to consider the Union of British Columbia (UBCM) proposal that tax-incentives be used to reduce the volume of phosphates. The ministry also supports the development of effective LWMPs to manage site-specific environmental concerns related to domestic wastewater and nutrient-risk surface runoff discharging into provincially significant watercourses.

B113 PROPOSED SCOTT ISLANDS MARINE PROTECTED AREA

WHEREAS Environment Canada wishes to establish a Federal Marine Protected Area around the Scott Islands;

AND WHEREAS the Protected Area may include a massive section of the southern Queen Charlotte Basin;

AND WHEREAS the Protected Area may exclude existing fishing opportunities, vessel traffic and impact future resource development in the Basin:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities strongly recommend to Environment Canada that the current provincially protected status of Scott Islands remain as it is and that the Ministry conduct additional studies towards minimizing bird/human conflicts in the surrounding ocean.

RESPONSE OF: MINISTRY OF WATER, LAND AND AIR PROTECTION

The Ministry of Water, Land and Air Protection will continue to maintain the Scott Islands as a protected area and supports the development of additional management strategies to protect breeding bird populations by the CWS.

The province's view continues to be that this initiative must be coordinated with other land use and marine planning initiatives, competing values, including economic values, First Nations and local government interests. We support in principle the concept of a Marine Wildlife Area providing it results in a cooperative, balanced management regime to protect the foraging area for the significant breeding bird populations of the ecological reserves on the Scott Islands in addition to the economic and social interests of the communities whose livelihood is dependent upon the resources in this area.

B114 OIL AND GAS MORATORIUM

WHEREAS preliminary science suggests that the north coast of British Columbia has offshore oil and gas reserves that may equal or better the offshore Hibernia oil fields, and the federal government has had a moratorium on offshore oil and gas exploration in the Queen Charlotte Basin since 1972, and the science of exploration and extraction has been highly developed to ensure protection of the environment;

AND WHEREAS the royalties from the development of offshore oil and gas could provide significant net revenues to federal, provincial, local and First Nations governments to fund health care, education, transportation and other services to the benefit of all British Columbians, and exploration and development will create business and employment opportunities throughout the province, most significantly in those coastal communities currently suffering the highest unemployment rates in the province:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities fully support the lifting of the federal moratorium on offshore oil and gas exploration in the Queen Charlotte Basin.

RESPONSE OF: MINISTRY OF ENERGY AND MINES

Resolution B114 is consistent with the Provincial position that Canada should lift the federal moratorium on offshore oil and gas exploration.

The British Columbia Government is actively engaged in diversifying the provincial economy to encourage growth and opportunity. The British Columbia Government believes that offshore oil and gas opportunities could help diversify coastal British Columbia's economy and contribute economically to Canada.

Scientific reports conclude that the west coast conditions do not provide any insurmountable obstacles to an environmentally responsible offshore oil and gas industry.

B119 HEALTH PROMOTION FOUNDATION

WHEREAS there is no clear, coordinated and comprehensive vision of health promotion in British Columbia that sets it apart from prevention and illness care;

AND WHEREAS acute care priorities and ongoing crises in the health care system are subjugating investment in British Columbia health promotion and prevention initiatives;

AND WHEREAS voluntary, nonprofit organizations and frontline workers make substantial contributions to vibrant, self-reliant and sustainable communities, yet lack of funding, restrictive criteria and inefficient coordination of existing funds are compromising the capacity of these organizations to act on the health determinants and the health status of their citizens at a time when more and more is expected of them;

AND WHEREAS Health Promotion Foundations have been found to be a successful method of funding and prioritizing health promotion in other parts of the world, e.g. Australia, Switzerland, Thailand, Austria and Korea:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Government of British Columbia to support, through legislation, the establishment of an independent, at-arms-length from government, Health Promotion Foundation in British Columbia.

Provincial response not yet received.

**B125 REIMBURSING COSTS INCURRED FOR TRAVEL
REQUIRED TO GIVE BIRTH**

WHEREAS due to the current moratorium on all local deliveries, planned birthing is no longer attainable north of Campbell River;

AND WHEREAS all pregnant women must travel to a larger centre two weeks prior to the scheduled due date;

AND WHEREAS travel and accommodations are necessary in most cases to fulfill the birthing requirements imposed by the moratorium on local deliveries;

AND WHEREAS to receive partial assistance from the Ministry of Human Resources for travel and accommodations a physician's statement attesting that the birth is a life-threatening situation must be obtained;

AND WHEREAS the Ministry of Human Resources limits resources to one week of the required two week pre-birth date:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request that the provincial government develop a travel and funding policy that supports the policy on relocation to meet birthing requirements.

Provincial response not yet received.

B126 PRIVATIZATION OF MEDICAL SERVICES PLAN RECORDS ADMINISTRATION

WHEREAS the Province of British Columbia is seeking to privatize the Medical Services Plan records administration;

AND WHEREAS American companies are seeking to bid on the privatization process;

AND WHEREAS American companies can be compelled by the *USA Patriot Act* legislation to turn over confidential information controlled by the corporation to the FBI without notifying Canadian officials or the individuals involved;

AND WHEREAS this will result in the confidential information of British Columbia residents being turned over to American government authorities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government not privatize the administration of our personal medical records to any American company or any affiliate of an American company that can be compelled by the *USA Patriot Act*.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

The number one complaint from MLAs across British Columbia is that people cannot get through to register for MSP. An example of the need for modernization is that the public process of registration with MSP has not changed much in more than 30 years - a paper process in a computerized world.

Government is currently negotiating a service agreement that will be with a B.C.-based service provider that is indirectly held by a U.S. parent company. The ministry has included measures that prevent the US parent from being able to compel the disclosure of information from the B.C. service provider, for example, under the USA Patriot Act. Contract negotiations are still underway.

British Columbia is not privatizing the administration function of MSP and PharmaCare. Under the new service delivery model, the government would continue to own all information, be accountable for all services and will ensure it meets or exceeds provincial privacy legislation.

The business proposal was open to Canadian and international bidders. The final proponent was selected based on their proven ability to modernize the current public process of registration with MSP and ensure it can be sustained well into the future.

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Response to B126 CONTINUED

Government submitted a report in July to the Information and Privacy Commissioner. The submission outlined plans to include tough new privacy protections in legislation and contracts with service providers, specifically responding to the USA Patriot Act. Government is looking forward to reviewing the Information and Privacy Commissioner's report.

**B128 TENANCY PROTECTION FOR RESIDENTS
OF SUPPORTIVE AND ASSISTED LIVING FACILITIES**

WHEREAS the *Community Care and Assisted Living Act* outlines a new model of care for seniors who do not require constant care;

AND WHEREAS the *Community Care and Assisted Living Act* lacks tenancy protection for seniors who are residents of supportive and assisted living facilities;

AND WHEREAS the Seniors Health and Housing Coalition report titled "Regulation of 'Independent Living'" details the shortcomings of the *Community Care and Assisted Living Act* and suggests the development of a new framework to remedy the lack of tenancy protection for residents of supportive and assisted living facilities:

THEREFORE BE IT RESOLVED that the provincial government establish a comprehensive legislative and regulatory framework to address care, safety and security of tenure issues for residents of both supportive housing and assisted living facilities;

AND BE IT FURTHER RESOLVED that the Province consult widely with local governments, seniors organizations, housing and health providers and the general public in the development of the framework.

**RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR
GENERAL**

The Residential Tenancy Act does not specifically address supportive housing and assisted living accommodation is specifically excluded.

Recently, the Ministry of Public Safety and Solicitor General has undertaken lead responsibility for this initiative. PSSG is working in association with the Ministry of Health Services and the Ministry of Community, Aboriginal and Women's Services on this initiative.

A new model is being developed to provide consumer protection for British Columbians living in supportive housing and assisted living situations. The model may include a legislative option.

The model of consumer protection being considered includes a dispute resolution process. To best accommodate the requirements of seniors and persons with special needs, the preferred model is one that is streamlined to decrease process timeframes and provides for a meditative process to resolve disputes.

The Province will consult when development of the new model has progressed.

B129 PLANNING FOR ASSISTED AND SUPPORTIVE LIVING

WHEREAS the provincial government created Health Authorities to support the Province's vision of providing high quality patient-centered care, improve health and wellness and create a sustainable, affordable public health care system;

AND WHEREAS Health Authorities need to work more closely with local communities to develop a long-term plan to address the need for assisted/supportive living and long-term care facilities for the aging population of British Columbia:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to avoid the high costs, both financially and socially, by developing a long-term plan for assisted/supportive living and long-term care facilities in consultation with local communities.

RESPONSE OF: MINISTRY OF HEALTH SERVICES

Health authorities recognize local communities are partners in the development of planning strategies for seniors' housing and care and engage with them.

This government is working with health authorities, BC Housing, for profit and non-profit housing providers to ensure the availability of an appropriate mix of residential care and other housing and care options for seniors. This initiative includes long-term planning for both residential care and more independent options, such as assisted living and in-home care and support. The health authority long-term plans for home and community care are included in their three-year health services plans, which are on their websites.

Since 2001, the province has made a substantial investment in modernizing residential care, renewing facilities that were an average of 30 years or older and could not be safely or efficiently operated without major upgrades or replacements. Health authorities have been renewing and building facilities as they are required, for now and in future.

Health authorities have also been successful at reducing average wait times for residential care to less than three months, compared to the previous average of up to one year. As part of this overall plan, health authorities have been planning new services, including assisted living and enhanced home care, for more independent seniors and people with disabilities who prefer options that allow them to live in their homes or in the community.

B131 BULLY FREE COMMUNITIES

WHEREAS there are many people in our communities who have lived with, or are living with bullying;

AND WHEREAS bullying is a learned behaviour and occurs in more environments than just the school yard;

AND WHEREAS bullying is not confined to children only;

AND WHEREAS individuals and communities have the power to prevent bullying before it becomes a problem:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities call upon citizens to recognize bullying for the social problem it is and encourage them to make a difference by taking the time to get involved and help make our communities bully free.

No Response Required.

B132 AGE DISCRIMINATION

WHEREAS seniors over 65 years remain vulnerable to mistreatment, denial of services and discrimination due to being elderly;

AND WHEREAS the British Columbia *Human Rights Code* defines age as “an age of 19 years or more and less than 65 years”;

AND WHEREAS due to this discrimination there is no statutory protection or recourse against age discrimination for those over 65 years;

AND WHEREAS a recommendation was made to extend protection against age discrimination for seniors over the age of 65 years in a report produced in January, 1998 by the British Columbia Human Rights Commission called “Human Rights for the Next Millennium”;

AND WHEREAS changing the definition of age to extend to those over 65 years should not affect programs or benefits that have been accorded as a special support to seniors in society;

AND WHEREAS changes in the definition of age to extend to those over 65 years should not affect any proposed statutory changes related to mandatory retirement:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the Attorney General of the Province of British Columbia to change the definition of age as presented in the *Human Rights Code Amendment Act, 2002, c.62 (Bill 64)* from “an age of 19 years or more and less than 65 years” to “an age of 19 years or more” so that seniors over the age of 65 years, or those who intervene on their behalf, have recourse to protect against age discrimination and mistreatment due to being elderly, provided such amendment does not affect the statutory provisions on mandatory retirement.

RESPONSE OF: MINISTRY OF ATTORNEY GENERAL

For the purpose of the Human Rights Code, age is defined as “an age of 19 years or more and less than 65 years”. Changing the definition to “19 years or more” inevitably raises issues related to mandatory retirement policies as well as pension or benefit programs that are specific to certain age groups.

Prior to making changes to the definition of age, government would need to identify the costs to employers, employees, and to government in order to ensure that there are no negative consequences related to the change.

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Response to B132 CONTINUED

The Human Rights Code continues to provide protection against discrimination to persons under 19 and over 65 where the discrimination relates to grounds other than age (for example, race, religion or sex).

B133 WELFARE LEGISLATION

WHEREAS in April 2002 the provincial government announced new welfare legislation in the *Employment and Assistance Act* and outlined a program of welfare restructuring that includes cuts to benefits and tightening of eligibility rules;

AND WHEREAS the changes to welfare effectively download provincial responsibility for people in need onto municipal governments:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities call on the provincial government to change the *Employment and Assistance Act* to ensure that welfare benefits meet the basic needs of individuals and families;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities urge the provincial government to end the centralization of employment and assistance field services, so as to prevent barriers to assistance access by keeping physical services within the local community.

RESPONSE OF: MINISTRY OF HUMAN RESOURCES

The Ministry of Human Resources (MHR) has 112 offices around the province and is continuing to deliver essential programs and services to our clients through the use of new technology and more efficient practices.

The majority of MHR services can be provided over the phone or on-line. Clients who live in areas where there is no office are being served effectively through these means.

By providing our services in a more efficient way, we are making sure that taxpayer dollars are directed toward those most in need.

The ministry's income assistance programs are working. We are meeting the needs of people on income assistance by providing basic support and shelter and assisting people who are able to work to get jobs. People with disabilities receive the highest rate of assistance available.

B134 PROVINCIAL WELFARE POLICY

WHEREAS unprecedented new provincial laws: 1) limit the time people classified as employable can collect Income Assistance to 24 months of every 60 months and reduce benefits for families with children; and 2) deny some people income assistance absolutely, given the two year independence test;

AND WHEREAS the Province made a dramatic last minute adjustment in policy to reduce the number of “employable” welfare recipients who would be cut off welfare in the coming year but has not changed the law itself, leaving recipients open to more severe policy and cuts in future;

AND WHEREAS the people potentially affected are among the poorest and most vulnerable in our society, and are already struggling to deal with the impacts of cuts to other federal and provincial programs and services:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the provincial government to rescind the laws introducing income assistance time limits and reducing benefits.

RESPONSE OF: MINISTRY OF HUMAN RESOURCES

Time limits were introduced as part of the government’s new emphasis on employment and personal responsibility. Time limits motivate employable clients to find a job as quickly as possible and to stay employed.

The time limit policy is designed to ensure that no one who is unable to work or who is actively looking for work will lose assistance even after they have reached their time limit. Exemptions to time limits include persons with disabilities, pregnant women, single parents with young children, people in a special care facility or people with a drug or alcohol problem.

Clients face time limit sanctions only if they are capable of working and choose not to follow through on their legally binding employment plan, refuse a job or quit a job without just cause.

Clients who actively look for work and follow the steps outlined in their employment plan will not face time limit sanctions and will continue to receive full support and shelter even after receiving income assistance for a cumulative two years out of five.

B138 ROLE OF PUBLIC LIBRARY IN EARLY CHILDHOOD DEVELOPMENT

WHEREAS research consistently demonstrates the crucial importance of pre-school learning and literacy in ensuring an individual's subsequent success in school and later life;

AND WHEREAS BC public libraries are in every BC community, run thousands of children's and early literacy programs and are the only social institutions mandated to foster literacy skills in pre-school children and to support and empower their parents in creating a learning environment;

AND WHEREAS the provincial government in its most recent Speech from the Throne stated its commitment to "ensure that all children have every opportunity to experience the excitement of learning and be the best that they can be";

AND WHEREAS the provincial government is creating a strategic plan to direct its future involvement with public libraries:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities strongly encourage the provincial government to recognize the indispensable role that BC public libraries play in fostering early childhood education;

AND BE IT FURTHER RESOLVED that the Province's strategic plans for both early childhood development and public libraries recognize the important role public libraries play by enhancing and funding support for BC public libraries in early childhood education endeavours;

AND BE IT FURTHER RESOLVED that the provincial government ensure that BC public libraries are represented on all provincial advisory committees on literacy and early childhood development.

Provincial response not yet received.

B139 COMMUNITY SCHOOLS

WHEREAS Community Schools have provided a valuable service to diverse groups and individuals;

AND WHEREAS cuts to funding and a change of mandate from the Province have forced Community Schools to cut many of their programs that benefited the broader community:

THEREFORE BE IT RESOLVED that Union of BC Municipalities urge the provincial government to restore funding levels to allow Community Schools to have the flexibility to provide services to the broader community.

Provincial response not yet received.

B141 ENHANCEMENT OF REGIONAL TRAINING OPPORTUNITIES

WHEREAS a stable, educated workforce is crucial to the economic viability of rural, remote, and resource based communities and rural areas are experiencing outward migration of the workforce to other provinces or larger centres;

AND WHEREAS community colleges and other training institutes struggle to provide relevant programming for students using existing funding models more suited to areas with a high-density population:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the Province of British Columbia to develop alternative or additional funding models that would assist in enhancing existing programs and allow development of new, relevant, and innovative training opportunities that can be accessed within the region.

RESPONSE OF: MINISTRY OF ADVANCED EDUCATION

Since 2002/03, the provincial government has provided block funding for colleges, university-colleges, and institutes in British Columbia (BC). This approach recognizes that institutions are in the best position to make decisions regarding the program needs of their students and communities.

Government will create 25,000 new student spaces in communities across the province by 2010, including 1,500 new spaces in northern BC.

The government recognizes the challenges of delivering post-secondary education and training in large geographic areas with a number of small communities and provides more funding per student full-time equivalent (FTE) on average to rural institutions than it does to urban institutions.

In addition, the government is investing in capital projects at post-secondary institutions across the province. Recent capital investments in the northern regions include: a new campus facility for the College of New Caledonia (CNC) and the University of Northern BC (UNBC) in Quesnel; one for the University College of the Cariboo in Williams Lake; a trades training centre for CNC as well as a new medical facility for UNBC in Prince George; expansion of the aircraft hangar for Northern Lights College in Dawson Creek; and a new campus facility for Northwest Community College in Prince Rupert.

The BC campus initiative, announced in the fall of 2002, is designed to enhance access to learning opportunities to residents in all areas of BC. To date, \$3 million in program development funding has been made available to BC institutions for collaborative development of new online programming.

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Response to B141 CONTINUED

In addition, the Ministry of Advanced Education is targeting funding for over 1,300 student spaces in online learning by 2006/07.

B142 MITIGATION OF WORKFORCE SHORTAGE

WHEREAS it is known that, as our population ages, we will be facing a workforce shortage within the next ten years and that we must actively encourage young people to enter the trades in order to mitigate this shortage;

AND WHEREAS the cooperation of industry is crucial to the success of any apprenticeship program:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the Province of British Columbia to work with the Apprenticeship Board to ensure that an increased number of apprentices are trained yearly;

AND BE IT FURTHER RESOLVED that the Province explore incentive programs to encourage industry to work with the Apprenticeship Board to ensure that there are apprenticeship positions available in which to complete their training in the region.

RESPONSE OF: MINISTRY OF ADVANCED EDUCATION

Government is working with the Industry Training Authority to develop a strategy to encourage young people to enter the trades and to increase the number of trainees in the industry training system in British Columbia.

In addition, the Ministry of Advanced Education has been developing training consortia in key sectors where shortages are foreseen, bringing together industry and educators. Aerospace, oil and gas, and hospitality and tourism consortia have been established.

The increase in industry trainees will help provide British Columbia with the skilled trades and technical workers it needs to meet the demands of our province's growing economy, preparation for the Olympic Games, and retirement replacement.

The new approach to industry training in British Columbia is a partnership between industry, government, trainers and trainees – and all four partners have a role to play. We must collectively explore all avenues for increasing industry training throughout the province.

RESPONSE OF: MINISTRY OF SKILLS, DEVELOPMENT AND LABOUR

Successful implementation of a new industry-training model is dependent on creating partnerships between educators and employers, that ensure training is relevant and timely, and that trainees can move into apprenticeship positions in order to complete their training and be certified.

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Response to B142 CONTINUED

The ITA is currently looking at a number of models to help create such partnerships. In addition to the activity of the ITA, the Ministry of Advanced Education has been developing training consortia in key sectors with anticipated shortages, in order to bring together industry and educators in these key areas. To date, two consortia have been announced: aerospace and oil & gas, and ministry staff are exploring other sectors where such an approach would add value.

Independent sector councils in key industries have also identified the need to attract youth into key sectors facing skills shortages, and have begun developing career awareness materials to attract youth into these sectors. Government has been working with sectors such as construction and oil & gas on industry-led initiatives to ensure that linkages are made with school districts, and that career development materials do not duplicate existing efforts.

In May, 2004, government released a Provincial Human Resource Strategy focused on identifying skills shortages that might impede economic growth. This strategy was based on detailed discussions with employers already operating in key sectors of the economy such as forestry and oil & gas – sectors that play key roles in B.C.'s economy. The Provincial Human Resource Strategy lays out a framework for thinking about what we already do in a more efficient and effective manner – a critical first step before new resources are added to the system.

As outlined in the Provincial Human Resource Strategy, while a lot of activity is already going on, we will fall short of meeting our economy's future skill requirements if we do not collectively explore all avenues for filling skills shortages. This includes looking at training, but also initiatives such as immigration of skilled workers, interprovincial mobility of workers, upgrading the skills of the existing workforce, and clarifying the role of government and employers in areas such as compensation, working conditions, recruitment and retention. These are all mechanisms that play a role in the adjustment of labour markets and should not be supplanted through a sole focus on training.

B144 ESTABLISHMENT OF GAMING RESEARCH ORGANIZATION

WHEREAS problem gambling is known to be associated with casinos:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial government to create an independent provincial research organization, akin to the Alberta Gaming Research Institute.

RESPONSE OF: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

Delivery of responsible gambling is a shared responsibility, involving government, the British Columbia Lottery Corporation, gaming services providers, communities, and other key stakeholders.

The Province has developed a Responsible Gambling Strategy, which has research as one of its key components. A comprehensive research program helps inform policy and program development, as well as resource allocation. British Columbia is actively engaged in the national research agenda for responsible and problem gambling, in conjunction with other provincial partners.

Problem gambling prevalence studies were conducted in 1993, 1996 and 2003. Another study is planned for 2007. As well, the Province is currently involved in a long-term research study in the Lower Mainland examining the social and economic impacts of casinos. An advisory committee (including provincial and municipal government representatives and BC Lottery Corporation staff) is working with independent researchers in BC and Alberta to determine the scope of this research.

The Province continues to draw from the knowledge gained by objective research being done locally, within Canada, and around the world. At this time, the need for an independent research organization is not evident.