

# IN THE HOUSE

UNION OF  
BRITISH  
COLUMBIA  
MUNICIPALITIES



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## RECENT LEGISLATION

**More detail on recent environment related legislation.**

### Bill 22 – Sustainable Resource Management Amendment Act

The legislation amends the Forest Practices Code of British Columbia Act giving the minister more direct control over the use of forest lands. The Bill also amends the Water Act giving the Comptroller of Water Rights broader authority to cancel a water licence and reduces the administrative measures (i.e. notification process, publication of changes, use of registered mail etc.).

### Bill 31 – Environment Management Amendment Act

The legislation establishes a Conservation Officer Service, empowers the chief conservation officer to designate persons as conservation officers and to establish standards of enforcement. The amendments also provide for the establishment of interagency agreements between the Ministry of Water, Land and Air Protection between the federal government, local government and First Nations for law enforcement delivery related to environmental protection or natural resource use.

### Bill 32 – Waste Management Amendment Act

The legislation clarifies that the rules for the reclamation and remediation of a mine site are those outlined in the Mines Act. In addition, the legislation eliminates future liability of an owner of a historic mine site for contamination if the site is sold to undertake further mining or mineral exploration.

The legislative amendments also attempt to clarify what is determined to be a contaminated site and attempts to broaden the manager's authority to allow development on a site where he feels the contamination is low to medium risk.

### Other Recent Legislation

#### Bill 23 – Interjurisdictional Support Orders Act

This Bill will replace Part 8 of the "Family Relations Act" It sets out a process for obtaining, varying and recognizing support orders in interjurisdictional cases. The new process under this Bill will require one court hearing. The new legislation is based on a model "Interjurisdictional Support Orders Act", developed by an interprovincial committee.

#### Bill 30 – Trustee Investment Statutes Amendment Act, 2002

This Act will replace the restrictive list of investments a trustee may invest money in currently in Section 15 "Trustee Authorized Investments" with section 15.1 (1) " a trustee may invest property in any form of property or security in which a prudent investor might invest, including a security issued by a mutual fund as defined in the "Securities Act". It imposes in Section 15.2 "Standard of Care", "In investing trust property, a trustee must exercise the care, skill, diligence and judgement that a prudent investor would exercise in making investments." It also makes a number of consequential amendments to other Acts made necessary by the changes to the Trustee Act."

#### Bill 35 – Deregulation Statutes Amendment Act (No.2), 2002

This is the second Bill removing some statutes and streamlining others. This is part of the deregulation program announced by the government. Of particular

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interest to municipalities is a change to the Home Owner Grant Act – it removes the requirement that current year taxes had to be unpaid at the time of application for the HOG, and gives the collector the additional power to refund to an owner any payment made on current year taxes which exceeds the amount of outstanding taxes net of the grant. It also amends the “Forest Act” repeals Hospital Act Part 3 “Hospitals Foundation of B.C”, and amends the “Motor Vehicle Act,” as well as a number of others.

#### Bill 36 – Energy and Mines Statutes Amendment Act, 2002

This Bill amends a number of the statutes administered by the Ministry of Energy and Mines such as:

Coal Act - amended to provide access to license holder by exempting them from restrictions in Forest Practices Code.

Oil and Gas Commission Act - changes the structure of the commission and establishes it as a corporation, adds a section that provides for issuance of “General development permits” which is an approval in principle for oil and gas activities and pipelines in an area of B.C. It also amends the “Petroleum and Natural Gas Act” and “Pipeline Act”.

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### In the Next In the House

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Comments on

Bill 34: School Amendment Act, 2002

Bill 36: Energy and Mines Statutes Amendment Act, 2002

Bill 37: Food Safety Act

Bill 40: Forests Statutes Amendment Act, 2002

Bill 45: Legal Services Society Act

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### New Agriculture Land Commissioners Appointed

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The appointment of 19 agricultural land commissioners were announced today by Sustainable Resource Management Minister Stan Hagen.

The commission will consist of a chair and three commissioners from each of the province's six geographic regions:

Provincial Chair

Kirk Miller

North Region

Frank Read, Vice-Chair

John Kendrew

James Davidson

Interior Region

Grant Huffman, Vice-Chair

Guy Rose

Holly Campbell

Okanagan Region

Ravinder (Sid) Sidhu, Vice-Chair

Susan Irvine

Sharon McCoubrey

Kootenay Region

Monika Marshall, Vice-Chair

Cheryle Ann Huscroft

Carmen Purdy

South Coastal Region

Peter Dhillon, Vice-Chair

Walter Dyck

Carol Paulson

Island Region

Lorne Sietz, Vice-Chair

Donald Rugg

David Craven

Biographies of the new commissioners are provided at [www.gov.bc.ca/srm](http://www.gov.bc.ca/srm).

For other reports on this session's legislation please see UBCM's April 18, In the House ~ 2002 Bills, and the UBCM March Newsletter, Issue # 198.