



Third Session - Thirty-Seventh Legislature

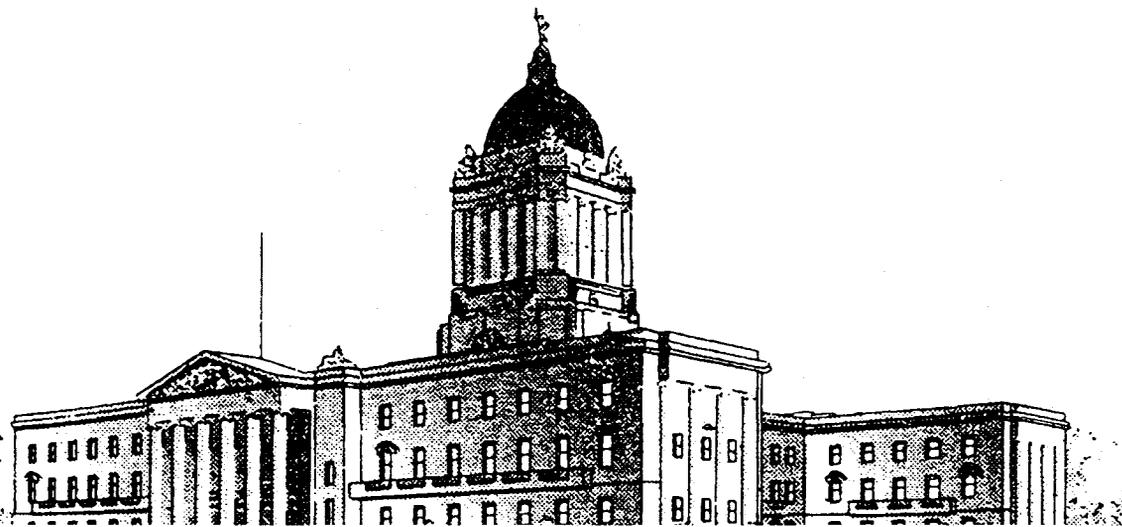
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
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SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 17, 2002

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

#### Transcona-Springfield School Division

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I beg to present the petition of Pam Lorentz, Dan Lorentz, Barry Vermeulen and others praying that the Legislative Assembly of Manitoba request the Minister of Education (Mr. Caldwell) to reverse the decision to split the Transcona-Springfield School Division and allow it to remain as a whole or to consider immediately convening the Board of Reference to decide the matter.

### READING AND RECEIVING PETITIONS

#### Transcona-Springfield School Division

**Mr. Speaker:** The honourable Member for Springfield (Mr. Schuler), I have reviewed the petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Clerk, please read.

**Madam Clerk (Patricia Chaychuk):** The petition of the undersigned citizens of the province of Manitoba humbly sheweth

THAT on November 8, 2001, the Minister of Education (Mr. Caldwell) announced a split in the Transcona-Springfield School Division but despite repeated requests has been unable to identify any benefits of this decision to the

students and taxpayers of said school division; and

THAT this decision was not preceded by adequate public consultation as outlined in section 7 of The Public Schools Act; and

THAT this decision would result in significant hardships for the students in both Transcona and Springfield that would affect the quality of their education; and

THAT the proposal by the Minister of Education on February 12, 2002, neither alleviates nor remedies these hardships; and

THAT this decision results in an increased financial burden on the taxpayers of both the Transcona-Springfield School Division and the province of Manitoba; and

THAT on March 13, 2002, the number of resident electors required by The Public Schools Act requested the Minister of Education to convene a Board of Reference to decide the matter.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly request the Minister of Education to reverse the decision to split the Transcona-Springfield School Division and allow it to remain as a whole or to consider immediately convening the Board of Reference to decide the matter.

### TABLING OF REPORTS

**Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines):** Mr. Speaker, I am pleased to table the 2001-2002 annual reports for the Manitoba Trade and Investment Corporation, the Manitoba Horse Racing Commission and the Manitoba Development Corporation.

## INTRODUCTION OF BILLS

### Bill 53—The Common-Law Partners' Property and Related Amendments Act

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister responsible for the Status of Women (Ms. McGifford), that leave be given to introduce Bill 53, The Common-Law Partners' Property and Related Amendments Act; Loi sur les biens des conjoints de fait et modifications connexes, and that the same be now received and read a first time.

His Honour the Lieutenant-Governor, having been advised of the contents of this bill, recommends it to the House. I would like to table the Lieutenant-Governor's message.

#### *Motion presented.*

**Mr. Mackintosh:** Mr. Speaker, this bill extends the property rights and obligations of partners to their common-law partners, so that on the breakdown of the relationship or on the death of one of the partners, common-law partners will be able to share in the property accumulated during the relationship. The bill was developed after the Government received the final reports of the Common-Law Relationships Review Panel.

#### *Motion agreed to.*

\* (13:35)

### House Business

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, in the past we used to be able to put the words on the record to correct Hansard. If you check on page 3404 of yesterday's Hansard, the honourable Minister of Education (Mr. Caldwell), when he rose on the point of order, you will notice his statement was not completed in Hansard.

I would appreciate it if we could go through the blues or go through the copy and get the exact words, because you will note on here it does not state that that was not a point of order, which you clearly put in your point back to the member.

**Mr. Speaker:** I thank the honourable member for drawing that to my attention. I will get it verified and, if necessary, we will do a reprint.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us Mrs. Arlene Simon who is the president of the original Filipino Seniors Association of Manitoba. Also we have Mrs. Ellen Aquino Chua, incoming president of the Pangasinan Group of Manitoba. They are the guests of the honourable Member for The Maples (Mr. Aglugub).

Also I would like to draw the attention of all honourable members to the public gallery where we have with us from the original Aboriginal Learning Centre, 35 visitors under the direction of Ms. Cindy Vallee. This school is located in the constituency of the honourable Member for Point Douglas (Mr. Hickes).

On behalf of all honourable members, I welcome you here today.

## ORAL QUESTION PERIOD

### Crime Rate Reduction Strategy

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, the *Juristat* numbers for 2001 released today by Statistics Canada show some disturbing trends. The *Juristat* numbers, which outline Criminal Code incidents, show Manitoba is No. 1 amongst provinces. It is No. 1 in homicides; it is No. 1 in robberies; it is No. 1 in motor vehicle thefts; it is No. 1 in crimes for offensive weapons; and it is No. 1 for mischievous crimes. Since taking office, the Doer government has been all talk and no action.

My question to the minister is: When will he and the Premier (Mr. Doer) take a stand on tough crime in Manitoba and come up with a comprehensive strategy to battle crime in Manitoba?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I am very pleased that question has been posed, Mr. Speaker, because,

first, we have to recognize that these statistics go back, of course, as far as a year and a half ago. These are statistics for the year 2001. I think perhaps we even reflect on what occurred yesterday when there was an announcement of a partnership between the City of Winnipeg and the Province of Manitoba to ensure there are 21 more officers in the city of Winnipeg. I will just add that we recognize that additional support for policing is only one aspect of what has to be a comprehensive plan we are working every day to deliver on.

I will just remind members opposite, if they want to rely on crime statistics, Mr. Speaker, of the provinces, Manitoba was the violent crime capital of Canada in 1993, in 1994, in 1995, in 1996, in 1997 and in 1998. We no longer suffer that tragic distinction.

**Mr. Murray:** Well, Mr. Speaker, that absolutely does nothing for those people who are suffering crimes on the streets of Winnipeg and Manitoba today. The fact of life is the numbers in the city of Winnipeg are just as disturbing. Among major municipalities, Winnipeg is also No. 1 in homicides, sexual assaults, in assaults, in robberies, in violent crimes and in motor thefts.

The Premier (Mr. Doer) and the Minister of Justice like to continue to talk about the past. They like to talk about press releases. The fact of life is they are all talk and no action. When is this Government going to come up with a comprehensive plan to battle crime?

\* (13:40)

**Mr. Mackintosh:** Well, Mr. Speaker, let us talk about public safety and what is in this report from Stats Canada, because it is very important that we look carefully at crime statistics. We measure them, we look at trends. I just want to remind members opposite, if these crime statistics are so important to them, of the provinces, Manitoba saw an increase in violent crime in 1992, in 1993, in 1995, in 1996 and in 1997.

Mr. Speaker, in the year 2001 violent crime went down in Manitoba, even though nationally it was going up. These crime statistics are driven in no small way—

**An Honourable Member:** Are you a man or a mouse?

**Mr. Speaker:** Order.

**Mr. Mackintosh:** Mr. Speaker, I hear the voice of the Conservative Party again from Springfield.

**An Honourable Member:** Clearly, you are a mouse.

**Mr. Mackintosh:** We remember when heckling was an art.

Mr. Speaker, the crime statistics are being driven largely and in no small way by a couple of factors. One is the regrettable rate of auto theft in 2001. I am pleased to report and I am cautiously reporting that for this year, for 2002, auto theft is down by double-digits.

#### Point of Order

**Mr. Speaker:** The honourable Member for Fort Garry, on a point of order.

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, on a point of order. Never in this House have I stood up before, but I think it is very scary when the Minister of Justice, the Attorney General for this province, puts a heavy political spin and ignores the facts. When he is giving the facts like the violent crime facts for 2001, I would request that he tables that. This is shameful for the province of Manitoba.

**Mr. Speaker:** The honourable Minister of Transportation and Government Services, on the same point of order.

**Hon. Steve Ashton (Deputy Government House Leader):** On the same point of order, alleged point of order, Mr. Speaker. I would suggest to the member opposite if she wishes to ask questions she has that opportunity to do so, but to get up on an alleged point of order and engage in debate is highly improper and is, in fact, totally out of order. Points of order are not for interruption. They are to draw to the attention of the House a breach of *Beauchesne*. I suggest that we rule it clearly out of order.

**Mr. Speaker:** On the point of order raised by the honourable Member for Fort Garry, before I make a ruling I would just like to inform the

House that points of order are to be used for pointing out to the Speaker a breach of a rule or the departure of procedure that is happening in the House. It should not be used for debate or for a rebuttal.

On the point of order raised, the honourable member does not have a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Speaker:** The honourable Official Opposition House Leader.

**Mr. Murray:** Thank you, Mr. Speaker. During the last election, the Premier (Mr. Doer) promised: Elect us and, quote, we will make our communities safer. That was one of the five commitments the Premier and this Government talked about, if they would be elected they would ensure to all Manitobans that they would follow through on those commitments.

This Government has broken that promise, and this minister stands in this House and talks about '92 and '93, Mr. Speaker. This is not about '92 and '93. It is about the year 2002, 2003 and ahead, and this minister is responsible for his lack of integrity and lack of action on crime. I ask him: When is he going to come up with a comprehensive plan?

**Mr. Speaker:** Order. Before I recognize the honourable Attorney General, when I recognized the honourable Leader of the Official Opposition for a question, I used a different title. The question was raised by the honourable Leader of the Official Opposition.

**Mr. Mackintosh:** Mr. Speaker, I think one of the words used by the member of the Opposition, Leader of the Opposition, is out of character, but the Leader of the Opposition asked questions about trends, and I responded by talking about trends.

I think it is also important that we note auto theft indeed was a very serious problem in 2001. Hopefully it is coming down. We also note the way that mischief offences were recorded changed for that year. So we are going back almost a year and a half with these statistics, and

what has been unfolding under this Government is a comprehensive plan, including issues that were dealt with, with the City of Winnipeg yesterday in terms of policing.

\* (13:45)

I just leave members opposite with this. When he says that we committed to making Manitoba safer—[inaudible]

**Mr. Speaker:** Order. The honourable Official Opposition House Leader, on a point of order.

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, could you do a mike check? I do believe the minister's mike was not in operation, and we do want to make sure we have all the words on the record. Can you just double-check it because it was not coming through on the earpiece?

**Mr. Speaker:** We have just been informed that some of the mikes are cutting in and cutting out. We have Keith checking it now, so if you just bear with us for a couple of minutes we will see if we can get the problem rectified.

It has been checked and things seem to be working properly so we will continue with Question Period. If the problem is repeated, they will give us a signal at the back. So we will go back to Question Period.

**Mrs. Smith:** Mr. Speaker, it is interesting that in one—[inaudible]

**Mr. Speaker:** Order. The mike is not on. I have just been informed that it would be advisable to take a five-minute recess, and we will check the equipment at the back. So if we could reconvene—

**An Honourable Member:** Ten minutes.

**Mr. Speaker:** Ten-minute recess. Okay, we will recess the House for ten minutes, and then we will reconvene in ten minutes.

*The House recessed at 1:49 p.m.*

*The House resumed at 2:02 p.m.*

**Mr. Speaker:** Order. We will revert back to Question Period. The problem has been fixed so

there should be no further problems. At that point I had recognized the honourable Member for Fort Garry.

### Police Services Resources

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, it is interesting that one day before the release of the *Juristat* numbers showing that Winnipeg, for the second straight year in a row, is the crime capital of Canada in the areas of homicide, violent crime, sexual assault, robbery, motor vehicle theft, the Doer government chose this time to try the diversionary tactic of announcing 18 more police for Winnipeg. The problem is there is not a single dime of the \$800,000 budget that currently exists at this time. So Manitobans can look forward to hearing this announcement again and again.

Seeing that crime has remained exactly the same and is on the upward level of violent crimes—I can attest to the fact because for the first time in Fort Garry history we have had two fire bombings in our constituency this week—what is this Justice Minister doing to ensure real police resources are in place at this time to protect the people here in Manitoba?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I would urge the member and the Leader of the Opposition (Mr. Murray) to co-ordinate their questions. The Leader of the Opposition got up and demanded action. Yesterday, we announced action and now we are being criticized for it.

Mr. Speaker, as a result of working with the City of Winnipeg, we are able to bring in legislation so that the photo radar revenues can be used for the purposes of public safety and policing, but I am also pleased that yesterday we were able to confirm publicly—this preceded, by the way, City of Winnipeg Council decisions today to ensure there is a pilot project in Winnipeg to put police in 15 schools in Winnipeg, three police officers. As well, I can confirm the Province is going to be concluding an agreement with the City of Winnipeg for \$2 million in respect of 40 officers for the City of Winnipeg Police Service. I could go on and on

about our commitment to policing. It is one part of the solution we are committed to.

**Mrs. Smith:** Mr. Speaker, what is this Doer government actually doing to enhance the police resources on the street, considering the fact it was members on this side of the House who brought in the amendment to ensure the revenue from photo radar went to police resources? What is this Attorney General actually doing to put police on the streets?

**Mr. Mackintosh:** Mr. Speaker, it is under this Government that this Province and the provincial Treasury has supported to a greater extent policing than ever before in the history of this province. That is not only in respect of direct assistance for the City of Winnipeg Police Service, for which we have the highest of respect, but also for the RCMP and indeed for the Dakota Ojibway Police Service, and, as well, for the Brandon Police Service.

What we have been able to do is ensure there is a new priority for policing in Manitoba, for prosecutions in Manitoba, but this Government is also committed to improving the social and economic environment so we will reduce the risk of people being involved in criminal activity in this province. Government must both be tough on crime and on the causes of crime.

**Mrs. Smith:** Mr. Speaker, with all due respect, this Justice Minister likes to protest the facts. I ask the minister: Who are Manitobans to believe when it comes to crime rates and police resources in our city: the minister desperate to put on a brave face politically, or are they going to believe Stats Canada? Are they going to believe the fact that the money, the \$800,000, is not actually even there for the 18 policemen right now? This is all smoke screen. When is this Doer government going to do something concrete to combat the rising crime in the city of Winnipeg?

**Mr. Mackintosh:** Mr. Speaker, I know the members opposite voted against our Budget, but in that Budget were significant increases way beyond inflation, and, in fact, the largest increase is in the Department of Justice in the area of policing and prosecutions.

I remind the members opposite about new and innovative programs like the Criminal Organization and High Risk Offender Unit, including the prison gang suppression initiative, including the Prosecutions' Gang Unit, including new support for DNA analysis by law enforcement in the RCMP, about our support for the national sex offender registry program, about Lighthouses, about the young offender mentoring program.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

#### Point of Order

**Mr. Speaker:** The honourable Official Opposition House Leader, on a point of order.

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, *Beauchesne* 417: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate. If we wanted a public announcement or if the minister wants to do that, he can do that before Question Period. I think one thing he did not meet in his presentation just now was the \$2-million reduction to the City of Winnipeg for policing just a couple of days ago.

**Mr. Speaker:** The honourable Government House Leader, on the same point of order.

**Hon. Gord Mackintosh (Government House Leader):** On the same point of order, Mr. Speaker, I would suggest it is a dispute of the facts. The dispute really centres around the extension of a \$2-million agreement with the City of Winnipeg. I can confirm there is an extension of that agreement. We are working out the details. There is no interruption to the flow of those monies. We are looking at tightening up that agreement and working in an even stronger relationship with the City of Winnipeg Police Service and the City of Winnipeg.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition, it is not a point of order. It is a dispute over the facts.

#### Crime Rate Youth Crime

**Mr. Speaker:** The honourable Member for Fort Garry, on a new question.

**Mrs. Joy Smith (Fort Garry):** Thank you, Mr. Speaker. The Doer government likes to boast about youth programming, new initiatives and providing all sorts of alternatives to crime. Unfortunately, the Doer government is not facing the facts that the *Juristat* brought out today. Unfortunately, for the Minister of Justice, the Canadian Centre for Justice Stats for 2001 reveals his Government's ongoing failure.

Can the Minister of Justice confirm information released today by Stats Canada that Manitoba's youth crime rate led the provinces in terms of assault, robbery and offensive weapons? They led the provinces because there are not adequate police resources out there. Can the minister confirm this?

\* (14:10)

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, I think it is important if members opposite want to cite the statistics, and we have had this discussion just a couple of weeks ago with regard to Winnipeg statistics, it is important to note the rate of auto theft was responsible for almost half, indeed 48 percent, of the increase. That has been tackled by a multipronged approach involving this Government, law enforcement and MPI. It involves also the citizen patrols of Manitoba and every single motorist and car owner in this province.

Auto thefts, for the first six months of this year, are down 10.8 percent, and we are hopeful that trend continues. There is an example of a particular crime that was in no small way driving the crime rate in 2001. Again, I reiterate that violent crime is down in Manitoba for 2001, and we will do everything we can to work to ensure that trend continues.

**Mrs. Smith:** Mr. Speaker, with all due respect, can the Minister of Justice confirm information released today by Stats Canada that Manitoba's youth crime rate in terms of homicide, and that is Manitoba's youth crime rate, in terms of homicide, violent crime, motor vehicle theft, property crime and total Criminal Code offences, is the second highest among all of the Canadian provinces? This is the area of youth justice.

**Mr. Mackintosh:** Mr. Speaker, if we want to go through the report, the member of course knows

when she asked the question that the rate of youths charged with homicide went down 73 percent in the year in question. We also have a commitment to a young offender mentoring program, to Lighthouses, to opportunities. We are committed as well to dealing with youth under age 12 who cannot be charged with a Criminal Code offence, but to respond to that waving of the red flag to those who are committing offences and putting in place a protocol.

We have to remember as well that not only is total violent crime down for the year 2001, some time ago, but assaults are down, robbery is down, break-and-enters are down, youth homicide is down, youth sexual assault is down. We also know from the City of Winnipeg that prostitution is down, abduction is down, arson is down, possession of stolen goods is down in the city, domestic violence is down. We have to remember the role of auto theft and the new recording of the mischief offences and be careful with what trends we are getting up in legislatures and talking about.

#### **Police Services Resources**

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, clearly this current Government is unable to even acknowledge the problem, let alone solve the problem. Instead of trying to divert attention from this Government's pathetic record dealing with young offenders in the crime stats—

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Speaker:** The honourable Minister of Transportation and Government Services, on a point of order.

**Hon. Steve Ashton (Deputy Government House Leader):** *Beauchesne's* Citation 409(1) and (2): (1) indicates that there must be a question, not an expression of opinion, representation, argumentation, or debate, and (2) states that a question must be brief, will require no preamble, and the supplementary, were both violated by the member's question. I would like to ask if you would call the member to order and

ask her to put forth her question. We are dealing with a very serious issue that deserves proper debate in this House according to our rules at the appropriate time, but this is Question Period, and I would ask you to have the member called to order.

**Mr. Speaker:** On the point of order raised by the honourable Deputy Government House Leader, I would like to remind all honourable members that a supplementary question should not require a preamble.

\* \* \*

**Mr. Speaker:** I would ask the honourable member to please put her question.

**Mrs. Smith:** Mr. Speaker, instead of this current Government trying to divert attention from its record, can this Justice Minister come forth with a concrete plan to put the proper police resources on the street to make it meaningful and substantiate a plan to make Manitobans safe here in the province of Manitoba?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Well, Mr. Speaker, the members opposite do not want to, of course, pay attention to the fact that we have partnered with the City and indeed the community, Winnipeg Police Service, for additional officers for police in schools and as well for the photo enforcement revenues to go to policing. There are 21 new officers who are going to increase the staff complement of Winnipeg Police Service as a result of that partnership. So that is part of that answer.

But I recall that if members opposite want to rely only on crime statistics it should be well remembered that the highest rate of violent crime ever recorded in Canadian history by a province was in 1997 in Manitoba. In 2001, these figures we have now before us confirm that violent crime in Manitoba is down, even though it is going up nationally.

#### **Labour Legislation Impact on Out-Migration**

**Mr. Ron Schuler (Springfield):** Yesterday we heard that Manitoba's young people are fleeing Manitoba for Alberta and Ontario at a rate that

is, by the Premier's (Mr. Doer) own admission, nearly triple the rate during the Tory years.

I wish to table the *Winnipeg Sun*, pages 4, 5 and 6, "Young Manitobans leaving in droves"; *Winnipeg Free Press*, pages 10 and 11, "Younger skilled workers harder to find."

To make matters worse, this Government has made it even more difficult for Manitoba business to afford to keep young people here with their anti-business labour legislation.

My question to the Minister of Labour (Ms. Barrett) is: When will this Government stop poisoning the Manitoba business environment and make it possible for Manitoba businesses to educate our young people in their home province?

**Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines):** It is a pleasure to be able to rise today to answer the question. It gives me the opportunity to talk about another good-news story which we actually celebrated at the University of Manitoba, the creation of a business incubator called Incubat in partnership with TR Labs and the private sector, estimated to create 35 new start-up companies and 700 jobs in the next five years.

This is the type of initiative the Government has been working on very hard to provide opportunities for young people. In fact, if you look at the statistics, Mr. Speaker, the number of young people who are leaving Manitoba is only half of what were the statistics under the previous dark day Tory days of the past regime.

### **Bill 27 Training Wages**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, why is the Labour Minister, with her proposed Bill 27, forcing businesses to hire fewer new employees by legislating that employers must pay their trainees full wages as they are less productive than fully trained staff? Why is she doing this?

**Hon. Becky Barrett (Minister of Labour and Immigration):** Mr. Speaker, once again the Member for Springfield has his facts incorrect,

even after a very extensive briefing by the Department of Labour and Immigration on Bill 27, which we are very proud of, as it is the first time in 25 years that The Workplace Safety and Health Act has been reviewed in our province, and it is going to go a long way to ensure that we have healthy, safe workplaces for all workers, including young workers, to work in.

As to the specifics, the legislation says—it has clearly not been clarified with the member, but I am here right now to clarify that the legislation actually says the individuals will be paid at the level of wages they were hired to be paid at. So, if it is at a training wage or a probationary wage, that is the wage they will be paid at when they are being trained.

**Mr. Schuler:** Will this minister not recognize that Bill 27 is yet another example of her now infamous bungled attempts at managing the Manitoba business climate, or better, mangling the Manitoba business climate, which will only serve to make it even more difficult for Manitoba business owners to employ our young people who are fleeing this province by the hundreds under this administration?

\* (14:20)

**Ms. Barrett:** No, Mr. Speaker, I categorically deny everything in the member's question.

This legislation is designed to provide for safe, healthy workplaces. It is designed to be balanced and reasonable to ensure that every Manitoba worker who goes to work at the beginning of their workday is able to come home safe at the end of their workday.

Is the member saying they are not going to support safety and health in the workplaces in Manitoba?

### **Business Taxes Training Tax**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, today the *Winnipeg Free Press* quoted Mr. Rob Hilliard of the Manitoba Federation of Labour as saying that one of the ways to keep young people in Manitoba is to make businesses even less competitive by imposing a training tax on business.

Since the Minister of Labour seems to only take advice from her union boss friends, my question for the Minister of Labour is: Will she be following the advice of Mr. Hilliard and impose a training tax on Manitoba businesses to make them even less competitive in the labour market in our country?

**Hon. Becky Barrett (Minister of Labour and Immigration):** Mr. Speaker, we have gone through almost a year of public consultations. Nineteen public hearings were held throughout the province of Manitoba last fall. They were held with a three-person committee representing the technical part of the province of Manitoba's workplaces, the business community and the labour community.

Those public meetings were chaired by Professor Wally Fox-Decent. They came up with 62 unanimous recommendations dealing with legislative changes, with policy changes, with education changes, with training changes, with all kinds of numbers of recommendations.

The legislation we have tabled in this House this session, the policies and the programs we are undertaking in the Government departments and with external governmental stakeholders are all designed to ensure Manitoba workplaces are safe and healthy. That is good for Manitoba businesses.

### **Economic Growth Competition**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, will the Minister of Labour admit that, though her colleague the Minister of Industry (Ms. Mihychuk) has been quoted in the *Winnipeg Sun* as saying that it is just a coincidence that her Government is in power when young people are fleeing our province in record numbers, the real reason young people are leaving is the Doer government's inability to create an economic climate competitive with that of Alberta, Ontario and B.C.?

**Hon. Becky Barrett (Minister of Labour and Immigration):** Absolutely not, and the statistics do not bear out what the member is trying to say. The unemployment rate overall in Manitoba is 4.9 percent, the lowest in Canada. Unemployment—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

**Ms. Barrett:** Thank you, Mr. Speaker. Alberta, that province the Opposition likes to say is the be-all and end-all for the business community, has the third lowest unemployment rate at 5.6 percent, more than half a percentage point higher than Manitoba's. Unemployment has risen over 28 percent in Alberta in the last year, and their Workers Compensation rates just went up by over 23 percent in the province of Alberta.

We have the lowest unemployment rate for youth. We have half the young people leaving on an annual basis under our jurisdiction than they did under theirs.

### **Labour Legislation Impact on Out-Migration**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I wonder if the minister meant absolutely not or coincidentally not, but does she not realize that Manitobans know it is not a coincidence that the rate young people are leaving the province has nearly tripled since the Doer government took office? Instead, it is due to the Government's ham-fisted approach to labour legislation.

**Hon. Becky Barrett (Minister of Labour and Immigration):** I am assuming, Mr. Speaker, from the questions raised by both the Member for Springfield (Mr. Schuler) and the Member for Tuxedo that the Opposition is not prepared to support the changes to the Workplace Safety and Health legislation that have been brought in by this Government. I hope I am wrong in that assumption.

We have a situation where young people are encouraged to continue their education.

Young people know in this province that when they get a job, and the youth unemployment rate is so low that they are more likely to get a job here than almost anywhere else in the country, they know when they go to that job under this Government's new legislation when it comes in they are going to be safer at that job than they ever were under the former

government. If they do not support this legislation, on their heads be it.

### **Hecla Area Land Expropriation Conduct of Civil Servants**

**Mr. Speaker:** The honourable Member for River Heights.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Apparently, the mike is not working. I will recognize the honourable Member for River Heights, and I would ask him to start his question.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker—

**Mr. Speaker:** Order. The honourable member's mike is not working, so I would kindly ask if the honourable member could go to one of the mikes at the back and we will test it out. It is only for your questions.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. That mike is working, so now I will recognize the honourable Member for River Heights.

**Mr. Gerrard:** Mr. Speaker, I thank the Minister of Conservation for recognizing there needed to be a speedy response to my question yesterday and to ensure that his deputy minister provided a letter this morning to Mr. Stuart Jones, which clearly admits there was improper disclosure of private and personal information by members of his department.

\* (14:30)

So I would ask the minister if he is going to follow the example of Saskatchewan, where this was taken very seriously. It was investigated, and a number of civil servants have been suspended because of improper leaks of personal information.

**Hon. Oscar Lathlin (Minister of Conservation):** Mr. Speaker, I thank the member for the question. I believe yesterday I advised him in the House that—

**An Honourable Member:** Mike is not on. There we go. It is on now.

**Mr. Lathlin:** Yesterday, I advised the member of the meeting I had and the letter I believe was going to be going out. I further advised him that for me to comment on those things that are being investigated right now by the provincial auditor would be inappropriate and that I would prefer to wait for the Auditor to give us a full report. Then from there I was going to make a decision as to the proper course of action to be followed.

Further, Mr. Speaker, I advised the member that we had gone to the Civil Service Commission for assistance in the form of a review of the current procedures that are in place, with a view to perhaps the Civil Service Commission helping us out.

**Mr. Gerrard:** My supplementary is to the Minister of Conservation. I ask the minister to provide details of the steps which are indicated in the letter the deputy minister and he and his department are taking to ensure more appropriate policies and procedures are in place in the department for handling correspondence.

**Mr. Lathlin:** Mr. Speaker, as I was saying in my first response, we have gone to the Civil Service Commission and we are asking for assistance to review the procedures that are currently in place, with a view to improving it so the next time we run into this type of a situation staff will know what to do with the issue. At the same time an investigation is being conducted by the provincial auditor.

So I think, once I get those two pieces of information, I can then make an appropriate decision as to what course of action we should be following.

**Mr. Gerrard:** I would ask the Minister of Conservation when he expects the Civil Service Commission to report on this important and urgent matter.

**Mr. Lathlin:** Mr. Speaker, I can advise the member at this time I really do not have a definite idea as to when the Civil Service

Commission will finish their work, but I am hoping that work will be completed in a very short while.

### Health Care System Access to Surgery

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, my question is to the Minister of Health. People from the northern and rural areas of Manitoba frequently need to travel great distances to obtain required medical attention, specifically if it relates to surgery. Could the minister advise this House what steps his department is taking to alleviate the situation?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, it is a very significant issue for people who live outside of Winnipeg. During the dark years of the former government, as quoted by the MMA, there was not surgical repatriation. There was a study but it did not happen.

We were very pleased to be a government that announced expanded numbers of surgeries in rural Manitoba and in northern Manitoba and, specifically, a slate expanded of 350 additional surgeries, 250 general, 100 orthopedic for Steinbach, and an additional 300 surgeries for children requiring dental assistance in northern Manitoba where the children are, which means they do not have to come down to Winnipeg as they did in the past, or as many as they did in the past.

I think that is part of the ongoing process of this Government, be it additional rural physicians' program, additional nursing program, to rebuild the health care system in rural and northern Manitoba.

### Class Size and Composition Costs

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Speaker, there has been much discussion in the education community about the Nicholls report on class size and class composition and the intended cost associated with this, should it go forward to arbitration.

Can the Minister of Education confirm that the costs for additional classrooms and

additional staff would be in excess of \$100 million?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, I thank the member for his question.

Our Government is committed to strengthening the public education system in the province of Manitoba. For these reasons we have undertaken a very active education agenda, provided unprecedented levels of support for operating of the public school system, unprecedented levels of support for capital in the public school system and entered into extensive partnerships with all stakeholders around building public educational excellence in the province of Manitoba.

The figures the member raises, I cannot confirm any figure the member is putting on the floor of this Chamber.

**Mr. Gilleshammer:** On a new question, Mr. Speaker.

**Mr. Speaker:** The honourable Member for Minnedosa, with a new question.

**Mr. Gilleshammer:** Mr. Speaker, presently the Province is responsible for 59 percent of the operating costs of school divisions, with 41 percent being paid by the ratepayers through special levy, and that rises to 45 percent in Winnipeg No. 1 and 46 percent in Dauphin.

Is this how the additional cost, the additional \$100 million for the class size and composition initiative will be allocated, by special levy of upwards of 40 percent and through 59 percent from the Minister of Education?

**Mr. Caldwell:** Mr. Speaker, Manitobans know this Government has provided historically unprecedented levels of operating support to the public school system, over \$1 billion in Budget 2002. We have—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

### Point of Order

**Mr. Speaker:** The honourable Government House Leader, on a point of order.

**Hon. Gord Mackintosh (Government House Leader):** I am reluctant to get up during an answer by a minister, but I think it is time the Assembly and your office, Mr. Speaker, turned its mind to the voices from the other side, I will submit, are not only out of order but out of tune.

We have had in this House, of course, the singing, which is part of the tradition, of "God Save the Queen" and "O Canada!". We have had the occasional song from the Member for Wellington (Mr. Santos), I know, but I think these chants are not worthy of this institution and I would submit that it degrades this place in the eyes of the public.

I ask, Mr. Speaker, if you could provide some guidance to the House on when singing is appropriate in this Chamber and when it is inappropriate and not in the keeping of a parliamentary tradition that is worthy of the confidence of Manitobans.

**Mr. Speaker:** The honourable Official Opposition House Leader, on the same point of order.

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, I can understand where the member is coming from in cases because I have heard some members on that side of the House sing before, and, yes, that would bother the listening public, but I do not think there was any great disruption. I have heard a lot worse disruption. For the minister to lay blame on this side of the House alone, I think, would be unfair. I am sure I have heard a lot of this disruption coming from the other side of the House, and it just might be from that corner here to the left of me.

**Mr. Speaker:** The honourable Deputy House Leader, on the same point of order.

**Hon. Steve Ashton (Deputy Government House Leader):** On the same point of order, Mr. Speaker. As someone who may have, on occasion, exchanged words across the floor, I think we all have to be aware of decorum.

I note, Mr. Speaker, that the reference the Government House Leader made was to, I think, behaviour that really is beyond the pale in terms

of normal decorum. Whether it is on one side or the other, I do not think it is appropriate. It seems to be targeted at certain ministers when they are answering questions.

I will tell you one thing, Mr. Speaker, if members take the questioning and the answering seriously I do not think that kind of behaviour is appropriate from any side of the House.

**Mr. Speaker:** Order. On the point of order raised by the honourable Government House Leader, I would like to take this opportunity to remind the House that especially during Question Period we have the viewing public and we have guests in the galleries. In my own opinion, it is very unprofessional for any member in this House to be singing. The public looks at us in a very, very serious manner, and I think it is our responsibility to conduct ourselves in such a manner.

\* (14:40)

I am speaking to all 56 members. I am not singling one member out. I am not singling one side out. In my own opinion, it is very unprofessional, and it is unwarranted for the great institute we represent.

So I would ask the full co-operation of all honourable members to try and hold back a little bit if they get the urge to sing, or wait until they get to their office. We have lots of opportunities to sing our hearts out, but I do not think this Chamber is, in my opinion, the right place for it.

So I would ask the full co-operation of all honourable members, unless it is where we normally sing "God Save the Queen" for the Lieutenant-Governor and the different special occasions which warrant it.

So I ask the co-operation of all honourable members.

\* \* \*

**Mr. Caldwell:** Thank you, Mr. Speaker. As I was saying in my answer, this Government has invested at historically unprecedented levels in terms of operating support for our public school system in Budget 2002, over \$1 billion for the first time in Manitoba's history in terms of capital. This Government has invested in

unprecedented levels supporting public school infrastructure in our province.

In terms of provincial taxpayers' dollars going to the public education system, 76 cents out of every dollar the provincial taxpayer dedicates to our public education system. This is a record we on this side of the House are very proud of. We are committed to supporting public educational excellence in the province of Manitoba.

### **Nicholls Report Government Position**

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Harold Gilleshammer (Minnedosa):** I would like the minister to focus his mind on the Nicholls report. He has had this report for some three months now. Can he indicate what his intentions are? If he does not bring in legislation, class size and composition will go to arbitration at a cost of over \$100 million to the taxpayers.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, decisions on the quality of education in this province are fundamentally of critical importance for this Government. This is precisely why Doctor Nicholls was requested to review the issue of class size and composition and consult with Manitobans.

Doctor Nicholls consulted with the Manitoba Association of School Trustees, Manitoba Teachers' Society, the Manitoba Association of Parent Councils, the Manitoba Association of School Business Officials, the Council of School Leaders and many others, as well as received submissions from approximately 5000 educators in 521 schools. It was an exhaustive exercise that took over a year to undertake. We are not going to be making precipitous decisions on this issue. We are going to consider this in the serious light it deserves to be considered in.

### **Emergency Services Advertising Campaign**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, yesterday the Minister of Health was

quite confused and agitated again and did not seem to understand the numbers put forward to him about hallway medicine. It really is a simple question.

I would like to ask the minister if he is aware that since he started his one-quarter-million dollar ad campaign to keep patients away from ERs, that instead hundreds and sometimes over a thousand more people are attending ERs on a weekly basis. His ad campaign is failing. Does he not understand those numbers?

**Hon. Dave Chomiak (Minister of Health):** First off, Mr. Speaker, our hallway numbers are down by 80 percent from when the member opposite was the assistant to the Minister of Health, and she knows that. The members opposite also know we have been recognized by the Canadian Institute of Health Information as having done the best job on hallway medicine.

We provided information to the public. We provided an ad campaign to prevent childhood injuries. Is that wrong? I think Manitobans appreciate that. We provided an ad campaign, we provided Manitobans with a poster to say what do you do in an emergency. Doctor, primary health care, Health Links, we provided health information to Manitobans and also advised them on information when they should go to the ER. That is providing important public health information. We will never apologize for that. I am only sorry the member opposite does not get it.

**Mrs. Driedger:** Mr. Speaker, the minister misled the House yesterday and again he is doing it right now by his reference to a childhood prevention campaign. He knows very well that is not the campaign I am addressing, that I am addressing the other one about ER visits.

I would like to ask this Minister of Health if he could explain to taxpayers why he is repeating his quarter-million-dollar ad campaign to keep people away from ERs when the first time he ran the campaign from December to February it failed miserably. Why is he now

putting more money into it to do it again when it never worked before?

**Mr. Chomiak:** Mr. Speaker, when we undertook consultations with the public before the session, the public said overwhelmingly they wanted more health information, not like the dark years under the Tories, as the MMA president said: the dark years under the Tories. They wanted more health care information. We provided that.

Yesterday, the member talked about a quarter-million campaign. The present campaign is nowhere near a quarter of a million dollars. As usual, the member opposite got the wrong numbers. She tabled the wrong numbers again. I could spend all day tabling the information that the member has provided wrongly but, with respect to the issue, we will not apologize for providing health information to the public. We will continue to do it. The public has asked for it, and it is good public health policy.

**Mr. Speaker:** The time for Oral Questions has expired.

## MEMBERS' STATEMENTS

### R.M. of Stanley

**Mr. Peter Dyck (Pembina):** Mr. Speaker, despite the fact members opposite have shown a complete lack of vision for rural development in this province, one rural municipality is successfully managing to both retain and attract young people and, I would say, in spite of the NDP government.

Recent Statistics Canada data shows that the median age in the Rural Municipality of Stanley is 25.2 years, making it the second-youngest community in all of Canada. This means that half of the 5139 residents of this municipality located in my constituency of Pembina are under the age of 25. This development has been years in the making. Housing construction in the villages south of Winkler has increased in recent years and remains steady going into 2002. As of the end of May, the R.M. of Stanley had recorded 24 more building permits than at the same time last year with an increase in value of \$3.8 million, again, in spite of this Government.

Younger and larger families are finding this area increasingly attractive. Many young parents view the quiet, rural area as an ideal place to raise their children. Employment opportunities have been presented through multiple projects including a hog barn southwest of Osterwick and a construction project for Load Line Inc., as well as employment opportunities within the town of Morden and the city of Winkler.

The R.M. of Stanley also contains many square kilometres of quality farmland, and ample opportunities abound for young farmers as older producers retire in nearby towns. Moreover, numerous young immigrant families have arrived in the area, predominantly from Germany and Mexico. All of these factors have contributed to the ageing of the municipality's population.

It is my hope that members opposite will take a long, hard look outside the Perimeter and realize the tremendous potential in our rural communities. Areas like the R.M. of Stanley are home to people with a can-do attitude, something this Government would do well to imitate. Imagine how the rural areas of this province would thrive if the current government were to move away from its tax-and-spend mentality, its love of red tape and its ignorance of the rural development issue.

\* (14:50)

### Golden Boy Memorabilia

**Mr. Jim Rondeau (Assiniboia):** I rise today to bring all members' attention to an important announcement that was made by the Minister of Transportation and Government Services (Mr. Ashton) and I.

Today we announced a new project that was going to sell merchandise to help commemorate the Golden Boy restoration project. This is where T-shirts, golf shirts, commemorative books, postcards, even children's T-shirts and tattoos are going to be sold to the public. During the initial viewing of the Golden Boy at the Museum of Man and Nature, we had numerous e-mails and calls that requested materials that would be available to commemorate this very, very historic occasion and this project. With

discussions we put together a project where people can buy quality, affordable materials at The Forks so when they go see the Golden Boy having its regilding, they will also be able to buy mementos to commemorate the occasion.

The other good part of this project, in addition to providing mementos for people, is that any of the money that will be attained for selling these things will go to the restoration project, thus decreasing the tax burden or the amount of money that taxpayers pay for the restoration project. So what we have done here is we have provided a wonderful opportunity for people to get materials and also a way to help people pay for the project.

The neat thing about this is that by the week of the 22nd, there will be a booth available at The Forks with a wide variety of merchandise available. The viewing of the Golden Boy restoration should be started sometime on the week of the 26th.

I would like to thank the following: Mike Hawrylak, Steve Cooper, Joanne Thibault, Andy Chartrand, Kathy Demianyk, Susan Boulter, Mark Clarke, Ann Houte [*phonetic*], Ryan and Lori Yarchuk for their help in this project.

### **Manitoba Stampede and Exhibition**

**Mr. Frank Pitura (Morris):** Mr. Speaker, this last weekend Calgary hosted its much beloved, much anticipated annual stampede, and now it is our turn. Yee-hah!

July 18 to the 21, Manitobans, Canadians, Americans and people from all over the world will be coming to the Stampede Grounds in Morris, where they will take in the familiar sights and sounds that can only be found at the Manitoba Stampede and Exhibition.

The main attraction of the stampede is its six-event pro rodeo, featuring announcer David Poulson. This year's events include bareback bull riding, calf roping, saddle bronc, steer wrestling and ladies' barrel racing. Over the course of the weekend, Morris will play host to the chariot and pony chuckwagon racing, an agricultural fair, a large, exciting midway, a free stage, a cabaret

and much more. The days will begin with a hearty pancake breakfast followed by a full day's worth of activities for the whole family and end with shows and musical entertainment.

Mr. Speaker, an event like this would not be possible without hardworking organizers and dedicated volunteers. To all those who had a hand in putting this event together, especially the Valley Agricultural Society and Stampede Chairman, Tim Lewis, I say thank you. Because of them, Canada's second-largest professional rodeo is still alive and kicking after 39 years.

Mr. Speaker, I would also like to say a word of thanks to the generous sponsors of the Manitoba Stampede, which include: the Government of Manitoba, the Rural Municipality of Morris, the Town of Morris, the Shooting Star Casino Hotel, Budweiser, Dodge, Manitoba Hydro, Pepsi, Manitoba Lotteries Corporation, Landmark Feeds and Skoal Pro Rodeo.

The Manitoba Stampede and Exhibition prides itself in providing rip-roaring fun for the whole family. I know many Manitobans are looking for just that. I encourage all of them to saddle on up and come on out to Morris this weekend. Thank you, Mr. Speaker.

### **House of Opportunities**

**Mr. Harry Schellenberg (Rossmere):** Mr. Speaker, I rise to recognize the good work the House of Opportunities at 561 Ellice Avenue is doing for residents of the Spence neighbourhood. The main thrust of its program is to assist individuals to obtain and maintain full-time employment.

The House of Opportunities is established and operated by Opportunities for Employment. This centre opened its doors December 12, 2000. This centre is an adult drop-in centre where unemployed people can drop in and have a coffee and conversation. When people from the street drop in, staff are there to make contact and develop rapport with local residents and assist them in finding a job. Since the House of Opportunities has opened its doors, over 250 residents have found employment. Over 1000 residents have asked for membership at this

drop-in centre. Computer training and Internet services are also provided, using the 13 computers at the centre.

The House of Opportunities works in partnership with those who share a vision of a brighter future for the community, which is resulting in more opportunities for residents to achieve a better quality of life. Efforts are being made by dedicated individuals from many organizations to make the Spence neighbourhood a safe and vibrant community. Progress has been made in safety, housing and recreation programs. The community is changing as a result of these programs.

Mr. Speaker, the House of Opportunities now has three full-time and one half-time staff. Over 100 people use the provided services on a daily basis. The focus, however, of all the activities at the House of Opportunities is to obtain and maintain full-time employment.

The House of Opportunities is supported by the Mennonite Economic Development Association, Neighbourhoods Alive! and Family Services.

I encourage members of this Chamber to drop in at 561 Ellice Avenue and learn more about the good work that is done at the House of Opportunities. Thank you.

### West Nile Virus

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, is this microphone working? All right. This one is working. Good.

Mr. Speaker, I rise to say a few words about the West Nile virus. The Minister of Health (Mr. Chomiak) is treating the current situation as an emergency, a health crisis, and he has acted swiftly to override the normal procedures for mosquito fogging and spraying malathion insecticide over the whole city of Winnipeg. The point may be that the West Nile virus is a very serious health hazard. We will wait for further evidence. It has been in North America now for three years, and in spite of this the total number of people infected is clearly not nearly as many as an ordinary, regular flu season, for example. Nevertheless, it must be taken seriously.

I think that clearly the advice of a number of individuals who have suggested that more measures need to be taken should be looked at carefully. One of these is Holly Bertram, who has suggested that there be three more sensible steps taken: to make available mosquito netting to cover infants in cribs when they are exposed to mosquitoes, maybe in rental property without screens, as they exist in some places, or when they are outside; for making mosquito repellent available to individuals at risk; and for screens for windows in rental property where such screens are not now present, as indeed occurs in some instances with properties monitored by Manitoba Housing.

The Minister of Health should consider these suggestions seriously as complementary to other measures and crisis management measures he has already taken. It is justified to override normal fogging protocols, and there are additional steps which should be looked at, particularly since some of these have less negative side effects than chemicals like malathion.

\* (15:00)

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Steve Ashton (Deputy Government House Leader):** Mr. Speaker, could you please call third reading on Bill 14, followed by second reading debate on Bill 34? If there is time after that, our intention is to call the Supply motion.

### DEBATE ON THIRD READINGS

#### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Mr. Speaker:** Resume debate on third reading of Bill 14, The Public Schools Modernization Act (Public Schools Act Amended), standing in the name of the honourable Minister of Education, Training and Youth (Mr. Caldwell), who has 34 minutes remaining.

Is there will of the House for the bill to remain standing in the name of the honourable minister?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Had the honourable minister concluded his comments?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, I conclude my comments with thanks to all involved.

**Mr. Denis Rocan (Carman):** Mr. Speaker, I rise today to speak to Bill 14, The Public Schools Modernization Act. In particular, I would like to put a few words on the record about the conduct of the Education Minister, the Member for Brandon East, during debates on this particular piece of legislation. The current Education Minister is a teacher, I believe, by profession. Teachers are expected to conduct themselves in a certain manner. Please allow me to quote from the Code of Professional Practice posted on the Manitoba Teachers' Society Web site. The code states that, and I quote: "A teacher's first professional responsibility is to her or his students."

Moreover, according to the code, a teacher acts with integrity and diligence in carrying out professional responsibilities. Finally, the code states that a teacher's conduct towards colleagues is characterized by consideration and good faith. I put these principles from the teachers' code of conduct on the record to remind the Education Minister that, in addition to being a Cabinet minister, he is still a teacher by training. Making the move from the classroom to provincial politics brings with it new responsibilities; however, it does not negate the fact that teachers, such as the Member for Brandon East, are expected to conduct themselves in a certain fashion.

Mr. Speaker, please allow me to elaborate. The Minister of Education's approach to debate on Bill 14 has been nothing short of fascinating. For example, on June 4, the minister issued a press release demanding that the opposition parties debate the bill. The following day members on this side of the House rose to speak to the bill; however, the Education Minister was playing the part of a ghost. Honestly, if the Education Minister is going to go around demanding a debate on Bill 14, then the least he could have done was extend the courtesy to the members who were putting their remarks on the record. However, we should not have been

surprised by the minister's refusal to listen. This is, after all, the minister who ignored Manitobans and refused to consult with them on school division amalgamations in the first place. His disappearance was extremely disappointing, and it spoke volumes about this minister's lack of respect for Manitobans and for the legislative process as a whole.

It spoke of a minister, who is a teacher, failing to act with integrity and diligence in carrying out his professional responsibilities, his responsibilities to the Manitobans whose children he purports to be educating. If it is a debate on Bill 14 that the Minister of Education wanted, then he should have taken his seat in the Legislature each and every day this bill was debated. He should have been prepared to listen closely to what the opposition members have had to say on this particular piece of legislation. Posturing and the issuance of press releases is not the equivalent of public debate. Surely Manitobans deserve better from the individual charged with educating their children.

The minister's conduct during the committee meetings on Bill 14 was also the source of a great deal of frustration for Manitobans. Many parents and other concerned citizens stepped forward with serious reservations about this particular piece of legislation. They were sincere in their desire to ensure that their children's education will not be negatively impacted by amalgamation. They hoped that the Minister of Education would take their concerns to heart and that he would express a genuine interest in the issues that they were raising. Instead, the parents found that their concerns were falling on deaf ears. It is extremely disappointing when a parent is forced to remind an Education Minister, a man who was a teacher, to listen to them. This was repeatedly the case in the committee meetings when parents had to implore the minister to listen to them.

Mr. Speaker, the Minister of Education's complete lack of regard for the concerns of the parents was absolutely disgusting. Clearly, the minister had forgotten his responsibilities as a teacher, his obligation to act with integrity and diligence in carrying out his professional responsibilities. It is shameful for a minister of the Crown to act in such a callous manner

towards taxpayers trying to bring forth legitimate concerns about legislation that will impact on students for decades to come.

Yesterday, we witnessed another fine example of this minister's misguided approach to public debate. The minister got up and began identifying members of his caucus by name and making assertions as to their support of Bill 14. I think it is rather presumptuous of the Minister of Education to try to put words on the record on behalf of his honourable colleagues. In fact, it is completely inappropriate.

I also take great issue with the manner in which the minister has conducted himself when it comes to the authority of the Chair. It is the Speaker's duty to interpret the rules of this House. The Minister of Education's actions yesterday afternoon showed a complete lack of regard for the occupant of the Chair, and the minister should be apologizing for his conduct. His actions fly in the face of the teachers' code of conduct that states that a teacher's conduct towards colleagues is characterized by consideration and good faith.

The minister showed absolutely no consideration of the duties of the Speaker of this House. The Minister of Education should today be apologizing to the individual that we elected to be the occupant of our Chair, our Speaker, and he should be apologizing to all members of this House for his disgusting lack of regard for the rules of this House.

Mr. Speaker, we know that the minister's school division amalgamation process has been flawed from day one and that the minister is extremely sensitive about his mishandling of the issue. For example, the school division amalgamation was not subject to broad-ranging public consultations. There was no analysis by a review commission. We have yet to see any evidence of savings. Moreover, the legislation was so poorly conceived that in fact some Manitobans were forced to explore legal action to oppose the amalgamations.

We have had concern from the beginning about the lack of process in regard to school division amalgamations. We continue to have serious reservations about this legislation. It was

just one year ago that our Premier (Mr. Doer) assured school trustees that there would be, and I quote, no forced amalgamation. That is not the Manitoba way.

One of the biggest concerns that I have with the bill itself is one section that states that everything that the Minister of Education has done in regard to forced amalgamation was lawfully done. Manitobans should have confidence that anything their elected representatives do on their behalf is lawfully done. Manitobans should be further concerned that the bill protects the minister and his Government from any court decision. It essentially gives the Government immunity.

This begs the question: Why would a government need protection from judicial scrutiny? Why would a government need to silence the right of any Manitoban to challenge them in court? When a government begins limiting the fundamental rights of individual citizens, cutting off legal avenues, ruling by decree, it can be a very slippery slope. This should concern every Manitoban.

Mr. Speaker, I would like to wind down my remarks on Bill 14 with a couple of final comments. Education, according to Robert Frost, is the ability to listen to almost anything without losing your temper or your self-confidence. I would like to remind the Minister of Education that in the future he needs to give serious consideration to the manner in which he conducts himself in this House and to the manner in which he treats the citizens who come forward with legitimate concerns about the legislation that he brings forth.

In the words of Robert Frost, he should be prepared to listen without losing his temper or his self-confidence. The minister has yet to demonstrate that he has the ability to do either. We saw a lot of swagger from the Minister of Education during the course of this debate, but very little substance. What we have seen instead during the debate on Bill 14 is a Minister of Education who has forgotten the principles outlined in the teachers' Code of Professional Practice. We have seen a Minister of Education whose lack of respect for the processes of this House will be remembered long after he is gone.

\* (15:10)

We have seen a Minister of Education who has one day demanded debate and then failed to listen to constructive input on his legislation. So much for the concept of acting with integrity and diligence in carrying out his professional responsibilities. We have seen an Education Minister whose complete disregard for the committee process left some concerned parents in tears. Frankly, it was disgusting. This flies in the face of the teachers' code of conduct that a teacher's first professional responsibility is to her or his students. If the minister will not listen to the parents, then how can we ever be sure that he is acting in the best interests of the students?

We have also seen the Minister of Education stand up in this House and disregard the authority of the Speaker. I say once again I find his actions in this regard to be odious. The Minister of Education has forgotten that his conduct towards his colleagues, regardless of their political stripe, should be characterized by consideration and good faith.

I close by saying we have serious concerns about Bill 14, The Public Schools Modernization Act, and I add that I have grave reservations about the conduct of the Minister of Education. Thank you very much, Mr. Speaker.

**Mr. Mervin Tweed (Turtle Mountain):** I, too, would like to put a few comments on Bill 14 on the record. I think it is important, Mr. Speaker, that when we look at Bill 14 we look at the history and the pattern of how we got to Bill 14, the words that are used in the legislation and some of the concerns that we on this side of the House have expressed to the public, expressed to the Government. The Government has listened, or at least made themselves available to be present while people were presenting their positions and their concerns on this bill.

Mr. Speaker, we have a great concern with the Minister of Education (Mr. Caldwell) as stated earlier by the Member for Carman (Mr. Rocan). Here is a Minister of Education that, since taking his position in government, in Cabinet, in the election back in '99, has treated all Manitobans with disdain and contempt. His arrogance has shown through in many of the

things that he has done as a government member, as a Cabinet minister and his comments to questions that have been asked in this House. The arrogance of the minister has shown clearly through.

I think it is important that we look back on some of the issues that the Minister of Education has been involved in as the Minister of Education and would lead us to make the comments that we make today in regard to this minister.

Mr. Speaker, the Minister of Education has been taken to task by the Auditor General of the Province of Manitoba. In fact, the Auditor suggested that the minister broke the law by ordering his civil servants to break the law in regard to the TRAF agreements. Clearly, the minister overstepped his bounds and jeopardized the positions of the people within the Department of Education. When asked about it, his comment was: So what, big deal, no one seems to matter.

Mr. Speaker, we go further down the road and we see the Minister of Education involved in the Agassiz school funding where he acknowledged and knew about a number of people that were listed as applying and being a part of the student enrolment of which he let money flow to this school division, approximately \$500,000, for students that did not exist, for phantom students. Again, when questioned and challenged in this House and asked about it, the minister just nonchalantly replied: It is no big deal; it is for the children. It is all right that I would circumvent and break the laws and break the rules of my own legislation, but it is for the children, so therefore it is justifiable.

Later down the road, Mr. Speaker, we move into Morris-Macdonald where the minister, with a sleight of hand, without consultation, without discussion, without any concern for the resident taxpayers and ratepayers of the school division of Morris-Macdonald, went in and fired an entire elected school board.

These were not people that were appointed. These were not people that won by acclamation into their positions. These were people that ran a campaign to be elected to the school division to run a school division in Morris-Macdonald. The

minister, with no consultation, with absolute disdain for the democratic system that we have in this province, fired the entire board.

Mr. Speaker, I have to clarify. He has that right. As the Minister of Education, he has that right. But the act clearly states that, when you fire a school division, you fire everyone involved in the school division in the management including the superintendent, which he chose not to do. He chose to keep the one person in place that was involved in the allegations in Morris-Macdonald in the position; not the taxpayer representatives, but the superintendent.

So, there again, Mr. Speaker, we have a Minister of Education that clearly has contempt for the people of Manitoba, clearly has disdain for the electors in the province of Manitoba, and has an attitude in this legislation that if you do not like what I am doing, I will do it anyway and I will make the laws to correct and validate what I am doing. We have a Minister of Education who has been taken to court by two different groups of people challenging the school amalgamation. We have the Transcona-Springfield organization that are apparently going back to court to challenge the ruling, and the ruling that was resolved at the court hearing suggested to the Minister of Education that he did not need Bill 14 to do any of the amalgamation process that he is now undertaking.

He did not need it. He had the ability under The Public Schools Act to do it. He had the ability to do it. He had the authority to do it. But, again, a minister unconcerned about the citizens of Manitoba, not considering the taxpayers and the ratepayers in the province of Manitoba, chose to introduce a new bill, another bill empowering the minister with far more authority than any other minister has taken upon himself in this Legislature, I would suggest, with valid reason. I will get to that later in my comments.

We have this community of Morris-Macdonald. We are not just talking school division here in the sense of the trustees; we are talking about an entire group of people, an entire constituency of people taking the Minister of Education to court again. Why? Because, in his contempt for them when firing them, he chose not to allow them to have elected representation, which is what all Manitobans asked for. It is

what all Manitobans expect, and it is what all Manitobans deserve.

What he chose to do is appoint a ministerial-appointed supervisor who, not only had to deal with the issue that was taking place in the school division of Morris-Macdonald, but he had to take the responsibility of presenting the next year's budget on behalf of the people of Morris-Macdonald, which he had no elected authority to do. He also had to negotiate the amalgamation of the school division which this minister has, in areas across Manitoba, forced these amalgamations.

He had his appointed supervisor in charge of these amalgamation processes, again, no elected representation. Not one person from the community that this minister is making decisions for had any representation in or any say in the process. Again, the minister's attitude was, well, if they do not like the process, let them run a slate. Let them run a set of campaigns and go after the third-party benefactors in the issues of the Orlikows and the Cowans. Let the community elect school division trustees that would challenge them in court and see if they can recover the money.

When asked in this House, again, the minister showed his disdain, his contempt for this Legislature and for all Manitobans. He did not want to do that. He chose to act with a heavy-handed, government position. It is unfortunate, but he does seem to have all the support of the members across the way. I think that is reflective on the entire Government in the behavior of the Minister of Education. I suspect many of the members with a conscience, across the floor, are feeling somewhat shameful in the behaviour and the actions of the Minister of Education.

We now get to the crux of the matter. Bill 14 has been said many times, not only in this Legislature, but across Manitoba, it is being forced on us. We have had no input. We have had no consultation. We have had no discussion with the electorate.

The school boards were actually, I think, probably misled a little bit by the minister and his department in the sense that they were given a deadline of July 1, which, obviously, today, means absolutely nothing. They were put out

there with a fear that, if it did not happen by July 1, the world would end as we know it and a new system and a new regime would take place and the sky would fall and school divisions would be in disarray.

\* (15:20)

What we do have is, on July 8, we have a Minister of Education again showing contempt now for his own legislation, bringing forward an amendment, an amendment to this legislation that had to be passed by July 1, by this minister, by this Government, that impacts all of Manitoba and impacts them in a very negative way.

The bill that he has brought forward is a bill that, basically, reduces the ability of trustees, the elected officials of school divisions, to manage the affairs of their own school divisions. The minister has decided that he is going to manage it. He is going to have the final say on it. He is going to have his input on it, and, if he does not like what a school division of elected trustees, elected by the majority of the people in the constituency—he will change it. This power in this legislation gives him the ability. That is something that school divisions across Manitoba are opposed to.

We offered suggestions of amendments in the legislation. Again, the minister, in his contempt of this House and of this Legislature, chose to ignore that, and not only chose to ignore our amendments but also the public's amendments who, I thought, had made very considerable presentations, very straightforward presentations. Obviously, the minister did not understand or was not prepared to listen.

As someone who sat in on the committees, Mr. Speaker, I saw the attitude prevail from the minister's chair. The people that came forward to present on the bill were treated with the utmost disrespect. The minister laughed, he cajoled, he read, he walked in and out of the room, he talked to other people, and showed absolute contempt for the people that were making presentations. Again, I think that reflects badly on all members of this House, but particularly on members' side, of the Government's side, who had to be there to support them. I know that the Member for Dauphin (Mr. Struthers) tried many times to put other comments on the record, but the bottom

line was that the Minister of Education (Mr. Caldwell) had no respect, had absolute contempt for the people that were there to present to him.

We have also seen, Mr. Speaker, many of the people that came forward were talking about the reducing of the ability of the taxpayer to be involved in the decision making. I hope it is not hard to get trustees to run, based on the heavy-handedness of this minister. I hope that people are still willing to step forward—even knowing that the minister, when this legislation passes, and, yes, it will pass just because of the strength of the Government in numbers—that they will let their name stand and be prepared to challenge the minister on some of the legislation in this bill.

Mr. Speaker, one of the things that the minister said yesterday when he was making his closing comments and again we on this side of the House are certainly disappointed that with 34 minutes left to speak that the minister chose to be silent. I suspect that it had something to do with a caucus meeting held later yesterday or perhaps this morning. But it is certainly pretty obvious when the minister has a bill standing on the floor that he is speaking about his own bill, and when it is his turn to stand and speak on the second day and his members surround him and basically hold his feet down so that he cannot jump to them, there is something wrong with the bill and there is obviously something wrong for the Legislature.

I suspect his own caucus members have some concern about the abilities and about the actions of this minister, his behaviour throughout this whole process. In fact, I suspect they feel somewhat shamed, Mr. Speaker.

Yesterday in his comments, and again we have asked in this House time and time and time again for the minister to provide any examples where there is a saving going to be incurred by the school divisions, no answers were given. Never an answer given, always a dodge on the question, but yesterday on his feet the minister stands up and boldly proclaims it is anticipated that up to \$10 million will be realized in savings.

You know, we have heard from school divisions all across this province. Not one of them is saying there is going to be a penny saved, not one of them. In fact, Mr. Speaker,

when the Norrie report was first presented to the Legislature or presented to the government of the day, many of the government members who were in opposition at that time had lots to say. They could not stop saying enough. They could not stop challenging the Norrie report.

I would like to read back some of the comments that some of the members opposite put on the record back in 1996. I am sure that it must be painful for those members to sit and listen to the words that they put on the record back in 1996 in regard to the Norrie commission, only to have the Minister of Education come forward today, in the past few months, and say to the members opposite, like he said to this side of the House, like he said to the people presenting to the committees, like he said to all Manitobans: Your opinions do not matter to me. I am doing what is right and your opinions no longer have any effect or any influence on what this Government will do.

Some of the comments that he is refuting by making that kind of a comment, I would like to read from the Deputy Premier (Ms. Friesen) on April 25, 1996. She stated, we remain unconvinced of either the need or the desirability of amalgamation for the students, parents and ratepayers.

Well, back then so did we. That was a concern that we had many a discussion around our tables about. Was it going to be economic? Was it going to be efficient? Was there a benefit to the students? Was there a benefit to the taxpayers? At the end of the day it was not there, Mr. Speaker.

The Deputy Premier also says that she could see no economies and asked for more evidence of such savings. Well, so have we on this side of the House. The minister has failed and has refused to produce one iota of evidence that this will create savings in Manitoba, not one.

I would ask the Deputy Premier: Has she asked that question of the Minister of Education? Has she, in caucus or in the Cabinet room, said, Mr. Minister, can you produce any factual evidence that shows that there is going to be a saving or a benefit to the province of Manitoba? If she has not, I would say shame on her,

because that is the question she was asking in '96. Obviously, today she stands to support this legislation.

Back in '96, she continues on, she says to increase the size of divisions goes against the philosophy of decentralization. She said these changes have the potential to damage some rural areas. She said changes should not be forced on people. She said parental involvement might be lost with school divisions. She said these proposals will increase taxes and offer less choice. She said consolidation does not mean economy. She said there is no demonstrated cost saving. She said the number of trustees should be determined locally. She said amalgamation cannot be done with the existing dollars. There must be additional provincial financial assistance. She said she cannot see how amalgamation will benefit students.

Well, what is she seeing today? She is seeing a minister who took the Norrie report, took the pieces out of it that he saw fit to produce to Manitobans and presented it to a Cabinet who closed their eyes and rubber-stamped this on behalf of their caucus and their Cabinet, the NDP government of Manitoba, and now she is refusing to take the responsibility for Manitobans. As a Deputy Premier, I would think she would have some concern over the minister's behaviour and the minister's actions in presenting this bill, but, no, she has not said a word. She has not spoken on this bill. She has not spoken publicly on this bill. She is nowhere represented in this House on this bill. She chooses to turn and close a blind eye to the people of Manitoba. The people that she was so concerned about back in 1996, she chooses to ignore today.

Should we be surprised, Mr. Speaker? I think not. What is happening is we are seeing a reflection in this Government, in this Cabinet, in the Deputy Premier, in the Premier (Mr. Doer) of Manitoba, who said amalgamation is something we would never force on the people of Manitoba. It is not the Manitoba way.

\* (15:30)

Well, I would like to ask the Deputy Premier where she stands on amalgamation today. Will she stand in this House and speak on Bill 14? I

suggest she will not, and I suggest that many of the members opposite that spoke against this in '96 will do the same. They will sit quietly in their chairs. They will sit with their heads bowed. They will sit embarrassed that this Government is bringing forward this type of legislation. They will sit and be embarrassed for the fact that the Minister of Education has brought something that they spoke so strongly against only a few short years ago.

There are a few more things that the Deputy Premier said, what she suggested to people in Manitoba. She says I do not believe there is consent in either rural Manitoba or urban Manitoba to the kinds of proposals that we saw from the Government today. Well, I would say back at you, Ms. Deputy Premier. That is exactly what the people of Manitoba are saying to you. She also stated that there will be a considerable community loss, and we have seen that. We saw the people from Transcona and Springfield come forward and talk about their communities being divided. We have met with people in rural Manitoba where communities are no longer speaking to each other because of this legislation brought forward by this Government.

They have divided this province in a way that no other government has done before with unthought, well, I do not know, unprecedented I guess would be the right word. But basically they have proved to all Manitobans that they did not consult with anybody. They sat in their room. You know, I bet there was a lot of conflict in that room, with the Premier saying publicly to 300 delegates back in March of 2001, there will be no forced amalgamation. That is not the Manitoba way. It is not the Manitoba way.

While he was saying that to a group of trustees, the minister was obviously defining the boundaries, speaking with the rural members and saying, you know, should we draw the boundary down this road or should we split this municipality or do we do a horizontal or a vertical? How do we do this? They gerrymandered it to a point where no one is satisfied at the end of the day. It is all about politics.

Mr. Speaker, a couple of other issues that I would like to talk about. I would like to just suggest that yesterday again in his comments the

Minister of Education wanted to thank all the people that had done such great and glorious work in regard to the boundary commission. He said the Norrie report when in opposition and constructively helped this legislation when in government. Well, we know that members opposite are not in favour of the Norrie report. They were not back in 1996.

I would suggest to them or I would ask them: What has changed? What has changed the mind of the Deputy Premier in the province of Manitoba that she has made a complete flip-flop from being against amalgamation to endorsing it, well, maybe not endorsing it, just quietly holding her breath and hoping that it will pass and no one will ever remember the way she spoke against the amalgamation in '96 and refused to speak on it in 2002.

Mr. Speaker, yesterday in his closing comments the Minister of Education wanted to thank people. In specific he wanted to thank the Premier and he wanted to thank the Deputy Premier for their assistance. Well, I would ask him: What kind of assistance did he get from the Deputy Premier, who, as the minister responsible for municipalities, has said, well, we will not force amalgamation on rural municipalities, it is not the Manitoba way, we do not do things like that in our Government. She has many, many municipal councils quaking in their boots because her silence on this bill indicates that she does support that type of legislation. I expect that as a government they will continue to move forward in that direction, forcing it down the throats of people. Particularly the Premier should be ashamed when he stood in front of trustees in the province of Manitoba and said it is not the Manitoba way; we will not force the amalgamation.

Mr. Speaker, the Minister of Education (Mr. Caldwell) has shown complete incompetence since he has been in this Legislature. He has failed the people of Manitoba. More importantly, he has failed the education system. He has failed the students in the province of Manitoba. His arrogance to the public has never been seen at that level before. The disdain that he holds public opinion in is shameful, and I think that it is reflective of his character. It is reflective of the character of the Government, and it is reflective

of the Deputy Premier (Ms. Friesen) of this province. It is reflective of the Premier (Mr. Doer) of this province, and I say shame to that.

We know, Mr. Speaker, this bill will pass. We know that this Legislature will close. The session will end, and we are asking the Premier today, at his earliest convenience, to remove the Minister of Education from his position, to move him somewhere where he cannot inflict the pain that he has put on Manitobans, on the taxpayers of Manitoba and, more importantly, on the children of Manitoba. We want him to be removed, not only from Cabinet, we want him removed from the caucus. The way he has behaved, the way he has treated people in this Legislature, the way he has treated the people in the province of Manitoba is absolutely shameful. Today, I am ashamed to be associated with the member, the Minister of Education, the Member for Brandon East, his behaviour and his treatment of the people of Manitoba. We look forward to the day that minister has been removed from his position in education and that the Premier stands on principle and says the incompetence, the arrogance and the disdain that this minister holds for the people of Manitoba will no longer be tolerated in my Government. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 14, The Public Schools Modernization Act (Public Schools Act Amended).

Is it the will of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour of the motion, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to the motion, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, I think the Yeas have it.

#### Formal Vote

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

Order. The question before the House is third reading Bill 14, The Public Schools Modernization Act (Public Schools Act Amended).

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Aglugub, Allan, Ashton, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Friesen, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

#### Nays

*Cummings, Dacquay, Driedger, Dyck, Enns, Faurshou, Gerrard, Gilleshammer, Helwer, Laurendeau, Loewen, Maguire, Murray, Penner (Steinbach), Pitura, Rocan, Schuler, Smith (Fort Garry), Stefanson, Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 26, Nays 20.

**Mr. Speaker:** The motion has been carried.

#### DEBATE ON SECOND READINGS

##### Bill 34—The Charter Compliance Act

**Mr. Speaker:** Resume debate on second reading Bill 34, The Charter Compliance Act, standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson).

Is there will of the House for the bill to remain standing in the name of the honourable Member for Tuxedo? [*Agreed*]

**House Business**

**Hon. Gord Mackintosh (Government House Leader):** Would you please canvass the House to determine if there is leave to move to report stage and third reading of Bill 9, The Canadian Forces Personnel Act?

**Mr. Speaker:** Is there leave of the House to move to report stage and third reading of Bill 9, The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act? [*Agreed*]

**REPORT STAGE**

**Bill 9—The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 9, The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act, as reported from the Standing Committee on Privileges and Elections, be concurred in.

*Motion agreed to.*

\* (16:10)

**THIRD READINGS**

**Bill 9—The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act**

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 9, The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act, be now read a third time and passed.

*Motion agreed to.*

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, if you could make that unanimous, please.

**Mr. Speaker:** The vote has been unanimous by the House.

**Mr. Mackintosh:** Mr. Speaker, I understand that the Lieutenant-Governor will be arriving in a few minutes. The Acting Premier will come back with the Lieutenant-Governor in a few minutes.

**Mr. Speaker:** It has been announced that the Lieutenant-Governor will be arriving shortly. We will prepare for His Honour's arrival.

\* (16:20)

**ROYAL ASSENT**

*His Honour Peter Liba, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:*

**Mr. Speaker:** Your Honour, this sitting of the Legislative Assembly has passed certain bills, and I ask Your Honour to give assent to.

**Madam Clerk (Patricia Chaychuk):**

Bill 9—The Canadian Forces Personnel (Amendments Relating to Voting Rights and Driving Privileges) Act; Loi sur le personnel des Forces canadiennes (modifications relatives au droit de vote et aux privilèges rattachés à la conduite des véhicules)

Bill 14—The Public Schools Modernization Act (Public Schools Act Amended); Loi sur la modernisation des écoles publiques (modification de la Loi sur les écoles publiques)

Bill 29—The Engineering and Geoscientific Professions Amendment Act; Loi modifiant la Loi sur les ingénieurs et les géoscientifiques

Bill 30—The Architects Amendment Act; Loi modifiant la Loi sur les architectes

**In Her Majesty's name,** His Honour assents to these bills.

*His Honour was then pleased to retire.*

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**Hon. Gord Mackintosh (Government House Leader):** First of all, I want to thank the Clerk's office for their fast-footed responses to our work.

Would you determine if there is leave to waive private members' hour today only?

**Mr. Speaker:** Is it the will of the House to waive private members' hour? [*Agreed*]

**Mr. Mackintosh:** I move, seconded by the Minister of Conservation (Mr. Lathlin), that the House resolve into Committee of Supply.

*Motion agreed to.*

### COMMITTEE OF SUPPLY (Concurrent Sections)

#### LABOUR AND IMMIGRATION

\* (17:00)

**Mr. Chairperson (Harry Schellenberg):** Good afternoon. Will the Committee of Supply please come to order. This afternoon this section of the Committee of Supply meeting in Room 254 will resume consideration of the Estimates of the Department of Labour and Immigration.

We are on line 4. Amortization and Other Costs Related to Capital Assets (a) Desktop Services (1) Amortization Expense-Hardware and Transition \$191,000 on page 128 of the main Estimates book.

The last sitting of this committee, as per an agreement made on June 5, 2002, the committee had been considering the Office of the Fire Commissioner, a line that had previously been read into the record. Is the committee still wishing to continue with questioning in this area?

**Mr. Ron Schuler (Springfield):** No.

**Mr. Chairperson:** There is agreement to not continue with the Office of the Fire Commissioner.

11.4. Amortization and Other Costs Related to Capital Assets (a) Desktop Services (1)

Amortization Expense-Hardware and Transition \$191,000—pass; (2) Amortization Expense-Enterprise Software \$34,200—pass; (3) Enterprise Software Licenses \$83,400—pass.

(b) Amortization Expense \$420,400—pass.

(c) Interest Expense \$324,400.

**Mr. Schuler:** Can the minister just tell us what is the interest expense for.

**Hon. Becky Barrett (Minister of Labour and Immigration):** In summary, we have put into place a process called LINK, which, in the Workplace Safety and Health division, is a computer system that allows the Workplace Safety and Health officers to be able to get access to the history of a particular workplace, what kinds of improvement orders, if any, have been issued, that kind of thing. Virtually all the data in the files from Workplace Safety and Health are now in this LINK computer system. It has made a great deal of difference in the effectiveness of the Workplace Safety and Health division.

It was paid for basically through a loan from government, through BSI, Better Systems Initiative. It was begun under the former government. They loaned the department the money to pay for this LINK process. Now we are paying that back. This is the line that reflects that.

**Mr. Chairperson:** 4.(c) Interest Expense \$324,400—pass.

Resolution 11.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,530,400 for Labour and Immigration, Amortization and Other Costs Related to Capital Assets, for the fiscal year ending the 31st day of March, 2003.

*Resolution agreed to.*

**Mr. Chairperson:** The last item to be considered for the Estimates of the Department of Labour and Immigration is item 1.(a) Minister's Salary \$28,400. At this point we request that the minister's staff leave the table for the consideration of this item.

1.(a) Minister's Salary \$28,400

**Mr. Schuler:** Section 7(1) of The Balanced Budget, Debt Repayment and Taxpayer Accountability Act provides for a 20% salary reduction to each member of the Executive Council should the Government project a negative balance in the third-quarter financial report. The Minister of Finance provided to this Assembly a third-quarter financial report projecting a positive balance only through the illegal transfer of \$150 million from Manitoba Hydro. Not only is this transfer retroactive, it is, according to section 43(3) of The Manitoba Hydro Act, illegal. Every person who violates this provision is liable to a fine of not more than \$5000 or to imprisonment for a term not exceeding one year.

For failing to deliver to the citizens of Manitoba a balanced Budget and for illegally raiding Manitoba Hydro of \$288 million, including \$150 million to cover Budget 2001's operating deficit, the Minister of Labour be subjected to the penalties as prescribed under section 7(1)(a) of The Balanced Budget, Debt Repayment and Taxpayer Accountability Act.

I move that line 11.1.(a) Minister's Salary be reduced by \$5,680.

**Mr. Chairperson:** Is the motion in writing? It has been moved by the Member for Springfield that line 11.1.(a) Minister's Salary be reduced by \$5,680. The motion is in order. The debate may proceed.

Is the committee ready for the question?

**An Honourable Member:** Question.

**Mr. Chairperson:** The question before the committee is the motion moved by the honourable Member for Springfield (Mr. Schuler) that line 11.1(a) Minister's Salary be reduced by \$5,680.

Shall the motion pass?

**Some Honourable Members:** No.

**Some Honourable Members:** Pass.

#### Voice Vote

**Mr. Chairperson:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** In my opinion, the Nays have it.

**Mr. Schuler:** On division.

**Mr. Chairperson:** The motion is negative on division.

\* \* \*

**Mr. Chairperson:** Line 11.1(a) Minister's Salary \$28,400—pass.

Resolution 11.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$643,400 for Labour and Immigration, Executive, for the fiscal year ending the 31st day of March, 2003.

#### *Resolution agreed to.*

**Mr. Chairperson:** This completes the Estimates of the Department of Labour and Immigration. The next set of Estimates that will be considered by this section of the Committee of Supply is the Estimates of the Department of Aboriginal and Northern Affairs.

Shall we briefly recess to allow the minister and the critics the opportunity to prepare for the commencement of the next set of Estimates?  
[Agreed]

*The committee recessed at 5:07 p.m.*

*The committee resumed at 5:10 p.m.*

#### ABORIGINAL AND NORTHERN AFFAIRS

**Mr. Chairperson (Harry Schellenberg):** Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Department of Aboriginal and Northern Affairs.

Does the honourable Minister of Aboriginal and Northern Affairs have an opening statement?

**Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs):** Yes, I do.

**Mr. Chairperson:** Yes. You have the floor, honourable Minister.

**Mr. Robinson:** Thank you very much, Mr. Chairperson. I am pleased to present the 2002-2003 Estimates of the Department of Aboriginal and Northern Affairs. Determining budget allocations this year was the most difficult process due to fallout from the events of last September and the general economic pressures facing the Province. As a result, we were forced to make some difficult decisions, and we were not able to commit funding and support to the levels we wanted to for various programs and projects in the North.

I want to thank departmental staff for their hard work in reviewing and prioritizing items so that we were able to proceed within the confines of what funding was available. As minister of this department, I am proud to report that we have experienced another successful year of fostering opportunities, for improving the lives of Aboriginal people, and we have made some significant progress in building upon our government support for northern Manitoba communities. We are determined to continue improving conditions, living conditions and opportunities for the people of northern Manitoba through improvements to municipal and transportation infrastructure, provisions for safe water, housing, health care and educational opportunities.

Our interest across northern Manitoba is in achieving sustainable community economic development that provides new opportunities for all and especially for the Aboriginal people of this province. We have developed partnerships and co-operative approaches with many communities, Aboriginal organizations, government departments and agencies, other levels of government and non-government bodies. Our Government is committed to working government to government with First Nations and other Aboriginal peoples across Manitoba.

I have a great deal to report about our department's activities in the past year and about our plans for the coming year. I will begin with some brief comments regarding the work of the

Aboriginal Affairs Secretariat. The Aboriginal Affairs Secretariat provides co-ordination, support and advice on a variety of issues ranging from northern development to Aboriginal employment initiatives, the Aboriginal Justice Implementation Commission, funding and programming activities with the major Aboriginal organizations in the province, including the Assembly of Manitoba Chiefs, the Manitoba Keewatinowi Okimakanak Incorporated, Southern Chiefs Organization, Mothers of Red Nations, along with the 11 friendship centres, the Aboriginal casino project, the Urban Aboriginal Strategy, the self-government initiatives at Sioux Valley First Nations and the tripartite negotiations with the Manitoba Métis Federation and the Aboriginal Council of Winnipeg.

Staff from the secretariat had been at the forefront of our departmental efforts to deal with this suicide epidemic that affects so many Aboriginal communities. One of the most promising new developments undertaken by the secretariat has been the Aboriginal Economic Resource Development Fund. It was established by the current Government to provide assistance to priority initiatives and self-reliance projects that addressed the Aboriginal community's needs for employment and economic development.

As hoped, it has become a major tool in promoting Aboriginal employment, economic activity and leveraging funding from other levels of government and organizations. This past year, the Aboriginal Economic and Resource Development Fund supported 26 projects, for a total grant value of \$799,920. This funding assisted Manitoba in leveraging more than \$10 million in additional funding from other sources for these projects.

We have increased the AERD budget to \$1.4 million this year to support new initiatives under the Northern Development Strategy and urban Aboriginal strategy initiatives. This Government brought forward core funding to the Assembly of Manitoba Chiefs, Manitoba Keewatinowi Okimakanak, the Manitoba Métis Federation, the Mothers of Red Nations and the Southern Chiefs Organization. None of these organizations were funded by the previous government. Each of these organizations worked with our department on a variety of programs and projects.

Additionally, we brought back funding to the Manitoba friendship centres, which have a proud 40-year history in the province of Manitoba. The friendship centres in this province perform very important services in communities across our province.

The Manitoba Aboriginal Sport and Recreation Council also receives important funding under this program. Last year in support of self-government negotiations we provided funding to the Manitoba Métis Federation and the Aboriginal Council of Winnipeg. This year's Budget provides continued funding for this tripartite process. We expect a renewed agreement with the Manitoba Métis Federation, Canada and Manitoba, to be signed in the near future.

A five-year memorandum of understanding between Manitoba, Canada and the Aboriginal Council of Canada will expire in October and we are working to develop a new three-party agreement. We have been encouraged by recent interest by the federal government in addressing urban Aboriginal issues. Manitoba has the highest proportion of Aboriginal people of any province and Winnipeg has the largest Aboriginal community of any Canadian city.

\* (17:20)

A great deal of action on addressing urban Aboriginal issues is occurring. The 1999 Urban Aboriginal Strategy agreement signed between the Province and the federal government has been extended. We have been in discussion with the City of Winnipeg, the federal government and with Aboriginal organizations on these issues.

Since taking office, the provincial government has committed more than \$20 million toward the revitalization of Winnipeg. We are heavily committed to urban Aboriginal development through new programs and improved services in the core area of Winnipeg. Programs such as Neighbourhoods Alive! and the 19 Lighthouses located in Winnipeg, along with the Winnipeg Friendship Centre, are making a difference.

The restoration of the former North End Y in Winnipeg is also a priority. The expansion of

Red River College into the exchange district this coming fall will be a major step forward.

I was pleased to attend the official launch of the Urban Circle training project last fall at their new Selkirk Avenue address. The federal-provincial economic partnership program and the Winnipeg Development Agreement have sponsored a number of important projects that are creating hope and opportunity in Winnipeg.

The Minister of Intergovernmental Affairs (Ms. Friesen) and other Cabinet colleagues are discussing with the federal government how another such agreement can make further progress on these priority issues. I might report my colleague, the Minister of Intergovernmental Affairs, did meet, along with myself and other ministers of this Government, with the Minister responsible for the Western Diversification Initiative, the Honourable Stephen Owen.

On June 21, National Aboriginal Day, we formally announced our provincial commitment to implementing the recommendations of the Aboriginal Justice Implementation Commission. We accept in principle all of the recommendations of the AJIC report, including the premise that Aboriginal justice is not only about the criminal justice system but involves much broader issues like child welfare, employment and education, and strength in communities. These strategies for improving Aboriginal justice and the quality of life of Aboriginal peoples form a core part of our Government's approach to ensuring the social and economic well-being of Aboriginal peoples.

The Province has established a committee of Cabinet to oversee efforts to implement the recommendations of the AJIC report. I am pleased to co-chair this committee with the Attorney General (Mr. Mackintosh). Members of the committee include the Minister of Family Services and Housing (Mr. Sale), the Minister of Advanced Education (Ms. McGifford), the Minister responsible for the Civil Service Commission (Mr. Selinger), and the Minister of Conservation (Mr. Lathlin).

To date, I am happy to report that 87 percent of the 54 recommendations in the AJIC report directed at the Province are already completed or

under way. Most of the Province's actions to date have been and must continue to be outside of the Justice system.

We see working with the federal government as critical to moving to the next steps on these issues. The Province has committed over \$4.5 million in 2002-2003 to further implement the report's recommendations.

The AJIC recommended an Aboriginal child and family service program be put in place. First Nations and Métis representatives are members of the working groups that are involved in designing and developing plans mandated for Aboriginal child and family service delivery that will be implemented and managed by First Nations and Métis authorities. Staff from this department have been heavily involved in helping to see this important project move forward. Many of our departmental initiatives are reflected in or inspired by the AJIC's recommendations.

We continue to uphold the Northern Flood Agreement as a modern-day treaty. Our work continues for implementation in NFA communities. I had the honour to witness the separate signings of MOUs of the Manitoba Government, Manitoba Hydro and the Nisichawayasihk Cree Nation and the Tataskweyak Cree First Nation regarding future hydro developments in these areas.

I am very pleased that these communities are involved at the beginning of these developments and will benefit from employment and training, as well as future revenue from the projects themselves. It is regrettable that Manitoba Hydro and previous governments did not have such vision when hydro projects were built in the past.

Our officials and I have had several meetings and discussions with the federal government about their participation in the training programs for apprentice workers on these future projects. We remain confident that federal assistance will be obtained in order to maximize the number of northern Aboriginal people who will be trained.

Earlier this month, the Minister of Transportation and Government Services (Mr. Ashton) and the Minister of Education and

Training (Mr. Caldwell), along with chiefs, band representatives and officials from our department and Manitoba Hydro met with two federal ministers to promote this training. The commitment of Manitoba Hydro and the provincial government is clear. This initiative is consistent with our departmental goal to strengthen Aboriginal participation in the economy.

Our Government continues to work on projects, such as the construction of the Aniknak Bridge [*phonetic*] at Cross Lake and our department is moving forward with major internal road improvements on the community council side and the construction of a new lagoon.

Last month I was pleased to attend a celebration event at Cross Lake regarding these two important projects. We also officially named the road from the south end of the airport to the start of Spruce Crescent in the community Ethel McLeod Drive.

Ms. McLeod passed away late last year. She was a legendary trapper from Cross Lake. Ethel trapped beaver, fox, otter, muskrats for over 60 winters on a family trap plant at Walker Lake. On June 22, Ms. Ethel McLeod was posthumously named Canadian Trapper of the Year for her commitment to sustainable harvesting by the Fur Institute of Canada.

We also participated with Manitoba Hydro in funding recreation infrastructure for Cross Lake that allowed them to hold the summer Aboriginal games last year.

Recently, federal Minister Nault announced he was withdrawing federal support from the four-party agenda process at Cross Lake, citing concerns it was not producing the needed results to justify the costs of the process. In 1998, the four-party process was agreed to by the former minister of the department I am now responsible for, former Minister David Newman, the federal government and Manitoba Hydro.

The federal government has stated it will continue to meet and uphold existing obligations under the Northern Flood Agreement and have these obligations delivered on a proposal-driven approach. The Province and Manitoba Hydro will do likewise.

I am currently the co-chair of the federal-provincial-territorial Aboriginal ministers and national Aboriginal leaders forum on Aboriginal issues. Last May in Winnipeg at an FPTA conference the ministers agreed to the report and supporting the report on strengthening Aboriginal participation in the economy. Copies of that report, which promotes best practices across the country, can be obtained through the departmental Web site at [www.gov.mb.ca/ana](http://www.gov.mb.ca/ana), as well as the Aboriginal Canada portal, which is at [www.aboriginalcanada.gc.ca](http://www.aboriginalcanada.gc.ca). Last fall we held a youth forum and later a follow-up meeting to move the process forward. That work is currently proceeding. A national summit in Ontario is in the planning stages for next year to engage the private sector.

On a similar note, our department has been strong supporters of the AHRDCC Champions program—I will read out the acronym for that in a few moments—which have been leaders in promoting Aboriginal employment in the private sector. Major private sector backers of this initiative include: Syncrude Canada Limited, TransCanada PipeLines Limited, Tribal Councils Investments Group of Manitoba Limited, Proctor and Gamble, the Royal Bank of Canada, as well as the governments of Canada and Saskatchewan, amongst others.

We have also been working with the northern development ministers across the country to compare strategies and priorities. Issues such as Aboriginal participation in resource development, capacity development, justice and apprenticeship training have all been discussed at recent meetings. An interprovincial working group, including representatives from our department, has been working on development of a northern awareness enhancement campaign promoting tourism and investment; the formulation of an economic infrastructure investment strategy on roads and transportation; and development of a recruitment and retention best practices policy, particularly in medical and educational fields. Our department is the lead on recruitment and retention policy development. The federal government has a representative on each subgroup. The commitment of other provinces in addressing northern issues is very encouraging.

Separate settlement agreements to implement the provisions of the agreements in

principle and resolve all outstanding issues between the parties at Grand Rapids forebay, Chemawawin and Mosakahiken, Easterville and Moose Lake are presently being negotiated. I am told that work is proceeding well on these negotiations.

On April 23, 2002, we renewed a further two years of our memorandum of understanding with the First Nations of Island Lake, the four communities: firstly, to establish a regional health centre in the Island Lake region; establish a regional dialysis services program; to redesign local public health services; establish Winnipeg support services for Island Lake members who have had to relocate to Winnipeg for health reasons. This is an important MOU, not only because of the three levels of government working together with the communities, but because we are addressing some very serious health issues in northern Manitoba.

Last September, our Government unveiled a Northern Development Strategy. Aboriginal and Northern Affairs plays a major role in co-ordinating this initiative. This strategy aims at improving the quality of life for northern Manitobans; expanding education and employment opportunities; increasing economic opportunities; and co-ordinating approaches to services and investments in northern Manitoba. Five priorities have been identified as part of our Northern Development Strategy, they being: health; transportation; employment and training; economic development; and housing.

Some of the major accomplishments so far include: increased transportation spending throughout northern Manitoba, including major improvements to a number of roads and airports; nearly \$50 million in investment in highways in the province's northern region; roughly \$30 million for new projects and \$20 million for previously approved projects.

Neighbourhoods Alive! has been expanded to Thompson. Major internal road projects are underway for Norway House and Cross Lake on the community council side; a \$100,000 study to explore winter road options. A sewage lagoon is currently under construction in Cross Lake. The development fund is taking over REDI programs in northeastern Manitoba; additional programs to

enhance educational opportunities for northern students; a new Lac Brochet terminal opening; a new air terminal building opened at Island Lake; new water and sewer treatment facilities at South Indian Lake. Over \$3 million is being spent in Aboriginal and Northern Affairs communities towards upgrading water plants, roads, equipment replacement and fire protection, in partnership with Intergovernmental Affairs, Aboriginal and Northern Affairs and the Communities Economic Development Fund on an integrated delivery system to assist communities in the development and facilitation of economic strategies, provincial support for more grain and other commodity shipments through the Port of Churchill. Increased co-operation and exchanges with Nunavut is also a priority, a northern round table including the Kivalliq district of Nunavut, Churchill, Gillam and Fox Lake First Nation. The first meeting took place in January, and it is my hope that this round table will be expanded to include other First Nations in the near future.

The department is also negotiating resource co-management components and potential hydro-related settlement agreements with most of Sagkeeng Cree Nation and the community of Moose Lake, Cheemawawin First Nation in the community of Easterville, Cross Lake First Nation and the Fox Lake First Nation. Negotiations are also ongoing between Sioux Valley, Canada and Manitoba about a self-government model for Sioux Valley. We were able to sign an agreement last March with the honourable Minister of Indian Affairs federally, Mr. Robert Nault, and Chief Ken Whitecloud of the Sioux Valley Dakota Nation. Signing of a final agreement is anticipated next year, and this will be the first agreement of its type in Manitoba and the first such agreement for a single First Nation community in Canada.

The 1997 Treaty Land Entitlement Agreement between Manitoba, the federal government and the TLE First Nations of Manitoba is progressing. Under the terms of treaties signed between 1870 and 1885 and further adhesions, the federal government owes land to these specific First Nations. Under the Natural Resources Transfer Agreement of 1930, Manitoba is obligated to transfer Crown land to the federal government if it failed these outstanding TLE obligations.

\* (17:30)

The total amount of land included is 1.1 million acres, representing less than 1 percent of the total land base in Manitoba. More than 100 000 acres surveyed during the past year will be transferred to Canada this fiscal year, and up to 150 000 more may be added in the coming year. This will be added to 103 000 acres already transferred and designed as reserve land under TLE arrangements agreements. Twenty-eight bands in Manitoba have outstanding Treaty Land Entitlement obligations.

The Agreements Management Division of the department co-ordinates the provincial government response to the Treaty Land Entitlement obligations. The division does an admirable job in working on this, admittedly, complex agreement. In recent weeks, there has been a great deal of misinformation put out publicly concerning the terms and conditions of the TLE agreement. The framework agreement outlines principles to be used as guidelines in the selection and acquisition of the land. Acquisition is undertaken on a willing-buyer and willing-seller basis. Neither Canada nor Manitoba will expropriate any land or interest in land.

An entitlement First Nation may select Crown land or acquire other land from its treaty areas or traditional territory within the province. An entitlement First Nation may select Crown land from outside its treaty area or traditional territory where, on a case-by-case basis, it can establish a reasonable social or economic development objective and Manitoba concurs with the selection.

Any issues or matters in dispute that are not resolved by the parties or the entitlement First Nation can be referred to the Implementation Monitoring Committee. I am pleased to note that the IMC has been rarely called on so far and that the process has been quite smooth.

My colleague the Minister of Conservation (Mr. Lathlin) recently announced a second round of public hearings regarding land at Clearwater Lake selected by the Opasquiak Cree Nation. It is our expectation that these meetings will help settle the land issue there. Anybody wanting to read the actual Treaty Land Entitlement Agreement and learn more about it is encouraged to check the departmental Web site

at [www.gov.mb.ca/ana](http://www.gov.mb.ca/ana) for an overview on details.

Additionally, our department published a document entitled *A Reference Manual for Municipal Development and Services Agreement*, which assists municipalities and First Nations in establishing agreements to support the selection and acquisition of lands within municipal boundaries. The department worked with the departments of Inter-governmental Affairs and Justice in the preparation of this reference manual. The manual was distributed to all municipalities and is available on the departmental Web site.

The Fox Lake First Nation has selected and acquired land in Gillam. In March 2002, a municipal services agreement was signed between Gillam and Fox Lake First Nation for some 20 properties in the town of Gillam. Opasquiak Cree Nation has also made land selections and acquisitions in the town of The Pas.

In February 2002, as part of the department's Aboriginal Employment Strategy, we are very pleased to be a signatory to a partnership agreement with the Burntwood Regional Health Authority to work with the Aboriginal community on a six-point agreement towards increasing Aboriginal participation in the health authority's workforce. The Burntwood Regional Health Authority is the largest of Manitoba's 13 regional health authorities, and Aboriginal people make up 65 percent of the region's population. Attracting and retaining qualified health care workers has been a challenge for the Burntwood Regional Health Authority since its inception in 1997. Along with Manitoba Education, Training and Youth, we have provided half of the \$50,000 grant to allow the Burntwood Regional Health Authority to put together an Aboriginal human resources development plan. A previous December 2000 Aboriginal and Northern Affairs agreement with the Winnipeg Regional Health Authority served as a model for this one that I just described.

As my colleague, my critic, will know, we will be hosting the North American Indigenous Games, and the games are going to bring over 6000 athletes to Winnipeg to compete in 16

sporting events. Tourism Winnipeg has estimated that \$60 million will be realized as a spin-off from the games. It will be the largest sporting event ever held in Manitoba and in fact larger than the 1999 Pan Am Games. The three levels of government have collectively made major financial commitments to hosting the games. The increased corporate support in growth and numbers of volunteers for the event bode well for a successful event which will spotlight the city of Winnipeg and, indeed, the province of Manitoba.

I am also pleased to report that several provincial and territorial ministers from other jurisdictions are very interested in coming to see the games and watch athletes from their jurisdictions compete. I hope that my colleague the honourable Member for Lac du Bonnet (Mr. Hawranik) will also join us in a briefing that will occur, I believe, on the 29, but certainly staff from our department will be keeping my colleague, the critic, informed of that date. Certainly, I would like to have him there, so he will gain a better understanding on the child welfare initiative that our Government is proceeding on.

Of course, this past March, Manitoba hosted the very successful Aboriginal Achievement Awards which was recently broadcast on CBC television. We are very proud of a couple of Manitobans, in fact, three. Len Flett of The North West Company, Dr. Gilles Pinette and Michael Nepinak are all from Manitoba, and they were award winners. Jordon Tootoo of Nunavut, Rankin Inlet, and a member of the famous Hickes-Tootoo family, was another winner, and our department is very pleased to be a major sponsor of this event. I would like to congratulate Mr. John Kim Bell, who has been on the forefront of many of these initiatives for his continued leadership.

I am pleased to note that this Budget increases our capital program by \$2.2 million and our community support operations by \$290,000 for local government development and delivery of municipal services. Authority has been provided for community councils to raise the per diem allowances to \$80 from \$40 to bring them in line with other municipal jurisdictions and to reflect the increased

authority workload and responsibility of elected representatives.

As well, authority has been provided to community councils to raise honorariums by \$80 per month for communities with a population of 300, and \$40 for communities with a population under that number.

We have reorganized the Local Government Development division of this department last year. I will gladly provide the member with more details when we get to the line by line debate of Estimates.

Negotiations are currently under way and ongoing with the Province, Fox Lake First Nation and Manitoba Hydro to mitigate the effects of past hydro and town developments in the Gillam area.

Rural Forum partner. The department continues to provide a financial contribution and in-kind support for the Rural Forum which is held annually. The 10th annual event last month was a major success. We saw a major number of representatives from Nunavut along with a strong representation from northern Manitoba, which I was very happy to participate in to a certain degree.

There are several other areas, Mr. Chairman. In the interest of time, the Municipal Administration program that I could provide more details for as we talk about this department in greater detail: community support services, the environmental services program, the water operators certification program, a water study, a waste water study, remote monitoring of waste water treatment plants, the public works program, workshops for public works employees which we find to be very important, the community resource development program, community round tables that are occurring, the Cross Lake Development Corporation initiatives with respect to the Bayline Regional Round Table, the South Indian Lake Road construction support, the capital program, the capital review board, capital projects that we have in mind for 2002-2003.

\* (17:40)

I might just add that a total of 41 capital projects with a cumulative value of \$3,014,011 has been identified for delivery in 2002-2003. Major projects include Brochet's waste water treatment plant, the Easterville lagoon, the Pelican Rapids community hall, Berens River road upgrades, Seymourville regional waste disposal site, Duck Bay water lines and Manigotagan's fire truck replacement, that I know my colleague will have an interest in given that he represents the community of Manigotagan in the Manitoba Legislature.

I can get into details during the Estimates process about the Canada-Manitoba infrastructure program, the recreation program that our department handles, the recreation director's handbook, a review of the recreation program and implementation strategy. Another successful program has been a circus and magic program that our department has been supporting. The Northern Links workshop and the work is ongoing on establishing a reserve at South Indian Lake. The communication with the Department of Indian Affairs Canada is ongoing with members from the department that I lead.

Last year, we conducted a major review of The Northern Affairs Act, the first time it occurred since 1988, in co-operation with the Northern Association of Community Councils. We used a workbook and survey to consult with stakeholders in all affected regions. We discussed findings at the NACC conference in August. The final report has now been completed and is being reviewed by the department.

Also, Mr. Chairperson, given that I am responsible for the development fund, I will gladly answer any questions that my colleague may have with respect to that Crown corporation.

I would just like to close today by stating that, as I said before, that this 2002-2003 Budget builds on what we have accomplished as a department in the past two years. My department's work focusses on fostering and delivering opportunities and increased support for all of Manitobans especially those who live in the North and those who live in communities

under the jurisdiction of the Department of Aboriginal and Northern Affairs.

I would like to thank the Chair of this committee for the opportunity to speak about some of the accomplishments and activities about the Department of Aboriginal and Northern Affairs.

**Mr. Chairperson:** We thank the Minister of Aboriginal and Northern Affairs for those comments. Does the official opposition critic, the honourable Member for Lac du Bonnet, have any opening comments?

**Mr. Gerald Hawranik (Lac du Bonnet):** Yes. I would like to put my opening statement on the record, a very brief statement. I would like to thank the minister for his opening statement and giving us this information today.

The Department of Aboriginal and Northern Affairs, of course, is a relatively small department in comparison to most of the government departments, having a budget only of about \$27 million, just a little over \$27 million annually.

I would like to first take the opportunity to congratulate the minister for the 11% increase in budget from the previous year, given the fact that governments, of course, have to watch their spending. Other departments have, in fact, received decreases in funding. I would like to congratulate the minister for ensuring that the government of the day has looked at Aboriginal and Northern Affairs as a priority by increasing the Budget by some 11 percent. That 11% increase in budget, from what I can see, is mainly due to increases of about \$2.2 million in the community capital grant program for capital infrastructure.

Infrastructure, of course, is very important to Aboriginal communities in the sense that, particularly when we are dealing with water and sewer projects and waste management sites. As I say, I would like to congratulate the minister for that 11% increase in budget and, in particular, into that program. Having said that it is a small department, it still, I feel, is a very, very important department in government in the sense that it covers a very wide geographical area in the province. It includes communities that are established in many different settings from

Winnipeg to Churchill, Little Grand Rapids, Island Lake, Bissett and other communities within the province.

The department has also other numerous government departments which share responsibility to deliver programs to Aboriginal people in northern communities, departments such as the Department of Health of course, Education, Justice and all the other government departments. The majority of the responsibility for Aboriginal people really rests with the federal government, as we both know. I would feel that a great portion of our responsibility in this department is to ensure that the federal government lives up to its responsibility. I believe that the minister has done an extremely good job at that. I think he works extremely hard to ensure that Aboriginal communities are represented fairly and properly.

**Mr. Chairperson:** We thank the critic from the Official Opposition for those remarks.

Under Manitoba practice, debate of the minister's salary is traditionally the last item considered for the Estimates of a department. Accordingly, we shall defer consideration of this item and now proceed with consideration of the next line.

Before we do that, we invite the minister's staff to join us at the table. We ask that the minister introduce his staff present. Honourable Minister, would you introduce your staff.

**Mr. Robinson:** With me is the acting deputy minister of our department, Harvey Bostrom; the Executive Director of the Aboriginal Affairs Secretariat, Mr. Joe Morrisseau. Seated next to him are Ken Agar, Director of Agreements Management and Co-ordination; Eleanor Brockington, the Director of Policy and Strategic Initiatives. These are the people that I am here with today.

**Mr. Chairperson:** We thank the minister for those introductions.

We will now proceed to line 1(b)(1) Aboriginal and Northern Affairs Executive, Executive Support, Salaries and Employee

Benefits \$642,400 on page 23 of the Main Estimates book. Shall the item pass?

**Mr. Hawranik:** I wonder, Mr. Chairperson, if we can start with a global discussion first of all. That would probably minimize my questions on a line-by-line basis.

**Mr. Chairperson:** Is there leave to start with a global discussion? [*Agreed*]

**Mr. Hawranik:** Gladstone Hospital in the Rural Municipality of Westbourne, we all know that they do not have emergency room service and more. I note that the closest Aboriginal community to Gladstone Hospital is Sandy Bay First Nation. There are 5000 residents living on that reserve. They live north of Gladstone and depend on that hospital for emergency room service. Can the minister tell me what his position is with respect to the Gladstone Hospital emergency room service, and has he consulted with members of the Sandy Bay First Nation regarding the lack of emergency room service?

**Mr. Robinson:** Being the Minister responsible for Aboriginal Affairs, I just want to indicate that I do get a lot of the inquiries with respect to basic Aboriginal issues that occur in the province of Manitoba.

I have had discussions with individuals from the community of Sandy Bay who use Portage la Prairie and the city of Winnipeg for medical appointments. I have not had a specific concern raised with me on Gladstone's hospital. However, if the member so desires, I could raise this matter with the Department of Health, and perhaps the Department of Health would be in a better position to indicate whether or not there have been concerns raised about Gladstone and the situation there. For myself directly, and my department, I can honestly say that we have not had any complaints from the Sandy Bay Ojibway First Nation.

**Mr. Hawranik:** I note from the *Saskatoon Star Phoenix*, a newspaper in Saskatoon, on May 13 of this year, an article appeared with respect to Aboriginal health. The headline read: Native health is a national shame. It indicates that Aboriginal health is a national tragedy, says the president of the Canadian Medical Association. There was a doctor present at that meeting. He

said that the Aboriginal population's high rate of diseases such as fetal alcohol syndrome, cancer, diabetes, drug addiction and alcoholism must be addressed by partners working together. What he meant, in terms of partners, was the Province of Manitoba, of course, and the Canadian government. What is the minister planning to do with Aboriginal health issues on Aboriginal reserves? Has he consulted with the federal government? Has he consulted with the Aboriginal reserves? What plans does he have to improve Aboriginal health?

**Mr. Robinson:** Indeed, the member raises a very important point. It is unfortunate, the statistics that do exist with respect to the health of Aboriginal people, generally, in the country of Canada but, more specifically, in the province of Manitoba. I believe I described briefly in the opening remarks about the efforts that we are making in the Island Lake area. One of the areas that there is a huge concern about is in the area of the number of people that require dialysis treatment. The unfortunate incident that has occurred with the Island Lake communities, the four communities, Wasagamack, Red Sucker Lake, Garden Hill and St. Theresa Point—I am using that area as an example because of their substantial population. There are only nursing stations within that area, and I represent those four communities as well in the Manitoba Legislature.

It has been a great concern to our Government prior to being government, and then assuming office in 1999. One of the efforts we are embarking upon, and certainly this department has representatives on there.

I think the attitude that we have taken is that these people, yes, they are the primary responsibility of the federal government, but indeed they are Manitobans as well. We must make every effort to ensure that opportunities are given to them to have accessibility to doctor's care, to have accessibility to a hospital. The initiative that we are currently proceeding with is establishing a dialysis unit in the community of Garden Hill, as agreed upon by the four Island Lake communities.

We are also looking at expanding improved health care services in the region. We need to look at that extensively. We need to take that

seriously. We have a number of people that have been afflicted by diabetes. Unfortunately, many friends of mine have lost limbs as a result of this horrible illness that is predominant in many Aboriginal communities. We have to establish those partnerships. One good example of that has been with the initiative in Island Lake where we have been able to forge a relationship with the federal government, the First Nations and the Province of Manitoba in addressing that problem in an appropriate way.

There are other areas of Manitoba, of course, that require attention, the more remote communities of this province. There are unfortunately a number of people in those four communities that I just described that have had to relocate to the city of Winnipeg in order for them to receive dialysis treatment.

Other areas that require attention, of course, are personal care homes, where elders have had to be sent out of their home communities, and, unfortunately, face loneliness as an everyday reality in some other area that they are not familiar with. Sadly and regrettably, loneliness has set in, and many of these old people, these elders, have had to die in these facilities far away from their loved ones.

So we have to think sometimes outside of the jurisdictional box. First Nations people in this province have to be dealt with as other Manitobans and given accessibility to health care, one, and, secondly, to be treated not as second-class citizens but, indeed, important people in the province of Manitoba. So we are trying to work with communities such as Island Lake but other communities as well.

Later on tonight, I will be in the Interlake to meet with a First Nations community that has got a substantial population. Health care is one of the issues that they have as a great concern to them. We are trying to do everything within our power as a provincial government to facilitate some dialogue with the federal government to begin addressing these issues that have been long overlooked.

We realize that there are the jurisdictional concerns. However, I think that there are some things that we can do at the same time.

**Mr. Hawranik:** Some of the staff members at Sagkeeng First Nation Personal Care Home have

been calling over the last few months concerned that it appears that the personal care home in Sagkeeng will have to comply with provincial standards with respect to care homes in Manitoba.

Is there an effort by the federal government to turn over responsibility of personal care homes to the Province at this point?

**Mr. Robinson:** One of the areas that we are deeply concerned about, and I have yet to have the opportunity to talk to my colleague about this in greater detail, is certainly the First Nations Governance Act that was recently tabled by the federal minister. Although I have not had the opportunity of studying this bill in any great detail thus far, one of the areas that deeply concerns me is the further offloading of federal responsibility onto provincial governments. This is one area that we are monitoring. We are currently doing some work with respect to having our Government do an analysis of the federal bill that was recently tabled in the House of Commons. We want to read through that, realizing what my—

**Mr. Chairperson:** Order, please. The hour being 6 p.m., the committee rise.

## AGRICULTURE AND FOOD

\* (16:30)

**The Acting Chairperson (Mr. Doug Martindale):** Will the Committee of Supply please come to order. This section of the Committee of Supply meeting in Room 255 will now resume consideration of the Estimates for the Department of Agriculture and Food. We are currently considering item 3.1. Administration and Finance (b) Executive Support.

The floor is now open for questions.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Chair, I would like to proceed with some statements in regard to agriculture today and some questions around a number of issues. I think that the Member for Emerson (Mr. Jack Penner), our critic for Agriculture, certainly has raised the issue of the Agricultural Policy Framework, I think, a little bit, with our minister in some of these discussions. But I just wonder if the minister could give me a bit of an overview

on where she left off in her answers in regard to the issue of the Agricultural Policy Framework that is being further developed in Ottawa.

**Hon. Rosann Wowchuk (Minister of Agriculture and Food):** Mr. Chairman, with respect to the Agricultural Policy Framework agreement, the member is aware that I indicated previously that, prior to going to Halifax for a discussion on the Agricultural Policy Framework, I had discussions with producers from various groups to discuss the information that we had with regard to the Agricultural Policy Framework. There was concern on the part of the producers in a few areas. In particular, they were concerned about the lack of flexibility in the document that was first put forward. They were also concerned that there was no analysis done of what the new programs would look like. There was concern that we were moving to two programs rather than three. Some people had a concern that changes would mean there would be no CFIP program.

The producers that I met with and their organizations indicated that they did not think it would be a good idea to sign the Agricultural Policy Framework until we got some changes. I told them that I would not be signing; I would be coming back to talk to them after we had the discussion. That is what has been happening since coming back from those meetings. We have been having discussions with producers about some of the changes in the framework agreement, and we continue to have those discussions with producers to get their full input.

**Mr. Maguire:** Mr. Chairman, could the minister give some indication of what kind of a process, what length of process she believes she will be going through in that regard? I know some groups have given her their indications, written letters, that sort of thing to her in regard to responses about the position of the federal government and the lack of signing the agreement at this point for Manitoba producers. I wonder if she could just indicate if she has in fact a formal process. I just wanted to know whether there is any formal process she will go through to develop a position in regard to that, as well.

**Ms. Wowchuk:** Mr. Chairman, as I indicated in my previous answer, producers asked that we have discussion with them. They raised concerns about details of programs, and I have indicated to producers as we move forward in developing the programs under the Agricultural Policy Framework that they will be fully involved. There is a safety net committee, both federally and provincially. Manitoba is represented at the federal level by producers. There is a provincial advisory committee on safety nets, and there will be consultation with them as we move forward.

I had indicated that I would have consultation with producers and I would also have discussion with my colleagues and caucus and follow the process that normally is followed as you move forward on a new program, and we are in that process right now.

**Mr. Maguire:** Mr. Chair, the minister has indicated that Manitoba has formal producer representation on the task force dealing with federal programs on farm safety nets and restructuring of it, and I wonder if she could indicate who those producers are in Manitoba.

**Ms. Wowchuk:** Mr. Chairman, the committee that I referred to is a federal committee that Manitoba has representation on. The co-chairs are Mr. Doug Hedley, who is a staffperson within the federal Department of Agriculture, and Mr. Bob Friesen, who is the president of CFA.

Manitoba's representatives on the committee are Mr. Weldon Newton, and I know it was Mr. Bill Vaags, but I do not know whether Mr. Vaags continues to be on that committee or whether he has been changed. But it is the federal government that makes the appointments to that committee.

**Mr. Maguire:** I was aware that it was a federal committee, Mr. Chair, and I thank the minister for her indication. I know she also said that she has a process, and I was wondering what formal process she will use in consultation with Manitoba farm groups to gather their opinion in regard to her not signing the Agricultural Policy Framework.

**Ms. Wowchuk:** The member asked about the provincial Safety Net Committee. This is a committee within the province. It is made up of about 25 representatives from a variety of producers and organizations across the province and it is chaired by people in the department.

I want to tell the member that we had discussions with a variety of people, a variety of groups, prior to going to Halifax and meetings since going to Halifax, and as we begin to negotiate the bilateral agreements on what the safety net program will look like, we will certainly have input from our Safety Net Committee.

**Mr. Maguire:** I guess I was not referring to so much the Safety Net Committee that the minister has indicated that has some 25 groups set up on it. Maybe I should first ask: You have just had a minister's meeting with federal Minister Vanclief, and, of course, they laid out the Agricultural Policy Framework that you have been working on with him for some time. I guess I am wondering when the next meeting will take place between provincial ministers and the federal minister on this issue as well.

**Ms. Wowchuk:** Mr. Chairman, there is no minister's meeting set right now because staff is working on issues. The next meetings will be bilateral meetings that we will have between the federal government and the Province, and we have no date for when we are going to be having a meeting at this time.

\* (16:40)

**Mr. Maguire:** I understand that the money in a lot of these areas will not begin to flow until April of 2003 anyway, Mr. Chairman. But I would impress a need upon the minister to move on this to try to elaborate with the farm organizations and different groups that she is relying on for information on how to proceed with the federal government to come up with a process. I was not asking so much of who all was on the 25-member provincial safety net group that we have in the province. She did indicate just now that she has spoken to them and to others prior to going to Halifax to meet with the federal minister.

The federal minister has indicated that he is still open, that the provinces that have not signed on, nothing is really closed out yet, that there is a chance for the ones who have not signed to come on stream. So I guess I am wondering: Has the federal minister given you any time line around that? Is there a time frame when the minister feels that it would run out, that the good will for the federal people would actually run out in regard to Manitoba's participation in the federal APF program?

**Ms. Wowchuk:** The member indicated in his comments that money would not flow from this Agricultural Policy Framework until 2003. On the safety net portion of the program, that is exactly what we are working on. We are working on the safety net programs for next year.

So there is time to work through those because the safety net programs that we have in place this year will be in place for this year. Those are not changing. But we indicated when we at the ministers' meeting that we were not signing. The federal minister did not hold any grudges about that, he understood that there were some provinces that were not able to sign. He made it very clear at the news conference that this was an open agreement and that those ministers who had to go back to their provinces and have further discussions with Cabinet and with producers, they had that time, and that is what we are doing.

We are taking the time to talk to our producers, to talk about what they see as the type of programs they want. There are other issues that they want addressed and we are having that discussion and we will continue to have that discussion, but the agreement is open and we will continue to work to come to a position where we can then address the concerns of the producers and then take the steps to sign the agreement.

**Mr. Maguire:** There are a whole lot of issues around this that the minister is raising, more questions than I am getting answers. I know it is a difficult deal, this whole process that she has been having to work through; but, Mr. Chairperson, I guess I would have to ask the minister about the process that she is using.

Who is she meeting with in Manitoba? How soon does she expect to be able to get their cohesiveness or at least their answers as far being able to meet with everyone that she wants to meet with, at least? I would think that this should be the number one issue in her priorities right now, if I could say, because I know we have flooding in one corner of the province and still virtually drought in another corner of the province. I would raise with the minister that this is an issue of paramount importance in regards to her being able to make decisions with the openness of the federal government at this point.

I would again ask her: Does she have a process in place in regards to meeting with the farm groups other than the provincial safety net group that she has indicated, because she indicated there were others outside of it? I guess, first of all, I would wonder who they are that she would meet with and what process does she have to come up with a consensus.

**Ms. Wowchuk:** Mr. Chairperson, before we went to Halifax, we had a discussion with producer groups. They asked us to come back and consult with them, fill them in on what had happened and that is what we have done.

I have met with the producer groups and we have met with Keystone Agricultural Producers and some of the groups that are part of Keystone Agricultural Producers: Manitoba Pork Council, the Manitoba Cattle Producers, Manitoba Milk Producers and I have had discussion with them. So I have had consultation and now we are going through the internal process that is required of government to move it through the process and then we have to have further discussion and communication with the federal government.

**The Acting Chairperson (Mr. Doug Martindale):** Excuse me, members of the committee, I am advised by the Clerk of this committee that, due to technical problems in the other committee room, we need to shut down for five minutes while they try and fix the system.

Is there agreement that we shut down the committee for five minutes to accommodate Hansard and their technical problem? Is that agreed? *[Agreed]*

*The committee recessed at 4:48 p.m.*

*The committee resumed at 4:58 p.m.*

**The Acting Chairperson (Mr. Doug Martindale):** The Committee of Supply will please come to order. We will continue with questions.

**Mr. Maguire:** I was just asking the minister about whom she met with and where those meetings, well, I do not care where they took place, whom she met with in regard to producers in Manitoba. I understand then that she would take that internally. I assume that she has met with all the groups she wants to at this particular point or with those who have expressed a wish to at this point in regard to making some of your internal decisions before we get back to our federal counterparts down there.

**Ms. Wowchuk:** Yes.

**Mr. Maguire:** I have some other questions that I want to ask in regard to some particular issues in areas of Manitoba. It will take me a few minutes to do that, and I may come back at some other time to ask a few more questions around this whole Agricultural Policy Framework issue. But I guess before I do leave it, I would like to ask the minister, well, first of all, how she feels the process is going with the federal government in regard to the whole \$5.2-billion package, whether or not she buys into it.

Before I get to some of her concerns she may have with it, I think a number of provinces have signed on to it. She indicated earlier that a number of them have, that a number of them are still in negotiations. Can she give us any indication of—you know, there are some provinces that have signed right on to it. There are others who have initialed it and some walked away.

\* (17:00)

She indicated that there was still room to manipulate and work with the federal government, so can she explain the difference between if she was not prepared to sign the deal, why she did not at least initial it and leave a little bit more hope for Manitoba producers rather than walking away from the meeting. Maybe her answer will be that that was just a better

bargaining tactic, but can she explain the difference to me?

*Mr. Jim Rondeau, Acting Chairperson, in the Chair*

**Ms. Wowchuk:** I want to make it very clear for the member that he is talking about walking away from the agreement being used as a tactic. That is not what happened at all.

I left Manitoba after consulting with producers with a message from our producers, and that was do not sign this agreement now. There is not enough detail here. We have some concerns. We have concerns about flexibility. We have concerns about not enough detail on what the programs are going to look like. Producers asked me to go to Halifax, raise their concerns, try to get some changes to the framework agreement and then come back and have discussion with them, and that is exactly what we did.

Some people signed the agreement. The member is right. Some people initialed the agreement and still had to go back to their cabinets and their governments to get approval. When I was in Halifax, I told Mr. Vanclief very clearly prior to the meeting and during the meeting why it was we could not sign at this time. He did not consider it as someone walking away. He recognized that I had made a commitment to producers and that I still had to take this agreement back to Cabinet.

He made that very clear, when he did his news conference, that there were a variety of positions that people were at and a variety of stages that people were at. He accepted that, and that it was an open agreement, and when we were ready, when we had had the kind of discussions and the kind of approval that we needed from Cabinet and government, then the agreement was open. So I would hope that the member would not be saying that I should have signed when the producers of Manitoba were directing me to come back and have further discussions with them.

**Mr. Maguire:** Mr. Chairman, I guess we heard very clearly that farmers in Manitoba felt that if there was any kind of trade injury over the

American trade policies and those sorts of things, that the minister would be quite within her right not to sign on to something like that. But this has very clearly, and I would say strategically and very tactfully, been done by the federal minister to say that this has nothing to do with trade injury compensation.

So, having seen the clear distinction between those, can I ask the minister to comment as to why she did not sign on to this deal, given the fact that it has nothing to do with trade injury compensation for subsidies in Europe or the United States?

**Ms. Wowchuk:** Mr. Chairman, I did not sign the Agricultural Policy Framework agreement because producers in Manitoba had concerns with it. They had concerns about flexibility. They had concerns about details of programs. The producers of Manitoba asked me not to sign the Agricultural Policy Framework agreement until such time as I raise the issues, the sections that they had concerns with, and they asked that I bring those changes back to them and have discussion with them before we signed on to the agreement, and that is what I did.

**Mr. Maguire:** Mr. Chairman, the minister must have obviously known what she was being asked to sign before she went. Did she have that kind of conversation with those groups on the spur of the moment in Ottawa, or were there any changes in the agreement when she got there from what she had received prior to it? I would assume she had received something prior to it if she had had discussions prior to going.

**Ms. Wowchuk:** Mr. Chairman, this has been a very long process in setting up this Agricultural Policy Framework agreement, and there have been many, many drafts of the agreement and many suggestions of what our safety net programs might look like. The member may remember that on December 10, the federal Minister of Agriculture floated out the idea that we were not going to have any more crop insurance, we were not going to have any more NISA; we were going to have an enhanced CFIP program. Of course, producers reacted very strongly towards that, and then there was a different program. So, since December, there have been a variety of ideas of what safety net programs would look like, and there was this

Agricultural Policy Framework agreement that continued to be negotiated on and changed.

I can tell the member that I believe we met on the Wednesday or Thursday before going to Halifax, and we had a draft of the agreement. We went through it with producers, and producers outlined areas of concern, particularly the flexibility in the agreement and the removal of some programs. We then got another draft. I think there was a draft on Monday, and there was a draft on Tuesday, and the meeting started on Wednesday. So the drafts kept changing. So there were concerns that the producers had when we met with them, particularly about the kinds of restrictions that were being proposed in the framework as to what the programs would look like, and that was being restricted to crop insurance and NISA. That was a big concern for producers, and that was why they asked me not to sign the agreement.

During the process of the meeting, there was an amendment made to section 18 that allowed all existing programs to be considered as base programs. That was a pretty significant change. But I had agreed with the producers here that we would negotiate those changes, but we would want them to have time to look through it before we signed on. Because we had the flexibility with the federal government to sign on after our producers were comfortable with it, that was the reason that we did not sign on. I can tell the member that we still continue to work through this, but, ultimately, we work through the framework, and then, as we work through the bilateral agreements on what the programs will look like, then I will continue to consult very closely with the producers because, ultimately, those programs have to work for our producers, and I want them to have input into it.

**Mr. Maguire:** I appreciate the minister's difficulty in trying to come to a consensus or a conclusion on this issue. I guess we have had differences and discussions in Question Period in regard to the thoughts on this issue and leaving Manitoba farmers out of the loop, but I guess there is concern, obviously there is concern about basically the package of safety nets that the federal government is wanting to deal with, wanting to make changes in. Can the minister indicate then whether or not, for 2002,

they are continuing with the same CFIP program?

**Ms. Wowchuk:** CFIP applies to the 2002 crop year and will continue to be in place for the crop year.

\* (17:10)

**Mr. Maguire:** Can the minister indicate to me how soon she expects some of the \$600 million that was put in place for this year and next year to be used and what kinds, and can she outline the mechanisms that it will be paid out on?

**Ms. Wowchuk:** The \$600 million that the member refers to appeared on the table because of lobbying by Manitoba and Saskatchewan. In fact, when we were at our last minister's meeting, other provinces were not supportive in our lobbying for trade-injury money. But Mr. Vanclief said, when the U.S. farm bill came out, that he recognized there was trade injury, and there was going to have to be some kind of support for producers to bridge them through this U.S. farm bill. I am pleased that they have put \$600 million on the table for the next two years, although I wish it was for a longer period of time because the U.S. farm bill extends for five years or six years, and that will have an impact on our producers. Mr. Vanclief, in his comments, has indicated, as have others, and I should go back to what we said. We said that the U.S. farm bill was hurting the grains and oilseeds producers more than any other sector, and the support that the federal government put forward as trade injuries should be targeted to the area where the hurt was. Mr. Vanclief talked about targeting it to the hurt.

When we were in Halifax, we asked Mr. Vanclief how the money was going to flow. He has indicated that he would like to see the money flow by this fall, but they have not determined what formula they will use to flow their money. I do hope that it will be targeted to those places, into those areas that we have had the most injury and that is in the grains and oilseeds sector. But there is no detail yet as to how the federal government intends to flow this money.

**Mr. Maguire:** I appreciate it. I am going to switch to another topic here, but I have one last question. If the minister does not buy into or

even initial some of the discussions that are ongoing in Ottawa at the present time, how does she expect to have any influence with the federal government in regard to how and when those \$600 millions, the two packages of \$600 million are to be paid out?

**Ms. Wowchuk:** Mr. Chairman, there are discussions going on at the official level and there is going to be a meeting of officials early in August here when officials will work to determine how "hurt" should be defined and also work on what the delivery mechanism will be. So those things are happening now. I do not want the member to feel that there is something being held up because we were not able to sign on to the agreement at this time. There was a clear understanding with the federal government, and our officials and officials from other provinces will be meeting early in August to determine those issues.

**Mr. Maguire:** Just a final on that, then, Madam Minister. That will be at the deputy minister's, assistant deputy minister's level, or is that at the farm group level?

**Ms. Wowchuk:** The national Safety Net Committee, which I discussed with the member earlier in our discussions, will be meeting next week to talk about these issues and then the ADMs will be meeting early in August to have further discussions to look at how "hurt" can be defined and at various delivery mechanisms.

**Mr. Maguire:** I will now have to switch off. I know there are other members here who would like to ask some questions today as well, but I have one, Madam Minister, that I have to ask in regard to the differences of climatic conditions in the province of Manitoba.

While I know that water is a topic on everybody's mind because it is flowing everywhere here in eastern Manitoba and southeastern Manitoba, I want to assure the minister that I am still getting phone calls in southwest Manitoba in regard to programming for hauling water and filling dugouts. In fact this week I have had two calls from farmers who have indicated that if there is nothing in place by August they will have to sell their herds.

There has been in some areas up to eight inches of rain around the Boissevain area that

has actually had more runoff from those showers or heavy rains than have actually flowed out of the Turtle Mountains and filled some dugouts on the south side of Whitewater Lake. But north of that area stretching across through north of Deloraine up to around the aquifer, Oak Lake aquifer, to the west side of Tiltson, Sinclair, Reston, in that area, there are dry dugouts, and some pastures in that area are pretty devastated at this point.

I am hesitant because the last time I asked a question about drought in the House we got 10 inches in eastern Manitoba, and I am not asking for that. I will not put that on the record, Mr. Chairman. But I do just have to raise the issue because the farmers in that area are very, very concerned about their livelihood. They know that they can go to PFRA and they can get the equipment and everything to pump it at \$600 a day for the first day, for the first 24-hour pumping period, \$300 thereafter. This is not too bad if you have to pump water a mile or a mile and a half.

But this particular farm indicated to me the closest they felt they could get any kind of water to pump would be four to four and a half miles from the Chain Lakes area, north of Deloraine. They were asking for some kind of support or program just to see if the minister had considered anything in Manitoba around the old trucking water programs that might have been in place in the late eighties or any kind of programming with PFRA.

**Ms. Wowchuk:** I want to let the member know that I am aware of the climatic conditions, and I have to tell the member that some of those same conditions exist in the area where I live, although probably, maybe not to the same extent with water, but there is a real concern with the amount of moisture and the impacts on the crops with the weather that we are having right now.

The member talked about being afraid to raise this issue. It is interesting because we had been putting together a drought strategy committee, and the drought strategy committee had been meeting, and all of a sudden we were talking about flood strategy and how we deal with people in a different part of the province. Manitoba is a very unique place. It is not very many places that you can be dealing with

flooding and drought at the same time. It is an unusual year.

\* (17:20)

But I can tell the member that the drought strategy committee is in place, has been working and continues to work with producers monitoring the situation, working with PFRA, working with the Water Services Board and looking at how we can move water into those areas. There is also an issue of feed supply, and the department is working very closely on that one, as well, with producers.

But the member asked a specific question about whether or not there was a trucking water program in place. There is not a program that is in place now. What we are doing is working at pumping water and helping producers in the area in that sense and monitoring the situation very closely.

**The Acting Chairperson (Mr. Jim Rondeau):** Before I recognize the Member for Arthur-Virden (Mr. Maguire), I would remind all members of the committee that we are dealing with the Administration and Finance, Executive Support, and we should be asking questions that pertain to that subject matter.

**Mr. Maguire:** I was not suggesting for a moment that we take the support for these programs out of the Executive salaries, Mr. Chairman, not at all.

I think the Member for River Heights (Mr. Gerrard) would like to ask some questions here as well, so I would just like to ask the minister, if I could: What would her advice be to some of those farmers who are calling then? They will keep the receipts, I assume, for income tax purposes. That is a direct expense to them. That is their concern that it is a high cost here at this particular moment.

I am wondering if her advice to them would be to at least keep them. Obviously, you are going to have to, in light of the fact that, if the drought committee is still meeting or in place, they would be considering, maybe, keeping them so that they could apply to a program later on.

**Ms. Wowchuk:** I guess I want the member to know that we continue to work on an individual

basis when farmers have issues to try to resolve those issues. Of course, I would always advise people to keep their receipts, because that is just an important practice to have. We will continue to work with producers on an individual basis and monitor the situation.

Just following on the recommendation of the Chair, I wonder if we want to move into different areas, if we could pass Executive Support and then move into the other areas that the member wants to ask questions on. That would be helpful for the Chair and for the committee if we could pass one area and then move into the other.

**Mr. Maguire:** Obviously I am just going to close that round, that formal questioning then, Mr. Chair, by asking the minister if, when I indicated earlier that some of these groups were looking at selling cattle, obviously their first priority would be to try and get water and have some water pumped or whatever in their dugouts. But however the water gets there, they are just looking for some help in regard to doing that, sustaining their investment.

The second thing they were asking for was a program similar to what Alberta set up a year ago, I guess, that if you have to sell your herd that you would not have to pay the taxes on it and you would have an opportunity within a couple of years to buy your herd back in again. That was a request that I have had as well. I just wanted to pass that on to the minister as well.

**Ms. Wowchuk:** Mr. Chairman, I have to agree with the member that producers do not want to have to sell off their herd. But, if the situation becomes desperate, as it has in some areas, producers will make those decisions. If their feed is not available, if water is not available to the full requirement, they are going to reduce their herds. In some places, Alberta in particular, they are being reduced at a much greater rate than here in Manitoba.

Last week federal Minister Goodale announced that, in order to assist producers who have been forced to sell all or part of their livestock breeding herd due to extreme drought conditions, the Government of Canada will

allow accelerated tax deferral designations for the 2002 tax year. The income tax allows the farmers in designated regions to defer a portion of their sale proceeds to the following year, and we are working on that. There have been some municipalities that have been designated, and it is still open, more municipalities can be added to it. But this is earlier than it has ever been designated before, so there will be further areas that will be designated. So I think that that addresses the concern that we have.

Again, as I say to the member, we are following that very closely, and we want to work with producers. The designation is a federal designation on the tax deferral and they have begun that process. I believe that it will be there for some of our producers as well, as those areas are designated.

**Mr. Maguire:** I appreciate then, Madam Minister, that Manitoba would therefore, once the federal government declares it as a designation, guess I take a little solace from that fact. The federal government may need a fairly large area, and I know that it is a designation in our region that may be municipal jurisdictions or may be municipality by municipality.

So I appreciate that and would look forward to supporting her on some kind of a program, if there was one in that area, I think, the same as we have tried to work on the problems of the flooding in southeastern Manitoba here in this particular season, as well.

With that I am going to just say that we could proceed with a few more questions from my colleagues here. I know we are not prepared to go and pass the Executive package there at this point today, but I will leave that with my honourable colleague here, I believe, from River Heights, who has a few questions—[interjection] No. So has my colleague from Ste. Rose. So thank you for clarifying the concern around that issue, Madam Minister.

**The Acting Chairperson (Mr. Jim Rondeau):** The honourable Minister of Agriculture and Food, to reply.

**Ms. Wowchuk:** The member was asking about some areas might having to be too big, and I believe it is by municipality. Again, that will have to be monitored very closely, and our staff is working with producers. Should we have an area that has to be designated, then we will have that discussion with the federal government.

**The Acting Chairperson (Mr. Jim Rondeau):** The Member for River Heights. Your questions are on the Administration and Finance.

**Hon. Jon Gerrard (River Heights):** Yes, and the responsibilities that the minister has relative to financing agriculture.

My understanding is that the minister has done some analysis of the impact of the U.S. farm subsidies and an estimate of about \$345 million a year has been put forward. I understand that about \$250 million of this is from the previous level of farm support and about \$95 million, or perhaps more precisely, \$96.7 million is on the additional estimated impact as a result of the latest U.S. farm bill. Is my understanding correct?

**Ms. Wowchuk:** Mr. Chairman, the 250 was the number that was worked out based on the amount of subsidy that was being provided under the EEU and previous U.S. farm bill, and that came to about \$1.12 a bushel for wheat and \$1.44 for soya beans and about 56 cents for corn. So, based on that, that is where the 250 comes from. We did some calculations before we had full detail of the U.S. farm bill. If you look at everything, if you look at the impact of the country of origin and all of those things, we think that the impact is in the range of the 345, between 250, which we knew earlier, and the 345 that we have calculated now. So that is the range of the impact.

**Mr. Gerrard:** I just wondered if there has been any adjustment of that number, given the rising price of Canola, for example, and better understanding of the impact of the trade bill and the current markets.

**Ms. Wowchuk:** Certainly, we have seen an increase on the markets on some commodities. Particularly in Canola and wheat, there has been some increase in the prices. I certainly hope

those prices continue to hold and continue to rise so that our producers can get a fair return from the marketplace, but we have not done a recalculation because the crop is not in yet, the crop is not sold yet, and we do not know where those prices will be when the crop is in and when it is sold. So those are the numbers that we started out with. Based on the information that we had and the number that the farm groups came up with through their calculations, based on numbers coming from the federal government, was a loss of \$1.3 billion. So those are still the same numbers that we are working on.

**Mr. Gerrard:** When we are looking at need this year, one of the things which has come up since the initial discussions is the circumstances in southeastern Manitoba. I wondered if the minister had any estimates of the extent of loss in value of crops as a result of the heavy water and rains and so on in southeastern Manitoba.

**Ms. Wowchuk:** Mr. Chairman, there is no doubt there will be some crop losses in southeastern Manitoba, but it is very difficult to determine the amount of those losses. If you have an area that has been reseeded or has been cut down for hay then you can estimate on what that loss is. I could start to throw out numbers and say, well, I think it is so many millions dollars in one direction or another direction, but it is just too early to make that estimate of what the losses will be.

I can recall in the flood in the Red River Valley when the thought was that the losses were going to be substantially higher than where they ended up because there was recovery of some of those crops. I am hoping we will have that kind of recovery again. The Crop Insurance people are out there working on a daily basis assessing claims and working with producers, but I cannot put a figure on what those losses might be until the harvest is done.

**Mr. Gerrard:** I guess we need Cora Hind, or somebody like that.

I would ask the minister, back in earlier discussions there was recognition that there was a possibility of using as part of the way of structuring the delivery of farm support CFIP, or now we are talking \$600 million this year, to farmers who have particular needs. I think if I remember right the minister herself has talked about this and whether this is on a geographic or

other basis. So I would suspect, because of circumstances where there may be extra heavy losses in southeastern Manitoba, that it may be quite likely the farmers in that area who have the heavy losses and the high level of need may benefit disproportionately from the \$600 million. Does the minister have any indications?

**Ms. Wowchuk:** Mr. Chairman, the kind of losses producers are facing in the southeast part of the province are the kind of losses that crop insurance is set up for, to offer that kind of protection.

The issues of the trade injury, the money that is on the table is money that was asked for by Manitoba and Saskatchewan to address the impacts of trade injury. We had a long discussion and raised it many times with the federal government about their responsibility to address the impacts of trade, because the federal government has the responsibility of trade, and that is the money that has been put forward now by the federal government.

The federal government has not given any detail. We asked the question when we were in Halifax about how they intended to pay this money out. At that time they talked about targeting to hurt, but no details are spelled out yet. There is going to be a meeting in early August where officials at the ADM level will be meeting with the federal government to talk about how the money should be paid out and where it should be targeted. They will be trying to define hurt at that time. It is a pool of money that was identified after the U.S. farm bill came forward. It was recognized that there was a need for more support to producers because of that to address the trade injury of the U.S. farm bill.

\* (17:40)

**Mr. Gerrard:** I pass to the Member for Ste. Rose (Mr. Cummings).

**Mr. Glen Cummings (Ste. Rose):** Mr. Chairman, I have some questions in the area of the elk industry and the capture of elk and the distribution of elk that have been captured. The Government, I understand, currently holds a number of captured elk and the offspring of captured elk and is paying room and board, as it were. I understand the reasons, sound reasons for

continuing to hold these elk until they are satisfied of their health status. I wonder if the minister could indicate how many are currently being held.

**Ms. Wowchuk:** There are about 237 animals, not counting calves. There are probably about 50 calves; 237 plus calves that are being held at this time.

**Mr. Cummings:** That is a substantial number. Has there been a capture since change of government?

**Ms. Wowchuk:** No.

**Mr. Cummings:** Is the status of these animals still in question, or are they continuing to be held because there is opposition in the industry to release them?

**Ms. Wowchuk:** Mr. Chairman, CFIA has not given us the approval to release those animals.

**Mr. Cummings:** Their concern is then that they still believe they have some unclear test results?

**Ms. Wowchuk:** All I can tell the member is that the federal government has not given us clearance to release those animals.

**Mr. Cummings:** Does the minister intend to follow the same lottery-style distribution of these animals if and when they are released?

**Ms. Wowchuk:** Mr. Chairman, we have made no determination as to how we are going to distribute these animals because we have no clearance from the federal government and we do not know when we will get clearance from the federal government to distribute them.

**Mr. Cummings:** Is the minister receiving advice from the industry against releasing them, or will it be a foregone conclusion that if CFIA agrees to their health status that they will then be released to the industry?

**Ms. Wowchuk:** I would have to tell the member that there has been no decision made about what will happen to those animals, how they will be distributed. It is open to all options. We have not made any decision because we do not have clearance from the federal government. Until

such time that we get clearance, then we are not going to make any decision on that, because there is no sense making a decision on something that you are not sure about, and we are not sure when this is going to happen.

**Mr. Cummings:** Well, I am a little concerned with the minister's answer because I think every attempt was made in the early going to try and be fair in terms of start-up opportunities across the province. I can understand that the minister is reluctant to commit to a process. On the other hand, I could read between the lines and believe that she does not embrace the process that was used before.

The minister has basically already answered that question, but I have some fairly specific questions about one group that has been captured on the east end of the Riding Mountains. That is a pretty disease-free area, and yet some of them were moved to the southwest corner of the Riding Mountains which is an area known to be infected with tuberculosis.

No area has got a perfectly clean bill of health. I am puzzled why a number of animals would be taken from the east end of the Riding Mountains in the McCreary area where there have been no cattle interactions that have produced reactors that I am aware of and there has been no strong reaction that I am aware of among the herd itself. Even if there was, I have difficulty understanding why a major number of that herd would have been moved to another location, particularly when that other location was short of feed, as I am told, and close to areas of known reactors and wild animal contamination with tuberculosis. Is there a reason the minister is aware of why that rather dramatic move would have been made?

\* (17:50)

**Ms. Wowchuk:** I want to go back to the starting comments the member made about my not favouring the system of allocation that was used previously. I want to let the member know in fact we have just recently finished using that same model to disperse the animals that were at Grunthal. So I would encourage the member not to read any preconceived thoughts into what I have said. The method that was used previously

was used in Grunthal, but we have no clearance to move any further animals. That is why we are not making any determination about dispersement until we have that clearance.

The member asked why the herd was moved from one area to the other. As it was, we were buying feed in two areas. It was felt that it would be a better situation if all the animals were in one area where we could purchase feed in one area and all the animals could be tested in one area. That was the decision that was made and that is why they are at one site now.

**Mr. Cummings:** First of all, I thank the minister for the response on the method of distribution. In fact if she has been willing to use that method in the current redistribution then that is fine by me. I suspect the chances are pretty good that she would use it again and I thank her for that answer.

In relationship to the moving of animals between the two areas I referenced, is the minister saying there would in fact be a saving, or might it possibly have been more expensive?

**Ms. Wowchuk:** It is the assumption there will be savings. If you are handling animals at two sites versus one, you are hauling hay to two sites versus one, there are additional costs, and it was the assumption that it would be less expensive to hold the animals at one site.

**Mr. Cummings:** Well, unless I am misinformed, there are still elk at the first site. So it indicates that herd is not entirely moved, that there are still some behind. Are those only the elk that the operator might in fact have title to?

**Ms. Wowchuk:** Yes, that is right. Those are the ones that the owner—the member is referring to Chotka and they are being held on his farm. Those animals are being held at his expense. The Government is not paying for the feed of them, and those animals, as well, have not been cleared by CFIA, but, if they are cleared, will belong to Mr. Chotka. He wanted to keep those on his farm, and he is paying the costs. So that is an advantage to us because, had we moved them, we would be paying the costs for those animals.

**Mr. Cummings:** Well, then, without revealing any privileged information, does the department

pay a per day board or do they pay costs plus on the handling of these animals? If they are paying cost plus, then there might be a saving to moving them. If they are paying a daily board and having the owner supply the feed, then there is no advantage.

**Ms. Wowchuk:** Mr. Chairman, we are paying a boarding fee, plus we are buying the feed. It is the department's view, by doing it this way, it is cheaper than the way they were being held before.

**Mr. Cummings:** Well, I have a reason for asking this. I am quite prepared to put my reason on the table, and that is that Mr. Chotka was one of the few co-operating operators out there who was able to make the beginning of the elk industry happen with a minimum of fuss and bother and had a fairly successful capture. I find it puzzling why, on very short notice, a trailer showed up and said these animals are being moved. Was there a disagreement over the price, or was he offered any opportunity to be competitive on the price of holding them?

**Ms. Wowchuk:** Mr. Chairman, the department and staff that are dealing with this particular issue decided that, by consolidating the herd, it would be easier to manage the herd when it came to testing and moving feed. That is why the decision was made to move them to one location. In fact, the department would have moved Mr. Chotka's animals there, as well, but Mr. Chotka said he would like to keep his animals on his property. It had nothing to do with the type of arrangement that could be made. It was the desire to consolidate all of the animals at one location so that it would be easier handling and less travelling.

At the same time, Mr. Chairman, I would like to take this opportunity to introduce Mr. Bill Steeds, who is from the Animal Industry Branch, who is dealing with this issue.

**Mr. Cummings:** Well, thank you for that. I am not questioning the cognizance of your officials. I am questioning, however, the wisdom of moving animals from a low-contamination area of the province to an area that is known to be contaminated. I am not trained as a veterinarian, but I have had cow manure on my boots since I

was little, and I do understand, I think, the risk that is associated with that. I wonder if the minister can comment on that.

**Ms. Wowchuk:** Mr. Chairperson, for the purposes of CFIA, Riding Mountain is one area. It does not matter whether they are in one location or another location. CFIA will consider the Riding Mountain area as one area. In fact, that has been very good work on the department to get this down to one area rather than having all of Manitoba considered a TB area. So if there was a test that came positive in any of these animals, all the animals from Riding Mountain would be treated equally. It would not matter at which location they were being held.

**The Acting Chairperson (Mr. Jim Rondeau):** The hour being six o'clock, the committee will rise.

## JUSTICE

\* (16:30)

**Mr. Chairperson (Conrad Santos):** Will the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with Estimates of the Department of Justice.

Would the minister's staff please enter the Chamber.

We are on page 117 of the Estimates book, Resolution 4.1.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Just to respond to some requests for information, we provided and, I trust, the honourable member has received the information on political staff in the minister's office and the new staff that has been hired in the senior positions, or whatever. I cannot recall the wording of the question. As well, we will provide the gang suppression strategy breakdown, the Criminal Organization and High Risk Offender Unit's related staffing. We have the travel expenses available. We just have to get a clean copy for the member. I just have my copy here, so we will provide that tomorrow if we are in Estimates tomorrow, and I expect we will be. So, today, we have the Criminal Organization and High Risk Offender Unit material, and, as well, I know the member had asked about a

particular complaint, and I know that is in the process of being put together.

We also had a discussion in terms of the gang suppression strategy and the department's gang awareness manual. As I recall, and just, perhaps, to confirm this, we are certainly prepared to provide this to the Member for Fort Garry (Mrs. Smith) on the understanding that it is not to be made public, because it does contain intelligence and information that is put together with the sole purpose of informing the professionals and those who are the gang coordinators and with the prison gang-suppression strategy.

So I have this binder that I will make available to the member, and I will not be filing this document with the committee.

**Mrs. Joy Smith (Fort Garry):** Are you saying that this is confidential—oh, I see, okay—and that this is only for my office? So I will make sure that that happens. Thank you very much.

There is one other matter. I had asked you earlier. I was looking over my notes. I ran downstairs to take a look at some outstanding things. I thank you very much today for bringing these things here. Certainly, we have been in for some time here in Estimates, and I want to thank the Attorney General for providing this information for me in a timely fashion.

The other question is that I had asked about the Deveryn Ross case that was brought to my attention, amongst other things. You know you get many queries, but this particular one, I was wondering if the minister could outline what is being done in terms of this gentleman.

\* (16:40)

**Mr. Mackintosh:** Yes, I know the Assistant Deputy Minister of Prosecutions had put together a memo that crossed my desk. I referred it to the Special Assistant to determine if there is anything further that she could add. As I recall, I think she had said that there had been conversations with her office and this individual. So I think we are just days away from completion of that document. I did not want to give a document to the member opposite that was incomplete.

**Mrs. Smith:** Excuse me, could the Attorney General clarify? I do not know, these microphones are really something today. I did not hear what you said, to be quite honest. Could you please repeat?

**Mr. Mackintosh:** I had seen a memo from the Assistant Deputy Minister of Prosecutions on the interaction of that office with the individual named by the honourable member, the background and the chronology of the communications or correspondence, and I have just asked the Special Assistant to add any conversations or any correspondence that she may have been involved in. There may not have been any, but I believe that there may have been something there. So I think we are near completion of that one but I wanted to ensure that the record was complete.

**Mrs. Smith:** So the Attorney General is aware of this case and aware that there have been some problems that needed to be resolved?

**Mr. Mackintosh:** Well, I know there had been a complaint to the department from the memorandum that I received, and I would be pleased to talk to the member about it once I have received the complete file. Quite frankly, I did not get into a detailed review of that because I wanted to make sure that I have all the information about where calls were made to and from.

**Mrs. Smith:** On another matter, I want to find out in this province, because I am not aware of, are there any, what we call halfway houses, or, for a better term, could be halfway houses, could be programs set up for offenders who come out of the jail system, particularly young offenders. Are there any programs put in place for these people to help keep them off the streets, give them some identification, give them some hope of going into the work force? Is there anything set up right now across this province?

I know a few years ago, for instance, there was a family who welcomed cons into their house, particularly young offenders, and took care of them and saw that they either went to school or had a job, had some identification. I was wondering if at any time there was anything like that available here now.

**Mr. Mackintosh:** The ADM of Corrections is on the way. In the meantime, the member may

know that generally in Corrections there is a partnering, contracting for services with organizations or individuals. We can detail that.

In the area of Youth Corrections there are what are called open custody homes for certain types of offenders that meet certain criteria, whether in Winnipeg or I know in Thompson I believe there is a facility. Those have been ongoing for years and years.

In terms of the adult facilities, I wonder if the member is interested in particularly youth or adult or both?

**Mrs. Smith:** Both, if you would. Thank you.

**Mr. Mackintosh:** Perhaps if the member had another question in the meantime, if it is convenient, and then we can come back to that when Mr. Wolfe arrives.

**Mrs. Smith:** On another matter, I am quite interested in these 21 new police officers. It is my understanding that for the 18, that is other than the 3 that are put in the schools, the 18 police officers, this money comes from the photo radar fund. Could the Attorney General tell me at this time—it is my understanding the money is not in place. It is my understanding that the photo radar is not even in place to the point where it is bringing in these kinds of dollars—could the Attorney General please elaborate on the status of the photo radar, what money is coming in, and when that money will be forwarded to the police association or the police department to make sure that those officers are on the streets?

**Mr. Mackintosh:** The mayor and chief of police, I understand, recognizing this is information that I received secondhand, I have had ongoing discussions about photo radar revenues and support for Winnipeg Police Service. What is important for Winnipeg Police Service is to have some predictability because they have responsibility for the recruitment and training and then, of course, the deployment of the officers. So what the commitment and agreement with the Province means is that the Winnipeg Police Service can now proceed with the deployment plan for 18 additional police officers, which will be added to the Winnipeg Police Service, funded by photo enforcement

revenue. The cost is estimated at \$800,000 for this fiscal year for 2002-2003.

I know the mayor had mentioned to me yesterday about how the police service and the chief of police and the executive, in particular, were looking at the recruitment classes and when those officers will be on the street. It is my understanding that Winnipeg Police Service has intensified in order to shorten the training period for Winnipeg Police Service officers. So this is the first and essential step now in planning ahead so that the officers are on the street as soon as possible, which, of course, is entirely within the responsibility of the Winnipeg Police Service.

Well, I might add, with regard to the 18 officers, the role of the Province has been to work with the City on the issue of photo enforcement and, of course, by bringing in the legislation and in particular the clause in the bill that directs that the monies are not available for just general purposes but must be used for the purposes of safety and policing initiatives or words to that effect. I think that is quite close to the description that is in the bill. So we, as a province, are very pleased that there has been this kind of discussion between the mayor's office and the chief's office and that there is a willingness to add to the staffing of the Winnipeg Police Service.

\* (16:50)

In addition, though, to the 18 is the police and schools initiative, which has not been formally announced in the sense that all the partners will make the announcement and will usher in this pilot project that is community driven. It is in the North End. The Province has agreed to contribute \$258,000 over three years to deploy three officers in 15 schools. As I recall, I think that three of them are high schools. There has been an experience in the past in Winnipeg with police in schools, but I know that the project is based more on the experience in Alberta; I believe it is Calgary and Edmonton. I know that just recently there has been a visitation to Alberta by some of the people involved in this initiative, including the chair of Winnipeg School Division No. 1, and they are very impressed with the change that this can make in school communities. The reason it is a pilot, though, is to carefully measure, to carefully assess the impact of this deployment of

these three officers. That pilot begins, as I understand, in September, in the beginning of the school year.

So, in the total then, we have the 18, and when they will be on the street, of course, will depend on what the recruitment and training agendas are at the Winnipeg Police Service. Of course, they have to be left to do that, but they do now have the commitment to this funding. It will allow them to now immediately begin that process, and police in schools begins in September. Although that is when the official deployment begins, I know that there has been a lot of work done in the meantime to design the details of the program. I think, as I recall, the Winnipeg Police Service has been working with the school community in terms of choosing the officers to be deployed there. These three officers are over and above the existing officers with the Winnipeg Police Service. I might add, too, that, in addition to those two initiatives, the Province is committed to a funding agreement with the City of Winnipeg for \$2 million in support of 40 officers, an agreement that goes back seven years. We are working with the City to ensure that the expectations of both the City and the Province are well known in terms of how the agreement should operate.

Discussions have begun with the City of Winnipeg Police Service. As I recall, it was last Monday discussions commenced between the department and the chief. We will continue those and hopefully have that all wrapped up by the fall. It is our expectation that the money will flow and the usual not any later than has flowed. I know there was a headline in the paper the other day that gave the impression that there was money being withheld. That is not accurate.

Fourthly, the Province has entered into an arrangement with the Winnipeg Police Service to reduce backlogs and reduce police overtime, reduce the need for victims and witnesses to attend court by ensuring that through additional staffing resources and deployment of Crown attorney and clerks that cases are reviewed early on. I know that in the first six months of the pilot for just one Winnipeg Police Service division there were over 400 court cancellations. One can see then the potential of this project to reduce court backlogs and to relieve victims and witnesses, including police officers, who would otherwise have to claim overtime and not be on

the street from attending at court only to have the matter fold at the last minute.

This is a very important project. It is one that was recommended by the Ernst & Young review. It is one as well, though, where there is first-hand knowledge of this kind of initiative in Victoria by Don Slough, Senior Prosecutor. We are committed to that. It is our expectation that in September that pilot will be in place for all the Winnipeg Police Service divisions in the city. We will be monitoring that very closely.

I just add that there are the four initiatives with the Winnipeg Police Service that are unfolding or are already in place.

**Mrs. Smith:** What the Attorney General basically is saying is that money, that millions of dollars will be going forward to the City to fund the 40 police officers so they will be on the streets, but the checks and balances and the accountability will have to be there to ensure that that money is being used for police officers on the street.

**Mr. Mackintosh:** The member may be aware of the background of this agreement. The agreement with the Winnipeg Police Service, in my view, became transformed very quickly after the commencement of the agreement that ran seven years from a conditional funding agreement into a grant.

In the contract, the Province has the ability, has the option, at his discretion, to reduce the flow of monies to the City of Winnipeg Police Service if there is less than a complement of 1180 in the Winnipeg Police Service. That was never done, even though, over the course of the agreement, there had been peaks and valleys and changes and there had been many months of the police being under 1180. But there had been a practice established, and as well, there had been a decision by a former Finance Minister to move up the timing of the payment to the City of Winnipeg Police Service under this agreement so that there could not have even been an analysis of complement before payment was made after the end of the fiscal year of the City of Winnipeg.

But there are also concerns that this money is being relied on by the City of Winnipeg Police

Service and the City of Winnipeg itself for the policing budget. I have been assured by the mayor that that \$2 million is very important to the city, and that if there was a cutback in that amount it would essentially be a cut to the support by the Province to the City of Winnipeg Police Service. I do not think this is any time to cut back on support for policing in Manitoba.

So, considering all those matters, we now are looking at, on a go-forward basis, how the agreement should work, because I think that there have been different views on how it should work, and those views are both on the part of the Province and the City. It may be that the agreement does not change. It may be that there can be some tweaking. It may be that there could be some more extensive tightening of the agreement, but I do think that the agreement, generally, will continue certainly this year. There is a commitment to that. There is \$2 million that has been set aside, and the money will flow, certainly no later than it would in any other year, but we will have those discussions with the City.

\* (17:00)

Other than what I have said, I will not prejudge the outcome of discussions with the City, except to say this, that my understanding is that the city is at complement or slightly below or somewhat above complement this fiscal year. In fact, now with the addition of 21 more officers, the notions of 1180 being a benchmark, you know, whether that is even relevant now is something that will have to be considered.

As well, the Winnipeg police chief has assured the Province, and we have no reason to think otherwise, that the types of positions that are to be maintained under the agreement have—I will have to watch if I get into a double negative here—but it is our understanding that those positions are being maintained even when there has been a staffing below complement. For example, I believe that the agreement had identified eight positions of Street Gang Unit members, and my understanding is even when there was a realignment of personnel, the Street Gang Unit still never went below eight.

There are 20 foot patrols and 12 community officer positions designated in the agreement, and it may be worthwhile for us to canvass the designation of those positions with the Winnipeg Police Service, particularly as we share with the City a concern about organized crime in the city of Winnipeg. I think there may be some room to discuss with the chief of police and the executive how we can ensure that that priority can be facilitated by the Province of Manitoba.

So I think that is really the background of it. We have had excellent discussions with the City and very positive discussions with the City as late as yesterday, quite frankly, at a senior level, on that agreement. We look forward to continuing, not just that agreement, but enhancing provincial support for Winnipeg Police Service. In fact, if you look at all four initiatives, we can see just how significant now we have been able to increase support for the Winnipeg Police Service, recognizing that the photo radar legislation is a joint initiative between the City and the Province, but the deployment, of course, will be the responsibility of Winnipeg Police Service.

**Mrs. Smith:** I guess I am just really curious, when we are in Question Period and questions are asked about the increase in crime here in Winnipeg, and clearly Winnipeg's crime rate increased last year, with a 27% jump in homicide and attempted homicide, according to city police figures. The Winnipeg Police Service 2001 annual report shows that overall crime increased 7 percent in 2001 compared to 2000.

This Government came to power in 1999, and part of the election promises were to make the streets safe. Yet, when questioned about it, the Justice Minister gives lots of answers that sugar-coat what is actually happening here in the city of Winnipeg. To be quite frank, I cannot remember ever in the history of Fort Garry where we had fire bombings. We have had two. One last Sunday night and one, I believe it was, yesterday morning. People are becoming very concerned.

It rings hollow when the Attorney General stands up in Question Period and says, well, your stats are wrong, when I am reading straight from the *Juristat*. When the Attorney General stands up and says, well, these figures do not

really matter, and interprets them in his own way, I have a concern about that. I have to tell you here in the Estimates process because you have to recognize the problem, first of all.

Now, even that press release with the 18 police officers, nobody more than myself wants 18 police officers on the street faster than immediately, but the fact of the matter, the Attorney General was very aware that the money was not there, was very aware that the photo radar has not got the fund prepared, yet felt free to put a press release and to allow Manitobans to sleep saying, well, we are going to have more police officers on the street. The only problem is when.

It is like the cyber tip line. The cyber tip line is 460-some days since the announcement. That is an awful long time, in all due respect. To be quite frank, here in the Estimates process, I praised the Government when the Government first came out with this announcement. I was the first one to say this is excellent, good for you, we support this. Now the Attorney General takes very big exception to the fact when I personally stand up in Question Period and I say, well, it is 460-some days. Where is it? The reply that I am getting basically is that it is now going to become a national cyber tip line.

Now Child Find is an excellent organization. Truly, I commend the Attorney General in using Child Find as the venue to put the cyber tip line in because that is very good, but, clearly, if you cannot take care of Manitoba and Manitoba's needs, why in the world would this Attorney General decide to put up a national cyber tip line? This is a complete mystery to me.

When you look at the Winnipeg Police Service annual report, and when we as political people make excuses for—and I would say this Justice Minister makes excuses for what the stats say and sugar-coats it instead of problem-solving it—it is very worrisome, because you and I both know, here in this House, that those 18 police officers are not on the street, that money is not in place, and a lot depends on what is going on in time.

It is the same with the Sophonow Inquiry. The Government was forced to pay the full amount after much outrage in the community and from the members on this side of the House.

What I am saying is that there does not seem to be an all-over plan to suppress crime in this city. I am very concerned about the gangs. I am very concerned about the increase in violent crime. I am very concerned that people feel as if most of this stuff is political spin because you cannot see the end result.

The *Juristat* is something that I think all of us should look at and respect. I will be on record saying that because the *Juristat* is something that shows clearly the different kinds of cities, the different kinds of crime, the rise and the fall, and, in actual fact, crime has not decreased since this Government came into power. If we were a government in power, then Opposition could certainly bring us to task about that as well, and I would expect that to happen.

But I am wondering, the 18 homicides and 17 attempted slayings represent an increase of 27 percent of those types of violent crimes. Is the Attorney General concerned about this? You know, we look at what has happened in different parts of the city, with the 11 killings in District 1, which, comprising the inner city, represented a 38% increase over 2000; and 6 attempted homicides there represented a 20% increase.

But the suburbs contributed to an increase in crime rate too. Now in District 6, which is my district, shows the 20% increase in property crimes, a 22% increase in motor vehicle thefts, et cetera. It also had an 18% increase in miscellaneous Criminal Code infractions.

The fact of the matter is that we can see a trend happening where crime is spreading, that violent crime is on the increase, and we do have problems.

I do not think in this day and age, with all due respect, that we can afford to have bogus announcements and re-announcements without some action taken, and I am just curious as to why the Justice Minister would do this as opposed to admitting and acknowledging that there is this problem and not actually putting some plan in place to do something about it.

\* (17:10)

**Mr. Mackintosh:** Mr. Chairperson, the *Juristat*, of course, if it is relied on to measure personal safety and crimes against persons, indicates that violent crime went down by 2 percent over the earlier year at a time when the national violent

crime rate surprisingly increased. So, in terms of the measure of violence, if the crime stats are the measure, violent crime is down. So, when you look as well on the trends, Manitoba is no longer the highest rate among the provinces. Manitoba had the highest rate of violent crime for much of the nineties, I think from '93 to '98, but, Mr. Chair, the violent crime rate and its reduction, hopefully, is indicative of a trend.

In terms of the total crime rate, as I said in Question Period, we have not only a reduction in the rates of violent crime, but assaults and robberies are down, and break and enters are down significantly. The total crime rate, though, is up, and we have to look to see why, because clearly it is not up because of the violent crime rate, which is down.

The property crime rate is being driven by the auto theft rate in 2001. These statistics go back a year and a half to the earliest point and, of course, go back to the year 2001. So the increases in motor vehicles accounted for about half, in fact, it was 48 percent, of the increases in the overall property crime rate. We do have statistics now that the vehicle thefts for the first half of this year are almost 11 percent lower than the first half of 2001. So that is the first thing that should be noted.

The next thing that must be noted is that the crime rate is also driven by the measure of mischief offences. Mischief increases are due to changes in crime reporting practices, I am advised. Previously, the mischief offences were not reported if there was not a suspect. As a result of the change in reporting, all offences now are reported to Stats Canada.

The third area with regard to the overall rate and what is driving it is with regard to bail violation increases. That is due to the strict police enforcement of recognizance in domestic violence cases, which is enforcement driven and does explain some of the overall increases.

In terms of homicides, of course, the homicide rate can vary significantly year over year. Western Canada has historically been a more violent part of the country. The number of homicides in Manitoba in 2001 was 34. Just to show the difference over years, that is 24 percent lower than the number of homicides in 1996. That year there was, unfortunately, 45.

One homicide is too many. A homicide is a terrible tragedy, but we have to be careful with these crime statistics and looking at trends over time and looking to see what are behind the bald numbers that come out.

Let us face it, the auto theft rate has been a very serious challenge for Manitoba since the year 1993. From 1993, as I recall, to the year 2001, the year in question, Manitoba has been the auto theft capital of Canada, if you will, for a less popular description. Whether that has been turned around yet or not is too early to tell. We are cautiously optimistic. At the same time, we are not going to slack off on our auto theft initiative.

There are more initiatives that will be coming into place. There are some that are in place that have not been announced. There are several that are being looked at by the auto theft task force chaired by Rick Linden. I can tell the member there is more to come there.

There was a briefing, I understand, that was done with Justice officials on the crime stats. The observation was offered that the auto theft rate was driving not only a lot of Manitoba's overall rate, but, because of the incidence of motor vehicle theft in Manitoba, Saskatchewan and British Columbia, the whole national crime rate was being skewed and affected by that. I might also add that I think that there may have been some changes in how that crime has been reported in terms of how attempted thefts were dealt with. I cannot be certain that that was reflected in the Canadian Centre for Justice statistics report. I know that was reflected in the City of Winnipeg Police Service report. I think there are some notes to that effect in their annual report.

The rate of youths charged with homicide was down 73 percent. Sexual assaults by youth were down 11, break-and-enters down by 7, motor vehicle theft down by 2, and mischief down by 18. So there is a mix of news in this report, but, as I say, violent crime is down. The overall crime rate is largely being driven by auto theft and indeed by changes in how mischief is being reported and bail violations enforced.

**Mr. David Faurchou (Portage la Prairie):** I appreciate the opportunity to ask a couple of

questions of the minister. Just coming back to a question I asked earlier in Estimates of the minister that was yet unclear or had not yet been decided, that was going to be the process of determining the location of the correctional facility for female inmates here in the province of Manitoba. I just wondered whether or not there had been progress as to whether it is Government Services taking the lead or Justice Department. Whom specifically does, say, for instance, Portage la Prairie city council approach if they are interested in a continued relationship with the Justice Department by way of seeing the new facility constructed in Portage?

\* (17:20)

**Mr. Mackintosh:** Transportation and Government Services has the lead, of course, as the owner of the properties and the arm of government that delivers on new facilities. In terms of the process itself, it is my understanding that decisions at the political level will be made any time within weeks, certainly. There is a paper coming with options for political decision making on the consultation and evaluation process.

**Mr. Faurchou:** So, if I understand the minister correctly, within a few weeks' time, it will be clear as to how a municipality or an interested party would go about making their intentions or interest in this project known to the Government.

**Mr. Mackintosh:** I cannot, of course, predict or pre-empt what the political discussions will be or how long that will take. I mean, the member opposite knows that sometimes those discussions can get tangled, but I do not anticipate that kind of difficulty on this one. All I can say is that I do expect that very shortly, I think we could be talking within weeks, certainly, there will be a political decision on the process and a public announcement or an announcement to affected individuals who have made their interest known to the Province.

I think things are moving very well. Things are moving on a timely basis, and I expect that will continue. I know that there has been a fair bit of work done with Justice and Transportation and Government Services in terms of putting together options, and we are just waiting to now

see the outcome from that work in terms of the paper.

**Mr. Faurschou:** So, understanding that it is a political decision as to how the process will take place, would you suggest that interested parties, such as Portage la Prairie city council, Long Plain First Nations band council, the R.M. of Portage la Prairie, different jurisdictions such as that, if they are interested and want to continue relationship with the Justice Department with this type of facility, that they make it known even as early as tomorrow, for instance, with a letter of intention that they would like to be considered or at least notified when the process is developed?

**Mr. Mackintosh:** I can assure the member that there would be no prejudice to any interested party if they held off for a few weeks and awaited a decision on how the consultation process and evaluation process will unfold, but I do know that I am sure Portage la Prairie will be putting its best foot forward and maybe other communities in the area that will do so. *[interjection]* I am just advised by one of the officials in the department, Reg Forester, who has been working on this issue; his advice is that any community that is interested in housing this facility or part of this facility, there has not even been a decision in terms of whether it is one facility or two or what it may be, but it would be useful, I think, and I give this as advice, for locations to begin to put together arguments or a business case as to why it would be preferable for a facility to be located in that particular location. I think it may be useful for the department to have that kind of a comparative analysis that would be provided and, as well, to show what local services and other advantages particular locations have to offer.

As well, I think, as part of this consultation process, it may be important to have a staffperson either in Justice or Transportation and Government Services available to help people in putting together any lobbying efforts or putting together any submissions in writing or otherwise so that interested parties will not be doing a lot of work on matters that may not be germane to the decision-making process. I will keep an eye on that when I see the options

presented in terms of how the consultation and evaluation process should look.

I know that part and parcel as well of this will be how well we can interest the federal government in this because they would be very important funding partners and indeed their bed space need, I think, will be important. So I think it will be important as well to discern that at an early stage, although I do know that the thinking is that the federal government may rest its interest when some provincial decisions are made, so we will see how that unfolds, but that will as well be part of the background information coming to government.

**Mr. Faurschou:** Mr. Chairman, I appreciate the minister's responses. I want to ask of the minister the scope of consideration for new facilities. In the press release, it was stated there actually are three very distinctly different programs that will be considered for facilities.

I would like to ask the minister if there is consideration towards private enterprise being involved in the decision-making process as far as being considered for active bidder to construct and potentially contract with the department and operate a facility on a long-term basis. There are a number of different enterprises throughout North America that contract with provincial, state and federal bodies to provide not only facilities but program and personnel as well, and I was just wondering whether in the political process this is a consideration.

**Mr. Mackintosh:** Corrections officials have, of course, been paying attention to the experience of private-sector-run correctional facilities, which has already occurred in the United States, although there has been an experiment in Ontario. The evidence so far has suggested that the private-sector institutions are not preferable. The evidence appears to indicate that it is more expensive to run than public institutions, and there have been questions about both security and programming in those kinds of facilities.

The Ontario experience is still an experiment in our view. There are some questions about the performance of that. So really the answer is there is not an interest at this

time in pursuing private facility or private corporate facility.

Now, I should just clarify my remarks, though, to admit that the Province, the department, has a continuing interest in partnering with private organizations for the delivery of programming, for example, depending on the nature of the program. We are really talking about non-profit organizations, but they are private in nature.

\* (17:30)

**Mr. Faurschou:** Moving just down the street from the women's correctional facility to the Agassiz Youth Centre, that is a facility that is very dated. There was a new cottage built there, a high security cottage built just a couple of years ago, but for the most part the whole institution is looking for a major upgrade, and there are concerns being raised by staff about some of the facilities that they are working in.

I would like to ask the minister: Is there at present discussions as to a longer-term renovation-reconstruction plan for the Agassiz Youth Centre that I believe is a very necessary institution here in the province of Manitoba? I believe that in Portage la Prairie we would certainly like to see that facility continue.

**Mr. Mackintosh:** I am advised that there have been some concerns about the building standards about some of the buildings at Agassiz. As a result of that, the Department of Transportation and Government Services, I understand, engaged a private consultant to do a review and provide an analysis to government along with recommendations on how those issues can be addressed. It is my understanding that the submission of that is pending now to government.

So I do not have any further knowledge at this time. Transportation and Government Services may be able to offer more on an immediate basis to the member. I wait to see what the review says.

**Mr. Faurschou:** I hope that the minister will look at the report and be able to consider those recommendations in a very short term so that

any construction or renovation or replacement could be considered on a very timely basis. Once again I want to take this opportunity to say that the facility has served the province well, not quite as long as the women's correctional facility, which I think is over a hundred years old, but certainly for a very, very long time. I believe that it is a program that has done well in Portage la Prairie and I believe I would like to continue.

Just in regard to the programming, I wanted to ask the minister whether from his office there is any consideration to a programming that would be of a minimum nature. I did mention to the minister the concerns that I personally have believing that education is a very, very important element for anyone's ability to succeed. Through education, people are empowered and able to effectively captain their own ship.

The level of education, as we are all aware, is very low in both the women's correctional facility and in the Agassiz Youth Centre as related to grade school. The women's correctional facility runs between Grade 5 and Grade 8 depending upon any one juncture in time. I am concerned about release times coming along a couple of days before they take a test to get their Grade 7 standing or whatever, whether there can be consideration given to a sentencing that one has to achieve a certain level of education prior to release even if the release date, as we are all aware, they have been being shortened up considerably over time.

When one is sentenced to two years less a day, one is lucky to serve—pardon me, I should not say one way or the other whether it is luck on behalf of the public or luck on behalf of the person that is incarcerated, but we see very few serving even a year in that type of sentencing situation, which does not allow for a lot of program time.

We have seen releases take place with individuals just days, weeks short of achieving certain academic standings. I would like to ask the minister whether there is consideration on that front because, as most people would agree, education is a very, very fundamental and important element in one's life.

**Mr. Mackintosh:** I think that it may not be generally known in the public that the youth

facilities, for example, in the province serve as educational institutions. We think that the educational component of the institutions is absolutely critical, and also we think it is very important that we be mindful of the kinds of skills that are being taught in institutions. In Agassiz, for example, it is my understanding there have been some enhancements to some of the program in there of which the member may be aware.

But the member raises an important point, and it is a challenge because the courts sentence individuals, they are not sentenced to a course. They are not sentenced for a duration of incarceration depending on the length of a course, which is why we have challenges as the member has described. An individual was sent because of precedent, and because of the views of the judge and how the consequences should reflect the sentence.

\* (17:40)

What Agassiz does do, though, in recognition of this problem, first of all it does offer a 12-month program so that gets away from a situation where someone may be sentenced for six months, but it is off-season in terms of the delivery of the course, and then perhaps the individual is able to access no more than perhaps a few weeks of schooling. So, with the 12-month program, though, also comes a component of the programming that bridges the individual to the community through the local school division so that a person can, hopefully, complete the program that is underway after release. That may not be seen to some in the institution, but that is part of the approach that is brought to bear on this challenge. When a person is released to the community, obviously the ability to ensure that there is a completion of the program and that sort of monitoring is not there to the same extent because it is a community corrections intervention. But at least that opportunity is there and leaving one an opportunity, I suppose, can be a condition of release. The description of it being an opportunity is not quite accurate. It could be well a condition of release, that there be a completion of the programming, and that is not uncommon.

What we do see coming with the Youth Criminal Justice Act is a release prescribed in the act, after serving two-thirds of a sentence, generally. Right now it is up to correctional officials to make an informed and professional judgment as to when the release should occur. We have been vehemently opposed to this change. We think it is arbitrary and does not reflect the progress or, indeed, the challenges posed by an offender while a resident of a facility. We do think that the ability to have a continuity in the school programming in the institution will certainly be affected by that for some individuals. So it may be that the challenge is even getting more difficult as a result of this federal law that I think is regrettable in many ways and supportable in some.

**Mr. Faurschou:** I would like to ask the minister. I appreciate his recognition of the importance of education, but I believe he is probably aware that the department suspended or quit paying for individuals as it was a practice and an incentive for those to go to school in the Portage Women's correctional facility, and that was suspended this past year. I would like to ask the minister whether this has cut back in the number of individuals that now see getting their education when incarcerated as a plus. Has the change in policy had any effect on the number of individuals pursuing their education while at the facility?

**Mr. Mackintosh:** I am advised that there has not been any policy shift in terms of the availability of educational programming, any cutbacks in that regard. There may be some systemic changes occurring simply because of the clientele or the ability to deliver programs in different institutions, but there has not been a policy shift.

**Mr. Faurschou:** Perhaps I did not explain it quite correctly. Insofar as the programs are still there for the inmates in which to participate, however, there was a monetary incentive for them to attend classes. They got paid a few dollars for going to school, and that has been now suspended. I am wondering whether this incentive has resulted in less numbers of individuals participating in classes.

**Mr. Mackintosh:** I am advised that the department is not aware of a measurable difference in participation, but I can say and confirm that indeed the payment of money to people to attend programming has been curtailed. This continues in respect of work activity. But it is a serious question that was addressed and decided on: Is it proper that people be paid to go to school when they are incarcerated? We have made a decision, and we are more than happy to defend it publicly.

I think there is a problem in the logistics of that. They are being provided with opportunities. They are being provided with the opportunity rate in their own institution. So, to pay someone for going to school, I think, is a questionable allocation of very scarce public resources.

If the member is aware of trends that he hears from staff or others, I would be interested to hear about that, and the department will take note of his question, but I have had no information to my office since the policy was changed, I think, about a year ago. I hear from departmental officials here that there has not been a measurable difference, which I would expect. I think most people do want to improve themselves and take advantage of opportunities that are presented. As well, I think there may be incentives for participating in those programs aside from the monetary aspects. So we will continue, though, to monitor that.

**Mr. Faursehou:** I do understand where the minister is coming from, and, yes, for the most part, it is difficult for myself, for instance, to justify paying someone who has a black mark on them and has had a crime against society and is paying off that due in this institution and then get paid for it for continuing their education. I would hope, though, that there is some type of incentive, though, to be recognized for continuing one's education, whether it be less kitchen duty or laundry duty or other tasks that may be assigned, may be forgiven as some type of incentive to one that will continue their education, because in a lot of cases individuals that do not have a high standard of education really do not even recognize the importance of education and sometimes need to be encouraged in some fashion to get a level of education that provides enough education to recognize that

education is important. Understand where I am going on that.

So I am concerned that persons that are unable to provide for themselves, which education does, ultimately fall into problems with the law because their criminal activity supplements their inability to provide for themselves. Ultimately if we can provide people with education, it is borne out that those individuals that have a higher education are less likely to be re-incarcerated and run afoul of the law.

Any and all the minister can do to provide for this, not just the programming, but to make it known to those individuals that are doing the sentencing, for instance, whether the Crown attorneys can effectively state that the individual that there should be a consideration that they achieve a Grade 6 level of reading and writing skills prior to release. Whether that could be in the judicial order when one is sentenced, I would be most interested in seeing that take place. Can the minister comment on that?

\* (17:50)

**Mr. Mackintosh:** Of course, the graduation of persons from educational programs does depend on the abilities of the individual, the motivation, the intellectual abilities, you know, other circumstances. So, of course, requiring someone to successfully complete a program or diploma would be a very difficult order, I think, to enforce.

I mean, I understand and I appreciate where the member is coming from. I have long thought about how sentencing can be made more effective in terms of getting behaviour changed for the better rather than using just precedent and what cases went before to determine the length of a sentence. Is there something else that can be done? It could be tied to something different. So we will continue to think through that. I think what the member puts forward is food for thought, recognizing that it is really difficult sometimes even to get people into treatment programs where there is not a course of study and the rallying of intellectual abilities and so on. So it is a challenge.

The question: How do you change behaviour for the better? There is no doubt that education is

a great way to do that. I think, though, aside from that, more specifically, is the question of what skills are particularly relevant, and how can someone be prepared for employment once those skills are gained.

Sometimes we are dealing with very, very difficult challenges in terms of skill levels and the ability of individuals to present themselves for applications for employment and to continue to follow up on obligations to an employer. There is just a lot of those. There are background issues that have to be dealt with. Sometimes there is just a lot of healing that is required.

I have always been attracted to, for example, programs like the Urban Circle program in Winnipeg that deals with people more holistically. It is not just a matter of recognizing skills that people need, but as well as dealing with past issues and their ability to proceed in a healthy way, in contributing to society in a positive way.

**Mr. Faurschou:** Where I am coming from here is, yes, trades and employable skills are very important. However, if one is not able to read and write, those communication and very vital tools that everyone requires in order to learn those skills is left wanting. So I wondered whether the minister can consider that perhaps one is not eligible for early release if we have not achieved a certain level of education as prescribed by the judge upon sentencing. That is where I am going in my line of questioning. It is something that I believe should be considered by Crowns when sentencing is taking place by the judicial system.

Now, speaking of the judges, maybe I will leave that point. The minister may want to comment.

**Mr. Mackintosh:** Pass.

**Mr. Faurschou:** Well, then I would like to continue on the judicial system. We all heard the proposals from the judges at committee the other evening. I wonder whether the minister and the Government are going to be responding to the judges in a fairly short time frame, but I also want to ask of the minister as to the number of judges. It has been stated here in the House that we have more judges today than we did in the

past, but I ask the minister be explicit on that, as to how many judges we currently have, full-time and part-time, at the present.

**Mr. Mackintosh:** The judicial compensation process does have time lines built into it in law in terms of when the committee has to report to the House and when the Legislature makes a decision. So we have to move on that this session, and of course time is moving on. So I expect that that will take place very shortly. The lead minister is the Finance Minister (Mr. Selinger), the chair of the compensation committee.

In fact, I think the Justice ministers have not even really been very involved in this in the past at all, but I was certainly interested in the presentation at the standing committee a few weeks ago. I understand that that is moving on. A decision will be announced then to the committee in terms of what the Government's view is of the recommendations from the Judicial Compensation Committee. There is also an urgency, I understood, to get the process moving because there is another compensation committee process unfolding.

I do not know if this is good news or bad news, but Martin Freedman was appointed to the Court of Appeal of Manitoba today, and as well, Colleen Suche has just been appointed to the Queen's Bench of Manitoba today. Both of those people, by the way, are fantastic appointments right across the board. I am just thrilled with the calibre of the people appointed. I mean, the bad news is that they are now lost to the provincial government in terms of helping with compensation issues.

Mr. Freedman has been active with the Crown attorneys' compensation issues, has been active with judges, has been active with other fronts, of course, was helping with the Aboriginal casinos issue. He was Chair of the Judicial Compensation Committee process, and Colleen Suche, I believe, represented the judges. So that process has been disrupted now. I think some of the time lines are not quite as short, but we will move that ahead.

In terms of the numbers of judges, the Chief Judge was appointed last Wednesday. If the Chief Judge was a person not from the bench, there would have been the full roster of 40

judges in Manitoba. But we increased the complement by one, from 39 to 40 a couple of years ago. There was a retirement, Judge Ashdown, in late December. So that, currently, because the appointment was from the bench, Chief Judge Wyant is a judge, that means that there is now a vacancy to fill on the Provincial Court.

We began that process with the discussions with the Chief Judge. I had a meeting with the Chief Judge last week, on Friday.

We put together our thoughts on how this next process will unfold as the independent process will kick in now. We look forward to

getting on with that. I know the Chief Judge is away for, I think, four weeks, and we agreed to pick up on this discussion as soon as he got back because I do want to move this ahead. I think that is really the state of play right now. So there are 39 judges in place in Manitoba, with one vacancy.

**Mr. Chairperson:** The hour being 6 p.m., committee rise. Call in the Speaker.

#### IN SESSION

**Mr. Speaker:** The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 17, 2002

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>				
<b>Presenting Petitions</b>			Business Taxes	
Transcona-Springfield School Division			Stefanson; Barrett	3414
Schuler	3407		Economic Growth	
			Stefanson; Barrett	3415
<b>Reading and Receiving Petitions</b>			Hecla Area Land Expropriation	
Transcona-Springfield School Division			Gerrard; Lathlin	3416
Schuler	3407		Health Care System	
			Jennissen; Chomiak	3417
<b>Tabling of Reports</b>			Class Size and Composition	
Annual Report of the Manitoba Trade and Investment Corporation for the fiscal year ending March 31, 2002			Gilleshammer; Caldwell	3417
Mihychuk	3407		Nicholls Report	
			Gilleshammer; Caldwell	3419
Annual Report of the Horse Racing Commission for the fiscal year ending March 31, 2002			Emergency Services	
Mihychuk	3407		Driedger; Chomiak	3419
Annual Report of the Manitoba Development Corporation for the fiscal year ending March 31, 2002			<b>Members' Statements</b>	
Mihychuk	3407		R. M. of Stanley	
			Dyck	3420
<b>Introduction of Bills</b>			Golden Boy Memorabilia	
Bill 53—The Common-Law Partners' Property and Related Amendments Act			Rondeau	3420
Mackintosh	3408		Manitoba Stampede and Exhibition	
			Pitura	3421
<b>Oral Questions</b>			House of Opportunities	
Crime Rate			Schellenberg	3421
Murray; Mackintosh	3408		West Nile Virus	
J. Smith; Mackintosh	3412		Gerrard	3422
Police Services			<b>ORDERS OF THE DAY</b>	
J. Smith; Mackintosh	3411, 3413		<b>GOVERNMENT BUSINESS</b>	
Labour Legislation			<b>Debate on Third Readings</b>	
Schuler; Mihychuk	3413		Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)	
Stefanson; Barrett	3415		Caldwell	3423
Bill 27			Rocan	3423
Schuler; Barrett	3414		Tweed	3425

**Report Stage**

Bill 9—The Canadian Forces Personnel  
(Amendments Relating to Voting Rights  
and Driving Privileges) Act  
Mackintosh 3431

**Third Readings**

Bill 9—The Canadian Forces Personnel  
(Amendments Relating to Voting Rights  
and Driving Privileges) Act  
Mackintosh 3431

**Royal Assent**

Bill 9—The Canadian Forces Personnel  
(Amendments Relating to Voting Rights  
and Driving Privileges) Act 3431

Bill 14—The Public Schools Modernization  
Act (Public Schools Act Amended) 3431

Bill 29—The Engineering and Geoscientific  
Professions Amendment Act 3431

Bill 30—The Architects Amendment Act 3431

**Committee of Supply  
(Concurrent Sections)**

Labour and Immigration 3432

Aboriginal and Northern Affairs 3433

Agriculture and Food 3443

Justice 3455