



Second Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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The Honourable George Hickes
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
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.
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.
PRAZNIK, Darren	Lac du Bonnet	P.C.
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REIMER, Jack	Southdale	P.C.
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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.
SCHELLENBERG, Harry	Rossmere	N.D.P.
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

Thursday, April 26, 2001

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Manitoba Hydro Lines Routes

Mr. Ron Schuler (Springfield): I would like to present the petition of C. Davidson, Robert Knight, Linda Batenchuk and others, praying that the Legislative Assembly of Manitoba request that the Minister responsible for Manitoba Hydro (Mr. Selinger) consider alternative routes for the additional 230 kV and 500 kV lines proposed for the R.M. of East St. Paul.

READING AND RECEIVING PETITIONS

Manitoba Hydro Lines Routes

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?

An Honourable Member: Yes.

Mr. Speaker: The Clerk please read.

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

THAT the R.M. of East St. Paul has the highest concentration of high voltage power lines in a residential area in Manitoba; and

THAT the R.M. of East St. Paul is the only jurisdiction in Manitoba that has both a 500kV and a 230kV line directly behind residences; and

THAT numerous studies have linked cancer, in particular childhood leukemia, to the proximity of power lines.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister responsible for Manitoba Hydro (Mr. Selinger) consider alternative routes for the additional 230kV and 500kV lines proposed for the R.M. of East St. Paul.

Mr. Speaker: Is there leave of the House to revert to petitions? *[Agreed]*

PRESENTING PETITIONS

Kenaston Underpass

Mr. John Loewen (Fort Whyte): I beg to present the petition of Allan Wells, Marilyn Gilcasby, J. Coleman and others, praying that the Premier of Manitoba (Mr. Doer) consider reversing his decision to not support construction of an underpass at Kenaston and Wilkes.

* (13:35)

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Conrad Santos (Chairperson): The Committee of Supply has adopted certain resolutions. They would like me to report the same and ask leave to sit again.

I move, seconded by the Member for Selkirk (Mr. Dewar), that the report of the committee be received.

Mr. Speaker: It has been moved by the honourable Member for Wellington (Mr. Santos), seconded by the honourable Member for Selkirk (Mr. Dewar), that the report of the committee be received. Agreed?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

MINISTERIAL STATEMENTS

Day of Mourning

Hon. Becky Barrett (Minister of Labour and Immigration): Mr. Speaker, I have a statement for the House.

Saturday, April 28, is the annual national Day of Mourning. It was officially proclaimed 10 years ago to honour Canadian workers killed on the job. On this day, the labour movement across Canada sets aside time to mourn individuals who have died or have been injured in workplace-related accidents and diseases in the previous year. It is also a time to recognize injured workers for their contributions to society, prior to their accident and their ability to contribute after their accident.

This Day of Mourning is also a reminder to all Canadians of the tremendous challenges we still face in eliminating death and injury in the workplace. It motivates us to work even harder to bring down the number of workplace-related injuries and deaths. However, even one injury is too many.

The Manitoba Government remains committed to doing all we can to ensure that our workplaces become and remain safe. We share this considerable responsibility with Manitoba employers and employees. We must all do our part to eliminate death and injury in the workplace, but it is not about strategies and commitments. April 28 is a day of mourning, an opportunity for all Manitobans to grieve for those whose lives were cut short. We pay respect to their memories and the memories of those who preceded them. Our hearts go out to the families and friends of these victims. Though we can never truly share their feelings of pain and loss, it is important that they be acknowledged and respected.

On Friday, April 27, a moment of silence at 11 a.m. is being requested for all government departments, and on Saturday, April 28, flags at all government buildings will be lowered to half-mast. I am asking all Manitobans to honour the memory of individuals injured or killed in a workplace accident this past year by observing a moment of silence at eleven o'clock on Saturday,

April 21, 2001, and I would like to ask at the end of this to have all members stand for a moment of silence in the Chamber today.

Mr. Ron Schuler (Springfield): Mr. Speaker, April 28 is a day of mourning for persons killed or injured in the workplace. I think all members of this House join me on behalf of all Manitobans in thanking the federal Conservative government in 1991 for passing the Workers Mourning Day Act. The preamble of the act states, and I quote: It is desirable that Canadians should designate a day of mourning to remember workers killed, disabled or injured in the workplace and workers afflicted with industrial disease.

As the member from Transcona has stated numerous times in this House, it was the Conservative government of Ontario, in 1914, that introduced the first comprehensive Workers Compensation Act. Since that time, members of legislatures across the country who are of a Conservative persuasion have continued to ensure that the memories of those workers who are killed or injured at home are honoured. Every day millions of Canadians wake up and go to work, and sadly, some of those Canadians do not make it home safe and sound.

* (13:40)

As members of the Legislative Assembly, we must ensure that all Manitobans take workplace health and safety seriously and that the sacrifices of those Manitobans who do not make it home from work are not forgotten. On behalf of all members on this side of the House, I think all members and all Manitobans, I would like to extend our condolences to the family members and loved one's workers who have been injured or killed. The loss of life or limb is never easy to deal with and those individuals deserve our support.

We on this side of the House recognize that life is precious and that injuries are preventable. Manitobans depend on us in the Legislative Assembly to provide common sense and practical workplace health and safety legislation, to ensure that one day the number of individuals we remember on Day of Mourning for persons

killed or injured in the workplace ceases to grow. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I ask leave to speak on the minister's statement.

Mr. Speaker: Does the honourable member have leave? [*Agreed*]

Mr. Gerrard: The issue of workplace safety is a very important one and one that we need to be continually watchful of, continually working to improve, and in my view at this point, one of the things that we need to be looking at more is concerns around mental illness, as well as physical illness in the workplace and the ability to address this appropriately and well.

Mr. Speaker, I think it is appropriate that we have a day to remember the difficulties, the problems, the hazards, the accidents that have occurred in the past and dedicate ourselves to making sure we do everything we can to prevent them occurring in the future as well as to helping and consoling those who have been affected by these in the past.

This is an all-party issue not a partisan one in which I am supportive and the Liberal Party is supportive of all efforts to improve workplace safety.

Mr. Speaker: Would you please rise for a moment of silence?

A moment of silence was observed.

Flood Conditions

Hon. Oscar Lathlin (Minister of Conservation): I have a statement to make to the House.

I would like to present the flood conditions and forecast update for April 26. The Red River crest is in the St. Jean area today. Additional rises of just an inch or two are expected from Morris to the floodway inlet in the next few days with the crest expected at the floodway gates this weekend. The Red River Floodway is carrying 23 000 CFS of the total flow of 65 000 CFS coming from St. Adophe. Levels in the city of

Winnipeg are falling. No significant further rises are expected. The crest on the Assiniboine River is presently at Griswold around the Sioux Valley First Nation and is expected at Brandon early next week.

Significant flooding of valley lands continues from St. Lazare to Brandon. The Sioux Valley First Nation in Griswold will escape significant flooding due to diking done after the '95 flood. Levels at Brandon will be three feet below those of 1995, with flooding limited to low-lying recreational areas. The Shellmouth Reservoir and the Portage Diversion continue to be operated effectively to reduce flooding along the Assiniboine River.

Streams in the Riding Mountain and Duck Mountain area are rising moderately, due to heavy snow melt in the past few days. While significant rises will continue through the weekend, flooding should be limited to low-lying agricultural areas. Serious flooding is unlikely and no villages are threatened. Levels of the Souris River have been steady in recent days but will rise somewhat in the Souris area during the next five days or so due to heavy flows coming from the Oak Lake area.

Pipestone Creek which flows into Oak Lake reached its crest yesterday at levels higher than any flood since 1976. Flooding of low areas along the creek will continue for another five days or so. Extensive flooding of agricultural lands continues in the Big Grass Marsh area. Crests have been reached, but levels will remain very high for at least another week.

The outflow from Lake Manitoba was increased from 3000 cubic feet per second to 6000 yesterday to prevent Lake Manitoba levels from exceeding 812.5 feet. The present level is 812.35.

* (13:45)

Levels of the Winnipeg River are on the rise due to heavy snowmelt runoff in northwestern Ontario. The level at Nutimik Lake is expected to rise to 4.5 feet above the normal summer level in the next two weeks. Property owners along the river are advised to take the necessary precautions to protect their belongings.

The weather outlook continues to be favourable, with little precipitation expected in the next five days.

This will be the last detailed daily flood update that I will bring to the members of the House. However, I want to assure members I will keep them updated and informed of any further developments which may occur. Although the most serious spring flooding potential has passed for much of Manitoba, some of our citizens and local officials will be dealing with flooded lands for some time yet. Our staff will continue to monitor the situation and provide assistance and expertise.

The level of preparedness shown by local government officials this spring has been exemplary. I want to congratulate them on their attention to managing the flood this year. The lessons learned from the flood of '97 are visible when we see how effectively the staff co-operate both within and between governments in order to mitigate the destructive effects of the spring melt.

In closing, Mr. Speaker, I would like to pass on my thanks and appreciation to provincial government staff of several departments, including my own. Our Water Branch staff and regional staff from across the province have spent countless hours and days, including time away from their families, as they did their best to protect their citizens from flooding. It is times like this that we see the true spirit and dedication shown by both Manitoba government employees and local governments.

I hope I speak for all members of this House when I express my thanks to all of those who are helping during this difficult time, and, of course, all our citizens who are affected by flooding and who have once again demonstrated and encouraged a resourcefulness in meeting this challenge. Thank you.

Mr. Jack Penner (Emerson): Mr. Speaker, we on this side of the House thank the honourable minister for updating us and having kept us up to date continually on the flooding that is going on across this province this year.

Those of us who have experienced flooding many years in a row now know only too well the

human effects and the sacrifices made by communities and people in communities, giving of their time volunteering to help their neighbours and truly try and rebuild the lives of those that have been devastated by floodwaters.

I was in St. Jean this morning, and I looked at a five-mile stretch of road that has completely disappeared. Not only is it under water, it has been washed away. That in itself will cause significant difficulty for the municipalities.

I think nowhere is it more evident of actions that government needs to take, Mr. Speaker, than when we talk about the Shellmouth Reservoir and how efficiently it can be operated to mitigate flooding on the Assiniboine River and downstream communities. I think we should spend a lot of time in this House at some point in time debating the merits of building more structures such as the Shellmouth Dam to retain waters and floodwaters and mitigate flooding, especially on events and years like this year.

We need to also reflect on the significant devastation caused by the 1999 flood to the communities and people in the communities that had no crop that year and were not able to financially contribute to their communities. The closures of 13 businesses in the town of Souris, 40 homes for sale in the town of Melita are an indication of how severely one event such as a flood can affect the lives of communities and indeed devastate total communities. I think governments at all stages, municipal, provincial and federal, need to recognize when those kinds of events occur there needs to be mitigating action taken immediately to address the situation if and when it occurs.

So I say to this Government it is good and well to keep us up to date on the events. It is, however, important that we recognize the disaster and the effects of the disaster and the after effects of the disaster. They can be long term, they can be far reaching, and they can be devastating not only to individuals but to communities.

We also thank the staff in the minister's department, the many other staff people and many other business people and community leaders that have been involved in fighting

floods this year and in years past. We encourage the minister to encourage his staff to work closely with those communities and people, to bring to his attention and to his Premier's (Mr. Doer) attention, the needs of those communities and the continuing needs of those communities and to try and address them.

* (13:50)

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise and ask leave first of all to speak to the minister's statement.

Mr. Speaker: Does the honourable member have leave? [*Agreed*]

Mr. Gerrard: Mr. Speaker, I would like to thank the Minister of Conservation for his updates on the flood situation and to say that it is welcome news that things seem to be improving.

I would like to make two particular comments. One relates to the road of which the member from Emerson has spoken. I visited and stood on that road after one of the previous floods. It was quite apparent at that time that measures should have been taken then to prevent this sort of a problem and not let it come to exactly the same sort of thing again where the road is washed out because inadequate preparedness was put in place, inadequate measures were taken to make sure that this was prevented, that there was the appropriate capacity to handle the water flows that were there without having to have this road washed out once again. So I would ask the minister to pay particular attention to this area and to other areas where appropriate action well taken now can prevent a lot of infrastructure damage and costs in the future.

The second point that I would like to make to the Minister of Conservation: I have had in the last few days representations from a number of people in First Nations communities in the area along the Fairford and the Dauphin River between Lake Manitoba and Lake Winnipeg, and as the minister himself may know, the flood peak sometimes does not crest there until early June. The First Nations people at Little Saskatchewan at Lake St. Martin, at Fairford often feel forgotten and they are not paid enough attention to. I was disappointed that in the report

today there was no mention of these areas in spite of the fact that the outflow is going to be increased, that there is increased water coming into Lake Manitoba, and I would ask the Minister of Conservation to pay particular attention to this area, because it still has some potential and indeed they are exposed to high waters even at the moment.

Thank you, Mr. Speaker. This, of course, is an important subject, and although it is improving, those who are still affected are still very concerned and still need our attention. Thank you.

INTRODUCTION OF BILLS

Bill 13—The Social Services Appeal Board and Consequential Amendments Act

Hon. Tim Sale (Minister of Family Services and Housing): I move, seconded by Minister of Justice (Mr. Mackintosh), that leave be given to introduce Bill 13, The Social Services Appeal Board and Consequential Amendments Act; *Loi sur la Commission d'appel des services sociaux et modifications corrélatives*, and that the same be now received and read a first time.

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

Motion presented.

Mr. Sale: I am pleased to introduce for first reading this Bill 13, The Social Services Appeal Board and Consequential Amendments Act. The new legislation updates provisions within The Social Services Administration Act and revitalizes the appeal process to a standard that meets today's expectations.

This legislation renames the Social Services Advisory Committee as the Social Services Appeal Board, which is its major function, and establishes the parameters within which the appeal board may conduct its hearings. It provides for the appointment of board members, the procedures before the board, the powers of the board and allows for further appeals to the Court of Appeal on points of law or jurisdiction.

The act also makes consequential amendments to several acts as appeals set out in those acts will now be consolidated in this one new act. Thank you, Mr. Speaker.

Motion agreed to.

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 from F. W. Gilbert School 22 Grade 5 students under the direction of Ms. Kimorie Lees. This school is located in the constituency of the honourable Member for Lac du Bonnet (Mr. Praznik).

Also seated in the public gallery, we have the Young at Heart Group from the Elmwood Mennonite Brethren Church, 26 visitors under the direction of Mr. Henry Visch. This group is located in the constituency of the honourable Member for Elmwood (Mr. Maloway).

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

* (13:55)

ORAL QUESTION PERIOD

Justice System Court Decision

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, today a 17-year-old girl and her mother went to the Minister of Justice's offices looking for some help. After years of being sexually assaulted from the early age of eight and after being on the run from the man who did this to her for some six years, the young girl and her mother were dealt an awful blow. They learned today that the man who did this to the young girl for the past number of years today was sentenced to 15 months of house arrest.

Mr. Speaker, this mother indicated to us today that when she and her daughter contacted the Minister of Justice's offices she was told, "That is just the way it is." Does the minister's

justice condone this type of cold treatment offered to victims as was offered by his staff?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, I have not been made aware of the circumstance, but I will certainly apprise myself of the situation following Question Period.

Mr. Murray: Mr. Speaker, Manitobans, I believe, are looking for some leadership not photo opportunities. The Government has not reduced the level of crime. The gang situation is getting worse. Our streets are not safe. Manitobans are still waiting for the Victims' Bill of Rights to be introduced, and on top of it, victims are being treated in an absolutely horrible way by the Doer government.

Can the minister indicate what action he will be taking to ensure that this type of action does not occur again?

Mr. Mackintosh: Mr. Speaker, the Leader of the Opposition I know has raised certain statistics in this House which are inaccurate, and we will deal with those in due course. In terms of the question being posed today, the decision of the court in question is one that the department will review to determine, as they do when they have decisions made by the court, whether there are grounds for appeal. As well, I will undertake to review what the position of the Prosecutions branch was at the court and what arguments it took and what the position of the department was at that time.

Victims' Rights Legislation Proclamation

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, The Doer government last year passed a Victims' Bill of Rights which, after eight months, still has not been proclaimed. Crown attorneys have indicated that with the lack of staff they are not sure that they are going to be able to do that this year at all. While our caucus on this side wholeheartedly supports the Victims' Bill of Rights, what measures has the Minister of Justice taken to assume and ensure that the Crown bill of rights, the Crown prosecutors will get that bill of rights implemented now?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, the Leader of the Opposition is going on to other issues, and I will deal with them in my question as well. I just want to remind members opposite and the member that, shortly on coming into office, this Government moved to establish for the first time in Manitoba a child-friendly court room and waiting room in the Winnipeg courts. The significance of that development is to recognize that child victims need a different kind of treatment by the justice officials and indeed we have to strengthen the evidence that goes into the court. Now the member raises an issue of sentencing in the courts, which of course is done by the judges of the court and may well be subject to appeal.

In terms of the Victims' Bill of Rights, as I said last week, we are proceeding in a sure-footed way with the Victims' Bill of Rights. There will be a staged implementation of that bill, which represents a new era for victims of crime in Manitoba, beginning in August.

Public Housing Safety/Security Regulations

Mr. Jack Reimer (Southdale): Mr. Speaker, a few short weeks ago I asked the question of the Minister of Housing as to the effectiveness or the still issuance of the zero tolerance attitude towards gang activity and gang membership in public housing. At that time he assured us that that policy was still in effect. I want to ask the Minister of Justice (Mr. Mackintosh) if he is aware that gang membership, gang activity and gang occupancy of public housing in Lord Selkirk Park is now back in full force in that complex.

Hon. Tim Sale (Minister of Family Services and Housing): Mr. Speaker, I think the member's questions were last session, not a few short weeks ago, but I would ask him, if he has specific information of any kind, that he provide that information to my office immediately. If the information he has is with reference to criminal activity, he knows that the proper place to table that information is with the Winnipeg Police or with the RCMP.

* (14:00)

Mr. Reimer: I want to remind the member that the question was asked, if he would look in Hansard, it was just maybe a short week or two ago. I will ask the Minister of Justice (Mr. Mackintosh) then, if the Minister of Housing is not aware of gang activity in public housing, has the Minister of Justice become aware of gang activity and gang graffiti in Lord Selkirk Park, a Manitoba Housing complex where this Government has the jurisdiction to kick them out.

Mr. Sale: Mr. Speaker, as I have told the member opposite on a number of occasions, the zero tolerance policy is still in place. I think that it behooves all members of this House when they have specific information that is contrary to the policies of government or to the laws of the land, that they provide that information specifically, appropriately and in a timely manner instead of casting aspersions on a whole housing complex or on a whole department or on a whole area of the city, which is inappropriate and not something a member of this House ought to be doing.

Mr. Reimer: Well, then, I will ask the Minister of Housing: Would he like me to bring in the tree from Lord Selkirk Park that has a big IP painted on it? Is that what he wants for evidence that they are into Lord Selkirk Park? Is that what you want, sir? You go and tell the residents of Lord Selkirk Park that there is no criminal activity in Lord Selkirk Park.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): It is the first time I have heard of an offer to table a tree, Mr. Speaker.

I think it is important that what we have to do in this province is deal differently with these challenges of public safety, and graffiti is part of that. That is why, on Monday, I am meeting with representatives of various community organizations, including the business community, about new approaches to dealing with graffiti. As well, tomorrow we will be introducing a directive to prosecutors to deal differently with issues of graffiti before the courts.

As well, we put in place, for the first time in Manitoba, shortly on coming into office, a Criminal Organization and High-Risk Offender Unit, including a gang prosecutions unit, to deal in a targeted and specialized way with gang activity. I might conclude by just reminding the members opposite that between 1993 and 1999 the numbers of known gang members in the city of Winnipeg grew by 410 percent. Where were those questions from that member when he was in Cabinet then?

Pan Am Clinic Purchase—Asset Value

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, yesterday the Minister of Health refused to provide Manitobans with the details on what they were actually buying with the \$4-million purchase of the Pan Am Clinic. We know that the book value of the equipment and operating rooms at the Pan Am surgical centre was \$662,000 on December 31, 2000.

I would like to ask the Minister of Health again what value his Government has placed on the equipment in its agreement to purchase the Pan Am Clinic.

Hon. Dave Chomiak (Minister of Health): As members opposite are aware, on April 2, we held a press conference to announce we had reached agreement in principle with respect to purchase of the Pan Am centre. The WRHA, under the direction of Dr. Brian Postl and vice-president Réal Cloutier, conducted negotiations with respect to the value. Independent appraisals were obtained with respect to the value, and when the final agreement is signed, which will be very shortly, we will table that information in the Legislature.

Purchase—Debt and Liabilities

Mrs. Myrna Driedger (Charleswood): I would like to ask the minister if he will tell us whether they will be assuming the \$631,000 in debt against the equipment and operating rooms which is currently owned by the Pan Am Clinic.

Hon. Dave Chomiak (Minister of Health): The last time the Government of Manitoba was involved in a situation of this kind was the

Assiniboine Clinic, when the former government attempted to put in place a new operation at Assiniboine Clinic which lost a lot of money.

One of the recommendations that I reviewed on the Assiniboine Clinic experience, which was not made public by the previous government, indicated that the key thing is to have the negotiations conducted by an arm's-length organization like the regional health authority and not to have the Government meddling in the affairs. The negotiations were conducted by the WRHA following the principle of what had happened in the Assiniboine Clinic fiasco, which was negotiated by the previous government.

Mrs. Driedger: Mr. Speaker, the minister certainly did not answer my question, and I think it is an important one. Will the minister tell us whether he will be assuming the \$631,000 in debt against the equipment and operating rooms which are currently owned by the Pan Am surgical centre? Is his Government buying the debt? Is he trying to help out the owners of the clinic here by picking up their debt?

Mr. Chomiak: Mr. Speaker, it was very clear in yesterday's questions the member has had wrong facts. As indicated before, and I will indicate it again, there is independent analysis of the cost. All of that information will be provided to members opposite. It will be tabled. It will be provided to members opposite very shortly, as soon as the deal is finalized.

I know that contrary to some of the actions that I saw in the past 12 years, Mr. Speaker, the population's interests, the province's interests will be very well protected with respect to this deal.

Pan Am Clinic Purchase—Independent Appraisal

Mr. John Loewen (Fort Whyte): The Minister of Finance (Mr. Selinger) talks about openness and transparency, and the Minister of Health hides behind due diligence. He knows full well that due diligence does not set the value, it only verifies it.

I ask the minister: What value was placed on the building that was purchased as part of the

agreement that he authorized for the purchase of the Pan Am Clinic?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, the value with respect to the value of the component parts of that particular deal was evaluated, was assessed by independent analysis. The due diligence has confirmed that it is fair.

Purchase-Debt and Liabilities

Mr. John Loewen (Fort Whyte): Mr. Speaker, this is unbelievable. Can the minister tell Manitobans if the Province of Manitoba, the citizens of the province of Manitoba, will be assuming the mortgage that was placed for \$960,000 in February of 1998? Will the Province be assuming that as part of this negotiated deal, the purchase of the Pan Am Clinic, on a building that has only been assessed at \$1,062,000? Are we assuming that mortgage?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, when the previous government negotiated the Assiniboine Clinic agreement, the advice that came to this Department of Health was that the negotiations should be conducted by an independent party such as WRHA, and, in fact, Mr. Réal Cloutier and Dr. Brian Postl negotiated the agreement.

There was an independent analysis done which assessed it as a fair value, Mr. Speaker. The due diligence confirmed that, and that information will be provided to members opposite very shortly.

Mr. Loewen: I would ask the minister to tell the people of Manitoba the details of the deal that he has authorized immediately. He knows them; he knows what they are. Share those with the people of Manitoba and prove to the people of Manitoba that he did not just authorize this deal to remove the onerous debt load on the owners.

Mr. Chomiak: Mr. Speaker, I can assure the member that that, in fact, will happen. We will be providing all that information to members opposite very shortly.

I might add, Mr. Speaker, that one of the reasons that we are entering into this particular kind of arrangement is that over the past two

years we have paid \$7.4 million in facility fees to rent facilities to do the type of service that we will now be able to do in our own facility and maintain the money in Manitoba in a Manitoba facility.

* (14:10)

Pan Am Clinic Purchase-Debt and Liabilities

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, we appreciate always the need to find the best way of doing things, but here we have a situation, we have a building worth a little over a million dollars with a \$900,000 mortgage. We have equipment valued at \$662,000 with \$631,000 of debt against it. We have very little equity, and we have a minister who will not come clean with the facts for Manitobans to judge this deal.

We want to ask the minister today: From the public information that is there, from the information that has been made available, there is still \$2.3 million of value to be accounted for. Will the minister tell us what the allocation is to what has been purchased and where the \$2.3 million is?

Mr. Chomiak: Mr. Speaker, as I indicated, the value was assessed at \$4 million independently. An agreement in principle was entered into independently. Due diligence was done which indicated the agreement was fair, that the value was assessed at \$4 million. We will table and provide that information to members opposite very shortly.

Mr. Praznik: I ask the minister: When he buys a \$1-million building with a huge debt against it, he buys old equipment with a huge debt against it, it really raises the question was this not a case of just bailing out a financially troubled clinic whose owners have a close relationship with members of the Government?

Mr. Chomiak: Mr. Speaker, as I indicated to members opposite, when members opposite were in government they were paying \$68,000 a month in penalties to the federal government for private clinics. They entered into agreements with private clinics that have paid \$7.4 million in

facility fees for two years to rent those private clinics. We thought there is a better way. We purchased a facility that is known in Manitoba as the best of its kind in the province of Manitoba. When the final arrangements and documents are signed, members will have access to all of those documents, and they will be able to judge accordingly.

Mr. Praznik: I ask the minister again: Given that their mortgage is a public value, given that the assessed value of the building is public, given that there is virtually no equity held by the owner, what has the minister purchased? Why would he not have used that money to expand surgical facilities in the Misericordia Hospital or other facilities, where they truly would have been in the public realm? *[interjection]* It is open, David, and you know that.

Mr. Chomiak: First off, we could not expand the surgical facilities at Misericordia Hospital because the government of the day, the former Conservative government of which the member was the head, closed the hospital.

Mr. Speaker: Order.

Point of Order

Mr. Praznik: I believe it is important we have accurate, honest information. I would say to the minister, and I think if he is going to be accurate, that it always was the intention with Misericordia—there is still surgery going on there in ophthalmology—which his party and he agreed with, that there would be ancillary services and day surgeries. Day clinics were a possibility. He should not now try to throw that out to hide by his unwillingness to come clean with Manitobans on his financial dealings.

Mr. Speaker: The honourable Minister of Health, on the same point of order.

Mr. Chomiak: It is very clear that in fact this is a dispute over facts of which the member is wrong.

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

Mr. Marcel Laurendeau (Opposition House Leader): On the same point of order, Mr. Speaker, *Beauchesne's* 417 is very clear: Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate. This minister again rises in his seat and puts misinformation on the record, just like he did the other day about a thousand nurses. We all know that was not true. Just like he did today, again another untruth, this minister continues to rise, and that provokes debate. I would only ask that you call him to order.

Mr. Speaker: The honourable member for Charleswood, I will hear if you have new information on the same point of order.

Mrs. Myrna Driedger (Charleswood): On the same point of order, I do have new information. I think that the Minister of Health is playing around with his information here. There are four operating rooms there that are currently providing eye surgery. I believe that his Government may have been asked to open a fifth. I am wondering then why he is giving this misinformation. Is he going to open the fifth operating room at the Misericordia? It is there for him to open.

Some Honourable Members: Oh, oh.

Mr. Speaker: On the point of order raised, it is not a point of order. It is a dispute over the facts.

For the information of the House, when members bring forward information, I have to accept it as facts, and I have to rule that this is a dispute over the facts.

* * *

Mr. Chomiak: Mr. Speaker, the decision to proceed with the surgical centre was an attempt, as I indicated very often publicly when I met with all of the Health ministers across the country, there was a clear need to do something with respect to the private clinics and with respect to surgical centres.

The made-in-Manitoba solution, in our view, was the one that would not allow for the massive integration and expansion of private clinics but would have a publicly funded clinic

that provided the same kind of capacity at day surgery centres as they did in the private centre. Therefore, we would have the advantages of the private efficiencies as well as maintaining in the public system. That was the intention, that is the goal, and that is what we intend to do.

Foot and Mouth Disease Provincial Action Plan

Hon. Jon Gerrard (River Heights): Mr. Speaker, my question is to the Minister of Agriculture.

The foot and mouth disease virus presently causing so much havoc in Europe is a particularly virulent and transmissible one, and being prepared needs a provincial action plan. The minister has demonstrated in the course of the last number of days that she has no plan. She has nothing on her Web site. She does not even have an operation to monitor animal movements, in spite of the fact that there are laws there.

I ask the Minister of Agriculture: When will she unveil her plan for being able to monitor and trace movements of animals in Manitoba so that we are prepared in case foot and mouth disease arrives here?

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Speaker, the member has raised this issue several times. I want to tell him that the provincial action plan that he keeps referring to is the same action plan that is in place in all other provinces. That is, this is a reportable disease, and all activities are co-ordinated through the Canadian Food Inspection Agency. All provinces are following the same action plan in Canada. There is no disease in Canada right now and every caution is taken to ensure that this disease does not get started in Canada.

Mr. Gerrard: Mr. Speaker, on Tuesday the Minister of Agriculture spoke about measures taken to prevent or limit interprovincial movement of animals susceptible to foot and mouth disease.

Were foot and mouth disease to arrive in North America, I ask the minister precisely what measures she will take as part of her non-

existent provincial action plan to monitor and limit movements of animals into Manitoba?

Ms. Wowchuk: Mr. Speaker, should we have an outbreak of foot and mouth disease in Canada, which I think is highly unlikely at this time given the precautions that are taken at borders and the information that is being provided by the departments, but should there be, Manitoba, just as all other provinces will do, will follow the guidance and the instruction of the Canadian Food Inspection Agency, which has the responsibility for reportable diseases. That is the plan that everyone will follow.

* (14:20)

Mr. Gerrard: My supplementary to the minister: I ask the minister whether she is going to follow the example of her illustrious colleague the Minister of Justice (Mr. Mackintosh) in waiting for more than 11 months in putting an urgently needed Web page up there with information about foot and mouth disease.

Ms. Wowchuk: Mr. Speaker, my department has been working very closely with the cattle producers, with various farm organizations, with schools, with the general public to get them the necessary information to ensure that people take the proper precautions to ensure that the disease does not come to Canada. I think that is the important issue that we have to remember here.

There is no foot and mouth disease in Canada, and we have to take the precautions to ensure that it does not happen. Should there be an outbreak, Mr. Speaker, we will follow the rules and guidance put in place by the Canadian Food Inspection Agency, which has the responsibility for reportable diseases.

Post-Secondary Education Enrolment Increase

Mr. Harry Schellenberg (Rossmere): Mr. Speaker, I have a question for the Minister of Advanced Education.

Enrolment in post-secondary education has risen significantly. Could the Minister of Advanced Education please explain the reason for this increase in enrolment to the House?

Hon. Diane McGifford (Minister of Advanced Education): Well, Mr. Speaker, I want to thank my colleague for that question because the Opposition certainly have not asked me any questions about Advanced Education.

Mr. Speaker, the enrolment in post-secondary education is up by 2700 students this year, 3 percent in our universities, 13.1 percent in our community colleges. I think the reason for this is that government has stabilized and invested in post-secondary education in a whole variety of ways. For example, I could point to the \$6 million in Manitoba government bursaries introduced last spring. I could point to the increases in operating grants to universities and colleges. I could point to stabilizing the ACCESS programs for Manitoba students, the College Expansion Initiative.

Portage District General Hospital ICU-Closure

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, the intensive care unit of the Portage District General Hospital has been closed. Patients have been shipped to Brandon and to Winnipeg. Facility director Doug Kinley said in the Portage *Daily Graphic* that the ER services supporting Portage la Prairie will be severely compromised.

I would like to ask the Minister of Health what plan he has to assure Portage la Prairie district residents that the ICU services will be restored?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, I thank the member for that question. The member is well aware it is part of the ongoing difficulties we face with respect to the nursing shortage that we are facing across the province. There are a variety of ICUs, CICUs and other critical care facilities across the province that have been forced, on a temporary basis, to accommodate staffing that have closed.

Mr. Speaker, it is unfortunate that we are suffering from an incredible shortage of nurses. This Government is working and has done more probably to deal with the nursing situation than any other government in the past decade. We will continue to do that. I know it does not

provide immediate assurance to the members opposite. We are aware of the situation. Fortunately, it is only a temporary situation while the nursing situation in that particular instance stabilizes.

Health Care System Nursing-Education and Training Program

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, well, I would like to ask a question of the Minister of Advanced Education (Ms. McGifford). In regard to the Minister of Health's statements, what is her plan to ensure rural residents of a supply of nurses in the future through her department's responsibility for educating?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, the member might be pleased to know that, for the first time this year, we have doubled the number of nurses that are in educated training than there were five years ago.

Mr. Speaker, we are offering the LPN site at numerous rural locations. As the member might know, and should talk to his colleague from Charleswood, we are very supportive of the diploma nursing program, which we announced last year, and which we are going to continue to announce. We would appreciate the support of members opposite in the diploma program.

As well, Mr. Speaker, the BN program is now at historical highs, and we are exploring other venues and other locations for the delivery of some of the various nursing programs outside of the present locations.

Boundary Trails Health Centre Opening Funding Shortfall

Mr. Peter Dyck (Pembina): With the opening of the Boundary Trails Health Centre taking place on May 10, with the estimated shortfall in the Central RHA of \$2.8 million and no money allotted for start-up costs, can the minister tell us today if the new health centre is in jeopardy of not opening?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, no.

Mr. Dyck: I appreciate hearing that. Will the minister confirm to this House today that services such as dialysis and chemotherapy will not be cut back due to a shortfall in funding of \$430,000, and will he further commit to meet with the officials of RHA and explain to them where they will find the money to run these services?

Mr. Chomiak: Mr. Speaker, I do not know if the member was able to hear my comments yesterday, but I will repeat them today. Officials from the South Eastman RHA as well as officials from the Brandon RHA were on CBC Radio yesterday.

I am aware, Mr. Speaker, as well, that the members talk of referencing Central. Both those officials indicated that in fact the difficulties were that they were historical high levels of funding the last two years but that you could not in one or two years overcome the devastation in funding that has occurred over the past decade.

Flooding Disaster Assistance

Mr. Marcel Laurendeau (St. Norbert): With the floodwaters rising right now, I really appreciate the minister bringing us the reports every day, but the flood of '97 is still too vivid in a lot of the people's minds within my constituency.

Some of the flood claims that are outstanding right now, it is because they are holding back 20 percent of the funds because they have not installed dikes yet. But it is no fault of their own. The city is holding them up, Mr. Speaker.

I was wondering if the minister could report to this House on where he is at with releasing some of these funds to these victims.

Hon. Steve Ashton (Minister of Transportation and Government Services): I know the member has raised this issue with me. In fact, it falls within the jurisdiction of the Minister of Conservation (Mr. Lathlin), and we have raised that with the minister. I appreciate the fact the member has made me aware directly and the fact he is raising it today. Certainly we

will be pursuing it. I have already raised this with the Minister of Conservation, and we do take it seriously.

Mr. Laurendeau: I have brought this issue up before. Can the minister please give me a time frame in which he will be getting back to me or the Minister of Conservation. We are awaiting this. We are waiting for up to \$30,000 for them to come back, and they would like to get on with their lives, they would like to construct the dikes if we could just get an answer back.

Mr. Ashton: I know we have had a number of discussions on this, and certainly I do take it seriously notwithstanding the fact it is within the jurisdiction of the Minister of Conservation (Mr. Lathlin). I know the member will appreciate that there has been a significant amount of progress the last number of years in terms of flood-proofing.

Certainly when we came into government we tried everything possible to accelerate that process. There are still some situations outstanding. We are very committed to that in the future. Obviously, my colleague talks about the floodway. But in this specific situation, I do take seriously the impact this is having on the individuals involved. I have undertaken, in fact raised it directly with the Minister of Conservation, and I will get back to the member when we can get a clear indication of what we can do to move this along.

* (14:30)

Mr. Laurendeau: Can the minister assure me that these people who are awaiting these funds will not have these funds cut off if they do not meet the deadline in the next two weeks?

Mr. Ashton: Once again, my interest in this is as a member of this Legislature, and I take my responsibilities seriously. It is not something that is directly within the jurisdiction of my department, but I have undertaken to raise this. We have raised this directly with the Minister of Conservation's office, and I will continue to talk to the member not just in this forum but privately because I think it is important to get to the bottom of this and see what can be done, if

anything. I will keep the member opposite apprised on a personal basis, on a regular basis. I think that is very important. It is a very important question.

Flooding Disaster Assistance

Mr. Jack Penner (Emerson): A couple of weeks ago I asked the minister as to whether this Government would be prepared to, under The DFA Act, cause restoration to happen to many of the roads, yards and driveways that had been severely damaged by the moisture caused by last fall's rain and the flooding that has gone on this spring in the southeastern part of my riding.

I have received many, many calls from farmers and municipal leaders to see what kind of response this minister has developed so far. Can the minister give us an answer today as to whether he will cause the DFA Act to be brought into play over here and let the municipalities and individuals be funded the same as we did in 1997, under the DFA Act, to cause restoration of the infrastructure in their yards and roads?

Hon. Steve Ashton (Minister of Transportation and Government Services): I went out personally in November. I know the impact that occurred in November. I went out at that time. I went out again with my colleague the Minister of Intergovernmental Affairs (Ms. Friesen) a number of weeks ago.

I have taken forward a proposal to establish a program. I anticipate being able to make an announcement fairly soon. I can just indicate as one clarification that one of the issues here is the fact that a lot of the damage we are seeing now in the spring is related to what happened back in November. So one of the issues will be, I think, whether there is one program for both combined events or two separate programs. I can indicate that the road damage that occurred back in November, we anticipate that being covered. We anticipate that the federal government will see this as eligible under DFAA. It should be covered.

Mr. Jack Penner: Can the minister then also give us an indication as to whether the infrastructure on people's farms, such as yard

damage, driveway damage and those kinds of things, to try and bring feed to their cattle, or try and get cattle out of their yards to allow them to be brought to dryer ground, will that also be covered under that same program?

Mr. Ashton: Mr. Speaker, the program we are looking at would cover not only municipal roads but other damage. In November there was some damage not only to farmland but also to individuals; in fact, far more significant impact in a number of the areas that were impacted. Indeed, anything that is eligible under DFAA will be covered by any program announcement, and I would encourage anybody that has not filled in a claim form to do so. We have had a number of individual claims, and once again, those kinds of claims would be eligible under DFAA process.

Mr. Jack Penner: In the same vein then, can you give municipalities such as the R.M. of Franklin and the R.M. of Montcalm an assurance that their damages that they have incurred this year and are incurring as we speak, and I have asked the Premier himself to go out to St. Jean and have a personal look as to how severe the damage is in those areas and how those families that are stuck in the middle of nowhere with the only access they have is by boat, whether he will go personally and have a look at and give those people an assurance that their flood-damaged properties will be restored to the original state and that he will make sure that the same programming will be brought into place that we had in 1997?

Hon. Gary Doer (Premier): As I have stated before to the member opposite, I will visit with the community. I am hoping to do that shortly.

Standing Committee on Agriculture Producers' Presentations

Mr. Frank Pitura (Morris): My question is for the Minister of Agriculture. On Monday last we were at the standing committee at Dauphin and at Brandon. Producers made representations to the standing committee. In particular, at the standing committee in Brandon, many producers stood up in front of the minister and said to the minister that not only do you take this unanimously approved resolution to Ottawa and

take it there in person, but to also put your money on the table before you go down. Are you prepared to do that?

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Speaker, the member is referring to the resolution asking for \$500 million. Certainly there was tremendous support by producers and business people in the community indicating that there was need for more money to help the farmers through this crisis. That was the position that I took when we were in Québec City when the last announcement was made for \$500 million, and we are going to continue to stand with the producers to ensure that the federal government lives up to its responsibility and helps those producers, particularly the grains and oilseed producers whose incomes are devastated because of high international subsidies in other countries that are provided for by their national governments.

Mr. Pitura: Mr. Speaker, the producers, in particular in Brandon, did not ask for the payment of the provincial dollars to them. What they asked the Province to do was to put their money on the table—

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I wonder if you could direct the member to put a supplementary question, which of course requires no preamble.

Mr. Speaker: On the point of order raised by the honourable Government House Leader, he does have a point of order. *Beauchesne's* Citation 409(2) advises that a supplementary question should not require a preamble. I would ask the honourable Member for Morris to please put his question.

* * *

Mr. Pitura: I ask the minister: Will she and her Government put the money on the table before you go to Ottawa to try and negotiate a payment of \$500 million minimum to Manitoba producers?

Ms. Wowchuk: I think the producers will just look at our record at what we have done in the last two years. When it comes to safety net funding, our Government has doubled the safety net funding over their contributions for safety in their time of office.

Health Care System Nursing Redeployment

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, I think it is very important that we put proper information on the record. So I would ask the Minister of Health today if it is not correct that there were between 30 and 40 nurses who were not redeployed after that 1000 nurse reorganization during our term.

*(14:40)

Hon. Dave Chomiak (Minister of Health): In the early 1990s, when Madam Connie Curran came to town and she gave information to the members in Cabinet of the former government, they went out and nurses were slashed from the Health Sciences Centre. The LPNs were gone. They were slashed from St. Boniface Hospital. They were slashed from the Seven Oaks Hospital. They were slashed from every single hospital. One thousand four hundred acute care beds were closed in this province under the tenure of members opposite.

I was sitting in the committee room with nurses who came to this Chamber looking for jobs in nursing, and they were not available in this province because of cuts that had been implemented by members opposite. When we came to office, we announced the most comprehensive nurse recruitment program.

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

Point of Order

Mr. Laurendeau: On a point of order, Mr. Speaker, *Beauchesne's* 417: Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate. My question was very clear about the 34 nurses who were not redeployed. If it had been about firing of nurses, we would have talked

about the 300 or 400 nurses that they fired from the VONs.

Mr. Speaker: The honourable Minister of Health, on the same point of order.

Mr. Chomiak: The member asked about the firing of a thousand nurses under the Tory regime, and I was simply answering the question.

Mr. Speaker: The honourable member for River Heights, on the same point of order, with new information.

Hon. Jon Gerrard (River Heights): I rose the other day to ask the Minister of Health to be a little bit careful when he talked about \$250 million. The minister responsible for Family Services, the other day, talked about taking a stick to women, and the Minister of Health, I think, could use better language than accuse the members of this Legislature of slashing nurses. I think that—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gord Mackintosh (Government House Leader): Just to say, Mr. Speaker, I do not think that point is worthy of reply.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order. *Beauchesne's* Citation 417: Answers to questions should be brief as possible, deal with the matter raised and to not provoke debate.

* * *

Mr. Speaker: The honourable Minister of Health, with a short reply.

Mr. Chomiak: Mr. Speaker, the era of the past 10 to 12 years under the former Tory government is well documented as an era in headlines that I have dozens of I am prepared to show to members opposite about cuts, about firings. It is well-known in Manitoba history, and we do not want to have to repeat that. In fact, we are trying to rebuild from the ashes of what happened.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Simply Natural Spring Water Corporation

Mr. Jim Rondeau (Assiniboia): Good day, Mr. Speaker. I rise today to draw the attention of this House to the expansion of production which is taking place at the Simply Natural Spring Water Corporation. This company, located in Middlebro in the southeast corner of the province, has done extremely well. It has been experiencing steady growth in demand for its product and has been recognized as the world's best-tasting water.

The growth of this company is phenomenal. It went from a quarter of a million dollars worth of sales to over \$6 million worth of orders currently. It is just excellent. Once completed, the new expansion will create 12 new jobs and provide a fully automated production line, increased warehouse capacity and will be able to ship its products not only to the States but across Canada.

This latest example highlights the importance of the Grow Bonds in providing Manitoba business support that it requires. What it does is it takes local people to contribute and buy the local bonds and invest in local companies, and it works. It has worked in the past and it continues to work. Locally controlled bond corporations can invest in commercially viable projects such as manufacturing, processing, tourism, export services and environmental.

I would like to commend the Minister of Intergovernmental Affairs (Ms. Friesen) and the Minister of Industry (Ms. Mihychuk) who helped assist this project. I commend the owners of Simply Natural and all the people who worked on this program since 1992. This is where Manitoba does further its Manitoba expansion. I wish the best of luck and future success to the people of Simply Natural, and I thank the Grow Bonds for making it possible.

I also would like to thank the Member for Emerson (Mr. Jack Penner) for providing the

drinks that we all have on our desks and also for participating in the ceremony yesterday. I thank all people involved in making this possible within Manitoba. Thank you.

Manitoba Book Week

Mrs. Louise Dacquay (Seine River): I am pleased to put a few words on the record about the 4th annual Manitoba Book Week, a celebration of writing and publishing. I was certainly disappointed that there was no ministerial statement by the Doer government.

Manitoba Book Week provides an important opportunity to support literacy, while at the same time supporting the province's publishing industry. Part of the sales of certain Manitoba books sold between April 17 and 28 will be donated to Literacy Partners of Manitoba. I would like to congratulate the Association of Manitoba Book Publishers for participating with the Literacy Partners of Manitoba in this most worthwhile project.

Manitoba is home to a vibrant writing and publishing industry. The local publishing industry generates \$4 million in revenue each year through about 80 new titles. The books are diverse, ranging from ground-breaking fiction and poetry to children's folk tales to historical, pictorial and educational work. Many of Manitoba's publishers are comparatively small operations, home to a limited number of employees but generating high-quality books that are sought after around the world. They provide a service that is essential to the educational, social, cultural and economic life of our province.

In addition to this being Manitoba Book Week, Canada Book Day was also marked on April 23.

I would like to encourage all my colleagues to take a moment during Manitoba Book Week to explore some of the wonderful books that have been written by our local authors and printed by Manitoba publishers. I am sure you will not be disappointed. Thank you, Mr. Speaker.

Earth Day

Ms. Marianne Cerilli (Radisson): I am rising today on behalf of the Earth Day petition coalition and the thousands of Manitobans who signed their petition to make Earth Day a holiday.

I will read a letter sent to me by Tim Brandt who understands the petition cannot be presented because the wording is out of order. I quote: In recent years we have had activities in schools and events at The Forks market to promote awareness in environmental concerns around Earth Day, April 22. After visiting Earth Day 2000 at The Forks, we the Earth Day petition coalition thought that these projects use up resources and increase pollution, and the more effective way of celebrating and honouring the Earth would be to do less on Earth Day, to use and consume and pollute and waste as little as possible for one day. We started our petition as both a way to raise awareness for this idea and to get support for it. It does not matter what day on the calendar Earth Day is, but the originator of the first Earth Day proclaimed in San Francisco over 30 years ago chose the first day of spring, March 21, as a natural way to celebrate life of the universe and the Earth.

Our consumer culture and our increasing use of natural resources is unsustainable. Previous generations may not have realized that, but we do. We know that our constant appetite for growth is like a cancer to the Earth, but generations to come will not forgive us for our lack of control. Younger generations already know that they will inherit a mess that we are making.

We need to slow down. We are saying just give the Earth its day. Imagine the natural, healthful benefits for our hearts, minds and bodies that would come from a true peaceful holiday for the Earth. Consider the possibility to meet on a truly life-affirming direction, and remember that all species are connected and share the Earth and that we are humans, but we humans are the only species going out of control. Make Manitoba the first to make Earth a holiday.

I would like to thank this group for their efforts to educate citizens and give voice to these views, and I just want to say that these were not my words, that I was just presenting this on behalf of the group. Thank you, Mr. Speaker.

Simply Natural Spring Water Corporation

Mr. Jack Penner (Emerson): I want to rise today to pay tribute to a person that I believe truly had a vision. This person was a person that went through most of his life earning his living by being a welder. He moved into the southeast area of the province in my constituency to the Village of Middlebro and dug a well. When he had finished the well, he tasted the water and he said I have never tasted water like this in my life. He invited me down to his place one day and he said: Jack, taste this water. Then he said: I am going to attempt to develop this water because I think this can be bottled in its purest form without doing anything to it, without filtration or without any kind of treatment whatsoever. He contacted a few people, and he has worked at this for about eight years now. He has developed a process, and he entered the water in a North American contest and won the gold award for the best-tasting water in North America.

I believe that this speaks very highly of the Manitoba environment. This speaks very highly of the stewards of the land and water in this province in the past. I think this speaks very highly of the products that we can manufacture and that we can bottle and sell in the world, Mr. Speaker.

I want each and every one of you in this House today to rise with me in a toast to Simply Natural and drink with me the best drink in all of North America: Simply Natural Water.

* (14:50)

International Medical Graduates

Mr. Cris Aglugub (The Maples): It is with great pleasure that I rise today to bring attention to one of our Government's many initiatives in health care, the latest being the introduction of a new program that will assist international graduates obtain medical licences in Manitoba.

As part of our commitment to enhance the quality of health care in this province, our Government is addressing the human resource challenge with an exciting and unique made-in-Manitoba program. This permanent program, the first of its kind in Canada, is going to go a long way to support international medical grads in becoming licensed practising doctors in our province.

The program will be offered in three stages. The first, which is optional, will help candidates with language skills and provide information on legal and ethical issues related to medical practices in Canada.

The second stage involves a three-day assessment process which will identify applicants who may be eligible to apply for registration with the College of Physicians and Surgeons immediately. The second stage also offers a program of instruction at the Faculty of Medicine for physicians requiring additional training as identified by the assessment. A tailor-made program of up to one year will address the physician's individual learning needs.

The third stage: eligible international medical graduates will be granted conditional medical licences and will begin primary care practice in their sponsoring regions working with a practice adviser who is a licensed physician.

This innovative program along with our Government's investment in diagnostic equipment and in ambulances demonstrates our commitment to improving health care services for all Manitobans. We have and will continue to work hard to improve the quality of health care.

Mr. Speaker: Order. The honourable member's time has expired.

House Business

Hon. Eric Robinson (Acting Government House Leader): Mr. Speaker, on behalf of the House Leader, I wonder if you would canvass the House to see if there is agreement to waive private members' hour today.

Mr. Speaker: Is there agreement of the House to waive private members' hour for today?
[Agreed]

Mr. Robinson: Mr. Speaker, would you also canvass the House to see if there is agreement to adjourn the House at five o'clock today.

Mr. Speaker: Is there agreement to adjourn the House at 5 p.m.? [Agreed]

ORDERS OF THE DAY

Hon. Eric Robinson (Acting Government House Leader): Mr. Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Smith)—

Mr. Speaker: Order. This is continuation of this morning's session, so resuming the consideration of Supply, as it was agreed to this morning.

* (15:00)

COMMITTEE OF SUPPLY (Concurrent Sections)

LABOUR AND IMMIGRATION

Mr. Chairperson (Harry Schellenberg): Order, please. 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.

When the committee last sat, it had been considering item 11.1. Executive (b) Executive Support (1) Salaries and Employee Benefits, on page 122 of the Estimates book. Shall the item pass?

Mr. Ron Schuler (Springfield): Mr. Chairman, I was wondering if you would canvass the committee to see if there would be agreement to see the clock to end this section of the committee at four o'clock, to see the clock as reading six?

Mr. Chairperson: Is there agreement in this section in Room 254 to rise at four o'clock today? [Agreed] So we will rise at four o'clock.

We are open for questions.

Mr. Schuler: I was wondering if the minister would like to conclude her remarks from this morning.

Hon. Becky Barrett (Minister of Labour and Immigration): Mr. Chair, I appreciate the opportunity to conclude my remarks. I think I will just say that I have many other things that I could say on the topic that we were discussing this morning, but as I stated at the beginning of my remarks this morning, I would like to move into the actual Estimates of the department.

So I will just conclude by saying that I do have and am prepared now to table three copies of the letter to the Leader of the Opposition (Mr. Murray) that I quoted from this morning.

Mr. Schuler: Mr. Chairman, I would like to thank the minister for her comments. I know this probably is not the favourite topic to be discussing, and I do not want to spend a lot more time on it, but I do think it is important. I have spent a lot of time in the portfolio as critic. I have really come to realize the importance that the department really has within the province. Really, in the big picture as a line budget item, it is not the biggest item, far from it, yet I believe it carries great significance. I think it is of great importance to the way we manage our province and the way our economy functions, the way we attract business, the way we have a climate for encouraging entrepreneurship.

So, again, I just want the minister to know that I wanted to deal with how the process went, and as we then go through the individual line items, that based on those comments I do want to have a little bit of a discussion. So, again, I just want to be clear with the minister that that is actually where I was going.

I want to just conclude my remarks. I think we sort of talked about the difficulty of the bill, and I think one of the problems I have had with Bill 44 and the way that it was conducted is the divisive nature of it.

I do want to go back to one thing that the minister talked about, and I think it is very interesting because I know the department is to be impartial of politics, and I think we really appreciate—I see we have Mr. Farrell sitting here,

and it is Mr. Nykoluk, I mean, clearly, professional civil servants who advise the minister. What I was trying to get at is with the collective wisdom that one would have within the department, maybe there could have been an opportunity there to have cooled down the intensity of the debate. Certainly, that is what I was trying to get at. At no point in time would we want to criticize a professional public service staff as we have in the Department of Labour.

Just one thing, Minister, that I would bring to your attention as we go through the Estimates, that to have good consultation with business groups after Bill 44 was kind of like closing the gate after the horse is gone. I do hope for the sake of the province, I do hope that the minister is able to go back and rebuild the relationships with business and labour, between herself and business and herself and labour, and between business and labour. I certainly hope that is something, because again I believe the public views the Department of Labour as someone who arbitrates, who steps in in times when two parties simply cannot seem to find their way through negotiations, and I think that is very important that we have that to continue.

On the LMRC, I think when we get under Labour Board I will want to sort of deal a little bit with that. Minister, I do not have problems with LMRC in the fact that there is probably never total agreement. I think we understand that. I guess my concern is—I am sorry, I am supposed to do this through the Chair, through the Chair to the minister. There was a spin put on initially that this was a unanimous kind of an agreement by the LMRC, and until we found that documents were forthcoming that that was not the case, I guess that is the concern I have.

Perhaps there is a time now that after legislation is introduced de facto the LMRC report should be tabled. I understand from years gone past that the minister, then-Labour critic or involved in the Opposition being critic to the former government, that the LMRC reports were hardly a secret document. They were, I believe tabled every time in one shape or form or another. We have to be really careful that as politicians we do not go out there and make statements that it was unanimous when, in fact, it was not. I think that was one of the problems

that came with the whole LMRC report and I know caused the minister a certain degree of difficulty. So certainly, we had a lot of difficulty with it.

I want to conclude by saying or asking in a sense to the minister: What is next? I know she cannot sit here—and I know she will not from having sat here last year—and find out where we are going with labour legislation in the province. Are the Government and this minister going to follow the advice of one of the union leaders, saying in our meetings with the Premier (Mr. Doer) and the Minister of Labour we were told repeatedly that it was preferable to amend The Labour Relations Act a couple of times in small increments, rather than all at once. Is this going to be a every year after Estimates we are going to see more legislation, the controversial stuff? Where is the minister planning to go with labour legislation?

* (15:10)

I know that the minister has had this letter brought to her attention. I know it was addressed to her. The letter goes on to say: There is much that remains to be fixed, and there is still much in labour legislation in Manitoba that is offensive to any New Democrat. Is that the case? Are we going to see a lot more legislation coming down?

You know, there was a newspaper article at that time: Union letter scares BIZ. I am sure the minister has seen that, and it has been brought to her attention. I would caution the minister. I happen to have a document that I pulled off the Internet today, and it deals with an election happening on the West Coast. There was a quote out of there: Some union members now think the Liberal Party may be their best bet to get back to work. Arlen Gedlaman has spent previous elections putting up signs for the NDP, but he is putting up a Liberal sign in this campaign. We need somebody with a little more business sense in government so we can get the climate a little more pro-business. If business does not make a profit, we do not work, he says. It does not seem like they want to talk to a little guy like myself or anybody else. It is like they do not support the

grassroots anymore. That comes off, it is called CHEK TV and it comes off the Internet.

I think even the frontline worker sees that too much of this kind of legislation ends up hurting them as a worker, and I think that comes out very clearly here. That is where we see, for instance, today, an Ipsos-Reid poll came out showing the Greens with 10 percent, almost competing with the NDP in British Columbia. Workers are looking for alternatives to the Government which they felt was too hard-line which went too far with a lot of things, including labour legislation.

I think I have brought a lot of information to the minister's attention, that a lot of the groups are saying, whoa, easy, maybe some of it was just a little bit too far out there. So, as we work through this, I certainly want to keep the minister mindful that I know a lot of this does not apply directly to legislation and to labour itself, but the Department of Labour does get public money. It does get public funds, and people are concerned with what the Department of Labour does, and in particular the Minister of Labour (Ms. Barrett), because I think all Manitobans want to see as harmonious as you can get—yes, there will be strikes, but as harmonious of a situation as you can get. Certainly we want to go through the Estimates and keep bringing that to the minister's attention.

I understand the Minister's Salary will be forthcoming, and this will be my first question then to the minister. I did have a few questions as a ground before we go into the individual departments, and it is more of a clarification, if I could. I know there are many of my colleagues who were just not understanding, so I was wondering if the minister would mind if we went to page 10, which basically gives us total appropriations, and then I would be more than willing to go page by page. Is that fine with the minister?

Ms. Barrett: Sure.

Mr. Schuler: Mr. Chairman, I do not know if the minister has the last year's Expenditure Estimates 2000-2001 with her. If we look in 2000-2001—and I know her department is going to look for it—the Estimates of Expenditure were

\$23,138,200. That was what was estimated for the year 2000-2001, but if we go into the new book, 2001-2002 Departmental Expenditure Estimates and we go to the Estimates of Expenditure 2000-2001, we find that the number has been revised upwards to read \$23,428,500.

I guess my question through you to the minister is: Why would that be the case?

Ms. Barrett: Generally speaking, if the member would look at page 10 of this year's Estimates book and the second category, the reconciliation statement. That is where you get from the printed Estimates of last year to the adjusted expenditures for this year.

So you get from \$23,138,200 to \$23,428,500 through these three areas: the allocation of money from Justice, \$30,000 and I believe that was for the portion of the salary of the Crown Prosecutor which we can get to, talk about more; and the general salary increase, the GSI, which was the salary increase that was given through negotiations in the collective agreement. So our general salary increase, which had not been budgeted for in last year's Estimates because we had not concluded the negotiations, that had to be added in as well. Then the \$1,300 is a correction.

So when you add the \$30,000 that we gave to Justice as our portion of the Crown Attorney that deals with Workplace Safety and Health issues in the courts and the general salary increase that the staff got as a result of the negotiated settlement, that is why the expenditures are higher at the end of the year than at the beginning of the year. That is the distinction between those two figures.

Mr. Schuler: I take it then that this is commonplace. My question then to the minister and perhaps through her to the department and perhaps to the Department of Finance: Why would that then not read revised Estimates of Expenditure because actually it is almost, in a financial statement sense, misleading, because, in fact, that is then revised from the original Estimates, right?

Ms. Barrett: Are you talking about the column on schedule 3, page 10 of this year's Estimates,

the heading Estimates of Expenditure 2000-2001 that has as its total \$23,428.5?

Mr. Schuler: Yes.

Ms. Barrett: These are the titles and the headings that are common throughout the Government, so you get the adjustment delineation in the reconciliation statement.

Mr. Schuler: I guess I have a great degree of difficulty with that, because certainly after having spent some time it is clear what has taken place, and I hope that I will have time to still go into the Department of Finance and bring this issue up, because really it should read revised.

The difficulty I have, through the Chair to the minister, is that when you look at the change in percentage, what happens is the increase is based on the revised and not on the Estimate of Expenditure that was actually agreed to by the Legislature. So, for instance, if you take the 23,428.5 and you take the increase, it becomes a 5.6% increase. However, if you showed this year's increase from what you actually budgeted for from last year, the increase—*[interjection]*—because that was the Budget last year. If you compare this year's Budget to last year's Budget you actually have almost a 7% increase. It comes to 6.6857, is what the increase is.

I just find that very interesting, that there is not even a footnote that those numbers are then revised, because in real terms over the Budget last year, comparing budgeted to budgeted, you actually have a 6.6857, almost a 6.7, if you round it up almost a 7% increase, not a 5.6% increase.

* (15:20)

Ms. Barrett: I think perhaps the member should take this specific question to the Finance Estimates or have the Finance critic raise the matter, because I understand we will be paralleling Estimates starting on Monday for a rationalization or an explanation of this.

My understanding is that this has been the way that the Estimates books have been laid out for a number of years, and that this is an agreed-upon process. In setting up the Estimates book and in setting up the Budget items, we follow

what we are given through Treasury Board and the Department of Finance as to the categorization and the headings. We do not put those headings in. Those are a general governmental thing, which my understanding is was not changed for the last two years but has been a long-standing practice.

I do suggest that he go to the Department of Finance for these questions.

Mr. Schuler: Certainly that is something that I would like to do, because I think there is a problem here. For instance, if I could point out through you to the minister, if you look at '99-2000, and clearly there was a change there because a department was rolled in. So that is why you go from 14 million to almost 22 million, I mean, that you cannot account for. It still should read "revised." From the '99-2000 to the 2000 and 2001, you see a 5.4% increase. Then, if you do the same thing for this year I believe, my math, I come up with, it is almost over two years a 12.63% increase in department spending.

I guess the problem I have is that you are getting an increase over your overexpenditure from last year, and I just wanted to bring that to the minister's attention. As we go through the book, we find that various departments, it does not look like the increase is very large except that you are getting the increase on an overexpenditure rather than what was actually budgeted for. Again, I understand we cannot do actuals because the actuals are not done yet.

When you are comparing, you have to compare a budgeted estimate to an expenditure estimate. You do not have a defacto actual that you can compare it against. I understand the complications with that. Again, just for the record, I believe either they should state "revised" or they should have the same, and then have it revised some other way. Anyway that is just something that I spent a lot of time trying to figure out how these were done. It is an intriguing system, I guess. Only something that one could find in government, so I do not know if the minister cares.

I understand now, of course, Minister's Salary always comes to the end when we at that

point in time try to deny the minister her salary. We will have to see this year if the practice continues. I think we are on—is it 11.1.(b)?

Mr. Chairperson: We are now on 11.1.(b)(1) Executive Support, Salaries and Employee Benefits \$521,300. Shall the item pass?

An Honourable Member: No.

Mr. Schuler: On this particular issue, first of all, if you go to page 22, is that the breakout or is that the next category that we will be dealing with?

An Honourable Member: The next one.

Mr. Schuler: Okay. So here, again, the difficulty I have is that I do not know if they have revised the expenditures from 2000 and 2001. I see that we have some increase in wages in this stuff. I was wondering if the minister could tell us, one of the new individuals working for the Government, Warren Preece, is he paid out of this Budget?

Ms. Barrett: No.

Mr. Schuler: Could the minister tell us: Is he paid anywhere out of the Department of Labour?

Ms. Barrett: No.

* (15:30)

Mr. Schuler: I thank the minister for that. In here we have seen quite a projected increase. I take it the 509,000 already includes the latest increase, so then why are we up at 534 estimated? What is the minister budgeting for there?

Ms. Barrett: When we were talking about the reconciliation element that had a \$261,000 figure for general salary increase, or GSI, a few moments ago, that was for the first year of the contract with the Manitoba Government Employees Union. That contract was signed after the Budget for 2000-2001 was presented in April. The contract was signed at some point later on, was retroactive to April 1, 2000. So that \$261,000 reconciliation was for the year 2000-2001. This salary increase is for the second year of the three-year contract.

So that is the distinction. The salary increases, the salary lines throughout the Budget, where they are not reflective of new staff being hired, those increases are due to the second year of the three-year contract that was negotiated.

Mr. Schuler: Were there any additional staff hired in this particular area of the Estimates?

Ms. Barrett: No.

Mr. Schuler: I guess my question is in the 2000-2001 Estimates, the real Estimates, it was 498,000 and then you had to add 10 on which gets you to about 509,000. The increase from the 509 to the 538 is substantial.

Does that mean that the contract in the first year would have been a lesser increase in the first year and it would have been greater in the second year? Why is it not proportionate?

Ms. Barrett: I think I am going to ask the member to ask his question again because I am not sure I understand it when I think about it.

Mr. Schuler: Thank you to the minister through you, Mr. Chairman. I deal with these financial statements on a regular basis, and there are often times when I could absolutely run out of the room screaming. I will try that one again.

If you look at the initial Estimates, the one that was passed by the Legislature, it was \$498,900. So it was 480—sorry, can we try that again—it was \$498,900 and then when it was reconciled, or the revised number is \$509,400, so it is about a \$10,000 difference. Why is the increase in that line so much greater for the year 2001-2002?

Ms. Barrett: It is more in the second year than in the first because it is building on a higher base, and it is not just the general salary increase but there are also other elements that go into it which include special wage adjustments and increases for stand-by pay and remoteness allowance, merit increments and reclassifications. For 2001-2002, the request throughout the department, not just in this area, but throughout the department, the salaries were

adjusted by merit increments and reclassifications in the total amount of \$41,000.

So it is not going to be even across the categories because while everybody got the general salary increase, others got different merit increments or stand-by pay or remoteness allowance, this kind of thing. Plus the biggest factor is the fact that the second year of a contract you are building on a larger base than you were the first year, because you have built in that first year's increase into the base, and next year, if nothing else changes, it will be even higher. The incremental number will be higher because of the base.

Mr. Schuler: I will close with this one. Actually, it is substantially more. The increase was 2.1 percent in the first year and then it rises up to 4.6 percent, but the minister did mention that there were reclassifications and that would then explain it.

My last question on this, through you to the minister is how can you already calculate in staff turnover. Is it something that you are seeing as taking place? Is there something that the department sees as being forthcoming?

Ms. Barrett: Traditionally the departments like to be able to put into their budget an amount of money that is an estimate to take into account attrition and staff turnover, and I believe in the back of the book, the last page, page 75 in the glossary, it identifies what the staff turnover allowance is and that is an adjustment made to a salaries account to allow for attrition and staff turnover. It is a negative adjustment to enable the organization to more accurately display salary requirements, and basically it is that if you have a staffperson leaving you then usually have a period of time between the time that staff leaves and the time another staff is hired where the position is vacant so you are not paying anybody, and when you hire you normally hire at a lower level than the person who left was at, and that is why it is a negative figure.

Mr. Schuler: And, again, it is not really a large number, it is \$13,900, but just from the books I have that is not something that has traditionally been done. I take it that is probably something new the department has probably introduced,

and, again, if it does not happen, not a big issue, but it does add to some degree to the overexpenditure, and I am sure the department wants to get to the point where what they forecast is actually what is spent, that or maybe a little less and not quite the substantial amount.

I understand with negotiations the department might not have known, but those kinds of things should be built in. I see the department is kind of almost counting on almost \$14,000 reducing the expenditure that they are planning on. I guess my only question is: Throughout the Department of Labour, how much money have you allocated as a negative in staff turnover amounts?

Ms. Barrett: That would be an item in each of the groupings. You would have to add them up from each of the categories. Executive Support, Mechanical and Engineering, Workplace Safety and Health, Pension Commission, all of those would have, for example, on page 25, which is the next section, Labour Management, there is a line at the bottom, less staff turnover allowance, so it is in everyone of the subappropriations.

Mr. Schuler: My question then to the minister is: Does the department not track the cumulative figure for the department, because that can actually become a fairly substantial amount of money? If by chance that does not happen, because in a sense you are almost looking at it as income and I look on page 25, there is \$21,000; page 27, \$35,000; page 29, \$7,800; page 31, \$6,000; almost \$20,000 on page 33. I mean, it goes on and on, 35 has the same thing.

After a while that becomes a substantial number, and is that not something you would want to track? Because if that number, in fact, does not take place, one could see within the department a fairly substantial overexpenditure which actually is not an expenditure. It is just a negative item within the Budget that one projected would take place but if it does not, then it becomes an overexpenditure, because you are almost counting it as income.

Ms. Barrett: Like all the other items, some of which are fairly fixed and others which are really estimates that you cannot say with certainty will be the same all the way through the year. That is

the role of the Finance division to ensure that we keep an accurate tally of what is actually happening, and those are done. A report is prepared at least quarterly on all of this, not just the staff turnover allowance but all of the elements that are part of the department's expenditures.

Mr. Schuler: On that particular item, as we go through the entire Budget, is this something that has been newly instituted by the Department of Labour, or when was the last time something like this was put in as a line item called staff turnover allowance?

* (15:40)

Ms. Barrett: It has been a part of the Estimates process in the past, but if the member will look at page 75 where we talk about the definition: "It is a negative adjustment to enable the organization to more accurately display salary requirements." So in a sense we have sharpened our pencils or whatever the technologically advanced equivalent would be. Souped up the mouse, I do not know, but whatever.

The reality is that there are changes in staffing over time, particularly these days where the civil service is aging. People are retiring. You have change taking place. It is a very mobile workforce not only in the civil service but all throughout the economy. So it is an opportunity, and we have begun to feel that it is a requirement to really take a look at and come up with as much as we possibility can, and again, this is one of those areas where it really is an estimate because we can make an estimate of how many people will leave, what the turnover will be, but you cannot know for sure. I imagine some of the elements that went in, looking at the age of the workforce in that particular section, looking at the turnover history. Some sections have been very, very stable.

Other sections have seen quite a large turnover. Making that kind of an estimation, but again, this is where we have to keep a sharp eye. This is an estimate, and it may actually change over the course of the year, but by putting it in it says to us we have to pay attention to this. This is something that does happen, and we are trying to identify it, highlight it a little more.

Mr. Schuler: My question to the minister is: Is this the first time that this has been done within the Department of Labour?

Ms. Barrett: No, in past years the department has taken into account the fact that people leave, et cetera, the salary adjustment, but it has not been pulled out as a distinct line. It was sort of part of the Salaries line but not as clearly defined. We have clearly defined it so we will perhaps pay more attention to it.

Mr. Schuler: My last question to this one. Again, there is no total number for the entire budget for that kind of staff turnover allowance. Is that correct?

Ms. Barrett: Yes. Correct.

Mr. Schuler: I would like to thank the minister for that, and if she so pleases I would be agreeable to moving on to page 22.

Mr. Chairperson: I will read 11.1. Executive (b) Executive Support (1) Salaries and Employee Benefits \$521,300—pass; (2) Other Expenditures \$79,700. Shall the line pass? The line is—

Mr. Schuler: I am trying to find out where you are, Mr. Chairman.

Mr. Chairperson: I will read again—

Mr. Schuler: I will ask the committee to excuse me. I am still learning the way the Government runs its financial books. It is truly a unique beast in the way it runs its financial statements. So forgive me. I will over time figure out how these work and sorry for holding up the committee.

Mr. Chairperson: I will read 11.1. Executive (b) Executive Support (2) Other Expenditures \$79,700—pass.

Next, on page 123 we have 11.2. Labour Programs (a) Management Services (1) Salaries and Employee Benefits \$1,093,200. Shall the item pass?

Mr. Schuler: On page 22 of the Supplementary Information for Legislative Review, I take it that is just a typo on top of the page. It says Estimates of Expenditure and then Estimates of

Expenditure 2001 and 2001-2002. Should it not have been listed up on top?

Ms. Barrett: Yes, the member is accurate; that was an oversight. The number that should have been put at the top of page 22 of the Estimates book is \$14,764,100 which is at the bottom of page 23. It should have been put over to the top of page 22 as well. That was an oversight.

Mr. Schuler: On page 23, if we go to Workplace Safety and Health, can the minister explain why there seems to be a substantial increase in the Department of Workplace Safety and Health? We are working off the Supplementary Information. Am I not working through it the way you—*[interjection]* And then they follow behind it.

On page 25, again, just for the record, I would point out to the minister that we have the Staff Turnover Allowance of \$21,600. Again, that is nothing in particular. That is just an amount that the department sort of sees as being what will happen.

Ms. Barrett: Just to put it into perspective, and this is just a very broad guesstimate, but that is about half a year or maybe a little more of one staff salary and benefits, and there are 23 staff in the division.

So it is not a very large percentage of the staff complement. I could figure out the salaries and benefits—\$1.2 million approximately. This is \$21,000 of a \$1.2 million. We could do the figures. It would take 6 months of one person to not be there. So spread over 23 people, it is not a whole lot.

Mr. Schuler: Within this area of the Budget, are there any plans to hire any new people?

Ms. Barrett: Yes, there are currently two vacancies in this division, a financial officer and a labour research analyst, and we are planning to hire in those areas, but I would like to point out that in the context of the Staff Turnover Allowance, we are almost a month into the new fiscal year. We have two vacant positions. We are pretty close to probably meeting that \$21,000 target by just not having hired those two

positions. That is the kind of proportion that this vacancy is, but there are two.

* (15:50)

Mr. Schuler: If this is how it works, then can we already move to Mechanical Engineering, or do we have to first pass the—

Mr. Chairperson: I will now read out this line. Under 11.2. Labour Programs (a) Management Services (1) Salaries and Employee Benefits \$1,093,200—pass; (2) Other Expenditures \$318,400—pass.

Item 11.2.(b) Mechanical and Engineering (1) Salaries and Employee Benefits \$1,745,000.

Mr. Schuler: To the minister, are there any new positions being opened up within this particular area of the budget?

Ms. Barrett: No, no anticipated new positions under this area.

Mr. Schuler: I would be willing to move on.

Mr. Chairperson: Item 11.2.(b)(1) Salaries and Employee Benefits \$1,745,000—pass; (2) Other Expenditures \$473,000—pass.

Item 11.2.(c) Conciliation, Mediation and Pay Equity Services (1) Salaries and Employee Benefits \$381,200.

Mr. Schuler: Again, are there any new positions opening up or being created within this part of the budget?

Ms. Barrett: We do not have any plans at this time to add any staffing.

Mr. Schuler: Then I would suggest we move on.

Mr. Chairperson: Item 11.2.(c) Conciliation, Mediation and Pay Equity Services (1) Salaries and Employee Benefits \$381,200—pass. (2) Other Expenditures \$95,300—pass.

Item 11.2.(d) Pension Commission (1) Salaries and Employee Benefits \$288,100.

Mr. Schuler: Again, within this department I had the opportunity to meet with a few of the individuals who worked for the Pension Commission for the last session. I believe the minister had them in there in her office with ourselves. Certainly what they have done is some remarkable work. I think the Pension Commission is to be commended. I think the way they invested the money and certainly the way it was handled and the way the employees and everybody worked together to see that the surplus, the largesse be dealt with in a proper fashion. I think they are to be commended for this.

Just one question to the minister: Are there any plans to add any further positions to the Pension Commission?

Ms. Barrett: No, at this time. This would appear to be a recurring theme for the member, and I do want to make it very clear that these are Estimates and one never knows what might happen through the course of the year. I can say right now we are not planning to, but we do not know what might happen. You can never say for sure in any of these. So I just want to make that with that caveat that we do not have any plans at this time to do any additional hiring.

Mr. Chairperson: Item 11.2.(d) Pension Commission (1) Salaries and Employee Benefits \$288,100—pass; (2) Other Expenditures \$120,000—pass.

Item 11.2.(e) Manitoba Labour Board (1) \$950,500.

Mr. Schuler: I have a question for the minister. The minister does have various areas within her department. To make it easier, because I know there is really no need to have a lot of departmental staff sit, I believe we sit again as a Legislature on Monday. Would she agree then to allow the critic for Immigration and Multiculturalism to start on Monday and get through that part just so that that is then done? She has to call the departmental staff here, right? So that they do not have to sit around and wait. Again, the way it is set up, there is another critic for Immigration and Multiculturalism. Because that way, they would start first thing in the morning and work through those—*[interjection]*—

I am sorry, after Question Period. I meant the first opportunity.

Mr. Chairperson: I would just like to point out to the committee you have to have leave to skip ahead to 11.3 on page 124, Immigration and Multiculturalism.

Ms. Barrett: I have no problem with beginning Monday afternoon with that division. I would just like to ask the member and perhaps he can tell me, if we conclude that—does he anticipate concluding that division? I know he cannot speak for another but prior to the conclusion of Estimates on Monday. Then does he have a particular area in the Labour part that he would like to have me have staff here for, since we have gone fairly quickly through some of the divisions? The next one is the Labour Board, and I believe the one after that is the Workplace Safety and Health.

Mr. Schuler: Again, just to make it easier on a lot of staff, because I know a lot of these areas do have work to do, not that the deputy minister and his assistants do not, but just to get them out of the way, if the minister is so inclined to give leave, then I would suggest we do Immigration and Multiculturalism, do Office of the Fire Commissioner and we do those right away on Monday, and then we would just move those off and then get back into the more departmental and work on through it. Then we would start right where we left off today and we would continue to work our way through in the same fashion. I believe those are the only two where other staff has to come in because that way they do not have to sit here. If that is fine, we would do those two on Monday and then dispense with them and move on then into departmental.

Ms. Barrett: That is fine. Just to remind the member that if there are more specific questions on particular areas, for example, if the member is interested in some specifics on the Labour Board, we would have to have staff from the Labour Board here. Same way with Workplace Safety and Health, or Mines, et cetera. So we would be prepared. If the member knows ahead of time that he has particular areas that he is interested in, perhaps we can move through other areas. But it would be helpful for me, for example, on Monday, if the member could let us

know if there are any areas that he would like to have more detail on than he has asked for in some of them.

* (16:00)

Mr. Chairperson: Is there leave to begin on Monday to commence discussion on 11.3 Immigration and Multiculturalism and then revert back to 11.2.(m) Office of the Fire Commissioner? *[Agreed]* We have leave. Thank you.

The hour being 4 p.m., as previously agreed, committee rise.

* (15:00)

INDUSTRY, TRADE AND MINES

Madam Chairperson (Bonnie Korzeniowski): Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates for the Department of Industry, Trade and Mines. It was agreed earlier to proceed line by line through the Estimates book for this department with some flexibility.

I would like to advise members that the correct procedure for considering departmental Estimates is in a line-by-line manner. In order to skip ahead or to revert back to lines already passed, unanimous consent of the committee will be required. Consideration of these Estimates left off on page 100 of the Estimates book line 10.1.(b) Executive Support. The floor is now open for questions.

Mr. Mervin Tweed (Turtle Mountain): Madam Chairperson, I obviously am working on a different book than you. I do not have anything that shows 110 pages.

Madam Chairperson: We use this.

Mr. Tweed: Okay, not that I necessarily need one today. I think I have one. I have just been working directly from this one. When we broke, the minister was just talking a little bit about having three offices: Winnipeg, The Pas and Flin Flon. Would that mean that they would be

having an additional employee, or is it two people who are going to work three offices?

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): We were talking about the recording offices and we are able to staff those positions within the existing staff complement. That is including the new claims inspector, and what we will be doing is providing enhanced service, recording service, at the Flin Flon office, as well as The Pas and Winnipeg.

Mr. Tweed: So then, there still will only be two inspectors. They will just be utilizing the services of the third office.

Ms. Mihychuk: That is correct. Two inspectors and the offices are primarily for service for industry as prospectors and companies' representatives are coming in to register claims and obtain information about lands that may have some holdings on it. So The Pas office will contain assessment information and files—a lot of this information is now on the Internet—but to stake a claim you are required to register it at the recording office. So this will make it easier for the people in Flin Flon and maintain the service at The Pas where we had industry representatives indicate that they like to use that facility. This is a win-win. We are able to expand the services and not cost taxpayers any additional money.

Mr. Tweed: Who picks up the administration costs at the office? It does not come from your department but it would be—

Ms. Mihychuk: Both offices now exist and we cover all the administration costs of those offices. We are just going to be expanding the services provided in Flin Flon with the existing staff. We have a vacancy, I believe, right now in the Flin Flon office and that will be a recording clerk. So they will have the experience and training to handle the additional service.

Mr. Tweed: Recording clerk would be an employee of your department that is vacant right now?

Ms. Mihychuk: That is correct.

Mr. Tweed: Do you have any intention, I guess, of adding any more inspectors to this contingent?

Ms. Mihychuk: No, we are satisfied with the staffing complement and feel that we are getting a handle on some of the concerns raised by the prospectors and claim stakers. We are getting the system well under control and overall I think in the future there are going to be alternative ways of staking a claim. Map staking has occurred in other jurisdictions. I know the previous government was looking at it, and it is probably the way of the future. Claim staking involves individuals to go out and put posts and tags and walk the property of the claim. There are support services involved with that, expediting services, so it is an important economic service or sector for northern Manitoba. That is a system that we have in place and moving to virtual staking is probably inevitable, but we need to do it in a phased-in, controlled and planned way where economic diversification will provide other opportunities for northern Manitobans.

Mr. Tweed: Again, just for information, is there a lot of availability or stakeholding available to the people, or is it all consumed right now?

Ms. Mihychuk: There is a lot of room to stake a claim, and individual Manitobans can stake a claim. The smallest claim is 16 hectares, and it is \$10 to record that claim. This is a process that is available to Manitobans, and there is a lot of area in Manitoba that is not staked. In fact, you can go to our Web site at www.em.gov.mb.ca and pull up the maps which show where stake properties are being held.

* (15:10)

Mr. Tweed: So for \$10 that would allow me to make a stakeholder's claim. What else do I get for \$10?

Ms. Mihychuk: That gives you the right to register the claim and then there are work obligations that individuals are required to perform on properties. If those work obligations are not performed then you would lose your claim. So that is the onus, and I would be glad to discuss areas that perhaps the member may be interested in.

Mr. Tweed: Do people stake without intention to explore? Is there a time frame that they would be able to hold or stop anyone else?

Ms. Mihychuk: Most claims are staked by professional claim stakers or prospectors or mining companies. However, it is well within the realm of possibility that if there is a rush, if there is a significant find, it is often the case where there is a halo effect, and there are a number of claims registered in the area around the hot property. For instance, interest in the diamond play right now has well over 60 claims. Now some of those may move from juniors or individuals into larger mining companies as they are trying to obtain property. That is kind of part of the lifestyle or the process of doing business in claim staking.

So some of it could be somebody trying to get in on something that they think is a good play, but mostly it is individuals who stake out properties that they have a geological interest in. They have to have a prospecting licence, which is \$10, and then the claim is \$25 to register, and then there is a work obligation required, which is you have to submit a report of activities, which can range between \$2,000 to \$10,000 over the two-year period. So that is the overall situation. If you do not complete the work obligation, you would lose your rights to hold the property.

Mr. Tweed: I guess the reason I asked that, I am trying to understand the mining industry a little more. I can remember finding a certificate of an uncle of mine for some property at a certain time and he had to come back and do something on it within a certain time frame and lost his deposit. I mean this was 35 or 40 years ago. Do we in fact take away stakeholders' rights? Is that a common thing that happens or is it once the investment starts they continue until a discovery?

Ms. Mihychuk: Approximately 20 percent of claims would lapse. So it is not unusual to have property lapse because perhaps the investigation, the geophysics or preliminary investigation did not pan out and a particular investor has decided that they do not want to maintain their claim. Most properties are held for a considerable length of time. Geological work is quite a long process. So the exploration period that individuals are going to be in their claim is quite

short. It takes some time to do the evaluation, the report, the analysis, and then the geological sampling and testing of the rocks means that most claims are held for a series of consecutive years—many years. As long as the company or the individual is doing the work that is required on the property, or submitting a fee to hold that property, then they have the rights to maintain those claims.

Mr. Tweed: That cost is \$10 plus the additional every two years that they have to invest so many dollars?

Ms. Mihychuk: \$2,000 to \$10,000.

Mr. Tweed: It is \$2,000 to \$10,000. But do you go out and say you have only spent \$5,000 and make a decision? If they do not spend \$10,000, do you stop them?

Ms. Mihychuk: The assessment fee is based on the number of hectares that you have claimed, and the individual or company is required to submit reports on the work that they have done on their properties. If those reports do not meet the minimum requirements, then the claim will be cancelled by the department.

Mr. Tweed: Can the minister tell us who the largest stakeholder in Manitoba is?

Ms. Mihychuk: The largest holder in Manitoba is Inco International in the Thompson area.

Mr. Tweed: Just for clarification, Madam Chair, is that the largest, meaning the largest company or the largest stakeholder in the sense of acres?

Ms. Mihychuk: The largest in acreage in Manitoba.

Mr. Tweed: Can the minister just tell us a little bit of some of the development that is taking place right now, or new mines? I have read her news releases and just maybe indicate where some of them are or what stage they are at in the process of development.

Ms. Mihychuk: There are several projects going on, and I can start maybe with the one that we are going to be opening on June 1, Chisel North, which is near the community of Snow Lake.

That situation is one that is a good news story. Snow Lake shut down in the 1980s, and it was a community going through readjustment and very hard times. Because of new technology and the investment of TVX Gold, that has come back to life. In fact, TVX Gold basically renewed the mining industry or the town of Snow Lake.

Hudson Bay has got a copper-zinc deposit, and they had Chisel Lake, which closed down in the early 1990s. So this is an additional good news story for the Snow Lake area because Chisel North will mean the extended life of the Snow Lake community. It has a long history of mining. There is an abandoned mining town on the east side of Wekusko Lake, and it is quite a wonderful place to go exploring. I would encourage the member to perhaps to take that in. It is one of those unique places that most Manitobans do not know about. It is just north of Herb Lake Landing.

* (15:20)

The production from Chisel North began earlier this year. The official opening will be on June 1st. Reserves proven and probable are 2.75 million tonnes, with an average grade of 10.05% zinc with precious metals. Production is estimated at 213 000 tonnes per year for a mine life of approximately 13 years.

New Britannia is a mine that has been operating for several years. That is the gold mine at Snow Lake. The cash cost of production is \$197 per ounce. It makes it one of the most efficient gold mines in Manitoba. Estimated gold production for 2001 is 102 000 ounces of gold at the first quarter of 2001. Production was ahead of estimates by 300 000 ounces. We have known reserves of four years and there is active exploration ongoing to increase those reserves. The cash cost of production has decreased every year for the last five years. New Britannia was also recognized for their very good safety record.

The next mine that we have coming on is a project at Wabowden, and this is an old property that was shut down years ago. It has been picked up by Nuinsco. Nuinsco is Bucko nickel-copper project that is actually presently on hold. Nuinsco is pending further work, contingent on financing. There is a working steering committee

that was formed January of this year to deal with the town and company, including the major, the representative from the health authority, Bob Bushey from Northern Affairs, two community representatives, a representative from the school, Rick Ducharme from Intergovernmental Affairs, and we have a representative, Chris Beaumont-Smith.

At the Wabowden site, Nuinsco has completed some limited site development. Trailers and assorted equipment were purchased in Lynn Lake and have been moved to the Bucko site. The pit for the settling pond has been completed and the liner purchased. The head frame has been located but not purchased. Tenders have been issued for mining equipment. Nuinsco is in the midst of putting together a prospectus, which is 75% complete, to raise \$14 million Canadian. This is a project that is very positive and moving along. They have very good metallurgical results and expect to have full production by 2000-2003.

The Triple Seven mine in Flin Flon is being developed by Hudson Bay Mining and Smelting. It is located within the town of Flin Flon. This is one of those situations which is often cited by explorationists as being way too common. It is situated right underneath the exploration office of the mining company. You often do not look underneath your own tent. That is the story and a couple of major mines were actually right below the explorationists' feet.

So, this one is a very good news story. Triple Seven is not related to good luck. It is related to the number of the drill hole that intersected ore. A very good friend of mine is a geologist and assures me that there was no tinkering. It was not 776. It was actually 777 where they struck the ore. So, maybe, good luck had something to do with it too.

It is on schedule and on budget and we expect production by the second quarter of 2003, full production by the second quarter of 2004. That is going to extend obviously the life of mining in Flin Flon.

Mr. Tweed: Chisel North, in Snow Lake, the mine shut down there, correct? Did they run out of mineral, or did they run out of the deposit in the area that they are working in, it is just too

expensive to go look? Why would it close and then start again? Just a new interest in a new company?

Ms. Mihychuk: The veins of ore have a defined extent. Often mining companies will have verified reserves, and that is determined by sending drill holes to see the extent of the vein or the deposit, its orientation, and its grade and quality.

Those deposits, contrary to sometimes popular belief, do have an end. So every mine has a certain life span for its reserves. Now, you put into that the cost of production, that can sometimes shorten the mine life if production costs go up or if the value of the commodity goes down, it may result in that mine being shut down when there is still ore in the ground. So you could have sometimes the redevelopment of old deposits. At one time they were considered uneconomic, but now with new technology and the ability to go into other places that were not able in the past, we can bring back into production some mines, for example, the Bissett gold mine.

So, in this case, the deposit is near Chisel Lake. This is a separate mineral deposit, so this is a brand new mine they have developed that is in the general vicinity of the Chisel Mine that had closed down.

Mr. Tweed: Do the world prices right now—obviously it affects the development of these types of mines. Is that something that they have overcome, or have they got a new technology that makes it more efficient?

Ms. Mihychuk: No. World prices of metals are a very important component of whether a mine gets developed or not. The mining industry will point out that they work on an earth that is their home. We just heard Inco opening a mine in Indonesia. They look at deposits on a global scale. I had an opportunity to go to Chile where there is a lot of Canadian mining investment.

The deposits are unexploited at surface and the overall production costs are quite low. So for a mining company it is attractive to do business there.

Canada has to be in a position where we can compete. Part of our challenge is that most surface deposits have been exploited, so many of our minds are underground. It takes more sophisticated exploration procedures to locate them and of course costs are much higher. So we must be more efficient and we must be more sophisticated. I think that Manitoba has a good record of doing that. In fact, I think an area that we need to do a bit more is basic geological survey because sometimes we tended to focus on mining camps and we were not able to do the basic research. Once there is some basic information, then mining companies becomes more attracted to go and do exploration work.

Yes, the cost of the commodity is very important. That is why we see a lot of exploration in the PGE group. Those prices are very high, so you will get companies exploring for those metals and elements.

Mr. Tweed: Do we have a lot of Manitoba companies that do mining around the world? Certainly your major players, but is it a large amount or can you suggest who they might be?

Ms. Mihychuk: Our Manitoba companies tend to be what is called juniors. They tend to be quite small businesses. What they do is they will do the exploration and stake the property and then they will try to find a partner. The partner is a company that is probably international in scope. So Manitoba companies tend to be localized and focused on Manitoba. I know there are some that work in Ontario and Manitoba. We have some juniors that do some work in Saskatchewan and Manitoba, but they tend to be very localized. They will find partnerships with the larger companies like Hudson Bay or Kaminco or Noranda or somebody like that to develop their property.

* (15:30)

Mr. Tweed: So basically some of the partnerships that they develop to do exploration and development in Manitoba, they would do the same type of deal in another country or another part of the world?

Ms. Mihychuk: In terms of the geological companies, they tend to stay at home. The

limitation is the cost of exploration and logistics. It is more the international companies. Many of them, registered Canadian companies, will go global. For Manitoba mining companies, you would have to look at the support sector to see international companies. We have service sectors like Acres and we have Manitoba companies that are international, for instance Cubex that does a lot of export work. Manitoba Rolling Mills also is an international companies, supports the mining sector.

Mr. Tweed: I am sure it is somewhere, and I am sure probably I have seen it in a news release, but how many mining companies do we have in Manitoba, actual mining companies? If you do not have it, you can certainly provide it. I was just interested in who they might be.

Ms. Mihychuk: When you call it a mining company, we will use the definition that they have, production facility in Manitoba. Now, these are not necessarily Manitoba companies. They could be international, which is the case for the producing mines, Inco Limited, Hudson Bay, TVX Gold, Harmony Gold and Tantalum Mining Corporation.

Mr. Tweed: Aside from these companies, is there one part of the world that expresses more interest in Manitoba in this industry, as opposed to other parts of Canada? Do we deal with a multinational from a certain—is it American basically?

Ms. Mihychuk: For the majors, like Inco and Hud Bay and the large multinationals, I guess the world centre for mining finance would be London, England, but Canada has a very strong reputation in the mining industry. For juniors and mid-sized mining companies, exploration and production, Canada dominates the world. Many of the experts in mining come from Canada. So we have got a very strong expertise in mining, and you will find many Canadians all over the world doing geological work, exploration and production.

Mr. Tweed: I had made a note here when you were talking about it, and I forgot to ask it, but the length of time, is that based on how much they take out every day or how much they actually nose in the ground and how long it will

take them to get it, or can it be changed, does that vary?

Ms. Mihychuk: It is actually quite a complicated question because the amount of extraction is based on a number of factors, including the price of the commodity, the company's ability to handle the production, how much they are physically capable of, sort of the overall system that the mine works on, the amount of reserves that they have available, what their exploration team sees in the future and whether the company is ramping up for additional production or not.

So there are a number of different factors that play into how much a company will extract on an annual basis, and that is the private sector's domain as to how much they extract and at what levels.

Mr. Tweed: So, when a company suggests that there are 13 years of development there, that is based on the amount that they can take out over that period of time and depending on the cost, I presume. If they come up, like, say, if they have it all extracted within 9 years, does anything other than their plan change, or is there a penalty, or how do they negotiate? Do they negotiate the 13 years up front?

Ms. Mihychuk: No, we do not penalize them. We are aware of the grade and their mining plan as the project is developing. There is also a strong relationship with the mining company and their employees and the community. If their projections are not realized, that would be a significant economic blow to their overall business plan. So you will often find that their known reserves are extended through the mine life by additional exploration underground and above surface. So often mines will exceed their original planned time frame as they tend to be more conservative in their business plan than the other way around because it is financially wiser. Mining companies do not like losing money, so they tend to be very cautious planners.

Mr. Tweed: When you talk about Snow Lake as an example of a 13-year development, does the company give the Province any kind of guarantee? I mean, as you mentioned about the community and if people are going to move back

or develop or redevelop certain parts of the community, is that negotiated between the Province and the company, or the Province and the community, or does the Province have any involvement?

* (15:40)

Ms. Mihychuk: No, when a mine opens they have their business plan and it is all part of the mining industry. The amount of investment to open a mine gives a certain amount of security to those families then and workers that occupy those positions within the mining industry. It is not uncommon to have miners move from Newfoundland to Manitoba, from Lynn Lake to Bissett to B.C., sort of depending on the mining projects that are coming on and those that are coming to an end. So, there are no guarantees, and we do not negotiate with them a penalty or require them to maintain the property for a certain length of time.

Mr. Tweed: A change in gears I guess just a little bit, but Lynn Lake, is there not some discussion about a marijuana grow at Lynn Lake? Was it not there? I am just curious as to who does the negotiating for that and who are you negotiating with.

Ms. Mihychuk: Well, there are actually several communities that wanted marijuana. This became very popular when the federal government decided to give that opportunity to a community, and it was actually Leaf Rapids that submitted the business plan or the application for marijuana, for the marijuana grow operation, the legal one, but they were not successful. Flin Flon also applied and they were successful. They have been in the grow operation for awhile but not in marijuana. They grow herbs and tomatoes, and they have a scientist there who is interested in horticulture and had opened small greenhouses and experimental project. The results from that were quite astounding and obviously there are issues of security that are handled when you have an operation underground in an underground mine. So I think this is a fairly secure location to have a Canadian marijuana operation. It will be at Flin Flon.

Mr. Tweed: So, is the Province then involved in that, or is it strictly a federal project?

Ms. Mihychuk: No, the Province is not involved. It is between a Saskatoon-based company and the federal government.

Mr. Tweed: I was going to say and this is probably getting off track of the mining side which I wanted to talk about a little bit more, but speaking of marijuana or the growing of, has there been any more development in the Dauphin area. I mean the minister mentioned it and I did have it to ask.

Ms. Mihychuk: The original deal that the community had with a private sector company did not work out, as the member knows, and there has been an attempt by the community to find other options. To date that has not been successful.

Mr. Tweed: I know that there were several producers in my area that had specific plots for growing and testing with the idea that the hope would be there, that there would be an opportunity for the product at the end. Is the Government pursuing any other options at this point in time in that development?

Ms. Mihychuk: As far as I know, there is still considerable interest in hemp production, its manufacturing into linens and other materials, boards and rope, but those projects are being handled primarily by the Department of Agriculture. I do not know of any major project at this time, but, in terms of production of hemp, that has been under the mandate of Department of Agriculture.

Mr. Tweed: Well, I would encourage the minister to continue, and I will certainly bring it to the Ag Minister's (Ms. Wowchuk) attention, too, because I do think it is an opportunity that as we have been talking about minerals and the world demand and we know that the producers' side of it has suffered, too. It is certainly I think an economic opportunity that might be available and I would encourage the minister to pursue it.

When you were talking about the companies that are doing some work and the larger projects that are underway now, one of the things that you mentioned was a good track record for safety. I cannot remember which company that you had mentioned it to, but is that something

that your department is involved in with your inspectors and that, or is that done through the Department of Labour?

Ms. Mihychuk: The company that I cited was TVX at Snow Lake. In fact, there is a mine rescue competition that the mines compete in and each mine has a mine rescue team, and there is quite a sophisticated competition to identify who has the best team.

I had the good fortune to attend last year at Pine Falls at the Pinawa underground laboratory where the competition was being held. This year, I believe it is being held in Thompson and is coming up within the next month or so, at the end of May.

The responsibility for mine safety is under the Department of Labour.

Mr. Tweed: So then an inspector, when he is going in to do his duties, is not looking at the safety side of it at all.

Ms. Mihychuk: Our inspectors do not go into active mines. That would be the Department of Labour inspectors, and they would be looking at the overall safety and the issues related to Workplace, Safety and Health and Labour requirements.

Our inspectors look at claims, so those are properties that are undeveloped or being tested. They are not involved with the active mine production.

Mr. Tweed: The minister, in one of her releases, was talking about platinum. Can you just give us an update as to where it is at in Manitoba and what the department is doing?

* (15:50)

Ms. Mihychuk: In terms of platinum and platinum group elements, a lot of credit has to be given to the geologists from the department. The department decided to do some work in a high-risk area, high-cost area, an area that had not been explored, so the logistics is very expensive. They went out to obtain information, and on June 12 of 2000 we released an exploration supportive database that provides information on

the PGE's deposits. We also concurrently released a CD-ROM and we have the report on the department's Web site. The report, one of the first of its kind in Canada, reviews potential sites for PGE deposits and provides industry with a head start in comparison to most other provinces in making informed exploration decisions for PGEs. In addition to the over 1400 new PGE assays or test results, the report contains a compilation of relevant geological and geochemical data for over 200 sites in Manitoba.

During the 2000 field season the survey conducted PGE studies in the Fox River belt partnered with Falconbridge and the Bird River sill. This fall geochemical information was compiled and acquired for promising targets in the Lynn Lake belt.

In November of 2000, MEAP offering resulted in eight PGE projects in the Flin Flon belt, Thompson nickel belt, the Fox River belt, southeast Manitoba and the Northern Superior Province. The planned exploration in these applications totals \$2.22 million. Exploration plays in Manitoba this year include in southeast Manitoba the Mayfeld intrusion and Bird River sill, English Brook, and that is by Red Star resources and Exploratus Limited.

In the Fox River belt, the Fox River sill is being explored by Falconbridge; in the Lynn Lake area the Melvin Lake intrusion and the Lynn Lake gabrose at Pikwitonei Domain east of Thompson nickel belt, Cuthbert and Wintering Lakes and in the Flin Flon belt, Reed Lake and McBratney Lake areas. West of Churchill there is a play at Eppler Lake.

These projects are all based on commodity prices. Platinum and related elements are very high, so you get a lot of interest from mining companies and juniors to stake those claims and do some exploration work. It is hot across Canada.

Mr. Tweed: Yes, that is my understanding, and I was just going to say how do we match up against—in your news release you talked about, I guess, leading edge in the sense of Canada. Are the other provinces developing these now, or are we still way out in front of them?

Ms. Mihychuk: I would say that we are still well ahead. Ontario is copying the system that we have. Copying is a nice way of flattery. There are considerable works in other provinces, but we do not have information to comment on that.

Mr. Tweed: The ones that you mentioned in Manitoba, are they just basically at the stakeholder position or have they started to move forward?

Ms. Mihychuk: The deposit that I noted was McBratney Lake and just today a news release was issued by the company that they are moving ahead with bulk sampling. That is in terms of taking fairly large tonnage of the deposit and testing for ore potential.

Mr. Tweed: Is the department involved in any of the development, a business plan or the future, if we find that the supply is there? Do we have a direction that we want to go with it? I know that it is for fuel cells and things like that, but is that in the plan at this point or is it too early to say?

Ms. Mihychuk: The provision of economic cluster based on platinum is not something that I am aware of that we have done much work on. As this sector grows, hopefully Manitoba will be in a position to grow the cluster as well, but we are basically at a preliminary stage where our goal now is to assist Manitoba mining companies to be able to exploit the deposit. If there is something economic, they may need help with the permitting process to get through the various departments and stages in government.

The Minerals branch, the Geological Survey has got a process or a group that assists mining companies to get through the red tape, and it is considered the best in Canada. We know from some projects, for example, in the Territories, that are estimated to take between a year and a half to three years. Our processing system can cut that down to a matter of months, less than six months. We will try and help the mining company go through the various stages and make it worthwhile for them to bring the deposit into production as soon as possible so that we can create jobs and have some economic spinoff.

Mr. Tweed: Did the McBratney Lake project have any support from the Province?

Ms. Mihychuk: The project was one of the projects that received MEAP assistance. This is an assistance program for mining projects, exploration projects, and it received an allocation. It was in the area that receives 25% support.

Mr. Tweed: That would beg me to ask 25 percent of what?

Ms. Mihychuk: Of approved exploration expenditures.

Mr. Tweed: So they come to you with a plan and a dollar amount, and then you allocate 25 percent of that cost?

Ms. Mihychuk: Mining companies will come to us with their exploration projects. They go through a review process by departmental staff to see if the project is well-thought-out, has got all of the proper sort of basis for making it a reasonable and financially sound plan. If that is approved, the department will, after the expenditures are made, provide a cheque to the company after the exploration is done and verified.

Mr. Tweed: So then the program is set up so that the company has to spend the money before they get their percentage. Do they know ahead of time as to what that is?

Ms. Mihychuk: Yes, the companies know what their share will be and are aware of the program. This is a program that actually started in 1995, and has now developed a very solid reputation. It was reviewed in detail this year as the federal government provided a flow-through option for the mining sector for investment. Our mining industry said that they preferred to keep the MEAP. They felt that that was a better investment tool than the flow-through share proposal by the federal government so they did not want us to cut the MEAP program. They felt it was very effective, and it is often cited as the reason why exploration is occurring in Manitoba to the level it is. In most other provinces, it has dropped off significantly more.

If you look at the overall expenditures in exploration, it is somewhat disappointing. Companies are not investing in exploration as much as they used to. Times are quite tough for the mining sector, and we get more than our share. If you look at other jurisdictions, we are doing relatively well. So this program is attributed for attracting companies and exploration dollars in Manitoba.

Mr. Tweed: Can the minister just explain what the flow-through option proposal was with the feds? Were they trying to get involved in it?

* (16:00)

Ms. Mihychuk: This was a program. Actually, the history of this is that we were lobbied by the Canadian Prospectors and Developers Association, and we were able to write the first letter urging the federal government to take steps to stimulate exploration in Canada by offering the flow-through investment program. There was, in the past, a flow-through program that was beneficial to Manitoba. However, this one that has been proposed or has been brought into effect was brought into effect by the federal government in the Finance Minister's mini-budget, and it allows companies that do not have income so they cannot use the tax deduction to allow that to flow through to individual investors.

Mr. Tweed: I think I understand what you are saying, and, obviously, Manitoba opted out of that opportunity or they had a choice.

Ms. Mihychuk: No, it is a national program, so it is available for Manitobans. The question was whether we would top it up, add additional resources to make it more attractive here in Manitoba. Some provinces have added their own share to the flow-through program.

We consulted with industry here in Manitoba, and they felt that the MEAP, if there were limited funds, which there is, the investment would be better made in the MEAP program than topping up the flow-through, but the flow-through, the federal program is available for all provinces.

Mr. Tweed: Again, I am sure it is somewhere in here. How much is the MEAP program? How many dollars do you have to disburse in a year?

Ms. Mihychuk: It is \$2.75 million annually.

Mr. Tweed: Does the department disburse that much funds every year? Obviously, the demand for more is there, but do you actually put out that much?

Ms. Mihychuk: This is a program that we have not been utilizing all of the money that is allocated. You get a lot of interest for the application for the money; then certain circumstances may occur that result in less of a program happening. They may not intersect the results that they were hoping to, so their program may be scaled back, or sometimes the exploration program itself may not go ahead for whatever reasons.

There has been a lot of difficulty for juniors to raise the capital to conduct the exploration programs, and that is a serious issue. Hopefully, we are going to see some of that correction, given the adjustment in the stock market when it comes to dot coms, where a lot of interest had been focused by investors, but we have seen various amounts of MEAP money be used. I have some numbers here.

In 1995, there was \$710,000 utilized; in '96-97, \$2.3 million; in '97-98, \$2.3 million; in '98-99, \$1.8 million; '99-2000, \$1.5 million; 2000-2001, \$2.75 million.

Mr. Tweed: Who approves the projects?

Ms. Mihychuk: There is a group of staff that make up a departmental team that will approve the projects.

Mr. Tweed: Would it be fair to ask who sits on that?

Ms. Mihychuk: The Director of Geology, the Director of Mines, the Director of Finance, Manager of Policy Incentives and the Assessment Geologist.

Mr. Tweed: I guess I can go through the figures to find out. Can I just ask who the policy and investment director is?

Ms. Mihychuk: Gary Ostry.

Mr. Tweed: Is he in your department?

Ms. Mihychuk: Yes. He has been very active with the team that works with companies in terms of cutting red tape, encouraging Greenfield opportunities developing with mining companies, business plans, and he has been our lead with the business community.

Mr. Tweed: I obviously gather it is a shared program. They have to put up so many dollars, you put up so much. Can you just tell me: Is there a minimum or a maximum?

Ms. Mihychuk: There is a maximum amount set. It is \$300,000 for the areas of Manitoba that are eligible for 25% financing or assistance, and it is \$400,000 for the areas that would receive 35% assistance. The two areas are defined on the basis of selected criteria, and the criteria are: is it in a traditional mining camp that is seeing mine closure like the Flin Flon, Leaf Rapids belt, or is it in an area that has very high exploration costs like the Northern Superior area which requires helicopter support and additional exploration? So, those areas, we have provided additional assistance, and they are eligible for 35 percent. Other areas of Manitoba are eligible for 25 percent.

Mr. Tweed: So it is 35 percent up to \$400,000 and that is—[interjection] Okay, for the higher. You mentioned '99-2000 of expending \$1.5 million in 2000 and '01, \$2.75. Do you have a measure or a success rate, like how many of these companies get this type of support, and where do they go from there? What is the number that would say they have done a good job or did not succeed?

Ms. Mihychuk: There has been a great deal of interest in the MEAP, and we have had a lot of applications. For 2000-2001, the number of projects approved is 60, and the year before it was 42. The number of projects completed, for example, also varies.

Mr. Cris Aglugub, Acting Chairperson, in the Chair

In 1999-2000, of the 42, 26 projects were completed, so that explains why all of the money was not expended, because of various reasons they are not able to raise the capital, the preliminary exploration does not turn out as favourable as they were hoping, the project does not proceed, or they may scale back their project.

* (16:10)

This year we have 47 projects completed and we are hopeful that they will be in the long-term successful, but exploration projects are a long-term commitment. The success rate has to be measured in time lines that can be often a decade, so it is difficult to assess right now whether we are going to have a mine. I can tell you, from the interest that we have from companies coming into Manitoba, from the feedback that we have from industry, Manitoba's mining sector is one of the healthiest in Canada. So those companies must be finding something because they keep on coming back. It is very, very difficult for juniors and exploration companies to raise the capital.

So indications are that their findings at least on a preliminary level are positive. We are getting growing interest, so those are all positive signs.

Mr. Tweed: My lunch partner, Mr. Acting Chairman. So, if I applied for a MEAP and got it, spent the money, did what I said I was going to do, can I come back the next year and apply again and again and again? Is that something? Is there a time?

Ms. Mihychuk: No, there is no time limit. Yes, you can reapply, and most prospectors and explorationists are extreme optimists. They will go and do their work, and they will come back and try again, and they will continue until they cannot do it anymore. There is usually only one way out. Once you have the prospecting bug, it tends to stick with you for the rest of your life.

In fact, many companies will apply for a couple of projects, or more than one project

depending on their exploration program, and that is also allowable.

Mr. Tweed: When a company completes their project, and say, they have—or have there been any that have made any discoveries that have gone, in the minister's memory, on to bigger development?

Ms. Mihychuk: None of the projects have actually moved into the stages where a mine shaft has been started, however the project that we were talking about earlier is going into the second phase which is bulk sampling. There have been a number of deposits that have been identified with the use of MEAP-funded projects, that have identified mineral deposits and caused the company to issue a press release and ask for additional money for second-stage development or additional money so they can go through for another year of exploration. So we have had about half a dozen, probably, properties that have stemmed considerable interest.

Mr. Tweed: When a company receives a MEAP loan or money, grant, does the Province retain any rights in the deal as far as, if that person or that company cannot sustain itself and yet a discovery is made, does the Province reap any benefit from it?

Ms. Mihychuk: No, this program is not designed to have any additional hooks on the property. The program is set up to really stimulate grassroots exploration, and that has been the primary focus of this program as it initiated and is still in that manner right now.

Mr. Tweed: Any restrictions on companies or, anybody can apply? Do we have a Canadian content or a Manitoba content or is it just anybody that has a good plan?

Ms. Mihychuk: No, we have no restrictions on the companies, where they come from. Most are Canadian, and the only requirement is that the work occur in Manitoba.

Mr. Tweed: Diamonds. Can the Minister just give us—I have read her press release in August and I just wondered where we are today and is it

developing and is diamond—do they access the MEAP money also?

Ms. Mihychuk: Yes. Diamond kimberlite exploration projects are eligible for MEAP and these companies are receiving that type of support. As I indicated, it is my understanding that we have over 60 permits for diamond exploration and many companies are actively exploring at this time, which includes a number of companies: De Beers Canada, Kennecott, New Claim Ore, BHP, Irania, a numbered company 3810836, Indicator Exploration, CanTech, Rubicon. A number of individuals have exploration permits. Option agreements have also evolved with several companies including Montello Resources and Arctic Star Diamond Corporation, New Blue Ribbon Resources, Dasher Energy Corp., Troymen Resources and Marum Resources.

Exploration permits have been taken out in the Molson Lake, northeast Oxford Lake, north Knee Lake, and Fox River belt areas; 67 diamond-related permits totalling 29 143 square kilometres have been registered as of March 26 of this year.

Mr. Tweed: We talked earlier about petroleum licensing and things. Is there a set fee for diamonds? Is it based on, you mentioned acres or kilometres. Is it a different process for one than the other or is it the same?

Ms. Mihychuk: No, the value of the commodity does not change the rates, so the rates are the same whether it is gold or diamonds or whatever.

Mr. Tweed: And the permit, it is issued for a certain period of time, and if there is activity or no activity they have to renew in, is it a year to year?

Ms. Mihychuk: These are exploration permits, so they have a slightly different criteria. It is a three-year time frame. There is a \$25,000 deposit on the permit. The work requirement is \$1.25 per hectare for the first year, the second year is \$2.50 per hectare, and the final year of the three-year permit is \$5 a hectare. This encourages companies to do their exploration

early and then release the lands if they are not finding positive results.

Mr. Tweed: You had mentioned about the companies that were active in the province of Manitoba. Have you got any good news to share with anyone, or is that a well kept secret or do they ever let anybody know?

Ms. Mihychuk: No, this is a real secretive industry. Diamonds is the kind of sector that we have seen, it is very, very secretive, and the explorationists initially will do just about everything they can to remain unnoticed. But the North, although it is very vast, is a small place, and rumours fly. Since the first time the first chopper came along doing some initial sampling, there was a buzz in the North that was heard all the way to our office.

Have they found diamonds? I wish I could tell you. When they find something economic it is really up to them when they release it. It has all kinds of implications, and although we have seen several of the companies indicate some indicator minerals and some positive signs, no one at this time has come out with the major results.

Mr. Gregory Dewar, Acting Chairperson, in the Chair.

Mr. Tweed: The revolving chairman's job. How do we rate in Canada as far as in the diamond industry? Are we doing more or less or are we on par?

* (16:20)

Ms. Mihychuk: In Canada, it is a new industry. We have one active diamond mine it is called Ekati. It is in the Northwest Territories. There are two more diamond mines coming on stream very shortly, within probably the next two years or so. We have potential. We lie in the same strike as those diamond mines that are located in the Territories.

Our diamonds are considered excellent quality. Their brilliance and colour is highly regarded in the world, and in addition, our labour practices and relationships with communities has our diamonds rated as prime because

they are called clean diamonds, and there is a very high value on Canadian diamonds in the global market.

Mr. Tweed: When we announced that we were getting a little more aggressive in the diamond industry, is that a fair way of expressing it? Did we have a goal or did we have a number that we thought would be achievable?

Ms. Mihychuk: The play that we have on diamonds is the result of the basic geological work put together by the survey. It was picked up by industry, and it is difficult to determine how big the play will be because the initial results have then companies going out to do their further sampling. They do not share that information with us or with anyone else. I can honestly say this is a bigger play than we probably expected.

In Alberta there were some significant findings, and the whole province got tied up. Now, that does not mean they had diamonds everywhere, but there was a lot of interest in diamonds so you get some of that speculation that the member talked about earlier. So we have 67 permits, and I think that that exceeded what we expected.

Mr. Tweed: Again, referring back to a news release, you had talked at one point about the partnerships between mining and the Aboriginal communities. You obviously had an idea of what it might take, and you mentioned dealing or discussing it at the federal level, but does Manitoba, have we developed a policy of position on it that is different than, say, two years ago or longer?

Ms. Mihychuk: We continue to work on our policy which identified a framework for working with First Nations in the mineral sector. We have taken steps to provide information to bands and communities that have interest in mining concerns or, if there is a permit or a claim been taken out in a particular area, we will inform the First Nations community of any activity in their region. We continue to work in a positive relationship and encourage the partnership between First Nations communities and the private sector. We were very pleased to see that Norway

House and Falconbridge entered a joint venture to do some exploration.

We know that, in the diamond play, the majors have approached local Aboriginal communities in a sense of partnership. Many First Nations people are working with the diamond companies, and there is a strong relationship where the mining companies communicate to the community and let them know of their plans, what exploration is about, what it may mean in the future. It does not mean instant wealth. Exploration, as I say, takes a long time, and many times it is not a productive hole. I do have to say that the Aboriginal communities have been very interested in mining projects and that the mining sector has gone a long way to rectifying its past secretive, I guess, operations and have gone out and made a point of communicating with local communities, sharing their plans and getting them involved with the work opportunities that may present.

Mr. Tweed: Is that done by agreement, or has the government had to arm-twist them to become more amenable and more informative?

Ms. Mihychuk: No, it was basically a recognition by Manitobans that there had to be a better way to do it. I think it is similar to the Century Summit, where people put down their politics and said we have to find a way to see significant economic growth and got around the table and jointly did that. The mining sector was one that realized, if they wanted to see success and development, including First Nations in that process would be a win for them. Yes, it is difficult sometimes; yes, it is a new process. Yes, it may be unknown to them, but it was an important component of a successful project. So, no, everyone has bought in on their own and generally has been a co-operative process from all sides.

Mr. Tweed: I have a question, but I will just comment on the summit that the minister mentioned. I think it probably applies to this too; I do not think, whenever you bring organizations together, they put down their interests. If anything, they try and present their interest in a stronger fashion and convince others to agree with them. I, in reading the reports of the summit, that was the way I got it, that one

pitched harder and perhaps succeeded in making the other understand better.

Norway House, would the Province have been involved in the negotiations with that partnership, or is it something that you stand back and let the two come to an agreement?

Ms. Mihychuk: The only involvement we had was basically setting the foundation for their awareness of mining projects and the opportunities that may exist.

We were not involved with the negotiation between Falconbridge and Norway House. Quite frankly, I think that is preferable; that it would be between a First Nation and the private sector.

Madam Chairperson in the Chair

Mr. Tweed: Are there any other partnerships like that developing that you are aware of or that we know of? If so, who might they be?

* (16:30)

Ms. Mihychuk: The individual relationships between communities or reserves and private mining companies are unknown to us, but we have heard that there have been a number of relationships developed in the diamond play, and that it has been a very positive experience for both parties, the private sector and the community. However, there is no obligation or onus on behalf of those two private sector entities to indicate to government what is going on. So just a general sense that things are moving in a positive way, and that there has been a number of relationships established.

Mr. Tweed: Madam Chair, there was an agreement, and I think you even referenced it, signed by the Aboriginal communities in the province in regard to the minerals and rights of minerals. Can you just tell me where that is at? I think it was just an understanding and then to develop a policy. Has that happened?

Ms. Mihychuk: The guidelines were signed, and then we went to the PDAC, which is a world mining convention held in Toronto on an annual basis. We presented the document. It was a process actually started by the previous Mines

Minister, and was nearly complete when there was a change of government. The document was completed. We had a celebration where we presented the document to the mining world, and it was very well received.

Since that point, we continue to encourage the mining sector and First Nations people to work collaboratively. As I have just indicated, that has been a positive experience. We try to share our information and ensure that the issues raised in the framework are followed through.

Mr. Tweed: The opportunity I think is probably good. Obviously, we need to continue to develop the framework and the understanding to offer these opportunities, not unlike all Manitobans. Any agreement or arrangement that benefits a community or a group of communities is a positive thing.

I would just ask the minister, if she feels so inclined, it would be nice to be kept informed of that and where it is developing to, and help me as the critic for that area get a better understanding of what is happening.

As I have stated earlier, I am going to move away and turn the floor over to the new Member for Tuxedo (Mrs. Stefanson). I know she has some questions. I think before I go, we probably just have some general questions. As we talked earlier, we may be a little bit all over the board. I am not sure if we are going to start back up with this committee at the start of the week. My understanding is Finance is coming back in so if there are any written answers that you can get to me early next week, that would be appreciated.

Mrs. Heather Stefanson (Tuxedo): This is my first time in Estimates, so I beg your indulgence with some of my questions that I may be asking today in that this is my first time here. So thanks very much. I have enjoyed being a part of this and listening to the process so far and some of the answers from the minister. I guess my questions might be just a little bit all over the map, if that is okay.

My first question has to do with a press release out, I guess, and the minister went on a technology fact-finding trip to Minnesota. I believe it was last July. I am just wondering if

you can tell me a little bit about what the purpose was of the trip and what you got out of that.

Ms. Mihychuk: The trip included members from the Province, from the City—the mayor joined the team—and from the private sector. We went to see the high-tech industry in Minneapolis and Duluth. Duluth has what they are billing as a soft centre, which is a model of relationship of education and the private sector. A soft centre was built in Duluth, and we went to see that facility. Then we went to Minneapolis to see their cybervillage, their technology association and basically toured the high-tech community. We went to several companies that were based in their, kind of an older part of town. It is sort of like the Exchange. We talked about community renewal and the potential for the ICT sector.

So the point of the mission was to see what was happening in Minnesota and see what we could learn from that and adopt best practices.

Mrs. Stefanson: Have there been any new developments in Manitoba as a result of that trip, some companies that have sort of started up here similar or moved here as a result of some of the things that she found in that trip?

Ms. Mihychuk: The group that went on the trip then developed a committee, which also included the Chair of the Winnipeg Chamber of Commerce, Irene Merie, and that committee now still continues and has evolved to look at the potential of developing a similar research educational incubator facility like the soft centre that exists in Sweden and Duluth. There is a multijurisdictional stakeholder committee that is looking at those options, so there was that continuum that has occurred since the trip to Minneapolis.

You will also note that there were a group of small IT companies that went down to Minneapolis again on a tour to develop links, and that is already occurring. There are several companies here in Manitoba that have branch offices in Minneapolis and are exporting their services into the Minneapolis area. Their association was also very interesting, and I think that the involvement of MIN, Manitoba

Innovation Network, is one that takes the best parts of their association and has moulded MIN into a renewed organization that I think will be vibrant and relevant to our IT company.

So there have been a number of sectors, or a number of initiatives that continue to evolve and develop because of that trip to Minneapolis.

Mrs. Stefanson: You mentioned this committee. Do you as the minister here sit on that committee, or is it staff members of yours that sit on the committee?

Ms. Mihychuk: It is staff members that sit on the committee. I think in the first evolution of that committee I sat as a member, but now we have the head of our Research Innovation and Technology group, and my special assistant sits for me on the committee.

Mrs. Stefanson: Do you have any other fact-finding missions of coming up over the next little while that you are planning?

Ms. Mihychuk: In the near future, I intend to participate, I hope, on a second trip to the San Diego area to investigate the biotechnology sector in greater detail. San Diego has a very sophisticated process of commercializing ideas from the research stage into small companies and start-ups. So the hope is that there will be a group from Manitoba attending. There is an international convention going on in June, I believe, and it looks like there is a fairly significant contingent of Manitobans who will be attending that conference.

Mrs. Stefanson: Is that something similar to the other fact-finding mission in Minnesota where there was some other government officials like from the City as well that will be a part of that, or is this just provincial?

* (16:40)

Ms. Mihychuk: On this trip it is going to be the provincial government. Doug McCartney is the lead on the biotechnology sector, and there are a number of researchers that have indicated they are interested in coming, the University of Manitoba, St. Boniface Hospital, Health Sciences Centre. There are numerous private

sector representatives that will be joining the team. I think we are talking about perhaps a delegation of over 20 or 30 people on that trip.

Mrs. Stefanson: What sort of a budget is normally set aside for these trips? Is there something in the budget overall? How much per trip is normally expected? I am looking for information, that is all.

Ms. Mihychuk: These opportunities are, I think, important. We did not anticipate to go to Minneapolis in the previous budget, but it was found within the budget to cover my expense. We did not cover the costs of the other individuals travelling with us. The trip to San Diego, my costs are covered by the department, by taxpayers, as well as the staffperson, but the private sector will cover their own costs. So the costs for these trips depend on where we are going and how it is aligned in terms of departmental budgets, but it basically is only the expenses of the staff people of Government that are involved.

Mrs. Stefanson: So this one, of the 20 or 30 people coming, there is just yourself and one or two staff members.

Ms. Mihychuk: There will be three staffpersons and myself.

Mrs. Stefanson: What other programs are there to encourage technology start-ups within the province or encouraging technology-type companies to move here?

Ms. Mihychuk: That is a fairly broad-ranging question. It goes all the way from supporting the educational investment and R & D. I do not want to get too rhetorical, but investing in education I feel is the No. 1 economic platform piece that we can do and especially when it relates to ICT. The direct correlation between the skills gap and the need for highly trained individuals and the success of IT companies is well known. I have seen it in different places of the world. So supporting the computer sciences program, developing more engineering opportunities, funding Red River Community College, the Princess Street expansion are all parts of the preliminary stages. Awareness of science and technology by using mindset is even an earlier

stage, and that is a government-funded program, where we provide opportunities for kids to go on line. It is all science focused. It gets them interested in science and technology.

From R & D at the secondary level to post-graduate level, we have TR labs, which is a facility that is funded by the federal government, provincial government and the private sector. We have a program in the department called the Technology Commercialization Program, which helps companies get their idea into a commercialized format. We have the Industrial Technology Centre that works with companies to develop technological innovations. We also have some government-sponsored venture capital pools like Keystone Technologies, like Crocus, like ENSIS and their science funds that are available. We also have the small Business Service Centre that helps small businesses and entrepreneurs get a start. It provides them with information. We have just opened the e-commerce support service centre for small business at the small Business Service Centre, which is very popular with small business, too. So there is a wide range of programs and opportunities in the ICT area.

Mrs. Stefanson: You mentioned investing in education and computer science programs and some of those things in those areas. I recognize that it was a bit of a broad question. I appreciate your answer. In some of those areas, in investing in the area of education, what types of things are done after students graduate to encourage them to stay here and work in companies that are in Manitoba?

Ms. Mihychuk: I think the primary thing that keeps people here is a career path, given that we have the lowest unemployment. Over the last three years in Canada, Manitoba had the lowest unemployment overall in Canada for the last three years. There are a lot of opportunities in Manitoba, so I think the primary goal is to ensure that there are reasons to stay. Young people will stay if there are opportunities to develop.

Many people left in the '80s and '90s because they had to to get the career type of options that they were looking for. I also think that it is important to link with young people in conventions and awareness activities like was

hosted, Place to Be, Place to Stay conferences, where we link businesses with young people, talk about career opportunities.

I think we need to do better on our Web site. I think we need to focus on opportunities in Manitoba. I know that young people are using that technology, and it may be the sole area which they use, so we must get more up to date in terms of our Web site in providing that information. I was talking to the Dean of the I. H. Asper School of Business, and he gave me a statistic that 85 percent of the graduates stay in Manitoba. So that kind of reassures me that there are opportunities, young people stay.

Now, some will go because part of me says it is good to go and see what the rest of Canada is like. It is good to travel when you are young and explore other parts. It is also reassuring. A lot of people come back to Manitoba knowing that this is a great place to live and work and raise a family. So there are opportunities to bring back Manitobans that had to leave for career opportunities, and it is up to us to ensure that young people know of all the opportunities there are for a challenging and exciting career opportunity here in Manitoba.

Mrs. Stefanson: Are there any specific initiatives that you are working on now to encourage, in working with businesses, young people or just people in general to move back here to Manitoba to fill up some of those spaces? I recognize where we are at with our employment, and that is very positive. What are we doing to encourage more people to move back here?

Ms. Mihychuk: Interest has been shown by some ethnic communities to start a recruitment campaign reaching out to their communities in other parts of Canada and perhaps the United States, talking about Manitoba and what opportunities there are. That is not focussed on youth, but it is focussed on their community and enhancing it in Manitoba. We are prepared to work with them to ensure that we staff the event, perhaps make available government representatives, and tell our story and get the word out.

In addition, we are going to invite Manitobans to talk to us when we are in San Diego, for instance. There is talk to use the Canadian consul offices around the world as

places where we can talk about Manitoba and give them the information that if they are looking to come back home there is a place for them here. So it is part of that.

I guess the other part, increasing our population is very important to Manitoba's economy, and the other part of that is immigration. As you know, we have doubled the Provincial Nominee Program, and we have brought in immigrants. We need to continue on that path and do even more, because Manitoba companies are looking for people. I think we have a real opportunity to see some significant growth in Manitoba.

Mrs. Stefanson: At some of these events where you are in contact with Manitobans maybe outside the province or maybe they have come here to see what is offered here, what are some of the barriers that people are mentioning to you that we need to overcome, as a province, to bring them back here?

* (16:50)

Ms. Mihychuk: I think most of it is awareness. Manitobans who know and who have come from Manitoba are often anxious to come back home. If they know that there is a career path, a job opportunity, we usually find people saying, oh, we did not realize that or we did not know. So it is more of us inviting people back home. It is getting other people who have a negative opinion of us to come, but once they are here they become even more adamant on the Manitoba Advantage.

We had an opportunity to go to the CN Customer Service Centre downtown, and those people were relocated from Montreal. The stories they told make wonderful commercials, said Manitoba is a great place to live. We had no idea. All we heard about was all of the negative stereotypes.

That has to stop because the longer that perpetuates itself, the more these stereotypes get built up, and the reality is it is not true. Those people who have come here and lived here become our biggest proponents, and Manitobans are anxious to come back. We see that a lot.

Mrs. Stefanson: You mentioned the immigration. I know you came out with your immigration recruitment program in August or something of last year. I was just wondering: What has come out of that? You have mentioned that you are setting up some events to encourage people to move back here and this sort of thing. What has come out of that program? Is there any follow-up that is being done with that?

Ms. Mihychuk: There are two programs that we launched last year; one was the Provincial Nominee Program bringing in individual immigrants, and out of that we had 50 spots for businesses. Those 50 spots, I believe, are virtually filled up with 40 or 50 businesses that are interested in coming to Manitoba to set up their businesses here and employ Manitobans and bring their families. So we are looking to get that settlement done and looking at phase two where we will continue to recruit businesses to come.

The immigration program is set up in two parts. We are responsible directly for the business component and the Department of Labour and Immigration is responsible for the bulk of the Provincial Nominee Program which deals with individuals to fill high-skilled needs in the Manitoba sectors.

Mrs. Stefanson: So what is the next phase of that? You have found 40 or 50 companies that are interested in moving here. Where do you go from here? I am just looking for sort of a plan. Is there an action plan where we go from here?

Ms. Mihychuk: The Business Nominee Program is the 50 spots allocated on an annual basis out of the one recruitment drive that the Province conducted. We went to South Korea and we got oversubscribed. All 50 spots were taken. We have a follow-up program with the businesses which includes intense involvement from the department and includes a \$50,000 letter of credit from the businesses to ensure that they stay here and are successful year after year.

Mrs. Stefanson: I might just jump again here back to something that we discussed this morning, and that was some staffing issues. You had mentioned that there is one net new staffperson. I am just wondering: Are there any

positions open right now in the department? Can you tell me what those positions are and what the process is for staffing them?

Ms. Mihychuk: We have a fairly high vacancy rate. One of the things about a thriving economy is that the private sector likes to come and scoop up civil servants, so that provides for some movement. We have some vacant positions which we are actively recruiting for personnel. We have a number of positions vacant. Thirty-three positions are vacant in the department for a vacancy rate of 10.3 percent. The recruitment is using the standard civil service process.

Mrs. Stefanson: So that would be positions selected? Are they appointed or do they go through some sort of a competitive process?

Ms. Mihychuk: These are positions that are won through competition through bulletining. It is my understanding that first it is done internally to civil servants, and then it goes out to the public. It is often advertised in the local newspapers. Then applicants submit their applications, and there is a standard procedure by the Civil Service Commission.

Mrs. Stefanson: In the numbers that we had this morning, in terms of just the one net increase in staff members, is that for the department or does that include your political staff as well?

Ms. Mihychuk: That includes everybody, yes.

Madam Chairperson: As previously agreed in the House, the hour being 5 p.m., committee rise.

JUSTICE

* (15:10)

Mr. Chairperson (Conrad Santos): Would the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Justice. Would the minister's staff please enter the Chamber now.

We are on page 114 of the Estimates book, Resolution 4.1. Administration and Finance (b) Executive Support (1) Salaries and Employee

Benefits \$521,500. As agreed upon before, the committee is having a general global discussion, but there is a question that is waiting an answer from the member from Lac du Bonnet.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): The member asked questions of the timeliness of the disposition of cases in Portage. The information that I have been given this afternoon indicates that for adults who are out of custody, the regular court times are about four to six months, and for adults in custody we note here the range would be one and a half to two months. The measurement there is from the date of the plea, in other words knowing what the accused is intending to argue and the disposition. It appears that the youth out of custody is shorter than adults, as I am pleased to see it is, from roughly three or four months, and youth in custody, I understand that actually special sittings can be available. It looks like as well that dates are available, for example, beginning June 8.

Mr. David Faurshou (Portage la Prairie): I want to thank the minister for his most prompt response in that regard. I appreciate that the time which he spoke of is reduced from past, and I want to express my appreciation on behalf of Portage la Prairie area residents for the due diligence of the prosecution located in Portage la Prairie.

I wonder in regard to the Prosecutions in Portage la Prairie, are they still required to do out-of-region prosecutions, which had been the case which ended I will not say the career, but the employ of the previous Crown attorney in Portage la Prairie, one of the primary factors to which he left the employ of the Prosecutions branch because of the out-of-region demands on his office.

Mr. Mackintosh: The Portage prosecutor's circuit to Morden and to Gladstone, we believe to Carman and to Stonewall, I understand that there were some issues about their circuiting to Garden Hill but that is no longer the case and that may be what the member is referring to. I might also add, in terms of the measure of timeliness of court proceedings, these are the dates within which court dates are regularly normally available. There may be particular

cases, of course, that are exceptional depending on the nature of the evidence and the nature of the defence tactics, as we all know, but this is to show that the availability of court dates is within the ranges that I have provided.

* (15:20)

Mr. Faurshou: I appreciate the minister's response in regard to Garden Hill, and that was some of the concerns that played into the demands of the Prosecutions branch in Portage la Prairie. I appreciate that information.

In regard to the other issue in Portage la Prairie that has been around now for some four years, but just a short 10 months ago, I should perhaps say it is maybe not as "short" for some people but 10 months in the lives of those that were prosecuted from the Waterhen First Nations confrontation that ultimately resulted in the relocation of over 300 residents from that reserve to the proximity of Portage la Prairie, most within the urban area of Portage la Prairie. The Supreme Court of Canada Appeals rendered a decision in June of 2000, setting aside the judgment that resulted in the incarceration of, I believe, 12 or 13 members of the Waterhen First Nations band and this particular setting aside of the judgment resulted in the request to the Manitoba Prosecutions branch as to whether or not a retrial is to be scheduled, and 10 months now has been elapsed.

I wondered whether or not the Prosecutions branch has had time enough to study this particular case and whether it will be in the not too distant future made known to the Waterhen First Nations residents in Portage as to whether they are going to be retried or whether this in fact is not going to be the case.

Mr. Mackintosh: I believe the member is aware and I think he is asking this question in the context of recognizing that this is of course a decision that is not a political decision and one made on the basis of the professional judgment of the Prosecutions branch. I am advised that this has been a difficult decision and the options have been thoroughly canvassed by the Prosecutions branch. It has taken some time because there have been consultations with the community, community members I understand,

in addition to the RCMP, which the member may be aware of. I am also advised though that the issue is nearing a determination and I expect there may be something even within the course of perhaps a month or so.

Mr. Faurschou: I appreciate the minister's response, as the members that were directly involved with this particular case are wanting to get on with their lives and with this hanging over their heads as to whether or not they are going to be retried or not is certainly a stressful situation. I hoped that the Attorney General, in overseeing the Prosecutions branch, can bring this point home so that this decision can be made in the short term.

The other point that I would like to ask, in regard to Portage la Prairie, we have had a great deal of success in the area of community justice committees. There was initially funding provided by the Province to help support the ongoing activities of a community crime prevention office which provided home for the community justice committee's operations and support. I am just wondering whether there is any discussion as to how the department views this particular crime prevention office and community justice committees. I will just give the minister an opportunity to respond as to his observations, as well as whether plans are to continue support for this initiative. I do realize it was a term support program, but I would just like to hear the minister respond, please.

Mr. Mackintosh: I may have further advice on this one but it is my recollection that that particular office was not on the table during the Estimates discussions as we prepared for the departmental budget this year. I do not recall that so that does suggest to me that indeed it was a timed, perhaps start-up cost. I know many of these grants are often based on an expectation that communities will find alternative sources of funding but we sort of enable the community to find the capacity, or empower the community, if you will, to get going on a project. So I suspect that is what it is because if we cut off funding, I know the member would have got up and said something about that or we would have had some calls at the office.

Portage la Prairie has been providing some great leadership, and I think it is another example, as is Beausejour, I might add, and I was saying that to the other member yesterday in terms of community justice. People from all walks of life are slowly but surely understanding that this is a tremendous way to make an impact on offenders and, as well, to better serve victims. I have had the opportunity and the pleasure to have discussed this area of interest with the former mayor Glenn Carlson, who was appointed by the former minister to help work in the area of community justice. It is my hope that he will continue to be able to assist the Government. What we are doing now is looking at how we can make some changes within the structure of the department to empower communities and grow, unleash that potential of communities and have more committees like they have in Beausejour and Portage la Prairie.

So that is my expectation, and we will see over the coming year what progress we can make to prepare ourselves to grow community involvement recognizing that this is bottom up. It is not top down, but at the same time there has to be, I think, some seed planters. There has to be co-ordination making sure that there is a policy within the department, as well as to how we can best leave certain charges or wrongdoings in the community for local disposition. We all recognize the positive outcomes of this are known to those who have been involved. It has been a well-kept secret, I think, although Mr. Carlson, for one, has been expounding on this one across the province and elsewhere. The RCMP have certainly taken on this model of justice to a great extent over the last three years in particular, and as well municipalities and other local organizations have been developing this.

Recognition of the importance of youth justice committees is one important part and indeed I guess a backbone of community justice in Manitoba. Last year we provided funding to all of the youth justice committees in Manitoba, and we urged that they use those funds for the purposes of training, for example to train the volunteers in the area of what is called family group conferencing or mediation. Those are life skills. Those are great life skills that one can use in their daily life or other areas whether it

circles or perhaps getting the RCMP in to talk about their community justice forum model. So I think that the committees have appreciated that injection. But we are here of course to listen to them if they have continuing financial pressures and needs that they think should be met. What we are doing is looking now at a more systemic way to enhance the role of community justice committees or councils or whatever they might be called.

* (15:30)

I look forward of course to the continuing input of the member opposite and many members opposite. This is hardly an ideological issue. I have seen, indeed, in the United States that they are providing significant prototypes of this. I recently visited St. Paul with the specific objective in mind of discovering how they were dealing with the growth of their programming there, and Minnesota has provided a good model. New Zealand has. There is a state in the eastern seaboard in the U.S. that has been doing a lot, but it really is growing all across the world, and I was going to say the western world but all across the world. Of course, New Zealand and Australia continue to provide leadership.

But we have often I think not recognized that Canada and specifically Manitoba are actually world leaders in community justice. We have had the youth justice committees in this province since the mid-'80s, and we have 70, 80 or so of them in varying stages of development or stability, I would say. We have of course the Aboriginal traditions which are entirely compatible if not the progenitor of this way of dealing with crime.

We all recognize of course that where one pleads not guilty they are entitled to the formal court process and nothing should interrupt that. But when it comes to areas where individuals accept responsibility or are willing to plead guilty, I think the tough justice is what the local banker, teacher, perhaps the local lawyer in my community, a mechanic, the soccer moms, the teachers provide when the youth come before them. For those who have been there and either seen or have spoken to people on these justice councils or indeed the victims or offenders, there is a clear message that if Manitobans want tough

justice then community justice is an important part of how we can better tune the justice system. Hopefully then if there can be some relief from the court side on some of the more minor charges, the courts can do a better job with the more serious offences, but that is a long-term view.

I think what we have to do is listen carefully to those that have gone before. I think there is a great potential in moving beyond youth justice committees or councils and start to grow the concept that I have seen in Beausejour where they deal with adults, young and older. They have developed skills in their community. They are telling me that, they say to me, you know, Gord, if you want to see some serious justice, you watch us. They mean business there.

Indeed, I hope the Member for Lac du Bonnet (Mr. Praznik), I trust he does, is familiar with that operation there. It really is interesting. What they are doing as well in the member's riding and beyond in eastern Manitoba is combining the efforts and views of individuals on the different justice committees throughout the area. They are looking not just at the area of how to deal with crime after it is committed but they are also looking at how to develop crime prevention techniques, looking at doing this on a regional basis. I was very pleased that the federal government was able to assist them in getting started on this path, and we are watching that very closely.

I might add, you asked me the wrong question if you want to get on to a next question quickly because it is very important to me, we have to do what we can in the department step by step. We are talking action on a lot of fronts, but this is a very important issue to me. I have seen this develop under the former government as well, a growing recognition of the need to grow community justice.

I look at the city of Brandon, for example, a city of 40 000-plus. Aside from mediation services and some minor programming, there virtually is no community justice there. It has been expressed to me by everyone from the chief of police, who is very keen on this, and others. I had a local lawyer, for example, come and visit me. There is a great opportunity there in

Brandon to involve the community in delivering what I think can be a very common-sense and swifter and more meaningful justice for offenders and victims and the community of Brandon itself.

Mr. Faurichou: I really appreciate the minister's remarks in regard to this, and, yes, we have had firsthand experience with the youth justice committee last summer involving our daughter and harassment through the Internet. It was resolved through this, in fact, so much so that our daughter had been acceptant of the one week of community service, when the parents of the particular individual that was responsible for the harassment intervened, and said: No, two weeks. It was very supported by the parents around the table and it was dealt a stiffer penalty by the parents than originally the young people that were involved, so it was really appreciated. It worked out well involving the Salvation Army soup kitchen, and the operation similar to Winnipeg Harvest that is carried on in the food bank, was carried on in Portage la Prairie as well.

I would like to defer to my honourable colleague from Lac du Bonnet, but I do want to leave the minister with the result of a comment that was made at least year's Estimates committee, that being: When a member of the RCMP goes off onto maternity leave, all of the press releases from the RCMP said that no reduction in service would be a result of a female member of the RCMP being away from her job; in other words making the conclusion that perhaps the RCMP female member was not worthy of the duties that were responsible in that area. Since then no press release has been put out by the RCMP in that terminology, so maybe our discussions did result in something changing as far as our media services are concerned.

So in any event, I would like to say, I appreciate the minister's opportunity to respond to the concerns of Portage la Prairie and look forward to resolving any concerns which we have highlighted today.

Mr. Darren Praznik (Lac du Bonnet): Mr. Chair, I appreciate the efforts of the Member for Portage la Prairie (Mr. Faurichou) to share in these Estimates of the Department of Justice. I know there are many issues that are very

important to him and his part of the province. I am delighted to have been able to share that time with him and thank him for his participation and for the minister to provide answers to him.

Mr. Chair, yesterday we left off in my portion of the Estimates discussing the whole issue of the Victims' Rights Bill. The press release that the minister had put out indicating last year that \$90,000 had been put in place to hire two particular employees, and if I remember the quote from the minister's press release correctly, it indicated very clearly they were there to be working with victims. I believe their job was to notify, and I quote: victims of key events affecting their case.

Just so the Minister of Justice knows, for the purpose of the record, I ordered him a café mocha. We Conservatives have gotten a little classy in these Opposition days. I would have ordered one for the Member for Portage la Prairie (Mr. Faurichou), but I knew he had other things to go to. If he would like one, I will place the order right now. I just want the Minister of Justice to know, in Opposition, it is hard, as he knows. He spent many years there. We afforded ourselves but one small luxury in Opposition; that was to have installed in our caucus room a super-duper, as the minister might say, doozy of a coffee machine. That doozy of a coffee machine, somehow you can press the right buttons, and you get a café mocha. I just wanted to let him know that we are here to do the people's business, and we may have some tough debates. I wanted him to know today that I like him, I respect him as an individual. I respect a lot of his work as Minister of Justice, and as a bit of an offering to him, I wanted to ensure that he too could share in my good fortune to be part of a caucus room that served café mocha. So I send that over to him and hope he enjoys it. Of course, the staff, I do not know if we have enough. If they would like to, we can arrange that. I do not want to get them in too comfortable a culture, though.

* (15:40)

Yesterday we talked about this issue. The minister put out a press release, and he said very clearly last year's budget he was hiring two

people worth \$90,000 of taxpayers' money. Part of their job was to notify victims of key events affecting their cases. He admitted that that did not happen. They were part of a kiosk, but that by and large did not happen. He did talk yesterday a great deal about his concern about plea bargaining and involvement of the victims. I left off by asking a very pointed question. Was the family of Mr. McLaughlin, of the McLaughlin boy, was Mr. McLaughlin, whose name has appeared in many news stories and I appreciate the matter still may be before the courts with respect to sentencing, and there may be some reluctance, but the process question that I asked the minister—I am not trying to sandbag here—the process question is: Was there a realistic consultation with the McLaughlin family about the changing of the charges from second degree murder to manslaughter? Was there a discussion with Mr. McLaughlin about doing that because a key point of the victims' rights bill that does not require legislation to have happen every day is that kind of consultation.

I appreciate that it does take a lot of effort administratively to be able to put everything in place for every single plea bargain in the province, but surely, in a case that involves a brutal slaying of a young man being kicked to death in a parking lot, that surely a case of such consequence, of such horror, would be one of the first in which that kind of discussion would take place just as a matter of course. So I ask the Minister of Justice: was there meaningful discussions with Mr. McLaughlin about the plea that was agreed to with the accused?

Mr. Mackintosh: I am sure there is truth serum in there, although I do not need it. There are three outstanding issues actually, and perhaps we can deal with them in order just to clean up today's work here. I believe one of the first questions asked yesterday—and we agreed to get it to the member today—was a comparison of the salaries of political staff in the minister's office. At the risk of labour-management difficulties in my office, I have to report that the incumbent, a special assistant, is paid \$47,869. The special assistant to the former minister was paid \$52,535, and that was in 1999. Indeed, the difference in the range at the top end is about

\$17,000 as I see it here. So there appears to be quite a significant difference in remuneration paid to these two special assistants. If there are any further questions, I would be pleased to follow up on that.

The second area though was in the area of the notification work that we committed to when we announced the Victims' Bill of Rights. I left here yesterday with the sense that not only was the member opposite asking questions based on different assumptions than myself—clearly, I had assumptions—but as well, we have obtained some further information on some of the detail, because he was talking in particular about particular FTEs.

So we made inquiries of the director of the area, and I can report as follows. First of all, I just want to go back to the intention of that part of the announcement. That was to indicate to Manitobans that we were beginning to move towards the Victims' Bill of Rights regime in the last fiscal year; in other words, we were going to begin the journey and the process. The announcement said the following: Manitoba Justice has allocated \$90,000 to support two full-time Victims Services workers who will notify victims of key events affecting their case. The Victims Services workers will help design the notification system and ensure the legislated rights are followed. So when the member says that they were only committed to work on notification itself, clearly it said that they were also to design the notification system.

But what has transpired aside from that—I just wanted to clarify that—there has been much more than \$90,000 committed, way in excess of that, in terms of the human and financial resources when you look at the efforts that have been developed with regard to notification. In particular, with regard to the staffing resources and the new jobs, I think it is fair to say not two but three notification workers—and I use that term broadly—and according to the information provided by the department to me this morning, first of all, there are two CL3 classifications that have been filled. First of all, one position is to initiate and maintain contact by telephone or letter with identified victims to inform of their rights in the system and provide updated status on particular court cases and related accused information, including final disposition of the

case and sentencing information release dates. That, I understand, would be based on requests by victims in particular cases, because there are victims that rightly do come forward now even without advertising, of course, any new regime coming. There was a constant theme in the Opposition that I heard. They want to be advised of the status of cases, so that individual is doing that and, as well, assisting with victims by liaising with the Crown, police agencies, Corrections and other offices in the system, and as well maintains databases. So that is one position, the CL3.

The second has new specialized notification duties. This person is at 408 York and responds to the families of murder victims in particular, victims of sexual assault and victims of extreme violent assaults where it appears that there is a need and request for notification.

Again, the key events are noted to the victims, such as court dates, sentencing and cancellations. Preparing and filing victim impact statements is another job there and advising of restitution options is a very important issue, as well as preparation for court before attending, court orientation for example. As well, that is the position there that is helping with the staffing of the kiosk, as I talked about yesterday. I think that is about a third of her time or so.

The other position, and the member may be aware of this individual, I certainly have become aware of this person's work. I know that victims in Manitoba, victims' organizations have respected the work of, and I will name him, Mr. Ken Cameron, who, as I understand, was formerly an officer, detective in homicide, I think, with the Winnipeg Police Service. I think we are very fortunate to obtain his services. He came on in June of 2000.

He acts as a liaison with victims, the Crown and police, in murder, stalking and serious sexual assault cases. He is assigned what I would classify as the most difficult cases, by difficult I mean for victims to deal with the tragedy. This individual I think has a very special way. He has dealt with victims of very serious crimes for many years and as well he, of course, as part of his job, notifies victims on the court dates, pleas, sentencing and services that are available.

I believe this individual as well has been assisting with Mr. McLaughlin, and I will talk more about that.

As well, some of the funds from the \$90,000, there has been some surplus funds from that allocation and the department has been able to reallocate that for the child friendly courtroom and some of the travel. Mr. Cameron, as well, I could advise was the individual who was travelling to the different court locations and obtained all of the information about the northern meeting halls, band halls and schools or wherever they hold trials to see how the facilities were structured. So he has been very busy.

* (15:50)

I know I was up to Dauphin just about four, five months ago and just before I got there, unknown to me, Mr. Cameron had visited and met with the RCMP and talked about the Victims' Bill of Rights and what it meant and what challenges lay ahead for that law enforcement community and the court office there.

So that is a more detailed response based on the information that is available from the department. I might add, Mr. Cameron's title is Major Crimes Liaison Officer and he has really fit into this. We will see what further assistance he can provide but I think it has been very helpful for victims to have that kind of resource.

As well, the two other individuals as victim workers, notification officers, if you will, I think have indicated and backed up the intention that was expressed at the time of the announcement that we will not wait for the Victims' Bill of Rights and will be starting as well to meet the needs of victims in a more meaningful way. But, and this is important, prioritizing those needs of victims where there has been homicide, for example, or where there has been sexual assaults or extreme violence.

Finally, just before we leave notification, I do not want to leave the impression that notification is only the staffing resources or just a kiosk or travel or anything like that. I do not want to miss the forest for the trees, because the systems development investment is what is most significant. We are talking hundreds of

thousands of dollars investment in Manitoba in the information technology, which is the backbone of The Victims' Bill of Rights' implementation. The capital costs, the training, the IT positions, for example, the courtroom automation and the network communication, the technology support is absolutely critical to how we are moving this along.

Again, I acknowledge that the federal government has been helping us on this one. They have recognized, as they have with the under 12s project and Wyman Sangster's involvement there now on contract, that they see there is an investment by developing this prototype in Manitoba.

Moving to the last question, which was the issue of the tragedy that has faced the McLaughlin family. I am advised by the department that within days of being assigned to the prosecution of the matter, the particular prosecutor, Mr. Zane Tessler by name, was requested by Mr. Finlayson, who is here today, the assistant deputy minister, to go with Ken Cameron, whom I spoke with earlier, to go to the victim's home and meet with all the members of the family to discuss all the facets of the case, and particularly in light of the issues around bail, and answer any inquiries about the court and the trial process.

The first meeting, I am advised, was lengthy, and according to the prosecutor, was described as intense. It was the view of the prosecutor that by the end of the meeting, all the members of the family were aware of the role of the prosecution, the pending hearing process and the available verdicts. I am advised that each member of the family in attendance, which included the victim's parents and siblings, were provided with the prosecutor's and Mr. Cameron's business cards and were invited to contact them at any time they wished to do so if they wanted to discuss the prosecution, for example.

Now the family, I am advised, in particular Mr. McLaughlin, would attend court on each remand date to follow the progress of the case, a very commendable and I think important action on the part of the survivor. When possible, the prosecutor I understand would meet with Mr.

McLaughlin or others in the family prior to court to discuss the nature of the appearance, the reason for any adjournments and the next appearance dates. The prosecutor advises me that Mr. McLaughlin would regularly call directly to discuss the related issues, and regular contact was maintained by Mr. Cameron as well with the victim's family, and questions or criticisms would be relayed then to the prosecutor. The prosecutor advises me that when requested, he would contact Jack McLaughlin immediately to resolve any problems that existed.

Before the preliminary inquiry, and that took place in November of 2000, the prosecutor advises that he arranged for the victim's family to attend the Prosecutions offices and meet in the board room there to discuss the preliminary hearing process and the matters at issue, the role of counsel for example, arrangements for the attendance of the family and comfort during the hearing and answer any questions that the family members might have. That meeting, I am advised, was attended by the prosecutor and Mr. Cameron and the prosecutor believes that Ms. Joy Dupont was also there. She is with the Victim Witness Program. In the prosecutor's view the necessary time was taken to ensure that all of the questions were responded to at that meeting.

The advice I have is that during the preliminary hearing the prosecutor, along with Mr. Cameron and Ms. Dupont, would meet with the family before court opened and during recesses and during lunch breaks and at the conclusion of the day's evidence to brief them, for lack of a better word, on the progress of the matter.

When the preliminary hearing was adjourned for continuation, I understand from the prosecutor that the family was told of the reasons and the effect of that, and consultations then continued during the time leading to the next two continuations. Now this preliminary hearing ended on March 7 of this year and the issue then of committal was adjourned to the following week, March 13. Just before, on March 9 the prosecutor was contacted by defence counsel who requested a meeting to discuss a plea, and the meeting was held on

March 12. As a result, the prosecutor, Mr. Tessler, requested a meeting with the Prosecutions Management Committee. This is a formal organization within Prosecutions that reviews pleas and the appropriateness of them, and that was scheduled for March 13. As a result of the meeting, a Crown position was being developed with a view to forwarding that to defence counsel for consideration.

* (16:00)

The committal hearing was scheduled for one o'clock on that day, March 13. A meeting, I understand, was arranged with the victim's family over the noon hour to discuss the recent developments and again Mr. Cameron and Ms. Dupont were in attendance. The nature and effect of the plea bargain, according to the prosecutor, was discussed in light of the applicable law, the evidence and the Crown's proposed response in this regard. The prosecutor's view was that this was an open meeting in which everyone was allowed to participate, and in the prosecutor's view the family appeared to understand the nature of the plea that was offered and the Crown's position on sentence. By the way, that hearing was adjourned to March 27 to permit counsel to pursue discussions. That afternoon, the Crown's response to the offer of manslaughter was forwarded by courier to defence counsel.

Just to conclude, the family, I understand, was met prior to March 27 to be advised that the offer by the accused to plead guilty was accepted on the basis of the Crown's response as previously outlined, and so the accused undertook to enter a guilty plea in the court on April 11 following which a sentencing date would be arranged. The prosecutor advises me that he subsequently met with the victim's mother before April 11 to discuss the victim impact statement and answer any questions she had and he said that he met with the family then on the morning of April 11 to explain the appearance at Assignment Court and subsequently spoke further with Mr. McLaughlin to answer questions he had regarding the sentencing process.

The view of the prosecutor was that extensive and regular ongoing consultations were conducted on all facets including the matter of the plea in respect of this prosecution.

So that was the advice that I have received from the department. If the member has any further questions, I can undertake to obtain the answers from the prosecutor or Mr. Cameron or Ms. Dupont.

Mr. Praznik: I am taking pity on the minister's staff and the Chair of the committee. This is a hard and gruelling process, Estimates, and if, as a critic, I could at least make it a little more pleasurable for those who must endure it.

I appreciate the minister's information. Mr. Chairperson, I would like to ask the minister: What is missing from his response? I put it to him now by way of a question. What was the reaction of the McLaughlin family? Were they in concurrence? As he appreciates, that is certainly not the view that Mr. McLaughlin has expressed publicly in our province. So I ask him, even though the consultation took place—and I am not doubting that people spoke after the minister's response—but were they in concurrence? Did they appreciate, did they understand, and did they support that plea bargain?

Mr. Mackintosh: I recognize that shortcoming in the information. There is some information that we do have, but I would like to confirm that with the prosecutor. If we can return with that information when we have it either in Estimates or by correspondence, we will do that. We will undertake that immediately. I do, of course, add the caveat and the recognition—and this is probably self-evident, and I am sure the member opposite recognizes this—but the current practice and the developing practice with regard to major crime victims and indeed what is in the Victims' Bill of Rights, indeed what is in every Victims' Bill of Rights in the western world, is a recognition that prosecutorial discretion continues but that victims now do have a voice, are consulted at plea bargaining, but it is a voice and not a veto.

Having said that, what I think is important is that we also have information about the views and other information that may have come from the McLaughlin family at that particular

discussion.

Mr. Praznik: Mr. Chair, I appreciate the minister will get back to me, and I understand fully that there is still and must be a prosecutorial discretion in these matters and that always those you are consulting with may not necessarily appreciate the legalities that have to be dealt with or the evidence. Just a concern when setting up the Victims' Bill of Rights, too, one has to be careful not to leave the impression with the public that it solves all ills and all problems, that obviously Mr. McLaughlin was not happy with decisions that were taken. He has expressed himself very publicly about that, and I look forward to the more detailed answer from the minister.

I want to ask the minister again about consultation with individuals. I know Question Period may have caught him somewhat unaware, him having been in Estimates, the case raised by the Member for Kirkfield Park (Mr. Murray) in Question Period today about individuals approaching his office.

I appreciate that these are very, very difficult, and it does involve a juvenile. Even though the adult involved does not have a problem with using their name, my preference would be to avoid all use of names if the minister is able to acknowledge that he is familiar with the case. What was brought to our attention in the moments leading up to Question Period was a case of a long period of abuse by this individual, by the victim, I should say, and the individual who was charged ended up receiving, I believe it was today, sentencing, an arrangement of sort of a house arrest kind of situation where they were to be in their house other than going to work. We have been advised by these people.

I ask the Minister of Justice, without breaching the concerns involving a juvenile, if he is familiar with the case, to be able to confirm some of these details because I would like us to at least approach this with some accuracy. We were advised that in the sentencing, which we were told I think took place today, the accused was sentenced to a house arrest situation for I believe it was 15 months. The minister may want to confirm that.

The reality of course is that they can leave to go to work but because of their work being a contractor with a variety of hours the sentence, in fact, in the view of the victim, becomes almost moot.

These people were extremely upset. I appreciate them coming to the minister's office, staff probably indicating that the Minister of Justice does not have the power to overturn a sentence. I know from being a former Workers Compensation Minister that people would often come to you with demands like that, not appreciating that—just because you hold a ministerial office, you are expected to be able to do everything. I would hope the minister's staff would have been polite to them. I am going to give that the benefit of the doubt, and I appreciate the message may not have been one these people wanted to hear, but it does raise some issues around the use of that process of sentencing and whether or not this was the result of a plea bargain and whether or not there was consultation with the victim.

So, if the minister perhaps could at least advise us of the facts that he is aware of, in I think this more anonymous way, and indicate to the committee those real questions. If the facts are correct, was there in fact a sentence recommendation by the Crown? Was it the result of a plea bargain, and was there consultation with this victim and their family?

* (16:10)

Mr. Mackintosh: I think the issue surrounding historical sexual abuse and the appropriate sentencing is one that is a difficult one and I am certainly developing some views on in the course of my tenure in the office and is one that I think with the new conditional sentencing regime deserves further consideration.

Having said that, I understand that the Leader of the Opposition (Mr. Murray) this afternoon alleged that a woman and a 17-year-old came into my office and were told certain things. The two staffpersons there in the office today have related it to me, and they are very upset because they take their positions so seriously and I know they are so wonderful with the public. But they do not recall, they have no advice that anyone fitting that description or two

people came in this morning. I am afraid that they are very upset with this, but there may be some misunderstanding somewhere in the communication, and if the two individuals, if the victim and the other woman are upset that may be too. It may have been another Justice office. I do not know. So we will let that be for now. I am just not sure. But those are the inquiries that I undertook to make. Having said that, it is my understanding that this case proceeded on the basis of an adult who, I believe, was the aunt of the victim, the victim being a minor, who appeared to be the established contact with the Crown attorney assigned to the case and that there had been consultations and advice on the nature of a possible plea arrangement with the aunt, and it appears that the youth, the victim herself, was upset with the disposition, but that was not the earlier view of the guardian. In other words, the consultations had been going on between the Crown and the guardian, and there was advice to the Crown attorney.

I am advised, I am going by advice from the Prosecutions branch, that the guardian was satisfied with the position on plea arrangement and indeed expressed relief that the child or the youth would not have to testify and later, at no time, voiced any objection to the plea. It was later when the youth herself expressed objection. So what is not known to me, Mr. Chair, is what arrangements or what communications were to take place between the youth and the guardian.

That is the information I have so far, and I will make further inquiries in that regard. I might say that I am certainly disappointed. I think I am always disappointed when there is a disappointment on the part of victims because it suggests and, in some cases, is clear that there is not a sense of justice, at least apparent at the time, of disposition. I know we have to continue to improve systems and improve the way we deal with victims which is what, of course, we are embarked on.

I might remind the committee, of course, of the difficult case of *The Queen versus Bauder*, another historical sexual abuse case, although not so historic, but again, in that case, there was a lack of consultation with, not just the victim but as well the guardian of the victim, and it was lamentable, we understand, that there was

information that could have made a difference to the plea arrangement there if there had been such consultations. I think, in no small way, the Victims' Bill of Rights is built on experiences like the *Bauder* experience. So, while we are making improvements that have to be made, that is what the Victims' Bill of Rights will, hopefully, attain.

I think what we are seeing here is the clear rationale and the explanations as to why it is important that victims be part of the process. What we are seeing even now in these days as we develop and change the way we do business is that there is clearly developing a new era of respect for victims. It will continue to become fortified, and indeed very soon become mandatory in law, along with a complaint process, a good, fair, legitimate, independent redress system by way of, first of all, the ability of the department to remedy a shortcoming if it can within a period of time, a very short period of time, or else reliance on the crime victim investigator who will be established at the Ombudsman's office, or indeed any other remedies available at law.

That is the information I have. The member may have further questions, and I am more than willing to search out further information about this particular case. As I say, I do not have information as to the arrangement between the guardian and youth. I can only assume that, based on the experience in other child victim cases like this, the communications would be between the justice official and the guardian, I am advised.

Mr. Praznik: Mr. Chair, I would gather the minister might commit to this to do; I know it is a fast issue that came up today, but if he would endeavour to get some more information to provide to us. Certainly, the Member for Kirkfield Park (Mr. Murray), it was brought to his attention, and he did raise it. We would appreciate some further information.

Out of this comes a policy question I have for the minister. In these cases where the victim is someone who is in their late teens, not yet 18, where there is in fact a guardian or parent, surely in a crime affecting their person, their well-being, their physical health, where they feel

extremely violated, I would ask the minister: Is it his views, a matter of policy, that the views and opinions of that minor—I am not talking about necessarily a child who might be nine, ten or eleven—but certainly a child who is fifteen, sixteen, seventeen, and I would remind the minister—he may need no reminding of this at all—but this Legislature gives a sixteen year old the ability to drive a motor vehicle. We give that sixteen year old enough responsibility to be able to control a motor vehicle and drive it on our roads. Surely, if that juvenile at sixteen or seventeen has been the victim of a horrendous physical crime, certainly one involving sexual exploitation, sexual assault, surely their view should be at least as important as that of their guardian, if not paramount.

So I ask the minister, as a matter of policy, in his view, in the kind of direction that he would like to see his department go, why would the arrangements only be made with the guardian, as he has mentioned in the example we talked about, and why would not a 16- or 17-year-old individual who is old enough to drive a motor vehicle, why would their views, their opinions, matter and be ignored, as opposed to accepting purely the views of the guardian? I would ask his comments on that question of policy.

* (16:20)

Mr. Mackintosh: This is a very interesting area, and I earlier on came across the need to address this challenge head-on when you hear from families, for example, large families or even small families, and the need to determine who should be the primary contact person or are there to be several people who have equal standing to information and consultation for example.

When it comes to children, I think the issue is similar in a way in the sense that it is important that the justice system personnel who are obliged to deliver on the Victims' Bill of Rights know who it is they are to be contacting and consulting with. When it comes to children, there are the legal, and the member knows this word, disabilities that accompany the arbitrary age cutoffs that we have in society. That will have to be taken into consideration.

If the issue has not already been canvassed and is not developing in the working groups, it certainly will and will have to be determined as we move towards the implementation period of time. But I think what the member has done is certainly highlighted the need to ensure that there is a tight policy that makes sense, that both respects the legal disability but as well the views of a child victim that can be very critical and important, in particular, any evidence that might come out later in the stages of a prosecution, or earlier for that matter.

So what will be made known to the member certainly is our plans with regard to how to interact with child victims who also will have guardians or parents.

Mr. Praznik: I understand that these things are always very difficult. But I would hope that we do work out some protocols where, particularly for crimes involving the person of a 16-, 17-year-old, their wishes and concerns have a greater role.

In the example we talked about earlier, and again I appreciate the minister has to go back and get some more information, if we have a 17-year-old who has really not been consulted, the guardian has been dealing with her, and again there may be circumstances involving the state of mind of that individual, but obviously their interest was not satisfied, so much so that they are out making an issue about this today, then it does concern me. If we are really talking about victims, particularly when we are talking about someone who is old enough to drive a car, who may have suffered from some very deep physical crime—and I appreciate that there will be times when emotional states are such that it is not practical, but I would hope that it would take a greater priority within this process, and I look again to the minister to make that commitment.

Mr. Mackintosh: You know, it is easy to certainly assume and conclude in certain circumstances where the consultation is taking place with the guardian, that there is a full consultation then further with the affected child victim. In particular, where the child victim is a 17-year-old or 16-year-old or whatever has not contacted the prosecutor or others to express an opinion or seek further information.

I think what it raises is a very legitimate and important point as to how to put in place checks and balances in the policy to make sure that we do not proceed on assumptions. In fact, there might be strained relations between the guardian and the child in circumstances. It may vary from time to time, so I think that is an aspect that we can work into the policy. I guess this is what is probably best about having oppositions in governments, that you can identify these issues and make sure that policy is tuned.

Mr. Praznik: Mr. Chair, getting back to the victims' rights bill in its larger sense. I know the minister indicated yesterday that by August he will have for us an implementation plan I gather. I would ask him today if he could give the people of Manitoba a commitment as to when we can expect a full layout plan that he can deliver. Is this in August? In August, are what we going to see is a plan that will say here are the sections of the act, and we will be proclaiming them by this date and making them operative? Is that what he intended in his comments about August? If that is the case, I would ask him again to please reiterate that, make a firm a commitment, so in August I can go back and I must admit and the people of Manitoba can go back and say, Mr. Minister, here is your plan. We can keep the pressure on to ensure that each of those deadlines are met. So I am asking: Is he going to give us a complete plan for implementation in August? Is this what we have to look forward to?

Mr. Mackintosh: I referred to this in my opening remarks, but I can reiterate that we are planning the announcement of the initial implementation in August of this year, at which time we envision that certain rights and indeed some of the fundamental rights of information about the justice system and other services, compensation, for example, restitution, those matters, those fundamental rights, the right to know about rights are made known to victims. At that time, we will also then announce the further stages of implementation.

I have also committed to working to ensure that the implementation proceeds on a firm footing. What I mean by that is that it is important that as particular aspects of the bill are implemented, the subsequent stages are

proceeding based on the experience we have going ahead. In other words, making sure that any glitches that may be discovered, any shortcomings are addressed. We do hope to have clear advice to Manitobans this August. Indeed, it is in the next several weeks actually, in my office, we will be making some important decisions regarding the options for implementation given the current state of play of the development of the information technology system.

* (16:30)

I might just remind the member that, going back to when we were in Opposition, we set forth for the consideration of Manitobans and for the Government in particular a victims' bill of rights and a discussion paper that went with that. The member may recall that we had committed to a computerized notification system or perhaps more accurately a notification system based on information technology that is currently available, state of the art information management. I believe that was going back some time in 1998.

We have always envisioned that the effective implementation of the victims' bill of rights would be based on new information technology, information technology that at the time had not yet been developed. When the legislation passed this House I made it clear to the department that I wanted to see the implementation begin in August, and what we are doing now is determining exactly what the stages of implementation will be.

So that is the background of it. It should come as no surprise to those who have been watching the development of this initiative that the information technology part of it was very important. At the same time we have moved, as described earlier, particularly with the involvement of one of the CL3s and Mr. Ken Cameron, to prioritize the development of a culture of notification and consultation for major crimes, for victims of major crimes. This is helping the department in particular, indeed the justice system, I think, in getting accustomed to and seeing how a full consultation process will look. I recognize that there will be victims, and I am sure that this will always be the case, where

there will be victims who may be dissatisfied to a certain extent, but I certainly want to reduce the risk, reduce the harm of the justice system itself victimizing these victims once again by a lack of information at least, a lack of connection to the justice system that surrounds the development of the case that affects them. We know from the experience elsewhere and from studies and indeed the whole developing area that has become known as victimology that the court process can harm and can harm irreparably on top of the original harm and can sometimes do worse than the original harm of the crime. So this is, I think, an important step in recognizing that the needs and the voice of victims must be recognized. Again it is a voice, it is not a veto. I also recognize that The Victims' Bill of Rights contains aspects that respect to a greater extent the safety of victims.

So it is going to be an interesting journey. What I am seeing and what I am hearing is that there is an embracing of the bill by the stakeholders in the justice system. There is developing—and I have heard anecdotally, for example, in the area of prosecutions, where at one time at an early stage there was some consternation that the prosecutors themselves would be the victim notification officers, that it would rest with the prosecutors to conduct all the notification, and a concern that that would then detract from their other duties and impose significant resource issues on government.

The intention is to ensure that through the information technology system and the notification officers, the new centre, that the prosecutors will be left to prosecute but nonetheless will be required to have an involvement and will be involved in the consultation regarding the plea bargaining because that is a critical essential matter that requires the professional involvement of the prosecutors. As well, we are recognizing the need to ensure that the prosecutors know that we want to back them up with the necessary resources, that there are new challenges ahead but the Government will be with them to ensure that they have the support that is necessary.

So I think there may have been some misunderstanding as to what the role will be of prosecutors. It may well be, though, that there will be greater contact at other stages between

prosecutors and victims, but when there are decisions involving the law the prosecutors will have that very important role and their consultation capacity.

As well, aside from the prosecutors' responsibilities, there are significant responsibilities on the part of Corrections and on the part of Law Enforcement at the front end. I do recognize, and I have said this to law enforcement officials across this province, that law enforcement officials are really well down the path of recognizing the rights of victims and the need for information. They are the ones that have been dealing with victims. I reiterate that Prosecutions in certain areas, now major crimes and family violence and indeed cases although not with the standard approach, but other cases, there has been a significant degree of consultation that now I think is required to be formalized across the system.

While in Manitoba this is a very significant change, it is fortunate that there are other jurisdictions that have gone down this path and have good things to relay. I keep thinking of the words of the crime victim Ombudsman for Minnesota, who keeps reminding me that victims are owed this, and that when the system comes in, the justice system does respond with open arms to this. These are just her words, but justice officials want to recognize to a greater extent the needs, the rights of victims in the system.

I just would perhaps add that I think it is next month that, as part of the development of the Bill of Rights, we will, in Manitoba, be sponsoring a workshop on victim notification. Specialists from the major American notification system called VINE are travelling here and coming from Kentucky to share best practices with our people who are working on the Victims' Bill of Rights. That is, of course, the steering committee members, as well as representatives from the Manitoba Organization of Victims' Advocates. They will be looking at what experiences have been developing south of the border in regard to the information technology itself.

Mr. Praznik: Mr. Chair, the minister with his point, he went so far. He tempted, but he did not

take that last step of extending an invitation to his critic to attend that obviously very informative workshop that is being held. I just wondered if he was only going to lead me to the garden to sniff the flowers or if he was going to open the gate and allow me to come in. So I ask him: Is he prepared to extend an invitation to myself and one of our research staff to attend that particular workshop?

* (16:40)

Mr. Mackintosh: You know, he gave me the coffee, and I extended to his colleague to come to the Family Day at Agassiz. You know, I feel terribly impolite. We are certainly prepared to offer a detailed briefing on the outcome of that, just recognizing that I will not be there either. I think it is important that staff be allowed to have their internal and freewheeling discussions and questions and answers without a fear of sort of the political things that happen, and I would prefer that. If the member has strong views, we will consider that, but our department would be more than happy to brief the member on that and indeed any other aspects. Indeed, I would be very proud for staff on that so I will pass it on to the department.

Mr. Praznik: Mr. Chair, you know I feel just so downhearted. The workshop sounded so intriguing and interesting with these experts coming from far afield, and for me, just a humble critic, you know, who would have liked the opportunity to educate myself on these complex areas, I feel somewhat let down after that very fine description of this coming event. But I appreciate that the minister would not want his critic in the room because he might think all I would do was look for the places where I could raise issues in Question Period. Not that I have ever been accused of doing that before, but I do appreciate that if the minister will endeavour to have his staff, by way of letter to me, just confirm that a briefing would be available with one of our staff from our research area to be able to—and I am particularly interested in hearing about the state of the art and the technology more for my own information, but I appreciate his offer and his dilemma.

I would like to move on to a little bit of a different topic under Criminal Justice in that

block of area. One of the first exchanges I had with this minister after his appointment to the ministry and mine to be his critic was over, I think, the very highly charged area of the Aboriginal Justice Inquiry. I want to say to the minister today, you know, I remember him saying that the minister's copy, when he came in the office, was still covered in the cellophane, and it was ignored. You know, I appreciate that we are both politicians and on occasion, Mr. Chair, even you have accused me of being a politician. I appreciate we both have our political issues to make, but having served as a Minister responsible for Aboriginal Affairs, I must say that there were some great strides made during the Filmon administration coming out of that report.

I would not say everything was done, I would not say that it was perfect, and I would not say problems were all solved. But I remember very clearly one of the major recommendations of that report in terms of bringing a sense of justice within the First Nations community was the settlement of long-standing land claims, and although that is not necessarily an administrative justice issue, there is an issue of justice about settling claims that are long-standing and the Aboriginal Justice Inquiry report identified very clearly that that was a strong grievance, and this Minister of Justice said doing the right thing bringing justice is part of what he intends to do.

You know, I just say this by way of background before we get into our political exchanges, but one of the things I am most proud of from my tenure in the Filmon administration was that when I walked into the Department of Aboriginal Affairs we had just completed two of five Northern Flood Agreement settlements that involved land, and I think I was the signatory to one of them. The agreement was concluded by my predecessor, Mr. Downey, and I signed the second one that he concluded, but during my tenure we negotiated two agreements. I signed one of them and my successor signed the other, and only Cross Lake was left.

Even more important, Mr. Chairperson, was the area of treaty land entitlement where we had a group of some 20-some First Nations, 26 I

believe, who were signatories of part of the treaty land entitlement committee, then chaired by Chief Dennis Whitebird, and there was over a hundred years of unsettled land claims where communities that had been promised a certain amount of land when they were surveyed in the last century or early part of this century were inaccurately surveyed, with the result that the community was short-changed. The national government with whom those treaties were held did not settle it. When they transferred land to Manitoba in the 1930s as part of the Natural Resources Transfer Agreement they included a provision that Manitoba had to make available land to satisfy treaty land entitlement. That is in the '30s. And from the '30s until the '90s, none of those settlements were concluded. There was a lot of debate and discussion. There was debate during the Pawley government, previous governments. They were not settled.

I am going to take my small little piece of history because when I was Minister of Aboriginal Affairs, Dennis Whitebird and I, as a result of several meetings and some good strategy, I think, managed to come up with a solution that he was able to persuade the federal government to accept that worked for everybody, and again, I moved to another portfolio, but when I left we had a framework in place for an agreement to settle treaty land entitlement. That agreement involved a long process of land selection by a means of community selecting land, taking possession of it, and it would not become First Nations land or reserve status land until everything was completed, but it ended many of the roadblocks, many of the protests, many of the demonstrations that were taking place during that period where communities were getting frustrated that they were not getting settlements.

So here you have an Aboriginal Justice Inquiry that says settle land claims. I was intimately involved. I was not a minister who hired negotiators, who said come to my office and report to my deputy minister who will report to me. I was intimately involved in many of those negotiations.

I think, as Dennis Whitebird will tell you, the settlement, the genesis of the settlement for treaty land entitlement in Manitoba happened in

a discussion that he and I had at the signing of the Nelson House northern flood implementation agreement signing. He and I had a chat, and that led to a larger meeting, that led to a framework that we could agree to, that led to him having something that he could put the federal government into a position where they would accept, and the rest is history.

I do not accept the argument of the Minister of Justice, and I appreciate he too is a politician, that nothing was done with that report and it was just a matter of cellophane. He may have found a copy in cellophane in the former Minister of Justice's office, but from my involvement, it was a very active and real, my piece of it, was a very active and real part of my life for quite a few years, and I am very proud of that in my political career.

Now I want to ask the Minister of Justice, because when he was appointed he made a great to-do about the Aboriginal Justice Inquiry. There were many things left to be done, and I am sure he would admit many of them are very hard. One of the pieces of that report calls for, and I do not have it in front of me today, but it calls for almost a separate justice system.

That was also another major report and that is a difficult one. The Filmon administration did not accept that particular recommendation. We believed in fact in doing many of the things that he has talked with pride about today, Mr. Chair, about community justice committees.

Really what is important, and him and I agree wholeheartedly on this, what happens in Beausejour, what happens in Portage, what happens in many First Nations communities is that people have to be involved in justice. They have to be involved in dealing with the people because they live with them every day. It is not a matter of black-robed justice officials flying into a community, whether it be Beausejour or Island Lake, dealing with trials and walking away and incarcerating someone. For many, many crimes, that is not the answer.

We saw ways of not setting up a separate justice system but taking many of the things that First Nations communities said these are the ways we want to handle it, healing circles, many

of those things and incorporating them for all Manitobans.

So I think it was a good way to deal with it. But the Minister of Justice at the time that he made his announcement of the implementation commission made much to-do about the previous government doing nothing and they would do it all.

Well, I have not seen a major recommendation of a separate justice system accepted by this minister. Every now and again we see a news release about sort of an interim report. Well, it has been over a year now and I would like to ask the Minister of Justice, and I am sure he has a long lengthy list that he would like to put on the record, and I would like to hear it today. I would like to know what the implementation commission has actually accomplished since its appointment.

I am really not interested, Mr. Chair, in how many meetings they have held or how many consultations, because the impression the minister left was not that this was going to be another round of consultation. The impression left with the media was nothing was done and now everything has to be done. I would like to ask him today if he could provide a list of concrete achievements that the Aboriginal Justice Implementation Commission has actually done since he created it? I am most interested to hear the list.

Mr. Mackintosh: We will deal with the first question first and that is this language of separate justice system. In my view, the AJI was saying that there should be greater community justice. That is what they said when you read it. It says that communities should have a greater role. So, for example, one of the interim reports of the commission was a recommendation that there be probation services delivered either regionally or more locally at least by Aboriginal communities. Now, is that about a separate justice system?

* (16:50)

When I was in Beausejour meeting with justice officials there, a probation officer at the provincial court building there said, you know, supervising an Aboriginal offender on probation

who lives at Berens River, for example, or any of the east side communities, from Beausejour does not make a lot of sense. It would make a lot more sense for the sake of the safety of the community for the supervision to be done by someone at Berens River, someone at Berens River who knows the community, knows the individual, knows the support systems, knows the connections and the fabric of the community. So that is not just about local empowerment or rights or any of those notions or constitutional concepts, it is just about common sense and public safety.

So let us just look at that example. They have made the recommendation about moving in this regard, as they have with Child and Family Services which is a fascinating and intensive journey that has begun to move or devolve, to resituate control of Aboriginal Child and Family Services with the Aboriginal communities of Manitoba.

So is a separate justice system what is being created if Aboriginal communities deliver probation? Well, the funding for probation will emanate from a contract with the Province, and the courts will by and large be the organizations that deliver the probation order. The police, which may or may not be an Aboriginal policing agency, may be the arresting authority. Indeed the prosecution may well continue to be, and I have not seen any recommendations otherwise—the prosecutors paid wholly from the Justice appropriation.

So I think that when people use the term "separate justice system" I cannot see where that is yet, at least on my horizon, because what we will see is instead a more flexible justice system with greater involvement of communities. For example, community probation will continue to be related to, bound up with, wed, part of the fabric of the justice system that has federal, that has provincial and community links.

So it is a debate, and it is a term that I do not think is all that useful or I do not think descriptive of where this can go. I understand in the United States, for example, there are American Indian communities where there has developed laws into what has traditionally been the criminal area, and there has been almost

some self-contained mini-justice systems. But even there, there are connections, and even there I understand the federal criminal laws or state laws may apply in certain circumstances, and there are still relationships and funding relationships between the federal and state governments. So I think what we are seeing and what really is the essence of AJI is flexibility, as I said earlier, and new partnerships, local control, and, therefore, I think opportunities for greater safety.

Now, in terms of the AJIC's work, their final report is expected at the end of June. In the meantime, though, it was invited to make interim reports. I suspect that the report at the end of June will be quite substantive and I think will contain a lot of challenges that we eagerly await to meet.

To date, there have been a number of reports that have been made on an interim basis with regard to several issues, and I can go through some of those. I said earlier that Child and Family Services was moving in a fascinating and I think just a very interesting journey towards the further development of First Nations and Métis child and family service agencies. That work, I think the member is aware, is well underway with initially framework agreements involving as well the MGEU and the Aboriginal organizations and now developing into a plan of action that is unfolding in a fairly swift, but nonetheless I think a sure-footed way. That came from the recommendation of the AJIC on January 28 last year.

They have made recommendations with regard to The Interpretation Act, and we have responded to that. The member may have commented on that amendment as it went through the Legislature last session. That was consistent, of course, with the recognition for

treaty rights that is required in the Constitution, but it certainly will direct the mind of interpreters of Manitoba law to that imperative.

The relinquishing of provincial mineral rights on reserve lands was another recommendation that was made in March, and the legislation is currently before the House for second reading to implement that.

Métis issues were raised on March 30—I see we are almost out of time; I will just move quickly—the issue of probation services from September 30 and young offenders on March 31. As well, I have received a request from AJIC to enhance the representation of Aboriginal peoples on the board of the Legal Aid Services Society. I am very pleased that an Order-in-Council was signed in the last few weeks appointing three Aboriginal people, the first time anything near that kind of representation was accomplished, and, as well, another individual who is intimately aware of the challenges of legal aid law, the provision of the legal services to Aboriginal communities. As well, the AJIC has been very helpful in helping to provide a framework for the development of Aboriginal policing in Manitoba.

We can continue with this later.

Mr. Chairperson: Order, please. The time being 5 p.m., as previously agreed, committee rise.

Call in the Speaker.

IN SESSION

Mr. Deputy Speaker: As was previously agreed, the House is adjourned and stands adjourned until next Monday at 1:30 p.m.