



Fifth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley, Hon.	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin, Hon.	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 28, 1999

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Ben Sveinson (Acting Chairperson): Madam Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Portage la Prairie (Mr. Fauschou), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Bonnie Mitchelson (Minister of Family Services): Madam Speaker, I am pleased to table the Supplementary Information for Legislative Review for the Children and Youth Secretariat for 1999-2000.

Madam Speaker: I am pleased to table the Reports of the Members' Expenses for the year ending March 31, 1999.

ORAL QUESTION PERIOD

Flooding Compensation for Farmers

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, last Thursday in denying leave to proceed with the emergency resolution, a press release was issued that indicated that the federal government had proposed a \$25-per-acre contingency plan and the provincial government had refused that offer of the \$25 per acre. This was in, of course, a release that was issued by the Liberal Party of Manitoba. The Minister of

Agriculture then stated in this House that if that offer has been proposed, I will fax this release and ask that this offer be met because I will accept it.

I would like to ask the Premier (Mr. Filmon): have we had a response from the federal government, and who was telling the truth, the provincial government who said the offer was not there or the Leader of the Liberal Party who said there was \$25 on the table that we rejected?

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, let the record be very clear. Some four weeks ago on the occasion of the federal minister's first visit to Manitoba and his meeting with me in my office in the latter part of the day, I proposed that a straightforward, easily understood acreage payment of some \$25 would be better received and understood by the troubled farmers throughout Manitoba. Then a week ago Monday at a well-attended news conference attended by my colleague the member for Arthur-Virden (Mr. Downey), my Agriculture critic, the honourable member for Swan River (Ms. Wowchuk), I again raised the issue in the presence of the federal minister about a \$25 payment based on unseeded acreage coming from the AIDA funds. So that is for the record. That was requested.

I was dumbfounded with the release that was put out by the Leader of the Liberal Party, but I did do exactly what I indicated. I did not even wait till the end of the Question Period. I slipped out during the course of the Question Period and faxed that release to Ottawa, and the response that I have received is that the federal government is prepared to consider my initial earlier request to base a payment through AIDA funds on unseeded acreage.

* (1335)

Mr. Doer: The minister mentioned he is prepared to consider the original request of the Minister of Agriculture, something that was con-

sistent with the resolution last week in the Legislature. Can the minister indicate when their considerations will be over, when they will decide, and when can the producers know, based on his conversations with the federal government?

Mr. Enns: That is a very legitimate question. We are certainly very much aware that that question needs to be answered right about now. The seeding deadline dates have come and gone. Producers need to bring some certainty into what is going to be for them a very difficult fiscal year, a year which for many of them sees very little or in some instances no income for a period of up to 18 months. It is my hope that announcements will be coming shortly.

Urban Shared Services Corporation Business Plan

Mr. Gary Doer (Leader of the Opposition): A new question to the First Minister. An economics professor at the U of W, Mr. Cyrenne, has prepared an independent study that raises considerable doubt about the benefits to Manitobans of the frozen food initiative of the provincial government in many of our urban hospitals. It raises questions about the assumptions that were made by the government with the introduction of frozen food. It raises questions of the economics of depreciation, interest rates and other matters.

Would the Premier now tell us whether they have a business plan for frozen food, and given the fact that we are getting more information or getting more numbers from an outside study, can the government please account to this Legislature and table the business plan in this Legislature? It is taxpayers' money through the urban facilities. We are entitled to the business plan. We have been asking for it for months. Can the Premier please provide it?

Hon. Gary Filmon (Premier): I will take that question as notice on behalf of the Minister of Health (Mr. Stefanson).

Mr. Doer: Madam Speaker, in the independent study, it raises the question of a failure to account for depreciation costs, and it further raises the question that the interest rates for the project are actually double-digit at a time when

quite a bit less was available for the provincial government to proceed with capital projects.

I would like to ask the Premier: what is the interest rate for this project, what is the depreciation policy, and has it been fully accounted for in the so-called business plan that this Legislature is not seeing?

Mr. Filmon: I have not seen the review that the member refers to from Professor Cyrenne, so I will take that question as notice on behalf of the Minister of Health.

Mr. Doer: I am advised that, on cable television, last week, the Premier stated, and I quote: we will be making millions of dollars off of this project.

How can the Premier make these statements when we have not seen a business plan? It was a \$2.5-million overrun last year at minimum. How can he make political statements if he cannot produce the facts in this Chamber?

Mr. Filmon: I did not say that I could not produce the facts. I said I had not seen Professor Cyrenne's analysis. I said I would take that question as notice on behalf of the Minister of Health.

* (1340)

Urban Shared Services Corporation Business Plan

Mr. Tim Sale (Crescentwood): Madam Speaker, in Professor Cyrenne's study, he cites evidence that the maximum capacity of the planned facility is only 8,700 meals a day, and yet USSC provided him with data that showed that they needed approximately 11,000 meals a day. How does the Premier account for his approval of a business plan on a project which is built at 30 percent under the required capacity before even the new personal care homes are built? He approved the plan; how does he account for that?

Hon. Gary Filmon (Premier): Madam Speaker, the member opposite plays loosely with facts and reality and often the truth, so I would be very cautious of him to talk about who approved

what. The reality is that the USSC is the creature of the hospital system of Winnipeg, and it has the sole authority to come up with these plans and approve them.

Mr. Sale: Madam Speaker, in last year's Estimates, the then Minister of Health told the critic that the business plan had to be reviewed, that it was a mess, that it was not adequate. The Premier knows that. Why will he not table the new business plan today?

Mr. Filmon: Madam Speaker, I will take that question as notice on behalf of the Minister of Health.

Mr. Sale: Given that there are clearly no savings to be had, as Professor Cyrenne has shown, given that the Minister of Health has the information, has the budget figure, has the mortgage figure, has the capital, why will the Premier not cause to be tabled today the information that Manitobans deserve: what did we borrow; how much did it cost?

Mr. Filmon: Madam Speaker, I will take that question as notice on behalf of the Minister of Health.

Maples Personal Care Home Government Intervention

Mr. Dave Chomiak (Kildonan): Madam Speaker, my question is to the First Minister. I had occasion today to visit the Maples Personal Care Home to attend, to visit inside, to take a look around. It is startling to me that this private-run, profit-making home, which pays its workers what it pays its workers, would offer, on the weekend, huge wage increases to people to come in and work in this home. I am very concerned about the management of this home and the fact that they are putting in jeopardy the safety and the well-being of 200 residents who cannot speak for themselves.

I would like to ask the Premier: what steps will he take to ensure that these people get the kind of care that they need and deserve?

Hon. Gary Filmon (Premier): Madam Speaker, because we are always concerned to ensure that all of the people for whom we are responsible in

our various institutions are properly cared for, I know that the Department of Health will be monitoring that situation, and certainly I would expect that, should there be any risk that the member is talking about, the Department of Health will take action.

Mr. Chomiak: I will pose to the Premier a question that a resident asked me to pose to the Premier. She took me to a room and said: This woman has not been out of her bed for two days; will you ask the Premier or the Minister of Health (Mr. Stefanson) to do something to protect these people?

Mr. Filmon: Madam Speaker, I will ensure that the Department of Health is monitoring the situation carefully and that they are able to ensure that the health and safety of the individuals who are involved there is paramount in their consideration.

Mr. Chomiak: My final supplementary to the Premier is: will the Premier do more, given that this home is a hundred percent financed by the public or by taxpayers, and these 200 residents have no voice? Will the Premier or the Minister of Health step in, take specific direct action to ensure that these people get the care that they need and deserve?

*(1345)

Mr. Filmon: Madam Speaker, where action has been required in the past, it has been taken. I will undertake to ensure that the Department of Health ensures that that happens in these circumstances.

Physician Resources Foreign-Trained Physicians

Mr. Dave Chomiak (Kildonan): Madam Speaker, the Premier, no doubt, had occasion to review the paper this weekend and hear about the situation where foreign Canadian doctors are being forced to take legal action against the province in order to have the right to practise medicine. Can the Premier please advise me whatever happened to the plan that we sent to the Premier and the Minister of Health—to the Minister of Health almost two years ago, specifically outlining a plan to have these

doctors practise in Manitoba and to which we received no reply? And, had you responded at that time, these doctors would be functioning in Manitoba today.

Hon. Gary Filmon (Premier): Madam Speaker, I will take that question as notice on behalf of the Minister of Health (Mr. Stefanson).

Mr. Chomiak: Madam Speaker, can the Premier explain how it is that foreign doctors are forced to take a step of taking the government to court when we outlined a specific three-point plan that, had the government considered it and followed it, those very doctors would not only not need court action today but would be working where we need doctors in Manitoba? Can the Premier explain that in this era of the Premier trying to remedy health care?

Mr. Filmon: Madam Speaker, I know one thing, and that is that most Manitobans would not want to have the government or a political person, even one as knowledgeable as the member for Kildonan, deciding who is qualified and who is not qualified to practise medicine in this province. That is why, under many different administrations, including New Democratic administrations, the complete jurisdiction for licensing of physicians has remained with the College of Physicians and Surgeons.

If the member for Kildonan is now suggesting that he and his colleagues in the New Democratic Party in future are going to change that so that they decide who is licensed to practise in the province of Manitoba, I would have great concerns about that, Madam Speaker. I would have tremendous concerns about that, and I think most Manitobans would as well.

Mr. Chomiak: Madam Speaker, if the Premier understood the issue and the proposal we made almost two years ago, he would recognize that we asked the province to fund additional residency positions to allow these people to have residency in order to practise medicine. So would the Premier please consider that, which is provincial jurisdiction?

Mr. Filmon: Madam Speaker, as the member may know, many of these people who came to this province, either as refugees or under family

sponsorship, predated our government and have been on the list for a considerable length of time as foreign-trained doctors who were not recruited here and who did not meet the standards and the requirements of the College of Physicians and Surgeons. These people, many of them, were on that list when the New Democrats were in power, and they did not have a solution to the problem in those days.

Our government continues to—[interjection] See, the member for Crescentwood (Mr. Sale) says they did not have a shortage. I can remember throughout the time when I was Leader of the Opposition, in the '80s, meeting with people over and over and over again in the rural parts of this province who were facing doctor shortages under the New Democratic Party government of that day. So the member for Crescentwood has selective memory. In fact, he has creative memory. He recreates the past in order to try and justify his political positions.

I can tell you, Madam Speaker, he is just as wrong about this as he is about most things that he brings to this House, and he can go on chirping from his seat because all he does is add fuel to the fire of lack of credibility when he comes here. So I say to you that these issues are matters that we have to work in concert with the College of Physicians and Surgeons because they are solely responsible, they have the sole jurisdiction for licensing of doctors in our province. We will continue to work with the college to ensure that we seek ways in which we can ensure fairness and ensure access to different opportunities for these people to qualify for practice if they are indeed capable of qualifying for practice. It is in our interest to make those opportunities available, and so certainly I know that the Minister of Health (Mr. Stefanson) will pursue that matter vigorously.

* (1350)

Flooding All-Party Resolution

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Agriculture. Last Thursday what we saw was a shameful attempt of politicization where this government had the tenacity to bring in a

resolution without asking for all-party support, and they did not have the tenacity to present the resolution, to consult, to work with the Liberal Party in developing a resolution that could have represented the best interests of the farmers of Manitoba.

My question is to the Minister of Agriculture. In that resolution this government commits to \$60-an-acre seeding coverage. Are we now to assume that this government is prepared to commit to \$35 for every unseeded acre? Is that what this Minister of Agriculture is telling rural Manitoba farmers today?

Hon. Harry Enns (Minister of Agriculture): I do genuinely believe the honourable member for Inkster got out of the wrong side of bed this morning. I am at loss to respond to those kinds of questions. First of all, we are offering a \$10-an-acre Custom Seeding Program to the producers, not \$60 or \$30 or some other figure. We are doing that because in the 1997 election the federal government offered that same kind of program for the Red River Valley farmers and paid for it, I might add, a hundred percent in the Red River Valley. We have offered that program in the hopes that the federal government will share and take up their responsibility.

Mr. Lamoureux: Madam Speaker, I ask the Minister of Agriculture: how dare the Minister of Agriculture introduce a resolution that says \$50 to \$60 per acre unseeded when he knows the federal government was looking at \$25? Was he telling Manitobans that he was committing to \$30, \$35 an acre? The farmers have a right to know that. What is the government of Manitoba prepared to do to stand up for our farmers?

Mr. Enns: Madam Speaker, to all of my friends in the Liberal Party: let us get it right. It was the member for Arthur-Virden (Mr. Downey) that introduced the resolution, not myself. It was seconded by the member for Swan River (Ms. Wowchuk). So let us understand what resolution we are talking about. Had the representatives of the Liberal Party had enough understanding, had enough respect for Manitoba farmers, we would have had a thorough debate about the issue here in this Chamber.

Mr. Lamoureux: Madam Speaker, I look to the Premier and ask the Premier to acknowledge: if you want to have an all-party resolution passed in this Chamber, it pays if in fact you consult with all three political parties in advance so we can build a resolution to represent all farmers in Manitoba when we go to Ottawa to lobby for their interests. Will the Premier at least acknowledge that he made a mistake by not working with all parties in this Chamber in bringing forward a positive resolution?

Hon. Darren Praznik (Government House Leader): Madam Speaker, as government House leader, I can tell the member I understand fully that events in his own life occupied his time and mine over the last few days, and we understand that. But I indicate to the member that when the idea came forward, I think on Wednesday, the member for Arthur-Virden (Mr. Downey) indicated some interest. I spoke briefly with the member for Swan River (Ms. Wowchuk). I said: Let us put something together so we could work with it. The member worked on a draft. It was shared with his colleague earlier that day. He did have an opportunity to see a draft, as did members of the opposition. Comments were invited. But let us understand very clearly, the Leader of the Liberal Party instructed his member of this Legislature to deny this Legislature even the chance to debate the issue, and that is what the Liberal Party of eastern Canada will have to answer for.

* (1355)

Flooding Compensation for Farmers

Ms. Rosann Wowchuk (Swan River): Madam Speaker, the plight of the farmers in the southwestern part of the province is very serious, and it is really too bad that we did not have the ability to debate this issue last Friday, and the member for Inkster (Mr. Lamoureux) maybe could have understood the issue. But the member for The Maples (Mr. Kowalski) did consult with his Leader, and Dr. Jon Gerrard was the one that instructed them not to have this debate.

Aside from that, Madam Speaker, I would like to ask the Minister of Agriculture: given the

confusion we have around the acreage payment, I would like to ask him if he can clarify this problem and tell us, since farmers are asking for \$50 an acre for unseeded acreage—the province has put on \$25 an acre; it seems like the federal government is committed now—is the federal government committed to another \$25 an acre or are they just planning to share your \$25 an acre? Is there a \$50 acreage payment for unseeded acreage on the table now?

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I certainly do not wish to avoid or evade the question that the honourable member for Swan River puts. A similar question was put by the Leader of the Opposition (Mr. Doer) somewhat earlier in the Question Period. All efforts are being made to bring to a speedy conclusion the overall aid package that my government is putting forward. Understandably, it takes a considerable amount of negotiations, portions of it that require federal co-operation and federal funding. Those discussions are taking place on an urgent basis right now, and it is my hope that within a very short while some specific announcements will be made.

Ms. Wowchuk: Madam Speaker, I would like to ask the Minister of Agriculture again: when the government announced the extension to crop insurance and offered \$10 an acre for custom seeding, many farmers had already taken the initiative to rent equipment to try to get their crop in by the deadline. People like Mr. Ben Martens of Boissevain is one of those farmers, and his hardship is no less than those who have not been able to seed in the southwest region of the province. I would like to ask the minister: is the \$10-an-acre custom seed retroactive to those people who seeded before the announcement, or is it just for those people who could not get on the land after the deadlines were extended?

Mr. Enns: Madam Speaker, I think what is important to note is that it is extremely important for governments, and particularly in this instance my shop, the Department of Agriculture, along with the other departments that are involved, to stop and to listen, to listen to what is the real need out there. We are doing that. I think, accompanied by the Premier (Mr. Filmon) and several of the ministers responsible for specific portions of the program, we will be travelling to

Brandon tonight to further meet with the farm leaders and Chambers of Commerce that are all feeling the effect of this major, major economic disaster that is facing us in the province.

So we are listening and getting some responses, including on the issue that the honourable member raises with respect to, is there some flexibility on the seeding day? I acknowledge that the announcement of the custom seeding date was somewhat late in the day. It is being seriously considered whether or not we can move that date backwards to acknowledge what the honourable member brings to my attention.

Leonard Doust Report Delay

Mr. Gord Mackintosh (St. Johns): To the Justice minister. Both the minister and myself have now been told by the minister's deputy that the report from Leonard Doust regarding the basis for criminal charges following the vote-rigging inquiry that was due June 30 has now been delayed. Mr. Doust, I understand, has requested an extension of one month, to July 31, because he had not yet completed his work, and the deputy has agreed to that extension.

I will just table, in the interests of transparency, the correspondence provided by the deputy, and I thank the deputy for that information. It also deals with questions that were raised in the course of Estimates.

My question to the minister is: is he aware, through his deputy or otherwise, of any reason or any anticipation of further delays in this matter in getting a report to the deputy and to Manitobans?

Hon. Vic Toews (Minister of Justice and Attorney General): After, I believe it was Estimates, the other day, the deputy indicated to me that in fact he had received some contact with Mr. Doust. I indicated to him that it would not be appropriate for me to hear any more about the situation. What the member has tabled now is exactly everything that I know about the situation.

* (1400)

Youth News Network Minister's Review

Ms. Jean Friesen (Wolseley): My question is for the Minister of Education.

Madam Speaker, this government's educational policy has reduced the teaching across the province in industrial arts, home economics, music, French and physical education. Yet the government is clearly prepared to have 20 to 30 minutes of every child's day in some school divisions to be spent watching a packaged program which includes daily commercial material.

I want to ask the minister whether he has yet reviewed the demonstration tapes from the YNN network, and does he believe that these are in accordance with Manitoba's educational practices?

Hon. James McCrae (Minister of Education and Training): I take issue with the earlier part of the honourable member's question. This government has felt that an overall education is very important to our children but that we need to put good emphasis on the core subjects of math, English language arts, science and social studies, that there be good curriculum backing them up, and that there be a testing regime to ensure that we are meeting the goals that we are establishing for ourselves.

That being said, Madam Speaker, I have indeed reviewed the material referred to by the honourable member, and I remain quite satisfied that school divisions are rightly empowered and appropriately empowered to make decisions about issues such as the one she raises in their communities in consultation with teachers and parents in their divisions.

Ms. Friesen: I would like to ask the minister, who is now clearly prepared to allow 10-year-olds to watch commercial television as part of their Manitoba educational experience, whether he is prepared to conduct any evaluation of the prospect of 10-year-olds being told to sit down, not open your books, but watch this commercial. Because that is what is happening.

Mr. McCrae: Madam Speaker, again, the honourable member forgets that there are elected

people responsible for the administration of school board-related matters, this being one of them. I guess, since the honourable member has asked me questions about this before, and I have answered for my part, perhaps for her part she could answer for her party on what their position is with respect to respecting the autonomy of the elected school division representatives across our province.

It is my view that, especially since this government has strengthened parent councils across Manitoba, parent councils working with school divisions can work out whatever needs to be worked out. I am satisfied and very hopeful that school divisions and the proponent, in this case the Athena company, will do the right thing for the children in our school divisions.

Ms. Friesen: Well, I would like to ask the minister, who seemed prepared to evade his responsibility for curricula in Manitoba, whether he is prepared to introduce educational guidelines to ensure that students critically evaluate the purpose, the images, the subliminals, the message of these commercial advertisements if that is to be part of a Manitoba educational experience.

Mr. McCrae: It is true to form for the NDP to think that they know best, that Big Brother is always watching out for us and our children, but that does not give me very much comfort because, just as the honourable member wants me to play Big Brother and bring forward the philosophical things that the New Democrats believe in, I would have concern about any possibility of honourable members opposite filling the heads of our young people with some of their doctrine.

Point of Order

Ms. Friesen: Madam Speaker, I wonder if you could direct the minister to answer the question which dealt clearly with the critical evaluation used in schools to evaluate commercial television. Will he answer that question? Is he prepared to take accountability and be responsible for curriculum and for teaching in Manitoba?

Madam Speaker: The honourable Minister of Education and Training, on the same point of order.

Mr. McCrae: Madam Speaker, the honourable member clearly does not have a point of order here. She continues to use, under the guise of a point of order, the opportunity to put across the philosophy and the doctrine of the New Democrats. We know that their code of ethics says that to each according to what he needs and from each according to his ability. We know that is in there in their code of ethics. We have heard about that before, too.

Madam Speaker: Order, please. On the point of order raised by the honourable member for Wolseley, with the greatest respect to the Minister of Education and Training, I believe she did have a point of order, and I would ask the honourable minister to respond to the question asked.

* * *

Mr. McCrae: Well, Madam Speaker, I of course respect the ruling that you have made and, to get straight to the point, I am sure that school divisions are in a strong position to evaluate what is going on day by day in their schools across Manitoba.

Child Prostitution Publication of Names—Johns

Mr. Gord Mackintosh (St. Johns): Madam Speaker, to the Minister of Justice. Further to our information about this gang hotline that is checked every five months or so and the Youth Advisory Council that does not exist, the boot camps that do not exist, the government latterly announced before the last election that, if elected, it would publish the names of johns who preyed on child prostitutes. Now that puts the "t" in tough, does it not? I wonder, from the minister, how that program is going. I just wonder where the names were published and how many names have been published.

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, as the member is aware, consequently, after this government being re-elected for its third term,

that issue was in fact considered by the department. As the member will no doubt recall, as the House will no doubt recall, the issue of publication was made difficult in view of the fact that the government does not control the media. The media is independent of government—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Toews: Thank you, Madam Speaker.

Subsequently, the government wanted to ensure that there was some way of ensuring that the public was protected, and one of the mechanisms that was developed was the Child Abuse Registry, which is a very important function, serves a very important function in that respect. Indeed, our Family Services Act was amended to ensure that those types of individuals were in fact named as falling within the definition of abusers.

Mr. Mackintosh: Would the minister, who has just confirmed that zero names have been published—he talks about some other promise that they made—would he tell Manitobans and 'fess up now that this government made a promise that it has not kept? The promise was bogus. Why would we believe them again?

Mr. Toews: No, Madam Speaker, the promise was not a bogus one. I think that this government has attempted very sincerely to ensure that the intent of that promise was carried out in an effective manner.

As indicated, my colleague the Minister of Family Services (Mrs. Mitchelson) brought forward amendments to The Child and Family Services Act which, in fact, ensured that people who engage in that type of conduct are placed on the list for the Child Abuse Registry, and that in fact does serve to protect the public. If there are other steps that can be taken, my department is continuing to review that situation, and indeed there may be other solutions to that issue.

* (1410)

Mr. Mackintosh: Would the minister who has just confirmed that the number of names

published is one big zero, Madam Speaker, would he also tell us what of those other pre-election tough-on-crime promises and the status of it, when they said that, if elected, the government would also require these johns to undergo the same treatment as child abusers? I just wonder, you know, how is that going. How many have undergone this treatment? 'Fess up.

Mr. Toews: Well, I know, Madam Speaker, that this individual is not interested in finding out, in fact, what types of programs are available for those types of individuals. I know that, first of all, there are johns who are ensured that they are brought into the system through our john school to ensure that they in fact learn about the dangers of what they are doing to a community by their activities, and indeed that there are measures under the particular orders that a court can order that can ensure that that type of assistance is in fact granted in appropriate cases.

Thompson Health Care Centre Intensive Care Unit

Mr. Steve Ashton (Thompson): Madam Speaker, in recent months we have seen an incredible number of ads, both by the Conservative Party and by the government which actually should be paid for by the Conservative Party. If it was on a website, it would probably be listed under fraudulent.com, because there is one constant theme, and that is the fraudulent nature of the advertising.

I want to ask the Premier if he can explain—particularly with the health ads, \$675,000 worth—how he can explain to people like my constituent who had a heart attack at Paint Lake in Thompson, had to be driven in to Thompson only to find out that the intensive care unit in Thompson was closed; once again, a chronic problem under this government, and in fact he had to be medivacked into Winnipeg. Where does that appear in the government advertising on health care in Manitoba?

Hon. Gary Filmon (Premier): Madam Speaker, of course the member opposite asks these questions because he knows that people in Manitoba understand that we are spending more money on health care than has ever been spent by any government in the history of this

province. We are spending \$2.1 billion a year on health care, which is \$800 million a year more than it was under the previous government that he represented, \$800 million a year more on health care.

As a result of that, we now have dialysis that is available in a number of locations throughout the province that is being spread even further. We are able to get CAT scans in a variety of different locations throughout the province. We are able to get chemotherapy at various places in the province. In the past, you had to come to Winnipeg for any of those services. Under the NDP's vision of health care in Manitoba, people had to only come to Winnipeg for all those services. Today, they are spread throughout the province.

Today, we spend \$140 million a year on home care compared to less than \$40 million a year when they were in government. Today, we have an additional 900 personal care beds versus what there was when they were in office, and there are over 600 more under construction.

Madam Speaker, the investments we are making in health care are designed to meet the needs of the people of this province, and we are doing things that are superior to what is being done in most areas of Canada because we believe that it is important to meet the needs of the changing population, the aging population that we have, as well as address the needs of all Manitobans.

Madam Speaker, it is for those reasons that the member opposite attempts to always find criticism of the system rather than recognizing that the system is able to do more things for more people in more locations than ever before in its history.

Madam Speaker: Time for Oral Questions has expired.

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, may I ask the indulgence of the House to grant leave to revert to reports?

Madam Speaker: Is there unanimous consent of the House to revert to Reports by Standing and Special Committees? [agreed]

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

**Standing Committee on Law Amendments
Second Report**

Mr. Jack Penner (Chairperson of the Standing Committee on Law Amendments): Madam Speaker, I beg to present the Second Report of the Standing Committee on Law Amendments.

Madam Speaker: Does the honourable member for Emerson have leave to report the committee report from the Standing Committee on Law Amendments? [agreed]

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on Law Amendments presents the following as its Second Report.

Your committee met on Monday, June 28, 1999, at 10 a.m. in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representation on bills as follows:

Bill 33—The Special Payment to Certain Dependent Spouses of Deceased Workers Act; Loi sur le paiement spécial destiné à certains conjoints à charge de travailleurs décédés

*Alvina Bartlett and Merle Mutch - Manitoba WCB Widows' Action Group
Dan Kelly - Canadian Federation of Independent Business
Jacqueline Dunning - Private Citizen
Valerie Cloutier - Private Citizen
Alvina Bartlett - Private Citizen
Laura Stephansson - Private Citizen*

Your committee has considered:

Bill 4—The Law Fees Amendment and Consequential Amendments Act; Loi modifiant

la Loi sur les frais judiciaires et modifications corrélatives

Bill 11—The Statute Law Amendment (Nunavut) Act, 1999; Loi de 1999 modifiant diverses dispositions législatives (Nunavut)

Bill 12—The Statute Law Amendment Act, 1999; Loi de 1999 modifiant diverses dispositions législatives

Bill 18—The Correctional Services Amendment Act; Loi modifiant la Loi sur les services correctionnels

Bill 33—The Special Payment to Certain Dependent Spouses of Deceased Workers Act; Loi sur le paiement spécial destiné à certains conjoints à charge de travailleurs décédés

And has agreed to report the same without amendment.

Mr. Penner: I move, seconded by the honourable member for Steinbach (Mr. Driedger), that the report of the committee now be received.

Motion agreed to.

MEMBERS' STATEMENTS

Mentoring Project

Mrs. Myrna Driedger (Charleswood): In keeping with our philosophy that early intervention and prevention are the best ways to address social concerns, my government recently announced its support for an innovative program aimed at helping at-risk youth. We have announced more than \$80,000 in funding for a unique project that will pair at-risk truant children with mentors. This in-school mentoring project was developed by the Big Brothers, Big Sisters of North America and has been run very successfully at Isaac Newton School. Thirteen children were paired with mentors during the 1998-1999 school year.

To help address increased demand for the program, my government has provided additional funds to expand the program in Winnipeg and establish it in Brandon. Volunteer partners in the program include employees from

corporate sponsors, members of community foundations, businesses and education organizations. Mentors spend one hour each week with a student in school during school hours. There they engage in conversation with a child, help them with their reading, play sports and participate in playground activities.

Madam Speaker, the contact that these at-risk truant children will have with positive adult role models will do much to give them a sense of self-esteem, support and encouragement. Often at-risk children only need some guidance such as this to set them on the right path. I am confident that the funding for this initiative will give these young Manitobans the help they need to become healthy and productive citizens. Thank you.

Winnipeg Snapshot

Ms. Diane McGifford (Osborne): Madam Speaker, the Osborne Village Business Improvement Zone is the creator and sponsor of Winnipeg Snapshot, a project designed to reflect the essence of Winnipeg and its citizens at the close of the 20th Century. Through the creation of a time capsule, the project will offer an opportunity for Winnipeggers to mark the millennium, certainly a historic moment in time. Canadian Waste has supplied an industrial waste-collection container that will serve as the time capsule's container. The sides of the container will feature many murals reflective of Manitoba's past, present and future. To preserve the capsule's content for the future, all submissions will be enclosed in heavy plastic envelopes and then sealed in plastic boxes.

On December 31, 1999, as part of the new year's celebration at The Forks, the capsule will be sealed during an official closing ceremony. On January 1, 2000, the capsule will be transported to the burial site and buried. The site will be marked with a plaque. The intention is to exhume the capsule in 2074 as part of Winnipeg's 200th birthday and bicentennial celebrations.

Osborne Village business owners encourage submissions from all Winnipeggers and all former citizens. Details about submissions and guidelines are available from the Osborne BIZ office.

I want to take this opportunity to congratulate Osborne BIZ on their creativity, public service and respect for history. I will not be present in 2074, but I am enjoying contemplating the excitement when the time capsule is opened, the past revealed and my grandchildren enlightened. I ask all members of the House to join me in offering congratulations, and on behalf of Osborne Village BIZ I invite members to prepare their personal reflections for submission.

Hire-a-Student Week

Mr. Peter Dyck (Pembina): Madam Speaker, today is a special day for students as the official proclamation for Hire-a-Student Week was signed on the grounds of the Legislature.

Hire-a-Student Week which runs to July 11 encourages businesses and homeowners to employ students and youth this summer. Summer employment provides valuable work experience and financial assistance to young Manitobans. Employers also benefit from the enthusiasm and skills students bring to the workplace.

Young Manitobans seeking summer jobs can access 34 Manitoba Youth Job Centres across the province. The centres, funded by the Manitoba government, work closely with community groups. In addition there are 13 youth student resource centres co-sponsored by the federal and provincial governments. The job centres operate a community job referral and placement service to help employers find the right person for their summer employment needs. The centres screen suitable applicants for available jobs to make the employer's selection easier. The service is available free to all Manitoba businesses and homeowners.

* (1420)

In 1998 the centres helped find summer jobs for approximately 10,075 Manitobans between the ages of 16 and 24. An additional 11,508 young people took part in training and workshops focusing on job search skills, and 1999 is shaping up as another banner year on the student

employment front in Manitoba, thanks to the strong provincial economy and the upcoming Pan Am Games.

I would like to encourage private and public sector employers to consider hiring young people, providing them the real-life work experience essential to anyone beginning a career. Government initiatives like Hire-a-Student Week help keep Manitoba's youth unemployment rate one of the lowest among Canadian provinces.

St. Theresa Point Youth Marathoners

Mr. Eric Robinson (Rupert's Land): I rise today to congratulate the St. Theresa Point youth marathoners that ran from Thompson to Winnipeg over the last five days, arriving at the Legislature at noon today. The runners along with their parents, relatives and volunteers are to be commended for their community spirit and initiative.

Congratulations to Reynelda Wood, youth marathon organizer, and the runners Billy Joe Flett, Clarence Flett, Calvis Manoakesick, Neil Manoakesick, Nestor Monias, Alana Taylor, Arlene Taylor, Brian Taylor, Jason Taylor, Waylon Taylor, Wayne Taylor, Chris Wood, Jackie Wood, Joe Wood, Lenny Wood, Melvin Wood, Shirley Wood and Toban Wood.

Congratulations also to Chief Reggie Mason and council, the other chiefs of the Island Lake area, Chief David Harper of Garden Hill, Chief Wesley Harper of Red Sucker Lake, Chief Epstein Knott of Wasagamack, along with Grand Chiefs Rod Bushie and Francis Flett and all supporters of the walk.

In many northern communities there are urgent needs for recreational activities and facilities, and we hope that the federal government and also this government will act on the request of the St. Theresa Point youth and support them in their efforts to establish a youth centre at St. Theresa Point.

* * *

Madam Speaker: Grievances.

Mr. Jack Penner (Emerson): It gives me great pleasure to rise today to honour somebody that I have had a great deal of—

Madam Speaker: Are you on a grievance or a member's statement?

Mr. Penner: Member's statement, I am sorry.

Madam Speaker: I apologize. Is there leave to revert to Members' Statements? [agreed]

Sam Sadler

Mr. Penner: It gave me great pleasure to attend last week a reception for this year's recipients of the Manitoba Council on Aging Recognition Award, at which Sam Sadler, the former mayor of Emerson, received an award for outstanding contribution by an individual.

Sam retired from his work at Canada Customs where he had worked for many years and then took on a real job. He became the mayor of the town of Emerson and became very involved in trying to convert the town of Emerson into a place in which seniors would really want to be and want to live.

Mr. Sadler's efforts in his community have greatly enhanced the quality of life for seniors. He was one of the community members involved in bringing the Handi-Van service to Emerson in 1984 and still serves as a secretary and chairman of the Handi-Van finance committee. Mr. Sadler is also a volunteer Handi-Van driver for both local and long-distance trips and has been active as a driver for Meals on Wheels since 1982.

Mr. Sadler was instrumental in establishing the Emerson senior citizens' home, South Gate Haven, in the 1960s and served on its board of directors for a number of years.

He is an active member of the Emerson branch of the Royal Canadian Legion, serving as president from 1960 to '61, and again from 1994 to 1998, and is often credited for having kept the legion alive and active in the town of Emerson.

I would like to ask all members of this House to join me today in not only congratulating but thanking Sam Sadler for being

the kind of person in a rural community who makes life much, much better. For that, he received recognition and an award.

I would like to also recognize Myles Haverluck of Dauphin, Dr. G.L.E. Ulyot of Winnipeg, Smith's Florists of Pilot Mound, The Pas Kinsmen Club, and the Safeway stores, 3393 Portage Avenue and 3059 Ness, for their outstanding contributions to seniors in this province.

Again, on behalf of all of us, thank you very much.

Committee Changes

Mr. Edward Helwer (Gimli): I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments be amended as follows: Mr. Downey for Mr. Laurendeau. This substitution was moved this morning at 10:45 a.m. in the Standing Committee on Law Amendments. This substitution is moved now in order to properly reflect the records of the House.

Plus, I move, seconded by the member for Charleswood (Mrs. Driedger), that the composition of the Standing Committee on Law Amendments be amended as follows: Mr. Sveinson for Mr. Helwer. This substitution was also moved by leave in committee this morning at 11:37 a.m. I am moving it now in order to properly reflect the records of the House.

Madam Speaker: It has been moved by the honourable member for Gimli, seconded by the honourable member for Pembina, that the composition of the Standing Committee on Law Amendments be amended as follows: the honourable member for Arthur-Virden (Mr. Downey) for the honourable member for St. Norbert (Mr. Laurendeau). This substitution was moved this morning by leave at 10:45 a.m. in the standing committee and is being moved now in order to properly reflect the records of the House. Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

It has been moved by the honourable member for Gimli, seconded by the honourable member for Charleswood, that the composition of the Standing Committee on Law Amendments be amended as follows: the honourable member for La Verendrye (Mr. Sveinson) for the honourable member for Gimli (Mr. Helwer). This substitution was moved by leave in the standing committee this morning at 11:37 a.m. and is now being moved in order to properly reflect the records of the House. Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, a number of items of business. As I indicated last week, the House leaders' intention was to call the Committee on Law Amendments for tomorrow. So I am formally announcing in the House today that the Standing Committee on Law Amendments will meet tomorrow, the 29th of June, that being a Tuesday, at 10 a.m., for the consideration of the following bills: Bills 3, 5, 6, 7, 8, 9, 13, 15, 16 and 19.

Madam Speaker: The announcement regarding a Standing Committee on Law Amendments is scheduled for 10 a.m. tomorrow, Tuesday, June 29, to consider the following bills: 3, 5, 6, 7, 8, 9, 13, 15, 16 and 19.

* (1430)

Committee Changes

Mr. George Hickes (Point Douglas): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: Wolseley (Ms. Friesen) for Transcona (Mr. Reid); Flin Flon (Mr. Jennissen) for Selkirk (Mr. Dewar), for Tuesday, June 29, 1999, for 10 a.m.

Motion agreed to.

Mr. Helwer: Madam Speaker, I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing

Committee on Law Amendments (for Tuesday, June 29, at 10 a.m.) be amended as follows: the member for Brandon West (Mr. McCrae) for the member for River Heights (Mr. Radcliffe); the member for Assiniboia (Mrs. McIntosh) for the member for Portage la Prairie (Mr. Fauschou); and the member for Lac du Bonnet (Mr. Praznik) for the member for La Verendrye (Mr. Sveinson).

Motion agreed to.

ORDERS OF THE DAY

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, just by way of some advance notice to the House of the discussions I am having with the opposition House leader (Mr. Ashton), the expectation is we will be doing a number of second readings tomorrow in the Chamber, followed by Estimates so that we would be preparing another group of bills to go to committee. We are also presently working on some other times for committee, but I would expect, and I look to the opposition House leader, that one could expect committees on Monday and Tuesday mornings of next week, as well, to be able to deal with the particular workload. So I just wanted to give members as much information as possible as to the current thinking as to how House business will be handled.

For this afternoon, if there is leave of the House to allow for both the report stage on, I believe it is Bill 33, which is the workers compensation amendment act, in which case I would also be seeking, if there is leave for that stage, leave to have third reading done this afternoon, as well. I understand, just again for information of the House, that the Lieutenant Governor is not readily available this afternoon but would be available following Question Period tomorrow to give Royal Assent to that bill. If there is unanimous consent for bringing those two orders of business, that will then be followed by Estimates. So I would ask, Madam Speaker, if you could seek the requisite leaves of the House for those.

Madam Speaker: Is there unanimous consent of the House to move now to report stage, Bill 33? [agreed]

Mr. Praznik: Madam Speaker, I would ask if you could then call Bill 33 for report stage.

REPORT STAGE

Bill 33—The Special Payment to Certain Dependent Spouses of Deceased Workers Act

Hon. Mike Radcliffe (Minister of Labour): Madam Speaker, I move, seconded by the Minister of Urban Affairs and Housing (Mr. Reimer), that (by leave), Bill 33, The Special Payment to Certain Dependent Spouses of Deceased Workers Act; Loi sur le paiement spécial destiné à certains conjoints à charge de travailleurs décédés, reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

* * *

Hon. Darren Praznik (Government House Leader): If you have not already done so, could you please see if there is leave of the House to call Bill 33 for third reading?

Madam Speaker: Is there unanimous consent of the House to proceed now to third reading, Bill 33? [agreed]

THIRD READINGS

Bill 33—The Special Payment to Certain Dependent Spouses of Deceased Workers Act

Hon. Darren Praznik (Government House Leader): Madam Speaker, I would move, seconded by the honourable Minister of Labour (Mr. Radcliffe), that (by leave) Bill 33, The Special Payment to Certain Dependent Spouses of Deceased Workers Act; Loi sur le paiement spécial destiné à certains conjoints à charge de travailleurs décédés, be now read a third time and passed.

Motion agreed to.

Committee Changes

Madam Speaker: The honourable member for Point Douglas, I believe, has additional committee changes.

Mr. George Hickes (Point Douglas): Madam Speaker, I would like to rescind the committee change I made for Law Amendments just previously.

I would like to change: I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: Flin Flin (Mr. Jennissen) for Transcona (Mr. Reid), for Tuesday, June 29, 1999, for 10 a.m.

Madam Speaker: First, it has been moved by the honourable member for Point Douglas, seconded by the honourable member for Broadway, that the previously moved composition of the Standing Committee on Law Amendments be rescinded. Agreed?

An Honourable Member: Agreed.

Madam Speaker: And now it has been moved by the honourable member for Point Douglas, seconded by the honourable member for Broadway, that the composition of the Standing Committee on Law Amendments be amended as follows for Tuesday, June 29, 10 a.m.: the honourable member for Flin Flon for the honourable member for Transcona. Agreed?

An Honourable Member: Agreed.

Madam Speaker: Agreed and so ordered.

House Business

Mr. Praznik: Again for this afternoon's business, I would ask if you could please canvass the House to see if there is leave to waive private members' hour.

Madam Speaker: Is there unanimous consent of the House to waive private members' hour? [agreed]

Mr. Praznik: Madam Speaker, I would ask for any of the necessary leaves that are required to have the following sequence of Estimates for this afternoon: for the Estimates of the Department of Justice to be considered in the Chamber, for the Estimates of Highways and Transportation to continue in Room 255 and upon their completion to be followed by the Estimates

of the Department of Government Services, and thirdly, for the Department of Family Services to continue in Room 254 and, following their completion, to deal with the Department of Natural Resources.

Madam Speaker: There are three leaves required. I will do them individually. First of all, is there unanimous consent of the House for the Estimates of the Department of Justice to be considered in the Chamber? [agreed]

Is there unanimous consent of the House for the Estimates of Highways and Transportation to be considered in Room 255, and, upon completion, to be followed by the Estimates of Government Services? [agreed]

Is there unanimous consent of the House for the Estimates of the Department of Family Services to continue in Room 254, and, upon completion, be followed by the Estimates of the Department of Natural Resources? [agreed]

* (1440)

Mr. Praznik: Madam Speaker, I would move, seconded by the honourable Minister of Culture, Heritage and Citizenship (Mrs. Vodrey), that Madam Speaker do now leave the Chair and that this House resolve itself into a committee to consider of the Supply to be granted to Her Most Gracious Majesty.

Motion agreed to.

COMMITTEE OF SUPPLY (Concurrent Sections)

FAMILY SERVICES

Mr. Chairperson (Gerry McAlpine): Order. Will the Committee of Supply please come to order. This afternoon this section of the Committee of Supply will resume the consideration of the Estimates of the Department of Family Services. When the committee last sat, leave had been granted to skip ahead and ask questions on line 9.4. Child and Family Services (e) Child Day Care (1) Salaries and Employee Benefits on page 69 of the Estimates book. Is this still the will of the committee?

Hon. Bonnie Mitchelson (Minister of Family Services): I was just wondering, Mr. Chairperson, there was a question asked last time on competency-based training and if I might answer that before we get started.

Mr. Chairperson: Proceed.

Mrs. Mitchelson: I think the question was: what were the expenditures on Competency-Based Training, and how much of that was contracted? The 1998-99 actual expenditures were \$162,000. The contracts were \$135,800, and other facilitation costs were \$26,200. I guess there were several contracts with external organizations for that training: the Institute for Human Services, supervisory core training; the Institute for Human Services, core training; Project Neechewam, managed delivery of youth care worker training; MARTR, Competency-Based Training; Winnipeg Child and Family Services, Competency-Based Training; South-east Child and Family Services, Competency-Based Training; and five individuals delivered Core 101 to 103 training in curriculum development. I do have a copy of the Manitoba Competency-Based In-Service Training program that I could table.

Another question was: are there evaluations done? Evaluations are done by each participant in the Competency-Based Training programs.

Mr. Doug Martindale (Burrows): Mr. Chairperson, in answer to your question, we would like to revert to 9.4.(b) and go through the rest of the Estimates sequentially.

Mr. Chairperson: 9.4. Child and Family Services (b) Family Conciliation (1) Salaries and Employee Benefits \$789,800-pass; (2) Other Expenditures \$103,100-pass.

9.4.(c) Family Violence Prevention (1) Salaries and Employee Benefits.

* (1450)

Ms. Diane McGifford (Osborne): I wanted to ask a few questions on Family Prevention. I was just looking at Salaries and Employee Benefits, and I notice that in the Professional/Technical category, although there is not any increases in

numbers, there is a huge increase in wages. Whilst I am always a supporter of higher wages, \$148,000 does seem a little steep, and I wonder if the minister could explain that to me, please.

Mrs. Mitchelson: Those were three unfunded positions from last year that were put in place after the Lavoie inquiry and the implementation of the Lavoie inquiry. So there are three additional positions as a result of Lavoie, and they were not in last year's budget because Lavoie came in sort of partway through. So they are funded now.

Ms. McGifford: I wonder then if it is possible to have more information about those three positions and the costs of those positions. I wonder if there is a report or if there is a breakdown. We would be very interested in seeing it.

Mrs. Mitchelson: These are civil service positions at the PM2 level category. They are basically people who are doing more work with external agencies that are funded, and case management. They are helping to develop standards. They are assisting with budget preparation and monitoring with external agencies, responsible for working to put in place their service purchase agreements. One of the staff is working specifically in the area of identifying the gaps in services that we have the additional money for and developing principles based on the Lavoie recommendations.

As we have increased funding in this area, there are more programs and more services that are available, and, basically, they are community agencies that we are funding. They have asked, too, for more access to the branch and more help from time to time, so we are able to provide that kind of support with the additional staff resources.

Ms. McGifford: Then, if I understand the minister correctly, since these positions are primarily related to the implementation of the recommendations of Justice Schulman's inquiry, these positions will not be continued positions.

Mrs. Mitchelson: These are intended to be permanent staff years that have been added to the branch. External agencies have been asking,

There have been community meetings where the community has asked for more support from the branch. Although there is implementation of the Lavoie recommendations, many of those will be working with the external agencies on a more intensive basis, and we are not anticipating that there is any short-term quick fix. We want to continue to improve our programming.

As we have seen, I guess over the passage of time, when, I would say, virtually 15 years ago, there was not any support within government for domestic violence issues, we, today, see a significant increase, a 300 percent increase in this budget line since we came to government, and I know that as issues are identified we will continue to try to meet the needs based on what we are being told is happening in the community.

So I anticipate that this will be an area of ongoing challenge and support will certainly be needed, and I believe we need to have the staff complement in this area to ensure that we are putting the right amount of focus in the area of domestic violence in trying to ensure that our programs are being evaluated, that we are working with community, and as ideas and suggestions come forward that we review those ideas and continue to have our programs evolve in this area to meet the needs of the community. So my sense is that these jobs will be there on a permanent basis for a long time to come.

* (1500)

Ms. McGifford: Since these positions are intended to be there on a long-term basis, perhaps even permanent, I am not clear why they are not included under the FTE line.

Mrs. Mitchelson: They are in fact included in the FTEs. It is a total of 10. I have just been trying to figure this out, too. If you looked at last year's Estimates, the FTEs would have showed seven. It shows 10 because as of March 31, 1999, there were 10 staff working in that area. We only had the budget for seven in last year's budget. Halfway through the year we hired three new staff positions, but we did not have any money for them. We had to find the money within the Department of Family Services to fund their positions from when they

were hired till the end of the fiscal year. But they were there, and this estimate of expenditure for 1998-99 shows 10. I find this rather confusing, too, but it shows 10, and it is reflected in the FTEs for 1999-2000.

Ms. McGifford: Then let me just get this straight. The reason for the increase in salary, then, is that these three positions will this year work for the whole fiscal year full time whereas the year before those positions started only halfway into the year. Were they full time halfway into the year?

Mrs. Mitchelson: Yes, they were full-time positions partway into the year, but there was no money budgeted last year for those salaries because they were new staff years that came onboard partway through the year.

Ms. McGifford: So then is the minister saying that the 190.8 does not include any salary for those positions?

Mrs. Mitchelson: That is correct.

Ms. McGifford: I wanted to ask, I suppose a similar question about external agencies. First of all, let me ask: External Agencies, is this the grant line to organizations that the Family Violence Prevention funds?

Mrs. Mitchelson: Yes, it is.

Ms. McGifford: And I notice then that the amount of money has increased, I guess, about \$800,000 approximately, and that this is related to the implementation of Justice Schulman's inquiry, recommendations from that inquiry.

I wonder then if the minister could tell me whether this money would be to new agencies, to programs within standing agencies, or both.

Mrs. Mitchelson: Mr. Chairperson, it is for both new and existing agencies.

Ms. McGifford: I wonder if the minister could table the list to external agencies, the grant list for '99-2000.

Mrs. Mitchelson: Mr. Chairperson, we did give it to the critic, and I think it is broken down by

division. We maybe could get a copy. We will see if we have an extra copy right here, and I will just table it.

Ms. McGifford: Thank you. I will look forward to seeing that list.

I wanted to turn to a different matter and that is to safety within shelters. The minister might remember that she and I have corresponded on this question. I think it was last year in Estimates that we asked some questions arising from the terrible occurrence in Dauphin. I am sure the minister is aware that about a week ago, 10 days ago, there was a murder in Quebec where a man invaded a shelter and killed his wife, so that safety in shelters is an issue that I know we are all concerned about. We have to be concerned about it on an ongoing basis. We simply have to be diligent in ascertaining that our shelters are safe.

I know that I wrote the minister a letter and she responded to it on April 12, 1999, and in that letter I asked if there was a report from the security review team. I believe there was a team that had consulted with various shelters in Manitoba. In her response, the minister did not tell me if there was a report. So I would like to ask her now if there is a report, and if there is, can I obtain a copy of that report?

* (1510)

Mrs. Mitchelson: Mr. Chairperson, it is a report that is a highly sensitive report because it does identify shelter-by-shelter and location of shelter-specific issues. I know that the work has been undertaken and almost completed in all of the shelters. But what I would do is, if my honourable friend would like, I would have staff from my department sit down with her and the report and go through it line by line, and she could ask any questions. It is just that it is not the kind of report that we would want public, and it would not be made public because of the sensitivity and the confidentiality. But staff have no problem sitting down with the report with my honourable friend and going through it in detail.

Ms. McGifford: Is the reason for the concern over confidentiality because of the addresses of

the shelters and not wanting to reveal where they are by tabling a report?

Mrs. Mitchelson: Not only the addresses, because I know addresses maybe are not quite that hard to find, but it is also the issue of what security features are there, how the windows open, where the cameras are located, how and where the alarms are located. It is those kinds of sensitive issues that we would not want public.

Ms. McGifford: I understand there was a team that visited shelters in Manitoba, and I would like to ask the minister if this team visited every shelter in the province.

Mrs. Mitchelson: Yes, Mr. Chairperson, they visited every shelter.

Ms. McGifford: Each shelter then I assume has its unique safety concerns because of the nature of the structure. I am assuming it is a team of individuals who are expert in the area. So this team would have studied each shelter, made decisions about how to best secure and make that shelter safe, and then I would assume that securing the shelter, making the shelter safe, would be follow-up work.

Mrs. Mitchelson: There was a committee that actually visited each shelter more than once. The director, obviously, from the individual shelter would have been present. The staff and board members from that shelter were invited, the local Manitoba Housing representative that does maintenance of shelters was there, the original architect from Government Services who helped develop the shelters, and an outside architect with a speciality in security and a person from Government Services Security was the chair of that committee.

As I indicated, they went out and visited all of the shelters, and they then drafted standards and went back out again, mainly, because I think they wanted to be sensitive to the local issues. There were some shelters that wanted bars on the windows and others that did not for certain reasons. It is very difficult to sort of develop consistent standards when there are local needs or issues that shelters felt needed to be addressed, so they tried to be as sensitive as possible to the local issues. They have to date

spent \$140,000 on renovations and upgrading for security reasons. This, I guess, will be an evolving sort of process. We will continue to monitor and ensure that security is of paramount importance as we move forward.

Ms. McGifford: So then all shelters were visited by the team that the minister outlined and visited indeed more than once, and then suggestions were made as to how the shelters could be made more secure. I am gathering from what the minister has said that the financial cost of securing the shelters was a burden undertaken by government and that it did not fall on the shoulders of the shelters to find that money in their budgets.

Mrs. Mitchelson: Yes, that is right. We paid for the upgrades to the security.

* (1520)

Ms. McGifford: So then I am assuming that the Manitoba Association of Women's Shelters feels that their shelters are now secure and have confidence in the safety of the shelters.

Mrs. Mitchelson: I understand that at this point in time everyone does feel secure. In some instances, I guess, they feel maybe we have gone overboard with security in some instances, but this will be ongoing and evolving. We do twice yearly inspections of shelters. Shelters have access on a 24-hour-a-day, seven-day-a-week basis to Manitoba Housing Authority to raise issues and try to get them resolved. We will continue to monitor and inspect and work with shelters.

As I said, it varies from shelter to shelter, whether it be the director or the board. New boards and new directors come along and they think things should be different or should be changed. There is a general consensus among all of the directors and all of the boards that bars are necessary on windows and that kind of thing. It will continue to be monitored and it will continue to evolve. As circumstances change or people change within communities, there may be different requests that come forward. We will on a twice yearly basis, as we inspect and chat with people, be able to determine whether in fact there are any new issues that come forward. On

the whole, I think, shelters are feeling that the safety and security issues have been addressed through this process.

Ms. McGifford: I wanted to thank the minister for her answers to those questions. I am sure the minister can understand that some women who are in shelters might not like to be barred in. The sense in our culture is that bars are usually reserved to keep criminals in certain places. Of course, when you go to a shelter, you are not a criminal.

I wanted to turn to some questions about funding to women's shelters. I have received a copy of a letter from the Manitoba Association of Women's Shelters, as has my colleague for Burrows (Mr. Martindale). It is a letter sent to the minister. I would like to table copies of this letter. I had originally thought I would read it into the record and decided that that was not necessary. I am sure the minister is very familiar with the issue, and I am sure her staff are too.

The letter does outline what the Manitoba Association of Women's Shelters sees as a very serious issue. They feel that they are simply not being given an amount of money that allows them to fairly pay their staff. In their letter, if I can just quote from the end now that we have tabled the letter, they end by saying: We would ask for a response from your department by the end of June. Should you have any questions, please feel free to contact a member of the Manitoba association funding model sub-committee. Then it is signed by a number of women who are part of the Manitoba Association of Women's Shelters.

I wanted to ask the minister if she is intending to respond to this letter by the end of June, if she has responded, and how she intends to respond.

Mrs. Mitchelson: Yes, I did receive a copy of this letter, and I have responded to them, and we will continue to work with them through the branch to try to understand fully the issues and also to sort of look right across the country at what other funding models exist and what we might be able to do to try to address the issues that have been raised.

This is not unlike the issues that come forward in all of the areas where we provide support through the Department of Family Services. I know we have had some long dialogues and discussion around the issues of support to those in my department who are working with the mentally disabled, and I know we were just in the process of discussing the whole issue of wages in the child daycare area with my honourable friend's colleague, the critic for Family Services.

These are not easy issues to deal with. We know that there is the whole issue around recruitment and retainment of staff in these areas that are so very vital to provide services for those in need in our community. What we tried to do this year, as we have had more resources, is increase slightly the operating grants to agencies so that they can attempt to start to address the wage issues, but we are not going to be able to find the answers overnight, and we are not going to be able to make huge increases overnight. I think we have indicated in good faith that we have started to try to address the salary issue in many areas with slightly increased operating grants, but we also have to balance that according to our ability to provide services to as many individuals as we possibly can through the services in this department.

So we will continue to work with women's shelters around these issues. I cannot say that I have any short-term quick fix, because I do not, but we did increase operating grants by 2 percent this year, and we will continue, as resources permit, to attempt right through all areas of this department to provide the kind of support that will help organizations to increase salaries. But it has to be a balance between providing the services to as many individuals who need that service with the support for operating grants that allows agencies to deal with their staffing issues.

I guess that is all I can say at this point in time. I have responded and indicated that we will continue to work with them. We will be searching across the country to see whether there are any other models that might differ or might be better. I would venture to guess that we are not going to find too many other provinces that have as comprehensive a system for those who experience domestic violence, but, nonetheless,

there might be someone who is doing something better, and we will look at that and see whether there are options for us to look at.

* (1530)

Ms. McGifford: As the minister knows, we are not at this point discussing those who experience domestic violence but those who work for those who experience domestic violence. There are certainly people who feel exploitation, and I am not saying that is what is happening here, but exploitation of workers is another kind of violence. I notice that the writers of this letter point out that the increase in cost of living for the past six years has been 12.5 percent and that the cost of mandatory benefits based on legislation is 13.72 percent, and the people whom I am assuming this is referring to, most of the workers in shelters do not have a pension plan; they do not have extended health. It is not really an ideal set of working conditions.

I notice, too, that the minister had mentioned workers in community living and workers in child care, and now we are talking about shelter workers. It is interesting that the majority of workers in all these areas—and I think all workers in shelters are women, so it does seem to me this is another one of those circumstances where women's work is not being fully recognized and properly remunerated.

However, having made these observations, I wanted to ask the minister if she knows what the average wages or wage of a front-line worker in our shelters, Manitoba shelters, is and if she has any statistics that could compare that front-line wage to other jurisdictions in Canada.

Mrs. Mitchelson: Mr. Chairperson, I guess we are just in the process now of working with the shelters to get that kind of information from them. Eight out of the 10 shelters in the province are unionized, so they would have negotiated settlements. My understanding is that I think those that are nonunionized are somewhat comparable.

We have had one meeting with them. We are having another meeting because the information that we received was not absolutely complete. So we are trying within our province

to determine what is happening shelter to shelter, and the negotiated agreements are probably different in each instance or circumstance.

But we apparently have convinced the federal government to do a comparison on funding models right across the country, which would include salary scales for shelters. So they have agreed to undertake that and will be examining that. We requested it in the fall and they have agreed to do that. We have had the ability to suggest questions that might be asked as they survey right across the country. So we should have a benchmark or a standard at that point.

That work is started. I am not sure when it will be completed.

Ms. McGifford: Well, I am glad the minister told me that she is not sure when it would be completed because that was going to be my next question, because I think it is very important that our shelters do have this information.

I wanted to ask the minister, then: her response to the shelters who ask her department to cover the 3.72 shortfall in mandatory benefits retroactive to April 1, 1999, is her answer to that request no?

Mrs. Mitchelson: Mr. Chairperson, we had a 2 percent increase in our budget this year. There will be no additional resources that will be found sort of mid-year. Hopefully, we will have some sense by the time it comes to looking at funding for next year where we are at and what we might be able to do, but the increases will be dependent on our ability to find resources.

There are pressures in many different areas. So I cannot indicate what decisions might be made next year; but, as resources have become available over last year and this year, we have been able to find modest increases anyway in budget lines for operating grants. I have indicated that we will continue to review that as resources permit to try to enable us to address some of the issues that have been raised across the board, and this being one area.

Ms. McGifford: I do notice that the minister did find and talked to us earlier about having

found much more than \$100,000 for three new positions. I do not know what 3.72 would be because it is not a 3.72 increase; it is to cover the shortfall in mandatory benefits. It does not seem to me that it would be a huge amount of money, but it might make a great deal of difference to the shelters. It would certainly be a sign of good will on the part of the government, and I regret that the minister cannot undertake to find that money.

* (1540)

Mrs. Mitchelson: That is a request that my honourable friend might make. I know that her colleague has made a request for additional support in services for the mentally disabled in the child care area. I know that probably, if we reviewed the Estimates across the board that have taken place to date this year, we would find that there have been several requests from members of the opposition for increases in many different areas, and that only leads to the question: if my honourable friends across the board are saying, spend more, spend more, where would they take the money from, or where would they raise taxes to do that? I guess those will be some of the discussions that we will be having or undertaking as we move into an election campaign and platforms and policies are laid out.

I have indicated clearly that I have been able to, in my department, find my government's support of additional resources for more services to people and to families even in years when money was tight and times were difficult. I will continue to raise the issue and support those areas that need to be supported in my department, so it will be interesting to see where members of the opposition might come from and what recommendations they might have for reductions or tax increases that would enable them to do the kinds of things they are asking us to do. I have indicated that we have tried to take a balanced approach, and we will continue to try to, as resources permit, find some answers to some of the issues that I know need to be addressed.

Mr. Chairperson: Item 9.4. Child and Family Services (c) Family Violence Prevention (1) Salaries and Employee Benefits \$486,300—pass;

(2) Other Expenditures \$90,900—pass; (3) External Agencies \$6,930,200—pass.

9.4.(d) Children's Special Services (1) Salaries and Employee Benefits \$330,500—pass; (2) Other Expenditures \$294,500—pass; (c) Financial Assistance and External Agencies \$10,307,000—pass.

Mr. Martindale: Mr. Chairperson, I have a question that maybe more properly falls under (a), but either with leave of the committee we could ask it now, and the minister has her staff at the table, or we could ask it under Minister's Salary when there are no staff at the table.

Mr. Chairperson: You wish to ask a question on a section that has been passed. Is there leave of the committee to revert to item 9.4.(a) Child, Family and Community Development? [agreed]

Mr. Martindale: I would like to ask the minister how many names of adults were put on the Child Abuse Registry due to being arrested for engaging in prostitution with someone under 18 years or, I guess, more technically, arrested for the purpose of communicating?

Mrs. Mitchelson: There have been seven.

Mr. Martindale: The other day I was quoting from a newsletter from the Manitoba Child Care Association saying that they had had discussions with the Minister of Family Services who acknowledged that their salary scale was reasonable and modest, that is, phase one of their salary scale, and I would just like to confirm that with the minister, and that we are talking about the following numbers for Level I director, \$31,975 annually, or I believe this is hourly, \$15.37; for a supervisor, \$27,057, or \$13.01 an hour; ECE IIs and IIIs, \$23,340 annually, or \$11.22 an hour; an assistant, \$14,560 annually, or \$7 an hour. Is that the salary scale that was being referred to by MCCA?

Mrs. Mitchelson: Yes, that is the salary scale that is being referred to as the MCCA. This has all been part of a discussion at the regulatory review committee, through that process, and I do not take any issue with what has been stated.

Mr. Martindale: I would like to ask the minister if she understands the connection between the quality of care and remuneration. For example, bringing in another, or actually the same, MCCA newsletter from November 1998, it says that small children form attachments to child care workers that underpin their ability to learn, trust and sustain relationships. When those relationships are repeatedly severed, the child's development is threatened.

So as I have mentioned before, we have a number of issues. One is that if the salary is inadequate, you have a high turnover of staff, and that leads to an inability for children to gain attachment to one worker because workers are always changing; secondly, the issue of centres that have provisional licences due to not having a proper proportion of trained staff.

MCCA goes on to say that they have received copies of letters from centres unable to move forward in expansion plans because they cannot find the trained staff that they need. So I am wondering if the minister can tell me if she understands the relationship between the quality of care in centres and salaries, and what she and her government are doing to address this issue.

Mrs. Mitchelson: I think I probably indicated in an answer last Thursday when we got into the discussion around child care that we have been working, I think, pretty co-operatively with the child care community and parents to try to address all of the issues that from time to time are brought forward.

I do know as a result of the fact-finding mission that was undertaken by my colleague, Marcel Laurendeau, we certainly gained a better understanding of the issues in the child care community as a result, and as a result of that process, we did set up the regulatory review committee to try to work together with those that are out there in the field and understand their issues and move forward to trying fix some of the inequities.

* (1550)

I think we have had significant success in addressing those issues. The whole issue of cases and spaces was a big issue where we only

allowed one case in one space. As a result of that, it was very difficult for part-time workers to get child care spaces because centres were holding out for full-time cases. We changed that and we have allowed a space to be used for as many cases as would be appropriate to ensure that the spaces were used in the most efficient and effective manner, generating the most resource for child care facilities. We moved from funding only some spaces to completely funding all spaces that had been unfunded. Those would have been in new facilities or in some facilities where we had pilot spaces that were not funded added to the number of spaces in a facility so that they could serve more children. So we have moved significantly in that direction, and as a result of funding all of those unfunded spaces this year, it has given several centres the ability with more operating grants to address some of the salary issues.

When we met and started discussion and dialogue with the child care community, they indicated that we should move towards a unit funding model where we funded each unit in a similar fashion. I do not know if I could just at this point ask whether my honourable friend knows where the member for The Maples (Mr. Kowalski) is because this was the question that—well, he may come in and ask, and I may have to repeat this, but anyway. The whole issue of unit funding for infant, preschool, and school-age children, the community, the child care community, through MCCA, has told us that there have been inequities in funding. If, in fact, you just have school-age spaces, you generate more revenue and, therefore, are better off than those that are providing higher-cost infant care. So we have this year endorsed the unit funding model and have started to move towards equalizing the revenue that is generated on an infant space, a preschool space and a school-age space.

One of the things that the child care community, through MCCA, raised with us was the whole issue of raising parent fees, and their recommendation was that we start to increase parent fees. Now, that is one recommendation that I cannot support. So I would be interested, and I think I asked whether in my honourable friend's comments he feels raising parent fees would be an appropriate way of trying to bring

that equity within the child care system. I happen to think that raising parent fees is not the answer. So, then, that does tell me that government is going to have to find additional resources. We were able to find resources this year to increase operating grants slightly. It was not as far as centres would have liked to have seen us go, but nonetheless we have endorsed the unit funding model. We will continue, as resources permit, to try to address the issues of salaries through our operating grants, but we were not able to go as far as they would have liked this year.

Now, I do know that in their newsletter the Child Care Association has encouraged their members to write to their boards. Ultimately, we provide the operating grants, but it is the boards at facilities that determine where the money will be allocated and where it will be spent. I have received copies of a few letters from workers in certain centres who have written to their boards and strongly encouraged them to use the increased operating grant to provide increased salaries. Ultimately, those boards will make those decisions.

We also do know that there are inequities right within the system, because some centres have to pay more rent than others, therefore, they have less money for salaries. Some centres are able to do fundraising to a greater degree than others, and, therefore, they have more resources to allocate. So there is no easy answer to this one.

I can indicate and I will indicate again that we will, as resources permit, continue to try to address the issues that have been raised and work co-operatively with the Child Care Association, recognizing and realizing that we cannot always do everything. We would like to attempt to continue to address issues, because I know that we have come some significant way in trying to understand the child care system and provide the support when we can to ensure that we treat centres as fairly as possible.

I also noticed in their newsletter that there was some criticism of additional funding to special needs child care and to rural child care. It would be interesting to know what my honourable friend feels about that. I happen to feel that all of the areas that we provide support

to need support, and we do know that issues around child care in rural Manitoba are as significant as issues in the city of Winnipeg. Again, I want to indicate that we try to balance our approach on our funding based on issues that were raised, and child care in rural Manitoba is as critical or important as it is in the city.

So with those comments, we continue to try to work, understanding and knowing what the issues are and recognizing the limitations and the ability to try to use the resources that we have available in the best manner possible and with a balanced approach.

Ms. McGifford: Mr. Chair, I do have a question, but I realize I forgot to thank the minister for her offer of her briefing on shelters, and I will certainly take her up on that. I also have a question on child care, however.

On March 31, '99, I received communications from Mr. Langtry indicating that the number of child care aides working in the system in Manitoba as opposed to ECEs is 1,860. I understand from further information there are 820 ECE IIs and 902 ECE IIIs, for a total of 1,722 trained workers and 1,860 assistants or untrained workers in the system. I wonder if the minister is concerned about these figures. I wonder if she is aware of the high numbers of untrained staff who are being recruited into the system. I know I have seen the application that untrained workers fill out in order to become recognized, I am assuming, as child care workers. It does not seem to me that it is a very demanding application.

* (1600)

Mrs. Mitchelson: I was trying to get a handle on some of the statistics or the information that was put on the record. I think the question was, the application process or the process that people had to go through to work in the child care system as an assistant really was not a terribly rigorous application process. I do want to indicate that anyone who works as a child care assistant that is left alone with children would have to have CPR training, first aid training, criminal record checks, and child abuse record checks. Those would be the assistants that would be working directly with children or

would have responsibility to be left alone with children.

In that number of 1,860 are those that are child care aides or assistants. There are others that might be hired as summer staff, student employment opportunities. Many child care facilities do hire students. They would not necessarily have to have the CPR or the first aid training, but they also would not be able to be left alone with children and be able to perform certain tasks. We know also that everyone has to be classified if they work in a child care centre. Now, they have to have a classification, but they might be a cook; they might be a housekeeper, they could work in maintenance. They could be a bus driver transporting children from one place to another. They are not necessarily looking after children, but they are all part of that classification of 1,860 individuals that make up those aides that do have some training, plus those that are working on a temporary or term basis or those that are doing nondirect, child-related service supports in a child care setting.

I wanted to make sure that was clarified on the record. I do also want to indicate that there is a shortage of ECE IIs and IIIs. It is not unique to Manitoba. It is something that certainly we need to attempt to address, but I do want to indicate, I would not want any information on the record that did indicate that there were more untrained people being left to care for children or left alone with children. I would not want that message to be left on the record, because in fact that is not the case. If they do not have the basic training, they do not have the ability to be left alone with children.

* (1610)

Ms. McGifford: What motivated my question was my concern that there are more untrained persons in the system than there are trained persons in the system. I know that for infants, I believe the ratio was 66 percent of trained individuals. For either ages I believe it is 50 percent. I believe I have that. No, 66 percent of staff must be trained for infant and preschool centres, and 50 percent must be trained in nursery and school-age programs. So the figures on the face of it do not look encouraging.

I am of course like my colleague who I know has been asking questions about the availability of EC IIs and EC IIIs, and the minister has indicated that this is a problem across Canada and not merely in Manitoba, but by a quick calculation I understand there are about 90 centres in Manitoba that have provisional licences because of not being able to meet the trained staff ratios. I am looking at material supplied to my colleague and notice that centres with exemptions to proportion of staff training requirements for full time and school age, Winnipeg centres there were 34, centres outside Winnipeg there were 21. Then nursery schools—and I am assuming this—this would be outside Winnipeg, 34; and then within Winnipeg, 4.

That is over 90, actually, so I do find that disturbing, and the fact that this pattern is something that is occurring throughout Canada is not necessarily reassuring. It is just telling me that we need a national initiative on daycare, and I might take this opportunity to put on the record that I know in 1993 the federal Liberals did promise us a national child care program and then reneged in government, and so a pox on their house, I guess. But I just want to put my concerns on the record, and perhaps the minister has relayed to my colleague—I have not been here for most of the Estimates—what her particular strategy is for dealing with this problem. Maybe I will read about it in Hansard, but if that is not the case, perhaps the minister might like to address that issue.

Mrs. Mitchelson: I would not want my honourable friend to leave on the record that there were some 90 facilities or more in the province that had provisional licences because of staffing, because they are not provisional licences, they are exemptions, and there is a distinct difference between the two. Yes, I would say approximately half of those that have exemptions are in the process of training an identified staffperson for the position. Maybe not quite half, it would be less than half, I am sorry. I do not want to leave any incorrect information on the record either. There are, I would say, throughout the province about 50 out of those 90 centres have not been able to recruit staff. The other 40 have other reasons for their exemptions of trained staff.

No easy answer, again, to this one. I am hoping that with the increased operating grants and funding the unfunded spaces this year, there will be some ability for some centres to recruit and retain more staff, that is, if the boards of directors should choose to put the dollars towards salaries, that could be a possibility. So I guess we will just have to wait to see what the new funding and the funding of unfunded spaces which in some instances gives centres significantly more money besides the increase in their operating grants.

As I said, no easy answer. I guess we will just have to continue to work towards the unit funding model that allows us to more fairly reflect the costs of child care support at the infant, preschool and school-age level. We have indicated as a government that we support that recommendation from the regulatory review committee and will continue to work towards trying to ensure there is some equity, but we are never going to be able to absolutely fix the problems when there are fixed costs for certain facilities that are greater than others. Some of those are rents that have to be paid, and certainly there are policies within school divisions that are different from division to division. Some school divisions charge very little for a child care facility, and others charge exorbitant rents.

It is one issue that I have raised, certainly am cognizant of, but we are not a government that dictates to school divisions what they should and should not do. They are duly elected representatives, and if in fact there is an issue around the cost of rent for child care facilities, it is important that people pay attention to who they are electing as their school board members and make sure that they elect people who will support their position and ensure that they are being treated fairly. I am very much a proponent of trying to ensure that wherever possible school divisions provide support for early childhood education, for child care, but again, school divisions do set different policies. We know that not every child care facility is in a school, that some are in the community, and rents are different depending on what community you live in and the accessibility of space. So there are variables that are out of our control, but we do try to be consistent with our operating grants.

I meant to say on the child care in schools issue, the Manitoba Child Care Association is meeting with MAST, the Manitoba Association of School Trustees, and they are trying to see whether, in fact, there could not be some sort of a consistent policy, division to division, around child care support.

So that is a move in the right direction, I think, and that dialogue has now been opened or started, so, hopefully, we will see at least a common sense approach to the whole provision of child care in schools into the future, but that remains to be seen. So I just wanted to put that on the record, too.

*(1620)

Mr. Peter Dyck, Acting Chairperson, in the Chair

Mr. Gary Kowalski (The Maples): I received a phone call today in regard to a before-and-after school program that is run in The Maples, and the name of the daycare is OK Before & After school program. It operates in four schools in The Maples: O. V. Jewitt School, Arthur E. Wright, Constable Edward Finney, and Elwick School.

The director is Tina Fetter. In all fairness to her, I received a phone call from a parent, and I have not had time even to contact the director so there are no fingers being pointed here. I am looking for a solution to a problem. It seems to be an internal problem within the board. They have a 16-person board, and what has happened is in the past the one school, Constable Edward Finney School has an EarlyStart. School starts at 8:30 so a lot of the parents do not need daycare in the morning, so they only have the afternoon daycare. The fee for half time is \$5.85.

Well, the board that has financial responsibilities to operate within its budget and within its expenses, to not run a deficit, has decided that they will not have half time, that they will only have full time, and the fee for that is \$9.60. So parents who sent in their application to have daycare for next year for half time have received letters of acceptance for full-time daycare. As I said, the cost for full-time daycare

is \$9.60, and for the one parent I was talking to it will make a difference of \$1,500 a year, which is a sizeable increase.

I have great empathy for the daycare. They have their expenses, they have their salaries, and they have to operate on a nonprofit basis, but for these parents, they have a choice now for the stability—and some of these kids have been in the same daycare for three or four years or even five years, and if they want to continue, they will have to pay for full-time daycare.

Now, one possible solution—well, I should go back. At the board meeting, one of the things that was discussed was the fact that this year for school-age daycare they received no increase in funding, whereas for early-years daycare there was an increase in funding, and it has been discussed here today. They said one of the persons suggested that it is the government's fault that they are going to have to do this. I will let the government answer for themselves, but one of the solutions is that at the Finney site and the Elwick site, they are increased by 15 spots each, so that is an additional 30 spots if they receive no additional funding.

Would this be a reason to give additional funding to this OK Before & After? I am not too sure if the funding goes for the number of spots or placements, or how does it go? Would this be one of the solutions, or has the minister any other solutions for this conflict here?

Mrs. Mitchelson: Mr. Chairperson, I understand my honourable friend did receive a letter that indicated there was going to be an emergency board meeting. We certainly, from the daycare office, would be prepared to attend that board meeting.

Mr. Kowalski: Before the minister gives a response, I could just read that letter quickly so you could know what the content of the letter is.

Mrs. Mitchelson: Yes, please.

Mr. Kowalski: It is dated June 28, today, to the OK Before & After centres at 35 Marbury Road. Dear board members: On Friday, June 18, 1999, we received our acceptance letters to the program for the next school year. These letters

advised that we had been accepted on a full-time basis only, although most of us had applied for part time. We are all parents who have had children in the centre on a part-time basis in previous years, some for many years.

OK Before & After Centre is a community-based daycare whose vision statement reads "to provide a quality educational child care program as an active partner in our community." It is our belief that the centre does not fulfill the needs of the community by offering full-time care only. The change in practice is abrupt with no consultation or prior written notification to the affected parents. Although this is not a change in policy, it is a change in enforcement of policy and should have been communicated more effectively to parents. The AGM would have been the appropriate time to advise parents of this change.

As a parent group, we have identified a number of inconsistencies in enforcement of the centre's policies, specifically with regard to acceptance and enrollment. Details can be provided at a meeting. We request a meeting with the board to voice our concerns and discuss the following issues: one, the need for part-time care in our community--OK Before & After is the only licensed centre in The Maples; two, the impact of increased fees to families who budgeted for part-time fees previously; three, to pay for services that we do not need; four, disruption to our children's lives by forcing parents to put a price on their children's happiness.

We recommend that you phase a grandfather in this new enforcement procedure with new families to the centre. It is unfair to penalize families already in the system. It is disappointing to us as parents that the board puts the centre's financial gain ahead of the needs of the community. Due to time constraints, we request that the matter be dealt with immediately. Please contact Sybil Russell--then supplies her phone number--at your earliest convenience. Yours truly, Ray Jast on behalf of Sybil Russell, James Ogungbemi-Jackson, Diane Wolfman, Alan Wolfman, Lia Yankewicz, Tom Yankewicz, Lorraine Jast, Christine Bowers. Copies of this went to Mavis Lewis-Webber, Tina Fetter and myself.

Mrs. Mitchelson: Mr. Chairperson, boy, I am somewhat astounded. I guess, my sense was that child care facilities were there to serve parents who were working and their children, whether it be on a part-time or a full-time basis or on a flexible basis. It appears to me from the letter that my honourable friend has read that there has been a unilateral decision by a centre to not serve the needs of the parents that they are meant to serve. Parents are not there to serve the centre. The centre is there to serve the parents and their children. Our policy is that we support part-time and full-time child care. That is our policy. I really feel that my honourable friend, and we can help in whatever way possible, should be at least encouraging parents to take some strong position.

* (1630)

I want to indicate to you what happens in River East School Division, for instance; I mean, it is different everywhere. River East School Division has a policy that if an elementary school wants to run a before-and-after school program, they can run it free of charge within the school division. That is their policy. They do not receive funding from government either. We do not fund any of the before-and-after school programs, but they are just for before-and-after school in River East School Division for children who are going to the school.

The community sort of comes around and decides what the cost will be, and they would have lunch programs too at some of those schools. There is a policy within the division, but basically it is parent-driven and parent-run, and it meets the needs of the parents. There is a charge for whatever to the families who use that service. The policies are different in many different school divisions. Some charge just the cost of a janitor being there a little bit of extra time, and others charge a fee for the use of the school. Some make money on the child care facility being there.

So there are all kinds of different policies, but ultimately if a facility that is being run in a school is not meeting the needs of the parents that it is there to serve, we need to be determining what is happening. There should be no financial reason that they should not be

offering part-time care. We would be prepared to support my honourable friend if he wanted to work with the parents to try to ensure that they have a quality affordable child care program that meets their needs. I mean, no one has a licence to be able to have absolute control over a facility and then dictate to the parents who use that service that they have to pay twice what they should be paying in order to get a half-time spot. So I just want to offer our support and assistance. If he would like to arrange something with parents, I think we would be prepared to work as closely as possible to try to ensure that the service is being provided for those that need it.

Mr. Kowalski: I appreciate that offer from the minister. I am not too sure if I made it clear. In this OK Before & After School Centre, it is a parent-run board. This is not the school board who operates this. I do not know what the school board charges the centre. It might be much higher than what they do in River East, so we might have competing interests of different parents, one set of parents wanting to keep the fees down and to keep within budget, another group having an interest to only pay for half-time and they have cause. So I am assuming, I will give the benefit of the doubt to the director and to his volunteer board that they are trying to act fiscally responsible, and this is just one thing that they have looked at as a way of keeping their revenues up to meet their costs.

I am not too sure how the spots are funded. They indicate that, even though they were increased by 30 spots into this program, they did not receive additional funding. Does that sound correct? Would there be an avenue to look at increased funding for this because of the increased number of spots?

Mrs. Mitchelson: No. I need to explain. What has happened as a result of our regulatory review process and working with the child care community, they have recommended to us that we fund different—I mean, we have three different types of care. We have infant care; we have preschool care; and we have school-age care. Now, there has been a sense, and, I think, quite rightly so, within the child care community that we were not funding enough for infant spaces, the cost of providing service. An infant

unit would be four children because the ratio is 4 to 1, one staff to four children. In the preschool area, the ratio is 8 to 1; in the school age, it is 15 to 1. So those are the regulations around child-to-staff ratios.

When we sat down and went through the funding model with the child care community, it was clear that there were inequities within the system. If you looked at it on a unit basis, 1 to 4 for infant, one infant unit, one preschool unit or one school-age unit, the infant units were being funded at \$138 per day, the preschool unit was being funded at \$185 a day, and the school-age unit was being funded at \$224 per day. So great inequity within the system, and no one had ever looked at it this way, although there had been concerns.

So the recommendation that came from the committee was that we move towards making it more equitable and that they would recommend that we fund each unit at \$200 per day. So you would bring the school age down and the preschool and infant up, and we would have each unit funded equally. That was what they recommended.

We are moving towards that. We have not got there yet, but rather than reducing, at this point in time, the school-age unit, we left it at \$224, and we have started to move the infant up and the preschool up, so at some point in time we are going to have to—and I think I have accepted that model as a fair model. Therefore, when we provided the funding for unfunded spaces—there were some spaces that were unfunded in the past—we provided them for preschool and infant, but we did not give any additional support to the school-age programs because, according to what we have been able to determine, they are probably overfunded in the whole—[interjection] Well, I mean, there is an inequity, and to bring each unit closer, we funded the infant and the preschool more, but we have not funded the school-age programs more.

So there is not any ability for us to look at unfunded or new spaces, or increasing their operating grant. These are strictly school-age programs. Sometimes, if a centre has preschool and school-age spaces and infant spaces all in one centre, they got some increase in their

funding to deal with the infant and the preschool, but they did not get any additional funding for the school-age spaces, so we are trying to have a fairer approach.

Anyway, I do not know if I have confused you, or if that sounds clear, but it is a recommendation that did come from the field, and we are moving towards addressing that.

Mr. Kowalski: Just on another topic, a quick question. For home daycare, you need a licence if you have more than four children, I understand. Then you have to get a licence. But who monitors that? I guess if we are going into investigations, is there a proactive one or does it react to complaints? How do I know there is not someone down the street who says they only have four children but have 12 children in their home and it is unlicensed? How do you check into it? How do you ferret out any people who are not complying with the regulations?

* (1640)

Mrs. Mitchelson: It is in law so we do not go out door to door and count kids in people's houses. But if in fact there is a complaint that is made to the Child Care office that somebody is violating the law, the first approach we take is a letter. We send a letter out to them indicating that we understand there is an issue and that they can apply for a licence or they can reduce their numbers. So that is the first step. Very often we work with them then to get them licensed or whatever. Now they may write back and say they are reducing their numbers, so that is fine too.

Now the second time, if in fact there is another complaint after this, we would go out to the home and visit with the individuals and follow up. So that is the process that is followed.

Mr. Kowalski: The last one is I want to thank the minister and Kathy Reid. I had some letters and phone calls from the Maples Day Care staff who, as a result of some of the lobbying that the Manitoba Child Care Association did about staff salaries, had some concerns and had some questions, and Kathy Reid took an evening out and came to a staff meeting with me.

The first question I asked, I was blown away. I thought one of the problems with the wages not being what they should be in daycare, that there is not continuity, and we were surprised at the number of people who were there at that daycare who have either been in the field or at that particular daycare for a long time, so I was surprised to see that.

As a matter of fact, the director there now was my daughter's daycare teacher when she went to daycare there, and now starting this summer, my daughter works at that daycare. But I want to thank Kathy Reid for coming out and the minister for helping me address some of the concerns of the staff in regard to staff salaries. Thank you.

Mr. Martindale: Because of the tragic death at Three Bears Day Care Centre a number of years ago, I still have some questions about fire inspections in child care centres. It is my understanding that there are a number of problems in this area. One is that even after inspectors do make inspections, if they order upgrades to a centre, centres have a major problem in complying with these orders because it costs money frequently to implement them. There is no capital budget for child care centres, so this is a hardship.

Secondly, there seems to be inconsistencies between inspections in Winnipeg and in rural Manitoba, and then there are some problems in rural Manitoba. So I would like to explore these one at a time. We did ask questions in the Department of Labour about inspections in centres. I have Hansard with me, and I note that there is a memorandum of understanding that, according to the Minister of Labour (Mr. Radcliffe), is in the Department of Family Services, and I am wondering if that MOU has been signed or if it will be shortly.

Mrs. Mitchelson: The MOU has been signed. We have one person in the Fire Commissioner's office that has been assigned to do all of the inspections in the city of Winnipeg until the fire department gets up to speed, and Family Services will be paying the cost of that Fire Commissioner to do the inspections.

Mr. Martindale: I wonder if the minister can give me a timeline of when she expects that all the centres in Winnipeg will be inspected by.

Mrs. Mitchelson: All the full-time centres should be done by the end of August and all of the nursery schools by the end of September, and that would probably be because the nursery schools are closed over the summer months.

Mr. Martindale: I am wondering if the minister agrees with me that there is a problem in rural Manitoba in that it is my understanding that it is a responsibility of local fire departments to do inspections unless there is a request of the Fire Commissioner's office in which case there is a fee of \$250 for an inspection. Some of the concerns that I have heard are that many local fire departments are volunteer fire departments, that the volunteer fire departments have to request training from the Fire Commissioner's office. I am told that some rural communities have not seen a fire inspector for years. It seems to me that there may be problems if a volunteer fire department member is the spouse or partner of a child care worker or a director, that that may pose a difficulty for individuals. The biggest inconsistency would seem to be, if the minister is correct, that there may be a very good system in place for Winnipeg, where all the centres are going to be inspected by a certain time, but in rural Manitoba because it is now up to local jurisdictions, that there is no time line. There is no assurance that all the centres will be inspected by a certain time. I am wondering if the minister shares these concerns.

Mrs. Mitchelson: Mr. Chairperson, it would be our first priority to get the local fire authority to do the inspection, but just as in the case of Winnipeg, if in fact that cannot or does not happen, we will be getting the Fire Commissioner's office to do those throughout rural Manitoba also. [interjection]

Mr. Martindale: Mr. Chairperson, the most interesting questions are off record. However, they have nothing to do with the serious topic of fire inspections. All those questions are on the record. I think the minister was just repeating what I understand to be the status quo. That is in rural Manitoba the responsible jurisdiction is the local fire department, either volunteer or paid,

and the alternative, I guess, is the Fire Commissioner's office.

I guess what I want to know is whether inspections are taking place regularly. For example, is every centre inspected annually?

Mrs. Mitchelson: Mr. Chairperson, I will try to answer that question. If I do not quite hit the mark, maybe we can seek some clarification.

Ultimately, the end goal is to have the local fire authority do the inspections. Right now, in the city of Winnipeg, they are short staffed, so we will be providing that service, but our ultimate end objective and goal is to have the local fire authority in Winnipeg do the inspections.

In rural Manitoba, my understanding is it is not quite as critical. The local fire authorities in rural Manitoba, in some instances, have the capacity and have the ability to do it right now. If they do not and if we need the interim support from the Fire Commissioner's office to do that, we will undertake to make sure that all of the inspections are done.

The ultimate end goal is to have the local authority both in the city of Winnipeg and outside of the city of Winnipeg take on that responsibility.

* (1650)

Mr. Martindale: Mr. Chairperson, I think I understand that. I guess the question is: how often are they being inspected? For example, are centres being inspected once a year in rural Manitoba?

Mrs. Mitchelson: Yes, once a year.

Mr. Martindale: Can the minister tell me if indeed she agrees that there is a problem with inspectors making recommendations for improvements, that frequently this costs money and that this is a problem for centres, both rural and urban?

Mrs. Mitchelson: Mr. Chairperson, many of those facilities that have had to make a major upgrade have received support from places like

the Winnipeg Foundation, the Community Services Council and other foundations, the Sill Foundation. So they can apply, and we have not heard that it has been a significant hardship in any specific case.

Mr. Martindale: Mr. Chairperson, can the minister tell me who follows up on the fire inspection reports? Who ensures that the orders are actually carried out?

Mrs. Mitchelson: Mr. Chairperson, it is up to the facility to report. So, if it is an issue with Public Health, the Fire Commissioner or the daycare co-ordinator, it is posted, and it is on their provisional licence. It is up to the daycare, then, the facility to, in writing, notify us of the work that has been done. It would allow us to remove the provision from the licence.

Mr. Martindale: So is the minister telling me that it is really a voluntary system, that if a centre does not report, they might fall through the cracks?

Mrs. Mitchelson: No, it is not on a voluntary basis. If, in fact, the Fire Commissioner or the Public Health office or Child Day Care puts a provision on a licence, they are given a time line in writing on when they must comply, and that information is received by the child care co-ordinator, Child Day Care office, and they have to comply.

Now, if it is three months, that the Fire Commissioner's office may say that you have three months to comply, that is followed. So we follow up on that, but they have to, in writing, indicate to us with documentation that they have complied. It is always the way it has been, and it is not on a voluntary basis. If there is a provisional licence, we know about it. It is registered in the Child Day Care office through the child care co-ordinator, and facilities must comply.

Mr. Martindale: I guess I can understand if the Child Day Care office receives the documentation, then you have something to follow up on, but you said it was up to the centre to notify the Child Day Care office. What happens if they do not?

Mrs. Mitchelson: It is the child care co-ordinator that follows up. The child care co-ordinator visits facilities on a quarterly basis. The child care co-ordinator knows who has provisional licences and who does not for what reasons. So it is her job to follow up. But there is a contractual arrangement, or whatever, that the centre has that has to be complied with, and it is the child care co-ordinator's responsibility to ensure that that is followed up on those quarterly visits.

Mr. Martindale: Mr. Chairperson, does the Fire Commissioner's office or a local fire department send a copy of their inspection report to the Child Day Care office?

Mrs. Mitchelson: Yes.

Mr. Martindale: Can the minister tell me if there is a similar process in place for family daycare homes in terms of inspections?

Mrs. Mitchelson: For family daycare homes, there is no requirement for public health or fire inspections. The only exception to that would be the group daycare homes where there are up to 12 children in those, and then they would be required to have public health and fire inspections.

Mr. Martindale: Mr. Chairperson, I would like leave of the committee to revert to a question under 9.4.(a).

The Acting Chairperson (Mr. Dyck): Is there leave of the committee to revert to 9.4.(a)? [agreed]

Mr. Martindale: I thank the minister for her flexibility. I have some questions resulting from The Fatality Inquiries Act report by a provincial judge on the inquest respecting the death of Brian Thompson. In the inquest report, Judge John Guy, provincial judge, has some comments about the agency which I believe in this case was Winnipeg Child and Family Services. I can be corrected on that if I am wrong.

He says, and I would like to quote: Finally and most significantly in this case, and I expect in most cases, there must be a monitoring and review of the situation on a fairly frequent basis

to see if the placement is appropriate from both parties' points of view.

He goes on to say: This is because, although the standards are good, fairly clear to understand and based on sound, practical experience, they appear impossible to adhere to without adequate people and resources. On more than one-half dozen occasions when the standards were referred to during the evidence, the court was told that, firstly, due to caseloads, and, secondly, due to a large number of foster homes being out of the city, the worker could not adhere to the standards set. It is not a question of the standards not being understood or being confusing. It is simply a question of workload demand, not enabling the worker to do the job properly and the way the standards envisage it being done. I commend the workers for their honesty in providing their testimony. It would appear that the term "no news is good news" is the watchword for these workers.

I would like to ask the minister what has been done either by herself or by the agency since this report was released on March 4, 1999, to address the workload issue raised by Judge Guy.

* (1700)

Mrs. Mitchelson: The agency has done some things to try to address this issue. We talked about the 31 positions that are being redeployed in the reorganization to front-line staff which will provide more front-line workers. The agency reorganization and restructure to program function rather than area function will somewhat address some of the issues that were raised around this case where Northwest or Central were placing children in eastern Manitoba, so there were some issues around the four different areas within the agency still acting somewhat independently from each other. So that will be another piece that should help somewhat.

I guess the new standards that have been written will be field tested, and we will, for once and for all, be able to get some accurate data on what is the workload and what are caseloads. I know that Judge Guy does talk about caseloads in his report. All indications are that caseloads

are not increasing; they are remaining the same. But, for me, the bigger issue is not how many cases, but what is the workload associated with each of those cases, and I do not think we have ever been able to get accurate data on that kind of information because you can have very few cases with a high amount of work required for those cases and still have a high caseload. I mean, there is a difference between caseload and workload, and I think we need to be trying to get some accurate information and data on what we are really talking about here and what is appropriate, and we are not there yet. But I think the new standards and the field testing of those standards and work with the field will give us better opportunity to understand what the workload issues are and how they might be addressed.

Mr. Martindale: I am certainly agreeable to using the expression "workload." This has been described as caseload and workload, and I suppose we are talking about social work jargon. I do not think it really matters too much what term you are using, but there seems to be evidence, both from the baby Sophia Schmidt inquest and this inquest into the death of Brian Thompson, that in both cases workers had too many cases, too much work, could not monitor their caseload adequately, and the results were tragic. Judge John Guy goes on to say: The point is that even in what might be considered minimum standards, they were not adhered to. And later on the same page: However, although there might not be a casual connection attributed between his treatment and his death, the opportunity presents itself for his death to be a warning, and unless we do more to protect our important resource, children, this may occur again.

His recommendation No. 1 says: Caseloads be decreased to more acceptable levels rather than the two and a half to three times the recommended caseload, and No. 2: The fact that a significant number of foster homes are in the rural area should be taken into consideration in relation to the time factor involved in monitoring these homes, or hire staff in the community where the homes are located.

So I would like to ask the minister if in fact east area or Winnipeg Child and Family Services

have either decreased the caseload so that staff can more closely supervise their foster homes, or have they hired staff in Steinbach so that they can be closer to the foster parents? Because I understand there are a lot of foster parents in the Steinbach area.

Mrs. Mitchelson: I guess I can only go back to saying that the reorganization and the restructuring to functional areas rather than geographic areas will go some way to making the services more efficient and effective. They have increased apparently the front-line workers for the permanent wards in the Winnipeg agency, and that should have some impact. When you look at different functions within the agency, certainly in many instances probably your caseload, if you were just doing adoptions, could be higher than if you were doing protection work. So they are trying to reorganize and realign within the agency to ensure that services are better and supports are better. If they do not have four different areas, certainly they should be able to provide additional support to those foster families in the rural area.

They are starting to work. It certainly is not an issue that is just an issue in Manitoba, again, and it is not that I want to minimize the issue, but I think we have seen reports from right across the country that workload is an issue. It is one of the things that at the national level we are looking at, and I know that our province is chairing that piece of the process at the national level.

So it is an issue. Have we fixed it? No. Will it ever be completely fixed? I cannot guarantee that it will be, but we have to take steps in the right direction. I believe that the agency, through their reorganization, through their restructure, through more front-line staff and through trying to ensure that the protection of children has enhanced support and increased workers—should go some way to addressing this issue. That is all I can offer at this point in time. I cannot tell you that we have fixed the problem completely. We are moving in the right direction.

Mr. Martindale: I have an article from the Winnipeg Free Press from June 10, 1998. The headline says: fewer cases, more help urged for

CFS staff. The concluding paragraph says, and I quote: since Sofia's death in January 1996, 16 children have been killed in Manitoba, 11 at the hands of their parent or guardian.

So it is extremely important that we make improvements in order to protect children in care because too many children in care are dying. I would like to quote from the concluding paragraph of Judge John Guy's report where he says: it may be that for children under the age of five, the standards should require more frequent in-home monitoring than quarterly. As well, it is essential that this monitoring be done separately to be able to ascertain the true situation.

So I would like to ask the minister if this particular recommendation from the judge—monitoring in home should be more frequent than quarterly.

Mrs. Mitchelson: That is the redirection that the agency is taking with its reorganization, and that is exactly what the new standards will do. I want to indicate, though, I would not want my honourable friend to leave on the record unless he knows for a fact that those 11 children that died at the hands of their parents were in the care of Child and Family Services, because I do not think those 11 deaths were Child and Family Services-related. I could stand to be corrected. Were they wards of the Child and Family Services agency, or were they children that died at the hands of their own parents? There is a distinct difference when we are looking at workloads and caseloads. I would not want the record to imply that they were all wards of Child and Family Services.

Mr. Martindale: The minister has repeatedly talked about reorganization, but what I would like to hear is a response to the specific recommendation of Judge John Guy who recommended that for children under the age of five, there should be more frequent in-home monitoring than quarterly. I am interested in knowing if this recommendation is going to be implemented or not.

* (1710)

Mrs. Mitchelson: The agency is telling us that their reorganization and putting more staff on the front line will give them the ability to monitor on

a more frequent basis children that are in care and permanent wards. So if that is the case, we will have to monitor the agency to see in fact whether those results are achieved, but they are telling us that more front-line workers means that more support will be able to be provided to children in care. They are telling us that the reorganization into functional rather than area will have a more consistent approach to serving children in care and their needs, and they will be able to monitor more closely. That is what they are telling us from their reorganization, and we will have to monitor that to see whether in fact that is the case.

Mr. Chairperson in the Chair

Mr. Martindale: I am still not hearing the answer that I would like to hear from the minister, whether she agrees or disagrees: should there be more frequent monitoring for children under five? Is this a reasonable recommendation or not? I can understand the minister saying if there are 31 more front-line staff that there be more home visits or whatever, but I am wondering if the minister feels that the agency should respond in a positive way to the recommendation from this inquest.

Mrs. Mitchelson: That is not an unreasonable expectation, and I have never said it is not. I have said that the agency has told us they are going to be able to live up to these recommendations as a result of making their agency more efficient and more effective and putting more workers on the front lines.

Now, I do not know what more I can say, except to say that if we have more workers on the front line and if we are focusing the energies and the efforts in a more consistent way on the needs of children in care, that ultimately children should be better off.

Now, I wish I could guarantee that. I am saying we are going to monitor the agency to see if, in fact, that is the case, but I cannot guarantee my honourable friend anything, as I do not think he could guarantee me if he were the Minister of Family Services.

I am saying it is not an unrealistic recommendation. The agency has seen that, and they

should, and are, I think, developing processes that will make their ability to monitor children in care more efficient, and see them more often.

I wish I could say that in absolutely every instance that is happening today or that it will happen in the future. I cannot, but I am saying it is not unrealistic to expect. We will be watching the agency, and we will be trying to get some sort of accurate data on workload or caseload, or whatever you want to call it, to try to ensure that the needs of children are being met.

Mr. Chairperson: Item 9.4. Child and Family Services (e) Child Day Care (1) Salaries and Employee Benefits \$2,211,700—pass; (2) Other Expenditures \$470,000—pass; (3) Financial Assistance and Grants \$51,015,700—pass.

Resolution 9.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$204,666,200 for Family Services, Child and Family Services, for the fiscal year ending the 31st day of March, 2000.

Resolution 9.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,177,400 for Family Services, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000.

The last item in the Estimates of Family Services is the Minister's Salary. Would the staff please leave the table.

Item 9.1. Administration and Finance (a) Minister's Salary \$27,000.

Mr. Martindale: The minister is lucky this year that I had two graduations this morning, and I have another one to go to now, so I did not have time to put a motion to reduce the minister's salary or have a recorded vote. So I just want to express my disappointment that I did not avail myself of that opportunity this year, because I think the minister could improve on a lot of things, but in the interests of time, we are going to let her off the hook this year.

Mrs. Mitchelson: I just want to, before we wrap this up, indicate my sincere appreciation to those who work within the Department of Family Services for their untiring and

unflinching commitment to the many issues that we deal with in this department. We know they are not easy issues when you are dealing with human tragedy and human lives and some of the most vulnerable within our community on a day-to-day basis, trying to set the policy and the programs and monitor those programs to ensure that they are working to best serve the needs of those clients and individuals.

Mr. Chairperson, I have to say, to each and all: a job well done in the department. But also very important, we cannot forget those community organizations that deliver the programs and services. The external agencies that we fund do a wonderful job. We have had much dialogue and discussion around, you know, there is no one who is made a millionaire working in the child care system, in services for the mentally disabled and those that deal with domestic violence. They are there because they care about people, and they care about making our society and lives better for Manitobans who need their support.

* (1720)

I want to commend them and congratulate them for the hard work that they do, sometimes not recognized, and for those who work in our Child and Family Services system. Although my honourable friend, from time to time, criticizes and says we could do much better, I think we have many, again, who are very committed to the work that they do, to the job that they do. There is not any perfect system, when I look across the country and I see what is happening in other jurisdictions in other provinces. I do not ever want to say that, when something devastating happens, we have done a good enough job, but I do know that the issues are complex, and it is not as simple as, you know, have we been able to fix things?

There are no short-term, quick-fix solutions. It is long term. All of the things that we have put in place as a government that look at early intervention will ultimately hopefully have a significant impact on decreasing the support that we need for welfare, for child and family services, for services for those with mental disabilities and for services that we need in our justice system. I mean, it only makes good sense

to invest, knowing what we know from all the recent research that has been done, in the first years of a child's life. So if we can continue along that path, hopefully we will see reductions in our need to have the supports available at the far end because we will have more children that are adapted and adjusted and ready to start life and school with a desire to succeed.

I just want to say that, although my honourable friend does provide much criticism, I think that there have been a lot of good programs and projects that have been implemented that will see not a short-term quick fix again and not something that happens in the length of time of government's one mandate or second mandate. But we are talking generational change that for me does not give me that quick political fix, but it gives me the long-term ability to say that I believe we have accomplished something that will have a lasting impact on children and families in our province.

So, with those few words, I just want to say that my six years in Family Services have given me the opportunity to understand the issues that we deal with, and hopefully we will be able to continue to implement more initiatives, more early intervention programs that will ultimately have an impact, a lessening impact on the resources that are needed to serve people that we serve in Manitoba that need our supports. Thanks, Mr. Chairperson.

Mr. Martindale: I just wanted to thank the minister and her staff for their helpfulness, especially when I have needed briefings. I think probably the assistant deputy minister for children, Mr. Langtry, has been the most frequent person who has briefed me, but there are many civil servants within the department that I phone almost on a daily basis, especially in Income Assistance, and they have always been very helpful.

When it comes to the minister, although she and I disagree on the direction her government is going in many cases, I think we have always gotten along reasonably well on a personal level, and that has probably made the Estimates process a little bit easier. It is my hope that this is the last time that we do Estimates together. Thank you.

Mr. Chairperson: 9.1. Administration and Finance (a) Minister's Salary \$27,000—pass.

Resolution 9.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$7,498,600 for Family Services, Administration and Finance, for the fiscal year ending the 31st day of March, 2000.

This now concludes the Estimates of the Department of Family Services.

The next department is the Department of Natural Resources. We would invite the minister and the opposition critic to take their positions at the table, and we will begin the Estimates of the Department of Natural Resources.

NATURAL RESOURCES

Mr. Chairperson (Gerry McAlpine): Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Department of Natural Resources. Does the honourable Minister of Natural Resources have an opening statement to make to the committee?

Hon. Glen Cummings (Minister of Natural Resources): I am not prone to long statements, but I could make it longer or shorter depending on the mood of the committee.

An Honourable Member: In a good mood right now.

Mr. Cummings: In a good mood, we will keep it short.

First of all, thank you for the opportunity to make a statement on the '99-2000 expenditures. My critic would have had delivered to his office the Supplementary Information, which is organized in three parts. The first part provides an overview of the department for budgetary requirements for '99-2000. The second part provides program and financial information, including details of staffing requirements and expenditures. Part three will provide a five-year historical budget comparison. I hope this document will provide meaningful information, that it will evolve and improve based on the needs of the users of the information. We will welcome feedback as to the usefulness of this package.

Resources has a mandate to protect, conserve, manage and sustain the development of the forest, fisheries, water, Crown land and parkland resources. The department is responsible for providing outdoor recreational opportunities for Manitobans and of course visitors. It is also a major contributor to the economic development and well-being of the province, particularly at the community and regional level.

The department continues to support and promote resource-based industries which are important to Manitoba's economy. The other two major roles that I should reference as departmental responsibilities are the protection of people and property from flood, wildfire and adverse effects of natural resources and to provide for the basic resource needs of subsistence users. Perhaps I could clarify what I believe is intended by the comment "adverse effects of natural resources." That can include protection from wildlife depredation and those sorts of things, which probably fits more adequately into that statement.

Note more than \$63 million will have been expended on flood proofing in this fiscal year. That accounts for 38 percent of total expenditures in the department. Manitoba Natural Resources manages the federal-provincial Flood Proofing Program to provide protection for the Red River Valley beyond what has been in place until '97. At this time more than 1,200 families and businesses in the Red River Valley have benefited from the program, with the federal-provincial portion of the program totalling \$40.7 million and the owner portion totalling more than \$15 million for a \$55.7-million expenditure.

* (1730)

To enhance our flood-forecasting capabilities, the department has added two staff in '98-99: a systems technologist and a hydraulic technician. These additional experts will give us the depth we require to do what I hope will be seen as top-notch forecasting and I believe will enhance our capacity. Though, I want to point out that because there was criticism in this area, I never felt that we were unable to forecast appropriately, particularly in '97. Back in February the flag was raised as to the potential for a significant and possibly flood of the

century proportions. The trouble we had then, if I could digress for a moment, was that frankly we had trouble getting people's attention as to how—after '96 most people were sort of ho hum about '96 with high water. We made it through that pretty well; this is a 50-50 chance that that level of water could appear. Of course, as my critic I believe would agree, it was the events that occurred in spring itself that finally caused the high water, because in fact we were close to having a downward revision of the flood prior to the heavy snow and rainfall event that topped up the '97 flood. Frankly, there were many, many Manitobans and government employees who worked endless hours and have continued to work beyond the call of duty to make this current program work.

We have an enhanced wildfire protection system that has been implemented, and The Wildfires Act was reviewed and revised in the past year to ensure the protection of people and property. Along with that, we have added two CL-215s which were recently purchased; that brings the fleet of water bombers for the province to seven. This spring has been particularly dry in some regions of the province, resulting in more than 300 wildfires that have covered 79,000 hectares—not an insignificant figure. Our firefighters have done an exceptional job with no loss of life and have saved communities and property primarily in the North, and I am sure the opposition joins me in thanking them for their commitment and dedication.

I would also like to take this opportunity to highlight three initiatives that we have in the '99-2000 Estimates. These include a groundwater initiative to protect groundwater due to the significant expansion of the livestock industry in our province, a joint effort with Manitoba Environment and Manitoba Agriculture. The agriculture sector in Manitoba is undergoing significant diversification and expansion which includes high-value crops such as potatoes, increased value-added processing and expansion of the livestock industry. At the present rate of expansion, nearly five million hogs will be produced annually in this province within the next two and a half years.

To ensure diversification and that the expansion of the agriculture industry remains

environmentally sustainable, resources such as water must be protected. To this end, the department is adding two positions: a hydrologist and an environmental technician.

The second highlight is the addition of a groundwater geologist and a groundwater technician to the Water Resources branch to provide support in addressing groundwater-quality issues related to the livestock industry. With the addition of four staff and the earlier addition of forecasting staff that I mentioned, there will be a total of six additional staff to enhance our water resource information capabilities.

Also in the Estimates, you will note that there has been money set aside for a water retention strategy at a cost of \$200,000 to provide for a review of the four basins for potential water retention possibilities. We will be undertaking these consultations under contract, and it will be the responsibility of the contractors to consider potential developments in each of the basins and provide recommendations on their development. These funds will provide for the contracting, and once the review has been undertaken we will be approaching our partners, the federal government, to look at potential cost-sharing of these developments.

Also, in the bigger picture, the forestry industry in our province generates more than \$470 million in sales and employs more than 6,000 Manitobans directly and indirectly. The natural regeneration of our forests is supplemented by our reforestation efforts where approximately 8,000 hectares are reforested and 10 million seedlings planted each year.

The Dutch elm disease program continues to be one of the most effective and innovative programs in North America. I would acknowledge that I was probably somewhat skeptical in the early going 10 years ago in looking at the Dutch elm disease program whether or not we could actually make a difference, but with the help of dedicated people within the city and across the province who have recognized and have struggled to keep in front of everyone the importance of the Dutch elm disease issue and the importance of the elm trees themselves, we have, despite a setback in '97 frankly, managed to maintain elm losses from disease to less than

3 percent in managed communities through a co-operative and team approach that includes participation by many communities.

I should touch on fisheries, which has a challenge working with all of its stakeholders such as local fishing groups, farmers and industry to conserve habitat and fish stocks. Fishing in fact is big business in this province, with sport fishing generating more than \$75 million annually. Commercial fishing accounts for more than 3,000 seasonal and full-time jobs and \$20 million in sales annually. The Fisheries Enhancement fund is used to help local organizations improve fisheries with about \$350,000. The enhancement fund is supported by the sale of licence stamps as part of sport, bait and commercial fishing. Since 1993, the fund has supported 120 local projects, including stream rehabilitation, construction of fish ladders, increased fish stocking to improve fish populations.

The Department of Natural Resources produces and stocks more than 100 million fish a year through our hatcheries and by supporting local hatcheries. Millions of walleye fry are stocked annually. Throughout the trout hatchery system the department stocks an average of one million fingerling and catchable trout each year.

Wildlife activities continue to focus on integrated wildlife management for both consumptive and nonconsumptive uses, and the branch will continue to work with Manitobans to improve the knowledge base and create new opportunities, and I am sure the conservation of vital ecological systems that maintain the biodiversity and support the plant and animal populations in our province.

The Conservation Agreements Act was passed into law in September of '98 and has created opportunities for individuals and non-government organizations to conserve habitat on private land. Approximately 90,000 hunting licences are sold each year, and The Wildlife Act has been amended to prohibit dangerous hunting and shooting practices, most notably hunting at night. Increased fines and penalties have resulted in a dramatic decline in this type of poaching.

Those are a few highlights from the department. There are many more activities and initiatives that I am sure my critics will bring up during discussions. I would now await perhaps if there is a statement from my critic before staff joins us.

Mr. Chairperson: I want to thank the honourable minister for the comments that he has made, and I would ask the honourable opposition critic for Natural Resources, the honourable member for Dauphin, if he has an opening statement.

Mr. Stan Struthers (Dauphin): I want to thank the minister for his opening remarks and his statement to get us started on the Estimates procedure for this fiscal year. I want to begin my statement by thanking the staff of the Department of Natural Resources for the co-operation that I have received and my colleagues have received when we go searching for information having to do with Natural Resources activities, Natural Resources policies and all the issues that are found within the Department of Natural Resources. I find that the staff is very capable, very co-operative, very helpful, and I want to make sure that I commend them on the work that they have done through the course of the past year.

The minister mentioned at the beginning of his remarks that he was looking for feedback on the supplementary information that he has provided for the 1999-2000 Estimates. I want to say that again I found the package of information very useful and very well laid out and answered many of the questions that I have about the Department of Natural Resources even before we get into this process. So I would tell the minister that. It is a very good package, and it helps myself out as critic immensely.

* (1740)

I want to say that since we last met to talk about expenditures of the Department of Natural Resources there have been many highlights, and as a matter of fact, some positive things have happened, in my estimation. The minister flagged conservation agreements, legislation that was passed through the House a while back.

Maybe the minister was too modest to talk about the parcel of 35 acres of land that he has put forward out at his farm near Neepawa, but I want to say that that showed leadership, that showed that he is not only committed to the legislation but that he is committed to the program and the implementation of it. I do not mind saying that on the record.

Conservation easements legislation was a bill that we on the opposition side supported. We tried to put forward some positive contributions to that debate. It was my feeling from the beginning that a deal was possible. It was my feeling from the beginning that some negotiations would need to take place and did in fact take place to produce some legislation that I think is going to be successful. All too often we have an idea in our heads as politicians that a certain program should run a certain way, and it does not matter how many good pieces of advice we get, sometimes we just go straight ahead with whatever it is that we want to do. So I must commend the minister for that piece of legislation and commend the minister for his patience in hanging in there to get that legislation through and then putting forth, as a model, his own land to show his commitment to the program.

It is my intent to encourage others to put forward land for habitat, land for environmental purposes. It is my hope that many Manitobans will take advantage of that program, take advantage of the ability they now have to sign conservation agreements setting aside land for different conservation purposes. So I want to commend both the minister and the department for pursuing that particular legislation.

I will have some questions later on in the Estimates process about some of the regulations and implementation of the program, mostly to help my own ability to answer questions that may arise as I talk to constituents and as I talk to Manitobans about programs in Natural Resources.

I know that again this spring the department was faced with the schizophrenic position of having part of Manitoba on fire and part of Manitoba up to its ears in water. I am starting to learn that this is not necessarily exceptional in

this province. In the four years that I have been in this Legislature I think every spring we have been faced with that situation. I know ministers do not know whether to put their hip waders on for Question Period or their fire fighting gear, but again I do want to make note of the work of the people in the department in not only fighting fires and fighting floods but preparing for what has become an annual tradition in this province, and that is to keep people safe from the ravages of both fires and floods.

This year, especially in the southwest corner, although I do not want to restrict myself to the southwest corner, it is an awful situation in that part of our province, but along with areas in my own constituency of Gilbert Plains and Grandview, areas in the minister's constituency around Laurier and McCreary and Neepawa and Gladstone, parts of the southeast part of Manitoba have experienced a lot of rain. From an agricultural standpoint, these are areas more used to putting their crops in and then praying for rain. What has happened this spring is pretty much the opposite. They have had an awful time trying to get their crops in because of the heavy rain, because of the saturated conditions even throughout the course of the winter and rain that these areas received last fall and last summer.

Again, I want to commend the people in the Department of Natural Resources for the work that they have been doing to help communities that are facing these floods. I want to thank the minister for keeping our side of the House up to date on conditions during flooding this spring, and I want to encourage the government to continue to be open to ideas on flood proofing and drainage and all those issues that are connected to excessive amounts of water and our attempts to try to alleviate problems that occur.

Just briefly, some of the concerns that I have that I will be addressing with the minister probably deal more with process rather than actual issues, a process of including as many Manitobans as we can in the input before decisions are made, whether that has to do with forestry or drainage or wildlife, fisheries. Whatever issue the Department of Natural Resources undertakes, I think one of the most important areas for discussion is the process

setting up the discussion in the first place. It would be my hope that the minister and the department would want to include as many people as we can before we make decisions.

I know one of the complaints that has been channelled through me to the minister previously is that consultation is apt to take place after decisions have been made. The concern there is that it becomes not so much an opportunity to include Manitobans but rather a way to talk Manitobans into a decision that has been made by the minister or staff.

The other part of that process that I think is extremely important is the collection of data. The better the data is that we collect, the better the decisions will be that we make. So my hope, again, is that the minister would be committed to providing the resources necessary to collect information upon which we can make good decisions in the area of natural resources.

Part of the Estimates I would like to spend a bit of time on is the drainage review that the department is involved with. My understanding is that one of the goals of reviewing drainage is to reduce the number of water use disputes. Who could argue with that? We want to set up a situation where there are fewer disputes taking place with water, but that is a major undertaking. It is a huge undertaking. Water has to go somewhere, and when you replace one size of culvert with a bigger culvert, you end up putting more water down onto your neighbour. Sometimes people get quite emotional over water issues. So it is a huge undertaking but, I think, an important one, an important one in which to establish areas of responsibility between levels of government and also to get some kind of control over the licensing of water use and allocation in the province of Manitoba.

* (1750)

One of my major concerns since the last time we met to discuss Estimates is the input into decision making by aboriginal communities. It still seems to be that I get a lot of requests from bands, from chiefs, from councillors, who feel as if they have been left out of decision making when it comes to natural resources issues; in particular, most recently, concerns

expressed to me because of activity or perhaps anticipated activity along the east side of Lake Winnipeg. That is an issue that I look forward to getting into a discussion with the minister on. If I remember correctly, last year during concurrence, we spent a bit of time discussing development on the east side of Lake Winnipeg, and I think there are still some areas that need to be discussed there as well.

One of the major areas of disappointment for me in dealing with issues in the Department of Natural Resources falls in the area of wildlife. I have been a bit of a critic of this government's valuation of wildlife in Manitoba, beginning with the elk capture and elk ranching, falconry and different decisions that this government has made. Recently we have been discussing in the Chamber penned hunts, which is something that later on in the Estimates I will be giving the minister a chance to maybe clarify what his government's position is in that respect.

I look forward to a good set of Estimates. I always look forward to the information that I gain and the knowledge that I gain about the Department of Natural Resources, which has to be one of the more interesting departments in the provincial government. So with those few comments, we can begin.

Just as a point of clarification, the practice in other years has been to begin the Estimates on the first line of the Expenditures. It would be my hope, if the minister is agreeable, instead of going line by line through the whole book, that we could deal with all of these issues at the beginning, with the aid of the minister's staff, and then once we finish with the issues we need to deal with, we can quickly move through and pass the rest of the lines of the budget. I think this also allows some of my colleagues to come in, when they need to, to ask some questions of the minister. I am hoping that is a process acceptable to the minister.

Mr. Cummings: I would ask my deputy and Mr. Podolsky to join us.

In response to the question about process, if the critic wishes to do it that way, I have no objection.

Mr. Chairperson: Okay, maybe we will deal with that in a minute. Under Manitoba practice, debate of the Minister's Salary is traditionally the last item considered for the Estimates of the department, and, accordingly, we shall defer consideration of this item and now proceed with the consideration of the next line.

Before we do that, I would invite the minister's staff to join us at the table, and we ask that the minister introduce his staff when they are present.

Mr. Cummings: Joining me is deputy minister of the department, Dave Tomasson, and Mr. Bill Podolsky, who is the executive director of Administration.

Mr. Chairperson: We thank the honourable minister for that. We will now proceed to line 12.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits, on page 119 of the Main Estimates book.

Is it the agreement of the committee that we will proceed with general discussion on the entire Estimates of the Department of Natural Resources and then pass them at the conclusion of the questions and answers that are posed by the opposition critic and the minister? Is that agreed? [agreed]

We will now proceed to line 12.1.(b) Executive Support (1) Salaries and Employee Benefits—\$424,500.

Mr. Struthers: Mr. Chairperson, in the time that we have remaining this afternoon, I would like to start Estimates on what I consider a very positive note and begin with a discussion about the conservation agreements, the conservation agreement legislation that this government passed I believe a year ago now, if my memory serves me correctly, a program that I support wholeheartedly, a program that I can see a bright future for, a program that I think will serve Manitobans very well.

What I would like to get from the minister is an indication as to who can apply for their land to be set aside, who some of the sponsors are that constituents can be approaching to enable their land to be set aside in a conservation

agreement. Really, what I am asking for is an overview of the nuts and bolts of how to get involved in setting aside some land in a conservation agreement.

Mr. Cummings: We will, in a minute, get as complete a list as I can of organizations and/or government structures that could hold conservation agreement easements. I appreciate the comments of the member for Dauphin (Mr. Struthers) regarding this program. It did, in fact, require a bit of good will and movement on the part of a number of parties to bring it together, and credit needs to be given on the record to what is now AMM, the Union of Manitoba Municipalities at the time of the discussions a couple of years ago, and they were, rightfully so on the part of their constituency, concerned about what the overriding problems might be when the term "perpetuity" is put in place.

We were able to reach an understanding as to that being negotiable and put in a structure for an appeal mechanism that can be triggered over the long haul to look at and review lands that have been set aside and to determine if there have, in fact, been extenuating circumstances arisen that might modify the original agreement, and that would likely only fall under them in a situation where it was a very unique location in relationship to a family operation where financial hardship was somehow seen to have been imposed.

That is the long shot, as I understand it, that most people were concerned about, that none of us are intelligent enough or have enough knowledge to say what some of the impacts might be in perpetuity. Yet the goal is to in perpetuity make sure that wildlife habitat is adequately set aside for future generations and make sure that there is almost nothing that can impede that protection. Arguably, the one thing that enters into this is perhaps land swaps, which means there is still protection in perpetuity. It is just not quite in the same location it was to begin with.

That, in a broad sense, is I believe the concerns that were brought to the table and were dealt with in the legislation in the way that I just described.

Anyone who wishes to apply can make it known through the Department of Natural Resources and also through the Manitoba Habitat Heritage Corporation, who currently is leading in this area, but there are a number of nonprofit organizations, five of them, starting with Habitat Heritage Corporation. Ducks Unlimited would be another one. Another organization that can hold it is a municipal organization. The local government or municipality can hold the land on behalf of an easement. Those would be the first places that contact would need to be made.

In fact, the local R.M., through our process, needs to be notified in some form that in fact a set-aside is going to occur and that, if they intend to raise concerns, they are given an appropriate length of time to do so. The idea was that it has to be held by some body that has a likelihood of continuing into the future.

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

HIGHWAYS AND TRANSPORTATION

The Acting Chairperson (Mr. Faurshou): Order, please. 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 of the Department of Highways and Transportation. When the committee last sat it had been considering item 15.2. Highways and Transportation Programs (q) Boards and Committees, on page 95 of the Estimates book.

Mr. Gerard Jennissen (Flin Flon): Mr. Chair, last time I left off with a question, we did not get to the answer and basically, to refresh everyone's memory a little bit, was about the status of the Blueline luxury cab licences that were converted to regular licences and the fairness of that in the light that some cabbies have complained that this particular person who owned Blueline and got cheaper licences, allegedly, was placing them at a disadvantage. I spent quite a bit of time I think last year with Mr. Findlay on the issue. I do not want to beat it to death; I just would like a little update, just what has happened so far.

Hon. Darren Praznik (Minister of Highways and Transportation): Mr. Chair, as a new

minister coming into this, I can tell him, if he had a lengthy discussion with the minister last year about the issue, there has been no change in that particular status since then.

Mr. Jennissen: That is a very good answer, but it does not enlighten me. I guess what I am saying is I have not had the issue addressed in terms of fairness. At one time it was deemed to be necessary to have a number of luxury cabs. I believe they got a licence for something like a thousand dollars per unit, if I am correct. I am going by memory now. It was a year ago since we dealt with this.

Mr. Chairperson in the Chair

And when those luxury licences were converted to regular cab licences, a thousand dollars is nowhere near comparable to what the average price would be for a cabbie entering the profession. I think they pay, what, in the neighbourhood of 25, 30, or 40, or perhaps even more, thousand, I do not know the exact number. And the question was fairness. Why did that person not pay the going rate?

* (1450)

That money could have been used for the cab industry in general or even for the government's general revenue coffers perhaps. I do not know what the procedure would have been, but the cabbies felt that there were two standards there and that they were not being treated fairly.

Mr. Praznik: Mr. Chair, I think the member's question, and I did not mean to put him off—I, as a new minister coming in, this is only a set of issues that I am beginning to familiarize myself with in a way that I can offer him a meaningful discussion. I can tell him that I have not changed anything as minister since my predecessor was in office.

But one of the difficulties in the whole taxi industry, and I will not take too long in my answer, is that wherever government gives out a monopoly for a particular service, the marketplace will put a value on that. What in essence has happened in the cab industry is going back many years there were 400 or so licences that

were issued. No new ones were issued. I can tell you that government did not collect tens of thousands of dollars for those initial licences, but the market, because there were no new ones being added, it was a monopoly—I will not say a monopoly because there is more than one provider, but it is a limited number of access, a controlled market—that the marketplace put a value on those licences and as they traded, their value went up and up to the point now where I understand they are traded around \$80,000 to \$90,000 apiece. Well, government does not issue licences at \$80,000, \$90,000 a piece. The real problem is Winnipeg has grown since the introduction of 400 licences. So how do you add new ones into that marketplace?

And it really is a mess from a public administrative point of view, from my point of view, because you have an industry that has put a value on the licences. If you said, well, these issues, we are going to issue another 400, or we will issue them to anyone who has \$200 in their pocket and has a car that meets our qualifications. Well, overnight, you would wipe out the equity of all those drivers who paid for those licences. Yet there is a demand, there is a need from time to time that the Taxicab Board determines to add additional licences to the service area in Winnipeg. How do you do that in a manner that is fair when the value of the licences is not what government charges but what the marketplace dictates? So if anyone buys a licence for \$200 or whatever it is and they can go on the market and sell it for \$90,000, yes, they have been unjustly enriched. Perhaps government should be charging that for a licence.

It really is a complex situation. The only analogy I can compare it to is the dairy industry, where you can only produce milk with quota. Although you are not supposed to buy, up until recently were not supposed to buy and sell quota, the fact of the matter is, when you bought a cow you paid a very inflated price for the quota to produce the milk. I remember back in the '70s when a government of the day made some decisions around quota that ended up affecting significantly those who in essence and reality had paid for it on the market. So these things are always complex and difficult, because

you are balancing a status quo that is not necessarily right with the need to meet other use.

I do not know particularly enough about the Blueline issue that you are talking about, but I do know a little bit about the issue in general. The question that will face government in the future is how you expand the number of cabs in the city of Winnipeg, one of the only jurisdictions in the province where we regulate cabs in this manner. How do you do it without either (a) unjustly enriching an individual or (b) wiping out the equity of the people who own those cabs now, who by and large are not necessarily wealthy people? So it is a struggle. If we had a clean slate with which to create a taxi industry we probably would do it differently, but we do not have that.

I appreciate the argument the member is saying about some people getting those cabs for value and perhaps being unjustly enriched by it in the marketplace. I am cognizant of that. I did have some discussions with the chair of the Taxicab Board, who tells me that they have some proposals for the next time that they have to expand taxicab service that probably would ensure that individuals are not unjustly enriched nor the value of other people's equity unjustly diminished.

Mr. Jennissen: I think we are perhaps lacking a mechanism to make the system equal. Perhaps it was a historical anomaly that created this situation, but the minister must also then appreciate and understand that cabbies driving for Duffy's or Unicity or Spring are saying this is not quite fair, there were two sets of rules there, and let us make sure that does not happen again. In fact I had in the past suggested ways of preventing this from happening at all. I mean, perhaps it should not have happened, but be that as it may, I would still like some update if I could, in writing, later on by the minister's staff just what the status of those licences is, how many are actually being used, and so on.

Mr. Praznik: I will ask the chair of the Taxicab Board to provide that to me, through me to the member. I would indicate to him though that you are talking about the fairness or anomalies. The market value of a taxi licence is not controlled by government, it is controlled by the

marketplace. To be blunt, government very easily could tomorrow—there is nothing prohibiting us from making a policy decision that those licences were originally sold for so many hundreds of dollars, we will add 400 more licences out there at \$200 apiece. What we would do in essence is wipe out the equity of those who had paid the market \$80,000-90,000 apiece, and again, they are trading in the marketplace between cab owners and potentially new cab owners for that.

Government is not seeing the value of it, and that is part of the problem. I guess the only way we could issue new licence is for government to charge what the market rate is. If the market rate was \$80,000 or \$90,000 or \$60,000 or \$70,000 without the car, we would charge \$60,000 or \$70,000 and Her Majesty the Queen would be the beneficiary. That is one option.

Mr. Jennissen: That was in fact one of the suggestions I think we discussed last year. To continue, I am reading the Free Press, June 23, 1999, about crabby cabbies and their compulsory Pan Am Games certificate course. Only a thousand cabbies are supposedly going to take this course, which would leave about 600 without having taken the course. Now, am I given to understand that they cannot drive at all? If that is the case, the problem I have with it, does that mean then just at the time when you need a lot of cabs because we are expecting a lot of visitors you would have 600 fewer cab drivers?

Mr. Praznik: No, my recollection of the policy was that in order to be able to drive at the Pan Am venue sites, the Pan Am committee require or the Taxi Board require that the drivers take this course. I imagine there are issues that stem from security, flow of traffic, a host of issues. Quite frankly, given the amount of business the Pan American Games is generating, it is not unreasonable for the Taxicab Board, in co-operation with the Pan American Games committee here in our province, to have made this requirement. The last thing we want are people driving cabs who are supposedly aware of the city, the operation, et cetera, to be entering those venue sites unfamiliar with the flow of traffic and other issues about what they are meeting. So my understanding of it is that cab

drivers who do not take the course are not prohibited from driving their cabs in their regular course of business. It is just that they are prohibited from entering the Pan American venue sites, and I think that makes a very big difference. I think in that light one understands what in fact was happening here.

You know, I just recall in some of the big taxi cities of the world like London, the requirements for cab drivers there. I remember driving in a cab in London and talking with a cabby. Their requirements, to be licensed, they have to be familiar with every street, virtually, in the city, where they are going, one-ways and accesses, and it is several years of training and driving and learning before they are fully licensed. It always amazed me, because the member may know, in London, like Amsterdam and Holland, as home, there are quite a number of very small little streets that may not even be as long as this building that are marked streets, have hotels or restaurants on them, and in a city of thousands and thousands of streets it is quite an onerous undertaking.

So the requirements that we would put on our cab drivers in this period for accessing Pan Am venue sites, which is likely to be the Pan Am traffic that is coming, surely to have access to a very large portion of new business, the least one could expect is that they are familiar with the rules and traffic patterns and flows so they do not become a hindrance in those sites in movement of people. I think it is fairly reasonable if this, in fact, is the case to be dealing with our Pan American people. There will always be folks who complain, but again, if you are investing \$80,000 or \$90,000 in a car and licence and you want to access this particular money, to be familiar with what is going on, is not unreasonable. We want to show the world we can do a great job here, and I think that is part of it.

Mr. Jennissen: I want to make it clear that I was not complaining. In fact, I think it is a good idea for these people to be trained. But I was questioning what the Free Press was stating, and I will quote for the minister because the Free Press in that article states: It is coming down to the wire said Head. If they do not comply with this training, they will not be able to drive

anywhere during the Pan Am Games. It sounds as if those 600 cabbies are off the road totally, and that was my concern.

* (1500)

Mr. Praznik: Mr. Chair, I do not think at the end of the day most of the cabbies are going to want to miss out on the chance to do the Pan Am business. Again, it comes back to them. They have been granted, because of the lack of issuance of new licences, a position where there are only so many of them who have the right to move people. If they do not want to comply with these things, if they think that they can do, you know, just not have to comply and do what they like, then okay. Then let us open the whole industry up to total, just minimal licensure. Anybody can get a cab licence, a couple of hundred bucks in their jeans and own a vehicle that will pass the test. That is not what I think they ultimately would want to have, but I appreciate the member asking because it gives me a chance on the record to kind of clarify the situation, and I appreciate that.

Mr. Chairperson: Item 15.2. Highways and Transportation Programs (q) Boards and Committees (1) Motor Transport and Highway Traffic Boards (a) Salaries and Employee Benefits \$376,500—pass; (b) Other Expenditures \$199,200—pass.

I take it that we have moved wherever we wanted throughout it. What has happened? [interjection] Open to general. Now where are we? [interjection] Pardon. Okay.

15.2.(q)(2) License Suspension Appeal Board and Medical Review Committee (a) Salaries and Employee Benefits \$248,000—pass; (b) Other Expenditures \$115,200—pass.

15.2.(q)(3) Taxicab Board (a) Salaries and Employee Benefits \$335,500—pass; (b) Other Expenditures \$98,700—pass.

Resolution 15.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$61,149,500 for Highways and Transportation, Highways and Transportation Programs, for the fiscal year ending the 31st day of March, 2000.

Mr. Jennissen: I would like to ask—I am not exactly sure where we are in my particular book—some questions on roads and maintenance. Is that okay, Mr. Chair?

Before we do that, maybe I could go back again to railroads for just a second, because I forgot to mention it and the minister did as well. We talked about poor passenger service in northern Manitoba, and I had forgotten about the Ron Duhamel and the Elijah Harper report of, what was it, 1994. That report came out stressing a lot of changes needed in northern Manitoba passenger service. I guess we should be prevailing upon our Liberal colleagues in the House to put a little pressure on the federal government to take this very seriously. If we are paying all kinds of money to those members to come up with a good report, why is that report being totally ignored?

Mr. Praznik: Mr. Chair, it is very interesting how many of these reports are done by Liberal M.P.s once upon a time that never get acted upon by a government who, I think, is very content with doing the minimal amount of work. So it is a welcome point the member makes. I wish it was not so, but it seems to be the way it is.

Mr. Jennissen: I would like to ask some questions about roads that we have not really gotten to. Although I have talked about northern roads, we have not really specifically talked about some of the southern roads and roads in central Manitoba as well. I have in front of me here a statement from the Free Press: Manitoba roads will get worse: Province warns. I believe that was November of 1998 where Mr. Tinkler actually says there will be a dramatic decline in the quality of the province's road system over the next several years.

I guess that is happening everywhere. I was just telling some of the people present here that I drove Saskatchewan roads yesterday, and they were not in great shape either. But still it concerns me because obviously we have to come up with more infrastructure money. The minister had made some suggestions earlier on that one way of doing it is getting at the federal government, but they do not seem to be terribly impressed with our approach.

I also heard the minister stating the other day, I think it was last Thursday, when he talked to the Association of Manitoba Municipalities, lobbying the federal government on rebating some of that fuel tax for our roads, that 200 kilometres of our paved roads are renewed annually out of 12,000, which basically means that only 1.7 percent of our roads are being renewed. Now, if I remember correctly, I may not be correct on this, the life of those roads are 20 years. So we are saying it would take 60 years to get that job done, which is kind of scary, I guess. It just seems that we are running faster and getting further behind. Am I correct in that assessment, Mr. Minister?

Mr. Praznik: Yes, Mr. Chair, very correct in that assessment. That tends to be the ongoing nightmare for Mr. Tinkler and Mr. Horosko and myself as our road system continues to get more and more tired.

The member commented about Saskatchewan. Saskatchewan has twice the number of miles of roads that we have, approximately, and less population to support them. Their problem is even more critical. So, again, it comes back to the support that we can get out of the national government to take on these issues. That is why, I think, rather than continuing to debate these things at our end, I mean it is always important to debate them, but rather than sort of somehow believe that we can solve this within the province, we need to have that national debate about road taxes. That is why I welcome the member's comments which seem to be fairly supportive and a good understanding of the problem facing us.

Mr. Jennissen: Talking about some specific highways, one of them is Highway 6, obviously, and I think some of the people around Highway 6 want to meet with us. One of the concerns I have had is that turnoff to Rosser and some of those curves, what is it, Grosse Isle, Warren and I think even Woodlands. There is a number of curves that I think are very dangerous, yet the prairie terrain is very flat. Is it just the difficulty of acquiring right-of-way or what is it? I think at some point we are going to have to straighten those curves. I do know there is some better signage provided in the last couple of years, but I do not think that is the entire answer.

Mr. Praznik: The member is quite right. There are quite a host of issues around the land ownership, railways, accesses, et cetera, that have to be worked out. Again, when you are dealing with a budget our size when the needs are so great, it does take time to be able to address all the issues that are out there. But I am certainly cognizant of those issues and ones I hope that we will be able to address in the not too distant future.

Mr. Jennissen: I also have a newspaper article here. I will just read a portion of it and ask the minister to give me a little update on this. The petition targets PRs 247, 332, and particularly 305, specifically the soft conditions such as the first four miles of PR 305 east of Brunkild, the lack of crowns and the extensive washboard effect on the roads, and I believe a Mr. Gehring estimates that there are over 200 names on the petition. I am just wondering if that has been addressed, because I know that was a hot issue in the spring.

Mr. Praznik: Mr. Chair, many hot issues. I am going to ask if Mr. Tinkler can give us a report on that particular road situation, with leave of committee, of course.

Mr. Chairperson: Is it the will of the committee to allow Mr. Tinkler to answer a few questions on this topic? [agreed]

Mr. Barry Tinkler (Assistant Deputy Minister, Highways and Transportation): With respect to, I believe the roads you said were 305, 332 and 247—

Mr. Jennissen: 247, 332, 305 east of Brunkild.

Mr. Tinkler: Okay, 305 east of Brunkild is scheduled to be part of the Brunkild dike. It will be upgraded. We are just in the process of acquiring the federal licence to proceed with that project. Those miles that you refer to are part of that project. So it will be upgraded just in a very short time here, as soon as we can get a contract out.

Mr. Jennissen: I also have a petition. Actually it came from the member for Interlake (Mr. C. Evans). I do not know if it was given to the minister or not. I counted the numbers of names.

There are 463. I do not think I need to read all of it.

An Honourable Member: I will.

Mr. Jennissen: The honourable member here is willing to read all of it. Basically the Provincial Road 240 between Roseisle and PR 305 is a driving hazard. I think the last whereas, the southern 2.5 miles of the said six miles of Provincial Road 240 between Roseisle and PR 305 was built in 1977 and nothing has been done to upgrade it since that time. Again, I do not want to beat this to death, but since there are almost, what is it, 500 names on this petition, I will give it to the minister. He may already have it. Perhaps I could get an update from Mr. Tinkler on that as well.

* (1510)

Mr. Chairperson: The honourable member for Flin Flon is giving a petition to the honourable minister.

Mr. Tinkler: With respect to PR240, and this would be between Roseisle, going north of Roseisle up to PR305, that was upgraded to a gravel road standard in 1977. The traffic count on it is considerably below the threshold that we consider for surfacing. That would be the main reason that it has not been surfaced to now.

Mr. Jennissen: So if I am given to understand correctly then, basically if the road is not that busy it does not get that high a priority. I often wonder in northern Manitoba, because when roads are not in good shape people do not drive, so there is less traffic. Also I think we pool our resources quite a bit, so you get cars full of people. So rather than six people driving six vehicles, you might get six people in one vehicle. I know that is maybe an abstract point to be making at this point. Is it strictly based on traffic volume?

Mr. Tinkler: It is not entirely based on exclusively traffic volume. There are safety issues involved, those kinds of things, accident rates. There are a number of things that go into it. However, we do have a number of gravel roads in the province that have similar traffic to what this particular road has and again carries

school buses, carries all kinds of regular commerce traffic that works for the area, and as a result it is difficult to get it higher on the priority list with respect to surfacing.

Mr. Jennissen: Yes, I would like to just go back. I know the minister has heard quite a bit about this already, but that is northern roads and particularly 391 because I was talking to a gentleman again last night who was very unhappy with the alleged paved road between Leaf Rapids and Lynn Lake. That is a hundred and some kilometres of fairly rough road. I do know that the 391 committee, which includes Barbara Bloodworth, the mayor of Leaf Rapids, and many other people, including South Indian Lake people, have been working diligently on this project, and I worked with Gail Swaine out of Thompson, and I know they are trying very hard, but that road still remains to be a serious problem. As I mentioned before, the 1993 Northern Manitoba Economic Development Commission actually suggested, you know, that that road should be paved. In fact I would not mind reading it.

Under basic access and infrastructure development, the commission felt that the province should start looking at northern road priorities which would include paving the road to Cross Lake and Norway House, paving the road from Thompson to Leaf Rapids and assessing the feasibility of a road from Lynn Lake to Pukatawagan.

I know he has talked about that before, but I just want to reiterate that those roads still need a lot of money, and I do not know how much of that money is going to be forthcoming.

Mr. Praznik: I guess the member hit the nail on the head squarely. If we are going to manage to do all the work we need to do, we need to access that federal gas tax money so that we do have the kinds of dollars we do to do all the work that is there to be done before it is too late to do it.

Mr. Jennissen: While we are still on northern roads, I would also like to give the minister a letter which he may not have. It is by Mr. Hanson Dumas, councillor for natural resource and economic development in Pukatawagan, Mathias Colomb First Nation. He makes some

suggestions about the road we talked about, the connection through Flin Flon, and if I could just give that to the minister.

I also would like to give the minister a couple of letters, both by Alfred Morrisseau, mayor of Crane River Community Council, and I do not think it is necessary for me to read both letters, in order to save, you know, some time. Basically, both of the letters are addressed to Mr. Cummings, but they deal with an accident and a death and a bad road, which is not uncommon, especially in rural and northern Manitoba. But I will read a little bit of it.

The Crane River Community Council would like to inform you—this is to Mr. Cummings—that a couple of weeks ago a death occurred on PR 481 going out toward Cayer. This, by the way, is dated June 15, 1999. Apparently, a lady who was in our community visiting was killed because the axle on her truck broke. We do not know all the details of the accident, but we could only imagine that the conditions of the road were of some contribution. On top of that, the ambulance took more than two hours to get to the scene of the accident because of the poor road conditions. Something has to be done about the condition of PR 481 before another accident occurs like this and results in death of someone else. Thank you. Sincerely, signed Sheila McKay for Alfred Morrisseau, mayor of Crane River Community Council.

The other letter is actually by Alfred Morrisseau, the mayor of Crane River Community Council, and basically saying the same thing, and I will only add one other thing: The last time something was done was when the NDP was in power. The whole PR 481 needs immediate improvement, not just nine kilometres. Sincerely, Alfred Morrisseau, mayor.

That was the ending of his letter. So, if I could pass them on to the minister and perhaps get an update whether anything has been done to improve that particular road.

Mr. Praznik: I would just like to say that I appreciate the tragedy that occurred on the road. I would remind him when the New Democrats were in power, they continued to borrow vast amounts of money, racking up a pretty

significant interest bill. If I had the \$500 million that we spent in interest today, we would be able to do a lot more roads. The short term kind of gain that Mr. Morrisseau may advocate in government expenditure leads to long-term pain, because you continue to finance debt over long periods of time.

I think I appreciate where he is coming from, but one should also appreciate that a policy of borrowing money today to deal with issues and racking up interest bills in the end results in the kind of difficulties that provinces have faced over the last decade. The good news, of course, is that the Manitoba economy has improved; our revenues are improving. If we are able at some point to secure that federal gas tax money, I think, we will be able to accommodate a whole host of these types of issues across the province.

Mr. Jennissen: The honourable minister is definitely pointing out that the Grant Devine system does not appear to be working. Yes, borrowing your way out of debt is obviously not the approach I am advocating either, but I was just trying to focus on that one road and that it obviously is a dangerous road because someone has been killed on it.

Mr. Tinkler: Yes, on 481, coming into Crane River from the west has been upgraded. The portion that they are referring to is south of Crane River. We do have programmed a project to upgrade, as the letter mentioned, the worst nine to 10 kilometres of the road for next year. It has been approved in the program. It was approved this spring.

We also had problems with the south eight kilometres coming up off of Highway 68 this spring, because of the haul of animals into the public pastures that are located up along there. We worked pretty hard and long to get that back into shape, and I am pleased to say that it is in shape now. I think the residents will see improvement on that road over the next year.

Mr. Jennissen: I believe there is some money for the Moose Lake road as well. Is it not this year that there is some work being done?

Mr. Tinkler: That is correct. There is some spot-grade improvement money approved, as

well as, extra gravel money approved. We are currently working with the Moose Lake loggers to work out an agreement for hauling of heavier loads as well. Those kinds of things are still in the works, and we are working with them pretty closely.

Mr. Jennissen: I was at Sherridon not too long ago, and one point that the council makes over and over again, they are trying to upgrade the status of the Sherridon road so that more maintenance will take place. They are especially concerned lately about brushing, not enough brushing is taking place. A moose could walk right on the road, and you do not really get to see the animal, you are right on top of it. It is a very difficult road. I know it is long, it is 80-some kilometres, it is winding, and it is just not in very good shape. When can we see some action on this road? We have been asking for this before. I do not think there is anything in the budget for it this year, but is that considered a reasonably high priority road? I think I alluded to it earlier on. There have been some really bad accidents on that road. It is used by heavy logging trucks, and there have been fatalities.

* (1520)

Mr. Tinkler: We do have funds approved to work on a structure that is on that road. The brushing that you referred to is not part of our capital program; that is part of our maintenance program. It does not have to wait until it is formally programmed and this sort of thing. What we do with respect to brushing, in most cases, is we will look at our program as we approach the fall to find out where we sit with respect to available dollars and this sort of thing. We do then attack the brushing wherever we can on those what we would classify as main market roads, and this particular one is one of those that we would be looking at.

Mr. Jennissen: This is not directly a road issue, but nonetheless it is important, the signs and signage. I am thinking of the signs that advertise "You are now entering Manitoba" particularly. Some people in Flin Flon have asked me to check this out. When you come from Creighton, and I believe just as you get into Manitoba, so you are coming from Saskatchewan, Hanson Lake road, there is a big sign. It has three long

vertical stripes, and the paint really needs to be renewed. There is also a little flower garden underneath it.

It is actually quite a big sign, an attractive sign, but the painting has not been done. I assume that is the province's responsibility and not the city's?

Mr. Praznik: Our staff advised me that those types of signs are the responsibility of Industry, Trade and Tourism. They are not Department of Highways signs, but it should be done. I would suggest that my staff will send a note over to Mr. Tweed's department to point that out.

Mr. Jennissen: I thank the minister for that, because the Pan Am Games are coming. I do not know how many people will be coming on that route but, at any rate, there will be some. It would be good to showcase the province a little bit. It is just that that particular sign is not in great shape and should be fixed. The flower beds underneath it look great. I presume the city does that. I was merely asking for a clarification, because I do not know who is actually responsible for it.

Similarly, when I entered Saskatchewan through I think it is called Barrows is the first road, it is No. 3 in Saskatchewan, 77 in Manitoba. The sign there was very small, too, "You are now entering Manitoba." Nothing wrong with it, but it was kind of a greenish colour. It had blended into the green in the background. I am just wondering, and again perhaps the minister could talk to his colleague to get a little more flamboyance in there particularly now we are showing Pan Am Games.

Mr. Praznik: Is the member suggesting we use royal blue perhaps as a signage? I would be delighted if he would be prepared to suggest it.

Mr. Jennissen: Perhaps add a little pink or red for emphasis as well. I would like to ask about a specific construction project. It is not a major one, but again I will happen to be travelling that road, No. 10, 23 kilometres north of Mafeking near Red Deer River. I noticed last year there were barricades up there. They were trying to sort of straighten this stretch of road. There is a

big bend, I believe. That was barricaded last year. It is still barricaded this year. It may in fact have been barricaded two years ago. I am not sure. But it does not seem like such a large stretch. I was just wondering, is that not on time? What is the delay there?

Mr. Tinkler: We built the grade last year. This year we will be constructing a new bridge there on the new grade. That is a fairly large structure. I believe it is in the order of about \$1.8 million, that structure. It is scheduled to start this fall. Once that bridge is complete we will be surfacing that portion of the road. That will become the new PTH 10.

Mr. Jennissen: One other question I have about Flin Flon again. It is minor, but it could have some implications if something goes wrong. Some people in Flin Flon, particularly Mr. Sid Overby, have drawn my attention to the fact that the 10A road going around Flin Flon goes through a heavy rock area. It has been cut into the rock. Sometimes there is loose rock on top of that cliff, so to speak. Children play there and rocks could come down on vehicles or kids could get hurt. I do not know how to address that. I think the city must have something to do with this as well. I have talked to Highways and I think they keep an eye on it, but nonetheless there is often loose rock involved, rock that could fall down that cliff onto the road, but more particularly, more likely I think, would be a kid getting hurt.

I do not know if there is any way of fencing that off or whatever, but I have seen ropes hanging from those cliffs. I presume that was for scaling up those cliffs either for fun or perhaps Highways was doing some maintenance. I am not sure, but it looks like an unsafe situation. People keep reminding me. I just wonder if we can have a look at that.

Mr. Tinkler: It has not been brought to my attention, but we certainly will be looking into it now that you have raised it to see what the situation is.

Mr. Jennissen: Another Flin Flon-related question for the minister or his staff is from Janice Wiggins [phonetic], who is very concerned about the safety of students living at

the edge of town, the trailer park, away from Hapnot Collegiate, on the Hapnot side, most of them. They do not have an easy way of getting to the school other than clamouring over the rocks, which is somewhat dangerous, or going down the highway, which is equally dangerous, because there is a very narrow portion there.

Now the minister has e-mail to that effect, and I will give it to him just to remind him that she sent some e-mail to the minister, and he has corresponded with her. Apparently what needs to be done and was on the drawing board a number of years ago is that road has to be straightened and some rock has to be blasted. That could be quite costly, I admit. I have talked with the city and the city says that for quite a number of years, I believe, even since 1984 or around there, the plans have been on the books to do that, to actually blast that rock, build a crossing so the children could safely cross, and then parallel Highway No. 10 on an actual sidewalk that the city would construct. Then at the traffic lights at the corner of Green Street, they could cross and get to Hapnot Collegiate. It has been on the drawing books a long time. I am just wondering if the department—it is probably not in the books this year but is in its plans in the near future, the possibility of doing something about that, because we are talking safety of children.

The city apparently has set aside \$110,000 to actually pour the concrete to do the cement work. I have no idea what the expenditure would be. It could be quite significant. It is a safety issue, has been on the books a long time. The city is basically waiting for the province to act, and I guess nobody has acted for quite a number of years. Could I have an update on that?

Mr. Tinkler: Yes, you are correct, the city has earmarked some money for sidewalk repair and building of sidewalks, which is of course their responsibility on a road that is what we call designated. We have it on the books. It is part of our regular scheduling. I believe that it would be safe in saying that it is one of those projects that has been there long enough. It is probably going to move pretty high into the priority list. I cannot tell you that it is going to make it or not

make it. From a department point of view, we are regarding it as a fairly high priority.

Mr. Jennissen: Would the staff person have an idea as to cost?

Mr. Tinkler: Yes, I should have an idea as to the cost. I am just looking for it here in my book, just hold one moment. There are two portions to reconstruct. The first portion where we are talking about the sidewalk and this sort of thing, it is in the order of \$1.5 million. The second portion is in the order of \$1.4 million, so that the entire length is a fairly expensive project, one of the things that make projects like that very difficult to prioritize. By splitting it into two, there is a possibility that we could address the more serious issues in the long term.

Mr. Jennissen: So you are saying in the nature of \$2.5 million to straighten that road out and blast that rock.

Mr. Tinkler: That is correct. There is an awful lot of other things that need to be done to that road as well. When you are working in rock, it gets very expensive.

Mr. Jennissen: I had no idea it was that expensive, but, of course, it is a safety issue, and the safety of our children are at stake here. People in town are actively lobbying for that. I just want to put that on the book. Hopefully, in the near future we can make that a priority.

I am not sure if my honourable colleague from Interlake has some specific road questions or not. If not, I am prepared to continue.

* (1530)

Mr. Clif Evans (Interlake): Mr. Chair, I thank my honourable colleague for allowing me a few minutes to discuss a few road issues with the minister from my area. I know the minister in the past couple of weeks has received half a dozen or so letters from my office. They are almost carbon copies of the letters I have been sending to this department and asking this particular department in nine years to deal with. Nine years later we are still dealing with it, the same questions are still up. The same issues are still there on most of them. I am wondering, I

understand that just last week the deputy minister met with the R.M. of Bifrost concerning a few of the roads. I am pleased to see that finally that type of thing has been happening. That is about 326 and 329 I believe. I also believe that the minister is going to be meeting with Bifrost on those two roads. There are other roads in the Interlake that basically in my opinion and in the opinion of my constituents have been abandoned by the department. Number 234 going to Pine Dock from Highway 8, I just spoke to people from Matheson Island and Pine Dock. They were at our high school graduation this Friday and said the road is deplorable. No. 325 from Ashern east, deplorable. These are the words that my constituents are using; after many years of driving on some of these roads they have never seen them in such condition.

Overall, the previous time since 1990 I have always asked the ministers that were in place to be at least responsible for the fact of at least dealing with the maintenance of these roads. We know we cannot pave or blacktop the whole province with finances that are available to the Department of Highways, but we can certainly do the maintenance on most of them. I believe that may even be the problem throughout the whole province.

But there are situations, people are concerned. I am getting letters. I am getting phone calls. I just got a phone call today from a lady near Winnipeg Beach, something about the way the department is handling the upgrading and it is not even my constituency. It is in the honourable member for Gimli's (Mr. Helwer) constituency, 231 and 225. I do not know what the department is doing there as far as the work. She said it is worse than what it was before they started fixing it. I am just giving you an example. I would like to particularly ask: what plans does this department have for Highway 8 from the 231 corner, the Gimli corner north? I remember some years ago after the curves were improved on Highway 8 going north that the minister then said we would start doing some work on Highway 8 north of 231. I took some folks who were up again for our son's grad this weekend and we went up to Hecla. We talked about that situation, about the road situation.

Here we have a tourist opportunity and an opportunity to expand the economic development of that area and to expand Venture Tours in Gull Harbour Resort, and there has not been any work done on Highway 8 north of the Gimli corner for 10 years of any kind of significance except patching here and there. As a matter of fact, right now there is some work being done right on the corner of 68, around that area, 68 and 8. These are city people that are saying that this road—what about the rest of Highway 8 going to Hecla? Pfft.

Everything seems to be done south of that road. I know Highway 7 needs improvement. I realize Highway 68 needs improvement. There has been no significance. The only significant thing that this department, this government has done, and I should not say this department but this government has done that has listened to the people is build the new portion of 325 from 17 west, of major significance. If anybody from the department can point out something else to me that they have done of significance in that area, then please do. I mean right now we are also talking about there was supposed to be a meeting with the minister with the Highway 6 committee, same type of thing. A lot of work needs to be done, a lot of maintenance needs to be done. I have never in nine years demanded anything of this department, of this minister. I have always requested—not this minister, the ministers previous—and always asked that the conditions at least be maintained. At least upgrade the roads, maintain the roads. Nothing. A lot of promises, a lot of meetings and petitions. We are getting petitions.

The minister can say whatever he would like to say when it comes to he only has so much money. I have heard it for nine years, and I appreciate that part of it. But let us do something within the government body itself, the minister or whoever is responsible at the time, to start doing a little screaming. We talk about rural development, economic development, infrastructure. Such an important part of this province is our road system, and what is happening to it? It is crumbling away. That may not be just in my area; I think it is in a lot of areas, perhaps even in the minister's area right now. I am sure he is getting some steam about roads in his constituency.

I understand that only so much can be done, but this member has asked politely by letter, by Estimates, by understanding, by discussion with all the previous ministers to get this department to provide some infrastructure in my community and some of the other communities that they have abandoned. So I am hoping that some positives come out of the meeting with Bifrost concerning these two roads; 234, for example, I have asked and asked and so have the community people out there. It is a winter road situation. Biscuit Harbour is out there. It gets hundreds of American people coming out there, driving out, and nothing is done. It is in deplorable condition, it really is. People tell me, yes, there is somebody out there grading. Well, they graded yesterday but it rained, or they graded last night after it rained, or this or that or whatever.

I know that there are plans of improving from Beaver Creek to Pine Dock. Where is that? I know that there has been something on the books for that, widening or improvement or changing, for over 10 years.

These are just examples, and I am not attempting to or want to hit on a department for itself, because I know that they are only allowed with the money—but I think there should be the will of this government to be able to at least say: roads are in need of maintenance. Let us do something about that, and let us provide the best maintenance we can. If we are not going to be able to pave it or blacktop it, let us keep it up. In many situations that has not been done.

I ask this minister to hopefully be more positive and hopefully be more—I cannot think of the word to get him to listen to the people of my area. It is not just the member speaking; it is not the member trying to get support for himself. I drive those roads too, and a lot of other people who come from other parts of Manitoba drive those roads, and they say the same thing.

So I would just put on record that hopefully the roads that I have written to the minister about, that we are going to be dealing with them. I too say that the most important thing—and I convince people, after they stop screaming at me and about the way the government is treating them, their infrastructure, I get them to agree

that the best thing to do is to just get some good maintenance on some of those roads. We cannot have blacktop everywhere, I know that.

With those few comments I thank the minister, and I certainly hope that we can work with it and in some of those situations improve them. Thank you.

* (1540)

Mr. Praznik: I would like to say to the member that this government and this minister take infrastructure needs very, very seriously. He did flag the issue of limited financial resources, and regrettably the member was not part of our discussions over the last few sessions in which the member for Flin Flon (Mr. Jennissen) and I talked about the issues of gasoline tax, where our national government today raises \$147 million a year in our province and does not contribute one penny back to road infrastructure maintenance.

We talked about that same federal government raising between \$4 billion and \$5 billion nationally, of which they spent only last year some \$300 million on roads. All of it, every penny, was spent east of the Ottawa River in the provinces of Quebec and a variety of Maritime provinces, the great unfairness with that, and the fact that if we did have access through one means or another, as we have discussed in great detail in the course of these Estimates, with that gasoline revenue and we shared with the municipalities, we would be able to keep up with the demand on our roads.

If the member had been part of these discussions, and I appreciate members have other responsibilities, but over the last few days we have discussed the fact that we have 12,000 kilometres of paved road in our province. We are only replacing less than 200 kilometres a year, meaning an effective turnaround of one in 60 years, when really the turnaround should be one in 20. The member will appreciate the magnitude of the problem facing us. His own colleague pointed out that in Saskatchewan it was even a worse situation, understandably so when they have twice the miles of road and fewer people and resources with which to spend on them.

But I will say this to the member, that he can be helpful to his constituents and to this member and this government, because the speech he delivered here very eloquently at this committee is one that I think many in his own caucus have to hear. In my years sitting in this Legislature I rarely can recall a time when members of the New Democratic Party, as a party, have, as responsible members of the Legislature, suggested and advocated to the government that roads and infrastructure were a great priority as compared to many of the other items that they advocate for.

In fact, my colleagues on my side of the House will recall many times in Question Period and in debates where the priorities of his party in the Legislature were for a variety of social spending, some of the areas of which have produced dubious results over the last 20 or 30 years. The reality for all of us at these tables, of course, is that government is not about absolutes. We do not have enough resources, not government, the people of our province do not have enough resources to deal with all the demands that can be placed upon them. So we do have to make priorities.

Day after day in this Legislature, I can say this as a former Minister of Health, never once do I recall the Leader of the Opposition getting up to ask why we were not spending money on roads in his riding or any other riding in this province. The demands he has always rose on are for health care, for social spending. The member for Kildonan (Mr. Chomiak), my critic, always had the lead questions in Question Period, again in areas of health.

I can say this as a former Health minister, with clear conscience. There are many places in health care where dollars can be spent more efficiently, and that was the thrust of the kind of reform that we have taken on, the amalgamation of health authorities, for example, the better central direction and planning. In each step of that way, on many, many occasions, members of the New Democratic Party opposed those initiatives. In fact, in opposing even the centralization of food services in Winnipeg, which was an initiative of the nine Winnipeg hospitals which I think at the end of the day, when it is fully implemented, will have a savings, members

opposite advocated very strongly that we should continue to spend more than we have to on providing food just so we keep the union jobs with the United Food and Commercial Workers.

Well, all of those are the choices of priority. In my experience in the Legislature, with few exceptions, and there are some members of the New Democratic Party, in discussions I have had, the member for Flin Flon (Mr. Jennissen) being one, where we have had some very candid discussions about priorities within government, but in the vast majority of cases, the New Democratic Party in the Legislature has always supported anybody's demand for everything without really, as a party, coming forward to say: how do we get the right balance?

I can tell you as the Minister of Highways now, having been a former Minister of Health, I do not recall very many times when road infrastructure has been a high priority for the New Democratic caucus as a caucus. Oh, yes, in absolute terms, you must spend more in total on everything, but in terms of the kind of choices that have to be made, not the case. Having sat as Health minister for two years and been roundly criticized by colleagues of the member for Interlake (Mr. C. Evans) on many choices we made in Health that have reduced expenditures and streamlined areas in health care, that have resulted in better service and savings to fund other things, not highways, but certainly made our health dollars stretch further, I think of all the times we were criticized for making those steps.

How many times colleagues of his in the Legislature have advocated that we continue to spend more money than we need to, to provide a service because it protected somebody's job in the system or some union's position in the system or some service where a few people may have opposed it? I think of the Misericordia Hospital, for example. The need to change the function of the Misericordia into what it was needed to be in the system, where it could result in savings so dollars could be spent on other things, members of the New Democratic Party opposed publicly. In other words, they said it is okay to waste the money because we do not want to do the tough things that you need to get better value for money, and all of that gets

woven back in a thread that comes back to the problems that he is facing today.

You cannot come to this table with a clear conscience and say you need to do more in highways; it is a priority, when last month and last year, your colleagues were in the Legislature, banging on the table, demanding that money be spent in ways that quite frankly did not get value for money, which meant less value for money in health care, which comes back to health being such a huge demand on the Treasury that without finding savings to slacken the demand which then results in having perhaps more resources available for things like highways and roads. So we all have to live with the decisions we make.

I say to him I do not doubt his sincerity in representing his members, but we, as politicians, just like our citizens, have to appreciate government, about balance, and there is only a certain amount of money, unless, of course, you want to borrow. If you want to continue to put the province into debt and to borrow money and pay interest on that, well, you can do more things today, but if I recall, even despite the criticisms of this budget, both members of the opposition who are in this committee room today voted for it, rose in their place and voted for this budget, including its expenditure levels on highways, accepting wholeheartedly the balance that we had proposed to the Legislature.

An Honourable Member: Are you on a pedestal or are you dealing with the issues?

Mr. Praznik: Well, after joining the Estimates process here at the tail end of the discussion, after some very good discussion about financing highways that we have had over the last few days, he comes into this committee at the last minute to put on the record a number of requests and, I imagine, to demonstrate some point to his constituents what a great MLA he is in getting on the record without facing the music of the discussion, a very important debate in discussion, on how we finance roads, particularly in comparison to other parts of government operations.

I have to tell the member for the Interlake (Mr. C. Evans) we have had some very good

discussions over the last few days in this committee about the problems facing us, about how we have to address them because it is easy to say, well, I do not want to hear about them, the member says.

An Honourable Member: So I will read about them.

Mr. Praznik: Well, the member can now read about them; that is all fine.

Point of Order

Mr. C. Evans: The minister, like I said off the record, seems to me to have jumped on a pedestal because I did come in. The reasons why I came in at this time have nothing to do with the issue at hand. There are other things that need to be done. There are other situations that did not and were not able to provide me the opportunity to come in and bring the issues up at a sooner point in time.

Neither the department nor any of us here need a lesson on how the running of the politicians and the government go. We all know that. We have asked some questions and these are the same questions, the same issues, that I have raised for nine years. I was trying to make a point with the minister, hoping that this minister, after going through two others, would at least have the decency to take the issues that we are bringing, whether it be at the eleventh hour or at the first hour, seriously.

Mr. Chairperson: Order, please. The honourable member for the Interlake does not have a point of order. We have had discussions that have been far ranging.

The honourable minister, to finish his comments.

* * *

*(1550)

Mr. Praznik: Mr. Chair, it is not my intention to be on a pedestal to trumpet these issues or otherwise, but I would like to ask, in fact I am appealing to the member for Interlake, that within the privacy of the caucus room of the

New Democratic Party, as a rural MLA, to raise with his colleagues, particularly his Winnipeg colleagues, who day after day get up and demand a variety of dollars to be spent on a host of areas of programming that obviously compete for the same dollars we are for Highways, it would be nice to know as a rural member that he is making the point of the importance of infrastructure to the social and economic well-being of rural communities.

I will tell you, when we go to Treasury Board to fight for our share of the budget each year, if his colleagues have been mounting attacks on a host of areas that require more social spending, for example, and have made them the big public issues of the day that need to be addressed, they have created the dynamics that make it far more difficult to secure money for infrastructure.

So I am not trying to lecture him in any way or put myself up on a pedestal somehow. What I am trying to explain to him is the need for his assistance in his caucus with his colleagues who continually place on government demands that compete for dollars for infrastructure. Given the change of viewpoint of the New Democratic Party now in the 11th year of being in opposition to support the principle of a balanced budget, that part of balancing the budget means making these choices and trying to achieve a balance.

Does Highways have all the money I would like? Absolutely not. That is why we have had very good discussions about the need for dedicated gas tax funding, the need for the discipline of a dedicated gas tax, because fundamentally the only way that I can address the issues in his bailiwick and mine and everywhere else across the province is to have the kind of level of financial support that allows me to do it. Otherwise I am just taking a certain amount of money and juggling it here and there and fixing a little here, fixing a little there to no one's satisfaction. That is the kind of debate and discussion we have had in this committee over the last number of sessions.

So I say to him I look forward to being able to do what I am able to do within the confines of our budget, but fundamentally it is incumbent upon all of us of whatever political stripe who

believe in the importance of sustainable funding for our infrastructure to be, within whatever venue is available to us, including our own party caucuses, advocating, advocating, advocating for that sustainable funding, knowing full well that it is competing with many other demands on the public treasury that some would argue, including me, in many cases, are highly advantageous, but if we continue to ignore the infrastructure side, we will do so at our peril. So it is important for all of us. That is the kind of tenor of discussion we have had here over the last few days. I appreciate the specific issues.

Perhaps Mr. Tinkler would like to provide some specifics on the roads that the member has outlined.

Mr. Tinkler: The two roads that were mentioned were PTH 8 from 231 north to 68 Highway, and 234 from No. 8 up to Calder's Dock, yes, Pine Dock. Just by way of reference, we do have some survey and design and acquisition of right-of-way scheduled on No. 8 north of Gimli. Also we have been working on 234. We have put some extra dust control in there. We have got some extra gravel in there. It is our intention to program some spot grade improvements in the worst areas on 234 to try and keep it at a decent level of service. Just by way of putting it in perspective, to upgrade No. 8 from 231 up to 68 is in the order of about \$8 million.

The piece on 234, to upgrade it to a surfaced standard that would not carry the heaviest of loads but would provide a good service is about \$14 million. They are significant expenditures and drain on a capital budget that is, as you know, what it is. It is our intention to work on 234 and to address the worst situations to try and make it at least a livable kind of road to drive on in the short term. No. 8, we are working on it. It would be our intention to upgrade it right through to Riverton and, as I say, we have got some survey and design already programmed on the next stretch north plus right-of-way.

Mr. Chairperson: 15.3. Infrastructure Works (a) Maintenance Program \$59,594,900—pass.

15.3.(b) Mechanical Equipment Services (1) Salaries and Employee Benefits \$7,024,000—

pass; (2) Other Expenditures \$16,444,000—pass; (3) Less: Recoverable from other appropriations (\$23,468,000)—pass.

15.3.(c) Construction and Upgrading of Provincial Trunk Highways, Provincial Roads and Related Projects \$110,500,000—pass.

15.3.(d) Aid to Cities, Towns and Villages \$1,300,000—pass.

15.3.(e) Work in Municipalities, Local Government Districts and Unorganized Territory \$3,229,000—pass.

15.3.(f) Rural Municipal Bridge Assistance Program \$400,000—pass.

15.3.(g) Other Projects \$3,905,800—pass.

15.3.(h) Less: Recoverable from Capital Initiatives (\$11,000,000)—pass.

Resolution 15.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$167,929,700 for Highways and Transportation, Infrastructure Works, for the fiscal year ending the 31st day of March, 2000.

Mr. Jennissen: As I listened to the minister, and in defence of my colleague from Interlake (Mr. C. Evans) who was obviously showing frustration because his roads are not being fixed, and the minister has been hearing about my frustration about northern roads being fixed, I also understand the minister's frustration about not having enough money to do the job he would like to do. I understand that. But sometimes in order to compare, I think we need maybe a different mechanism. I am wondering if the department has ever done that.

If I go back to the 1980s, I know some of those years, whether it was under a New Democratic Party administration or a Conservative, it does not matter at this point, but the figures were for capital projects around \$100 million, roughly, you know, give or take a few million. If we had those in constant dollars, would we not be worse off today than we were 10 years ago, because it seems to me that \$100 million, let us say in the mid-'80s or late '80s

would be worth a heck of a lot more than \$110 million today?

Mr. Praznik: One can do the math, but I just tell you this, that the last year of the Pawley government we were down in those dollars to \$80-some million, \$82-million highway project. Speaking to a former Minister of Highways, who now happens to be a very strong supporter of this government, a former New Democratic Party Minister of Highways, when he speaks to me about the internal workings of the NDP party in his days, there was virtually no support at all for infrastructure. That is why I say to the member for the Interlake (Mr. C. Evans) that, you know, the experience of that former minister, Mr. Uskiw, former member for Lac du Bonnet, when he talks about the attitude towards highways and infrastructure in the days of the Pawley government, if that situation persists even to half the degree in the current NDP caucus, I am sure that these two members here today would be absolute minorities in support of road projects. That is why we see in the House regularly the demands for other things. There is no doubt that every time the issues in the Free Press and the issues in the Legislature reflect a host of social demands or other demands on the Treasury, roads are always an easy one to argue, well, you can put it off another year.

That is the discussion we had because I think all partisan politics aside, that Canadians are now ready, firstly, to be engaged in the debate and, secondly, I think to come to the conclusion that dedicated fuel taxes for their roads is the way to go because it has the discipline needed to ensure that the issue of the day does not grab the dollars to put off the necessary road infrastructure.

Mr. C. Evans: Just in closing comments, the minister talks about the taxes and the federal government. I just want him also to look back on Hansard, and in the nine years that I have been around here and the five or so, whatever, four, that the honourable member for Flin Flon (Mr. Jennissen) has been around, we have supported this government as far as attempting to reach some sort of agreements with the federal governments of the day, Conservative and Liberal, in trying to release the purse strings on those taxes that they are taking from here.

So I want the minister to look back on Hansard. This member and the member for Flin Flon, I am sure over the nine years during debates, discussions, whether it be through resolutions or on Highways itself, whenever the former ministers have talked about that, we have supported that incentive and initiative, and we will continue to support it whether we are in opposition or in government.

* (1600)

Mr. Praznik: It would be interesting to do a study of Question Periods over the last decade to see which questions were lead, second, third in the order compared to the tail end of the last 15 minutes of Question Period. I bet you we would be hard-pressed to find more than a dozen days on which a Highways question, outside of maybe a major collapse of some road somewhere, ever made it into the lead questions in Question Period.

The only reason I say that, again, it just underlines from a good public policy viewpoint the need for infrastructure renewal as one of the critical issues facing the nation. Yet from the editorial perspective of most newspapers or media outlets, it is not politically sexy enough to be able to warrant that kind of information and public debate. But how many times we have seen questions in Question Period where a particular individual case of a particular need which often when investigated may not even prove to be what it appeared to be, of course is the lead question, the lead issue, not only with the opposition but with the media, and the demand for dollars for this or that.

Infrastructure and roads rarely ever get that kind of ongoing, sustained attention as a regular matter week after week, month after month, year after year. Yes, you will get the flash-in-the-pan story about roads, but that is not good public debate. Quite frankly, we as politicians, we can try to get an issue before the public, but if we do not have the co-operation of the media and other organizations to make it an issue, it makes it even that much more difficult.

So I appeal to all members of all parties, even the member for Elmwood (Mr. Maloway), I would appeal to him to join with his colleagues

from Flin Flon and the Interlake within the confines of the New Democratic Party to ensure that roadways and highways infrastructure are becoming a priority and understand, I say to the member for the Interlake (Mr. C. Evans), if the federal government dedicates the gas tax to Highways, it does mean they will have less money somewhere else, and that means some other part of government services, perhaps in the social services area, will have less. Advocating for that expenditure means you also have to accept some other reduction somewhere else and face the criticism when that happens. If you are not prepared to do that, then advocating for that change, quite frankly, is meaningless.

So you need to solicit the support of the member for Elmwood as an urban colleague to fight that battle within your own caucus, and I am sure the member for Elmwood would certainly be interested in joining your coalition to fight for that kind of recognition within the NDP caucus, where we know it is a difficult battle.

Mr. Jennissen: I would like to respond to the minister. He pointed out that Question Period was not often led off with, let us say, an infrastructure question. He is quite right on that, but I do not think it is an accurate gauge though. I do not think we can use Question Period, because it is not the practical part of government or opposition. It has never been sexy. Infrastructure just is not sexy. That is just the reality, and the media does not relate to it.

But, certainly, if the minister is saying infrastructure is important for building wealth, it certainly is, and we need better infrastructure. And we want a larger pie. We are not talking about shrinking the pie, and we cannot make that economic pie grow unless we have a decent infrastructure. That is certainly true. I do not think, though, that you can use Question Period as a gauge of whether we think infrastructure is important or not by merely where we place the question, because there are other agendas and there are other ways of operating, obviously.

Media has a big part to play in it, too. I think media does not relate very well to infrastructure questions, so they do not dominate Question Period. I just wanted to point that out.

Anyway, I am prepared to continue with line by line unless there is a colleague that has a specific question to ask on roads. [interjection] Apparently there is a colleague who has a specific question to ask.

Mr. Chairperson: 15.4. Amortization of Capital Assets.

Ms. Rosann Wowchuk (Swan River): Thank you for allowing me to get a couple minutes in on these Estimates. I apologize for being late. I wanted to ask the minister, there have been requests made several times by the people of Pelican Rapids to have their road upgraded. There was a commitment made by a few ministers of Highways back where there would be a commitment to continuous salting of the road. That was never delivered on and that has not been happening. The people of that community which is Shoal Lake reserve and the Pelican Rapids community would very much like to have a surface put on that road. I would like to ask the minister what the possibilities of that are. We had heard indications another time that if the federal government was willing to put some money into it, that could possibly happen. Has the department looked at the road into Pelican Rapids, and are there any plans to upgrade that road?

Mr. Praznik: Mr. Chair, before I ask Mr. Tinkler to provide that information as agreed to previously by the committee, I just want to welcome the member for Swan River. I have to say we have had quite an exciting afternoon from having one member of the New Democratic caucus who was here ready to fight for infrastructure, we have now added the member for Interlake (Mr. C. Evans). I see the member for Elmwood (Mr. Maloway) has joined us, now the member for Swan River. An idea whose time has come is a proinfrastructure minicaucus within the New Democrats to fight with other members like the member for Osborne (Ms. McGifford), and the member for St. James (Ms. Mihychuk), and the member for Radisson (Ms. Cerilli), and the member for Crescentwood (Mr. Sale) and others in their caucus who are continually trying to take infrastructure dollars away from roads. I am really pleased to see that the member for Swan

River is joining with this infrastructure rump group—[interjection]

The member says only to represent her constituents. I would think she would have more than just her constituents in mind but truly the economic and social good of the province in the long run. Like most New Democrats they come to the table, with the exception of the member for Flin Flon (Mr. Jennissen), kicking and screaming to support infrastructure, dragged there by their constituents because their party generally has always stolen from the infrastructure bundle to support other causes. I am very glad through my inspiration here this afternoon we tend to be forming a group within the New Democratic Party to fight with the other side of their caucus to get some balance which we have rarely seen. I am going to have to ask Mr. Tinkler to answer the specifics on the road question.

Mr. Tinkler: The access road into Pelican Rapids is what we refer to as a main market road. At present there are no plans to upgrade the road. With respect to the commitment to dust treatment on it, I will have to check with our staff since in the recent couple of years we have had a program whereby if a road has more than 250 vehicles a day on it, we do provide continuous dust treatment on it. So I will have staff check that road to determine if the counts are in the order that it would qualify. With respect to upgrading it to surface road standard, there are no plans at present for that.

Ms. Wowchuk: I thought that since we were in the Department of Highways Estimates, this was the time to be asking questions, but I did not realize that the minister was going to start looking at New Democrats as if they were not concerned about infrastructure. I can tell you that when I look at the area that I represent, it was under New Democratic government that many of the roads were upgraded, and since that time no work has been done by the Conservative government on them. In particular, one of the roads that I want to mention that every Minister of Highways has received a letter from a woman in the area, and it is the Kenville Road, 487, which under the New Democratic government was widened and readied for surfacing. Since

that time, since Conservatives have taken office, no commitment has been made on that road.

Mrs. TerHorst writes the Minister of Highways, whenever they change office, and indicates that this is a road that is one of the first roads in the valley. It is 100 years since there was settlement in the area and no commitment from Conservatives on it. So I wonder whether the minister will acknowledge that he and his predecessors have received many letters from Mrs. TerHorst and have been asking for an answer on that particular road, but Conservatives have refused to respond.

* (1610)

Mr. Praznik: Well, you know, Mr. Chair, it is too bad the member for Swan River (Ms. Wowchuk) missed the earlier discussion we had because you know coming to this portfolio as Minister of Highways, the demands day after day after day from New Democrats in the Legislature for expenditure on everything but highways is absolutely amazing. So I think the message that should go back to this particular lady is we would love to do this road, but regrettably there are so many other demands that the New Democrats keep putting forward that are unrelated to this road that it has taken the public money. So, quite frankly, the resources are not there to do it as quickly as that individual would like, more specifically.

Again, on this specific road, my staff advise me that it has a very, very low traffic count and that is why it is really low on the priority list, but we are endeavouring to do another traffic count this year to see if there has been an increase. If it does, based on that traffic count, warrant dust control, that is something in fact we will look at.

Do you know what I find very interesting on this, and I say this to the member for Swan River, as a former Health minister, how many times we went through debates when her colleagues would demand that we spend more money than we need to, to make union leaders happy and others happy in health care without getting value in health, all of which demanded more money be spent than was necessary? Yet today they come and say why are you not going to pave a gravel road with a low-traffic count? It

just tells me that they are really not prepared to make the kind of difficult choices one has to in public life.

Mr. Jennissen: Well, I think the conversation, if I can call it that, is getting a little bit politicized. If the member is suggesting that—

An Honourable Member: In the Legislature?

Mr. Jennissen: Well, yes, in the Legislature, a place you would expect it to be. But I think it is taking on a tenor that is more political than normal. I do not agree with the minister that it is a question of health care or highways. I do not think it ever comes to that. If he is suggesting that the New Democrats are forever pushing health care for the sake of highways and not making good decisions on health care, well, I point at Connie Curran. I mean those millions could have been spent fixing a lot of northern roads.

The only other comment I would really like to make, Mr. Minister, is that at least for northerners—and I am being a little biased here, in fact, perhaps a whole lot biased as a northerner—is that under the Schreyer and Pawley administration, we felt that a good percentage of that Highways budget went to northern roads, in some cases, 18 percent or 20 percent or even better. Not too long ago, when I was first elected in '95, and so on a little bit later, that percentage had fallen to around 6 percent or in that neighbourhood. You can argue, yes, now, it is back up to around 11 percent or 11.8 percent or whatever it was last year. That is significantly better, but it is not nearly as good as it used to be. So for northerners, we see the difference, and if we want to put it in starkly political terms, we did a lot better with roads under the New Democrats than we are doing under the Tories.

Mr. Praznik: Mr. Chair, just to look at that for a moment, the population north of 53, including First Nations, is about 6.7 percent of the population. The travel vehicles per kilometre is about 4.5 percent of those travelled, and we have committed to about 11 percent, which we are maintaining, of the provincial budget because there is about 11 percent of the roads.

Now, if you want to talk about the Pawley administration, let us talk about it for a moment.

Do you remember, in a province like ours, which is so dependent on trade, where so many of our markets are to the south, did the Pawley government do anything to enhance our important trade corridors? What did they spend on four-laning any highway to the border? Zero. For one simple reason, they were ideologically opposed to it. I remember the Deputy Premier of the day, after she got finished burning the American flag at the embassy and doing one of the most classless acts I have ever seen of any public official in the province, talking about how we should not have tourism to the United States.

The bottom line is they are our biggest trading partner. The kind of things we have had to do in our decade in power, like building a four-lane major trade route to the United States, were critical. Yes, the Pawley government may have chosen to pave gravel roads, pave the road past the then minister's cottage up in the Dauphin area and do a lot of these pet projects, but at the end of the day they left the significant portion of infrastructure that was critical to our province's ability to trade and move our goods, they abandoned it, perhaps because it ran through southern Manitoba and they did not have an NDP MLA there. But from the larger perspective of the province, how many millions of dollars of jobs and employment are dependent on trade in this province, and the Pawley government's record in building our road structure to accommodate that? Shameful, absolutely shameful.

So I say to the member, if that is what he is advocating, the abandonment of those trade routes, how important they were, the four-laning of Highway 75 that carries such a large portion of the commerce that earns the living of Manitobans, then that is obviously an area where we disagree.

Mr. Jennissen: I cannot let that go. Obviously that is not the direction at all.

What I am saying is that in the North there are some serious needs. Sometimes I think in the south we make decisions based not necessarily on safety, but on ridability, on comfort, whatever. It is no coincidence that people point out, it always seems to be the

Minister of Highways whose constituency seems to have a lot of paved roads. We do not seem to have that up North.

Now, I do not know if that is a perception or not. All of us want better trade relationships. We want to make the pie grow. We know how important infrastructure is. I think we all support that. I think we are sort of getting into a bit of an ideological debate here, maybe because we are close to an election. I do not know.

But I think we would like to just continue and go line by line and finish the Estimates process, if the minister does not mind.

Mr. Chairperson: 15.4. Amortization of Capital Assets \$3,498,400—pass.

Resolution 15.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,498,400 for Highways and Transportation, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000.

We just have the Minister's Salary left, and we would ask the minister's staff to leave the table.

15.1 Administration and Finance (a) Minister's Salary \$27,000—pass.

Resolution 15.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$6,171,700 for Highways and Transportation, Administration and Finance, for the fiscal year ending the 31st day of March, 2000.

That completes the Estimates for the Department of Highways and Transportation. The next department to be considered is the Department of Government Services.

GOVERNMENT SERVICES

Mr. Chairperson (Ben Sveinson): Order, please. Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Department of Government Services. Does the honourable Minister of Government Services have an opening statement?

Hon. Frank Pitura (Minister of Government Services): Yes, I do, Mr. Chairman. If I may proceed.

* (1620)

I am pleased to present the 1999-2000 fiscal year spending Estimates for the Department of Government Services and for vote 27, the Emergency Expenditures. Even though I have lived in Manitoba all my life, it was not until I became Minister of Government Services that I became truly aware of the disastrous effects of nature on so many Manitobans who year after year live with the threat of floods, fires and other natural disasters.

Again this year, Manitobans in southwestern and western Manitoba experienced above-normal precipitation levels causing 25 percent to 30 percent of the farmland to be flooded with the devastating effect that some 1.25 million acres may not be seeded this year. The Manitoba Emergency Management Organization of Government Services established two flood recovery offices in Melita and Neepawa. The offices are staffed with MEMO personnel who are assisting area residents with advice and information on disaster financial-assistance claims, as well as referrals to stress business and financial counselling.

The Manitoba Emergency Management Organization is also working in conjunction with six provincial departments in assessing and responding to the needs of these farming communities. I have written to the Honourable Ron Duhamel, federal western economic diversification minister, seeking a commitment from the federal government to aid programs for farmers and farm-related businesses.

Over 300 disaster financial-assistance applications have been sent out or picked up by residents in the effected communities. MEMO is co-ordinating a central task team made up of senior official representation from departments and agencies, as well as the Association of Manitoba Municipalities to continue to assess the situation in determining the needs of the communities and individuals affected by the 1999 flooding.

The flood of 1997 for the Manitoba Emergency Management Organization and Manitobans is not over. The emergency response helped minimize the effects of the flood, but some Manitobans are still recovering and rebuilding their lives and homes two years after the floodwaters have receded.

Of the 5,428 private claims handled by the Manitoba Emergency Management Organization, 86 percent have been finalized. Approximately 14 percent, or 762 claims, have remained open.

In another aspect of emergency preparedness, we were well prepared to meet the forest fire threats earlier this spring because of the foresight the Minister of Natural Resources and I had in purchasing two additional CL-215 water bombers last year. Manitoba now has a fleet of seven water bombers to provide protection to the citizens of rural Manitoba and northern Manitoba to protect our province's forestry resources.

Manitoba Government Services, through the Desktop Management Unit, will provide provincial departments with a well-managed desktop and network infrastructure capable of supporting government-wide corporate initiatives and program-specific delivery requirements in a reliable, cost-effective, secure, flexible, and continuously improving environment.

The Desktop Management Unit has successfully transitioned over 7,000 units at 589 departmental locations in 74 cities and towns throughout Manitoba. By November of this year, some 9600 units will have been transitioned when the departments of Health and Family Services are moved into the managed desktop environment. The desktop initiative provides the information technology tools and support to government employees to enable them to enhance the manner in which they perform their job functions and therefore provide service to the citizens of Manitoba.

Through a province-wide computer information network that will be accessible to all provincial offices, including those in rural and northern Manitoba, all Manitobans, regardless of

geographic location, will have greater access to government services and information.

We believe the desktop initiative has promoted growth in the information technology sector in the province and created approximately 260 information technology jobs. In addition, it has brought new technology to the province resulting in the expansion of a skilled workforce.

It was over two years ago now that we began putting into action a strategy to modernize Manitoba's information technology and ensure that the Manitoba government would be ready to move into the next millennium. We will be ready. As technology continues to change in the next millennium, the Desktop Management Unit will ensure government departments and programs keep in step.

As a critical component of the province's year 2000 solution and the Better Methods initiative, Manitoba Government Services has played a major role in developing and implementing a government-wide business system using SAP. My staff in procurement services will continue to take a key part in the application of the government-wide procurement component of this system to ensure that its benefits are fully realized. The procurement services branch is anticipating developing government-wide procurement strategies to achieve these benefits for government.

The Agreement on Internal Trade, AIT, came into effect in 1995. The procurement chapter of the agreement calls for a reduction of trade barriers by stipulating that procurements be subject to an open and fair tendering process.

In co-operation with the Department of Industry, Trade and Tourism, Manitoba Government Services is currently implementing an extension of the procurement chapter to the mass sector, which is comprised of the municipal sector, academic institutions, schools, and health and social service organizations. The extension to the mass sector will assist to ensure that Manitoba and Canadian suppliers have equitable access to this broader public sector market.

To better serve client departments, the Mail Management Agency undertook a feasibility

study to determine the need and relevancy of electronic documents management, which would complement the mail finishing and processing activities of the agency. We believe an electronic documents program could reduce costs and paper usage and waste by government departments. If the outcome of the study supports our initial findings, Mail Management Agency will introduce an electronic documents management service this fiscal year.

The property management functions of the Department of Government Services over the past year have been assessing alternate methods of service delivery. Through the assessment of service delivery, the department investigates which means of providing services is best suited to the client and the location.

Manitoba Government Services is taking a very active role in the Public Utilities Board hearings to ensure that the department can plan for continuous fuel supply for government facilities across the province as the local gas market evolves toward a competitive environment. In order to help mitigate increasing gas costs, my department has an ongoing program to improve the efficiency of our heating plants. Savings over the last six to eight years have reduced energy costs by 12 percent to 15 percent. Saving taxpayers' dollars is always an easier task for a minister to speak about.

During the previous fiscal year, the Telecommunications branch of Government Services issued requests for proposals for both outbound and inbound long-distance services. In both instances, Manitoba Telecom Services was the successful bidder. These tenders will result in voice communication savings for provincial government departments of approximately \$1.1 million per annum over the next two years. This means a reduction of approximately 50 percent in telecommunications costs and demonstrates the government's ability and willingness to select the lowest-cost, highest-value services in a competitive telecommunications industry.

* (1630)

In the area of Accommodation Development, 1999 is already proving to be a year of significant construction activity. The Brandon

Courthouse, built in 1906, has long been outmoded and obsolete in terms of size, functionality, fire safety provisions and barrier-free accessibility. Phase I involving the establishment of a three-storey addition is scheduled for completion later this fall. Phase II, which is the refurbishment of the existing courthouse, is scheduled for completion later this fiscal year.

My department is responding to an immediate need for high-security youth facilities. A 20-bed high-security youth custody unit is currently under construction at the Agassiz Youth Centre in Portage la Prairie and is scheduled to be completed over the summer months.

In addition to these projects I have mentioned, my department has undertaken a number of major projects at Headingley Correctional Institution. In particular, work has already begun on both a 76-bed medium- and 76-bed maximum-security unit at the Headingley Correctional Institution. Completion and occupancy are scheduled for the summer of 2000. As well, further work is underway with respect to a new structure to house 48 minimum-security inmates within the secure perimeter of Headingley Correctional Institution.

My department is continuing with its work at Red River College, with current activity directed at Building A envelope restoration. This year represents the second year of a three-year project.

In closing, I would like to say thank you to all the staff of the Department of Government Services who work, often without recognition, in assisting their client departments and thereby serving the people of Manitoba.

Mr. Chairperson: We thank the Minister of Government Services for those comments. Does the official opposition critic, the honourable member for Elmwood, have an opening statement?

Mr. Jim Maloway (Elmwood): Mr. Chairman, I would like to thank the minister for his comments. I especially appreciate his attention to the plight of the farm community in southern Manitoba and the difficulties of the disasters

they face this year. I think that as opposition members, we have done what we can to help the government out in its efforts to achieve a resolution to the problem, and we hope that the federal government will come to the table and fulfill its responsibilities.

I think it would be to the table a lot quicker if this disaster were to have occurred in Ontario or Quebec. I have that distinct impression. I think I am not wrong in that assessment, and it is too bad in a country where we are trying to develop a good working relationship among all the provinces that we continue to have these problems. I guess it is not only related to the current farm crisis but in other areas of our society as well.

We have a number of areas that I want to question the minister on. As the minister knows, we are running out of time. It is getting close to July already. So I would like to suggest that perhaps we could participate and proceed with this department I think in the way we did last year, the way I have done in Consumer and Corporate Affairs this year, and that is, rather than going line by line, that we deal with it on a global basis and essentially call people in as they are required for questioning, so we do not have all of the staff sitting here for the entire time. If that is acceptable, then I would proceed on that basis.

Mr. Chairperson: We thank the official opposition critic for those remarks.

Mr. Pitura: Yes, I would agree with that, Mr. Chairman.

Mr. Chairperson: Under Manitoba practice, debate of the Minister's Salary is traditionally the last item considered for the Estimates of that department. Accordingly, we shall defer consideration of this item and now proceed with consideration of the next line. Before we do that, we invite the minister's staff to join us at the table.

We invite the minister to introduce his staff present.

Mr. Pitura: I would like to introduce the Acting Deputy Minister, Mr. Gerry Berezuk;

Director of Administration, Gerry Bosma; and our Director of our Desktop Management Unit, David Primmer.

Mr. Chairperson: Just before we start, it has been agreed already, or is this agreed by the committee, that we have general questioning for now. [agreed]

We thank the minister, and we will now proceed to line 8.1. Administration (b) Executive Support (1) Salaries and Employee Benefits \$410,200.

Pardon me. Before we proceed, on page 77 of the Main Estimates book.

Mr. Maloway: I am looking to get some initial updates from the minister as to what is happening with the desktop rollouts. I know that the schedule was to have a completion, I believe, of April 1, and we are long past April 1 already. But I would like an update as to how the rollout went and what the government has learned by that rollout process, the bad points of it, the good points of it.

Mr. Faursschou, Acting Chairperson, in the Chair

Mr. Pitura: With regards to the current status in the desktop rollout, as of May 31, 1999, is the data that I have here. There was 793 desktops, not including those predeployed, or approximately 100 percent of the original estimate of 7,000 in scope work stations in the Manitoba government have been transitioned to the managed environment. There are also 1,919 printers, not including those predeployed that have been deployed, and 150 servers have been deployed, 397 sites have been transitioned, and they are located in 74 cities and towns in Manitoba. They have been deployed at 589 department locations. As of May 31, 1999, 5,600 applications have been reviewed and 2,038 of these have been engineered and deployed in a management environment. There have been over 13,738 person-days of training provided to prepare users for the transition to the management environment.

Mr. Maloway: Has this project been brought in under budget, on budget, or over budget?

Mr. Pitura: I thank the honourable Chairman for bringing up the issue with respect to answering questions, and I think as we go along if there are some areas where staff can answer directly, if that is okay with the critic.

The Acting Chairperson (Mr. Faurichou): I would like to clear that with the committee at this time. Is there permission of the official opposition critic for staff to answer?

Mr. Maloway: I do not see why not.

The Acting Chairperson (Mr. Faurichou): We have unanimous consent of the committee.

Mr. Pitura: One of the things that has occurred with the desktop rollout, of course, is that there have been increases in the number of seats and also some scope changes. The projected costs that are associated with the desktop initiative have been modified to account for these changes.

The original cost projections done in June of 1997 were estimated at \$143.1 million, plus applicable taxes over 66 months. Current projections, and these projections are excluding Family Services which has yet to come into the environment, now total \$162 million or an increase of \$18.9 million.

Mr. Maloway: Can the minister account for the \$18 million, as to what the province achieved for that \$18 million?

* (1640)

Mr. Pitura: Just briefly, Mr. Chairman, first, the number of seats has grown 8.6 percent, from 7,000 to 7,600 seats. Secondly, the signing of an enterprise software agreement with Microsoft has a cost impact in the range of \$6.8 million. As well, there have been some changes with regard to the kind of desktop hardware. In other words, we were estimating desktop units and they were not put on, but the laptop units and things like that which were changes to the system that imparted some of the extra cost.

Mr. Maloway: So the question is: why was this not foreseen in the original estimations in June of 1997?

Mr. Pitura: Generally speaking, when the initial estimate was put together in June of 1997, there was the projection at that time that there would be 7,000 desktop units, and so the cost projections were essentially based on the 7,000 units. Of course, that ended up as being 7,600 units, not including Family Services, so that, in itself, increased the cost. Of course, along with an additional 600 units, you now have additional training costs. Those users had to be trained.

There was also the enterprise agreement with respect to the software, the software that basically just hit the market during the time of our desktop initiative. It was deemed the best possible use of resources in terms of that enterprise software. As well, some of the departments throughout the initiative of the rollout also initiated some new programs such as the common offender program, which utilized an additional number of units. All of these variables came into play as the desktop program and the desktop initiative were being rolled out and so therefore contributed to the increase in the cost.

Mr. Maloway: So where did these 600 units go then? You started out with a projection in '97 of 7000 units. You ended up with 7,600. I would like a breakdown of those 600. On your rollout you gave a breakdown month by month of where the system was rolling out, when it was rolling out so you could look at the different departments, how many machines they were getting, when they were getting them. You could make a judgment as to whether or not the rollout was on schedule or how far behind it was at any given time, at any given month throughout the year. So this is the first I have heard of these extra 600 units. I would like to just know where they fit in that rollout. Maybe you could give me a new rollout picture here as to what actually happened, sort of the rollout in reverse I guess.

Mr. Pitura: Just to inform my honourable friend that we cannot pinpoint for you right now at this present time just exactly where all those units have ended up, but we are able to supply that information to you probably within the next few days if you would be prepared to wait for it, because this goes by department. There are a few units here, a few new units there.

Mr. Maloway: Last year you had the rollout all put out on a single page, I think it was. It was broken down by month and by department and it indicated what the rollout was projected to do on a month-by-month basis. All I had to do was ask you, corner you in the hall there two or three times over the year and I got an update as to where you were. You were behind some months and you assured me that that would be caught up, and then two or three months went by and you got ahead of the game. It went back and forth like that. That is what I am looking at.

Somehow there is a missing 600 units here. I was not aware of them until today. How do they fit in? Presumably they would be added to your rollout charts. When did they appear on the chart? If I had the old chart and the new chart, I could see where these 600, at what point did they surface? Did they surface October 1, November 1, and where were they?

My guess is that I think the original plan, if I am not mistaken, was that I believe that Family Services was out, was not part of the plan in the beginning I think. I do not know that Health was either. Somewhere along the line the plans were changed. Anyway I will let you answer.

Mr. Pitura: In response to the honourable member, we can supply you with a chart similar to the one that you have been looking at. We just do not have it with us here. If you can be patient on that we will supply you with it.

Mr. Maloway: I am not sure whether we will be back into Consumer and Corporate tomorrow or whether we will go back into Government Services, so if you could provide that to me in the morning that would be good. The reason I ask is that I did ask a few weeks ago now for a list of the government leases and more than just a global. I am not interested in a global total. I can look in the annual report to get the global totals if I am interested in that. I wanted a list of the individual leases similar to what was provided to me back four or five years ago by one of your predecessors, Minister Pallister. I believe it was he who provided me the list. This is quite a long time ago now, and I am waiting for it. I know in Consumer and Corporate Affairs I got a nice one-inch-thick list of answers to my questions last year, last June, my

questions of June last year. Guess when I got it. January 6. I got it six months later when the information is, you know, pretty much redundant and of really not a great use to me, because I was interested in it at the time. We are all aware that an election is coming up fairly soon. I would hate to think that I would get this information, you know, maybe January 6 of next year, when in fact this government might not even be around by January 6 of next year. So that is why I am a little sensitive about promises for information, a little more than usual, I guess, at this juncture.

The minister has been always pretty straightforward in the past, so I will take him at his word, but I would encourage him to try to be a little quicker with, well, for example, there was that lease information that he does not seem to be too quick to provide.

Mr. Pitura: Mr. Chairman, I would just like to introduce Assistant Deputy Minister Stephen Kupfer, who is with our Accommodation Development department.

I am pleased to table the ACRS leased accommodations portfolio by department. To clarify matters, I will share this document with the honourable critic and thereby save the cost of tabling it and copying it.

Mr. Maloway: I will take a look at this report tonight and see whether it indeed provides the information we are looking for, but I appreciate the minister's attention to the request.

* (1650)

But let us get back to what we were talking about before here. I would like to know then, when the Family Services equipment is added, how many more units will be included in the system when Family Services goes on-line with this system. I think the minister said it was going to be some time this fall. If the minister could confirm that, just the number of Family Services units and what the estimated start-up—or is that to be phased in? I am not sure. Does it start a certain day? Do you hook them all up and turn them on one day, or do you do a rollout with that too?

Mr. Pitura: In response to the honourable member's question, when Family Services comes into the desktop managed environment, they will be adding approximately, we are estimating, 1,800 units, which would bring our total up to just roughly 9,400 desktop units throughout government. The intention is to have Family Services transitioned this fall. They will be starting in two weeks and going through until October 31. So it will be a several-month rollout for the Department of Family Services.

Mr. Maloway: Given the Y2K concerns and so on, I know in a number of other instances that I occasioned to look at in the last few months, organizations are looking at—I am not suggesting you do this; it is probably early enough—any activity too close to the January 1, year 2000, they are putting it off until they see that their current systems work properly. Is there any concern on any potential impact here with this? This is a fairly large number of machines, and I appreciate that they are supposed to be all Y2K, although you can never be sure, I guess. Just what is the potential impact of trying to meld these together so soon to the year 2000?

Mr. Pitura: I think the honourable member can appreciate the fact that if we achieve our objective of having Family Services transitioned by the end of October with regard to Y2K, at that point in time basically the entire provincial government should be Y2K compliant with the rollout. But having said that, October 31, and having Family Services coming into the managed environment at that time, we should be able to ascertain and correct any deficiencies if there are any, and I would probably hazard a guess that they would probably be minimal, if any. We may get caught on some of the software that some departments are using, but other than that, the units themselves and the software that the provincial government is using are all Y2K compliant. So putting them into place on October 31 is probably giving us enough time and enough of a window to make any corrections prior to the new millennium.

Mr. Maloway: Well, it is a judgment that you have to make. I think it may be Autopac, as one example, where I believe they are holding off certain function changes that were scheduled originally say to occur around that period,

holding them off until January, February until they make sure that everything is working fine, just during that period. Now I am sure you are in no different shape. You are going to want to minimize any disruptions to the system at that particular time. It just seemed like a fair number of units.

Now I had thought that the original plan did not include Family Services, that you had a separate activity going on there because of the amalgamation and different contracts with different suppliers and so on. So how did that all resolve itself? I mean I think it is probably a good sign that everything is put together in one seamless web, if that is what it really is, rather than having separate solutions. How did you resolve this?

Mr. Pitura: Mr. Chairman, maybe just to take the honourable member back a little while and prior to even the desktop initiative being brought into government. The Department of Family Services was one of the first departments to outsource its computer resources and being able to provide computer programs through the department. So when the desktop initiative was put into place, it was then assumed at that point in time that—and Family Services also indicated that perhaps it would not be part of the desktop rollout because it already outsourced its computerization. However, as the desktop moved along and discussions took place with Family Services, they then in conjunction with the Desktop Management Unit agreed that it would probably be wise for them to make the transition into the environment now within the existing framework rather than waiting until such time as they could come in at a later time. So it was thought to be beneficial that they could come in now and be Y2K compliant as well as being in the new desktop initiative. When the tender was placed for the desktop initially, it was indicated in the tender proposal that there could be a potential for the transitioning of Family Services, although at that time it was not known whether they would be in or not.

Mr. Maloway: Mr. Chairman, so the fact that they got transitioned into this thing was part of the overall plan all along. Is that what the minister is saying?

Mr. Pitura: Mr. Chairman, it was just part of the process I think that as a provincial government providing a desktop rollout right across some 17 departments of government, it would be probably astute of us when we were looking at the transitioning and going into a desktop to say that potentially Family Services could be part of this group. But we were also very much aware of the fact that Family Services had outsourced, and certainly there was a situation there where they were going to have to make a decision themselves as to whether they wanted to stay in that environment or come into the desktop environment. They have since made that decision that they would like to transition into the environment earlier rather than later.

Mr. Maloway: Who did they outsource to? I know that IBM was involved in there at some point. I would just like basically a brief rundown as to who all the players were over at Family Services and just what exactly they were doing. Were there Y2K people over there? If so, how much did they cost? Were there other software developers over there? How much did they cost? Were there other hardware people over there? What did it cost? At the end of the day, was all this stuff scrapped and then Family Services went directly into desktop, or did whatever they spent and used over there, was that all part of the process of getting them into the system?

Mr. Pitura: I am not sure I can answer every question the member has put forward. Certainly Family Services, when they did their first outsourcing, entered into an arrangement with IBM Canada Incorporated. They called their Partners in Progress agreement that was initially established for three years in November of 1995, and there was an option to renew for an additional two years. So what happened was that the three-year term was set to expire in October 1998. If they had terminated it at that time, they may not have been able to move into the desktop environment and make a smooth transition into the desktop environment because of the logistics in the timeline. So they decided that they would continue to outsource with their computer needs with IBM.

Mr. Chairperson in the Chair

This is now 1999, so in terms of making the transition over to the desktop initiative, it allows them to make a transition. I explained earlier that we are starting in two weeks and working through till the end of October; therefore, they will not have the downtime or potential for downtime that they would have had, had they made the decision in 1998 to move over completely because then we would have had to transition them at once, all at one time. So this way we can do it over a period of time.

* (1700)

Mr. Maloway: Mr. Chairman, so is the minister saying that they essentially extended their three-year contract beyond what was originally intended so that they could ease the transition to the new environment?

Mr. Pitura: Mr. Chairman, I was just indicating to the honourable member that they initially had a three-year contract and they had an option for a two-year renewal, so they exercised the option.

Mr. Maloway: So then they have used up the entire option. They exercised the option in October. The option is a two-year option. They are getting out of the option after only six months. Correct or not correct?

Mr. Pitura: Mr. Chairman, just a point of clarification for the honourable member. I am advised that with the two-year option, Family Services exercised a one-year option to that agreement. So they will be terminating October 31, 1999, which will be at the point at which we are totally transitioned into desktop.

Mr. Maloway: Mr. Chairman, so it sounds like a smooth transition then, that we are not paying for something we did not get, and we are not paying any penalties. There are no problems in that regard.

Mr. Pitura: I do not think, from the standpoint and concern of the honourable member, that there should be that concern with—it should be a smooth transition.

Mr. Maloway: So to get the answers for the question then, the remaining answers, I wanted to know: at the end of the day, what did the old

system cost for Family Services outsourcing? When Family Services outsourced to IBM, that very expensive option that they took, and I know that there are different views as to what happened over there, but when they embarked on this, I would like to know just what at the end of the day was the total cost. What did it cost Family Services to exercise that option, that whole outsourcing option that they exercised? What was the total bill associated with it?

I include there the whole business of the hardware component, the software component and all of the consulting and Y2K activity and so on that was involved in that contract. I am asking because I do not know what the answer is, right, and I do not know how much of these activities were going on. So clearly there must be some sort of—the project is now over, right? Originally when I was asking questions it was ongoing so the answer that I was getting was that, well, you know, we are in the middle of the process right now. It was separate from desktop, and so I was chasing around in two or three different places to find out information because you did not have the whole thing under one sort of umbrella at that point. Because the project was still in progress, there were no final costs available. Well, now the project is over so those costs have to be available now.

Mr. Pitura: I do not have the answer for him on that because it was Family Services that facilitated the outsourcing and made the agreement with IBM with regard to their department. I can certainly share the costs that the desktop unit has incurred in terms of projecting those costs per seat for Family Services now, but the original costs of that agreement, you would be best directed to Family Services.

Mr. Maloway: I appreciate that. I am directing the question to the minister though because I believe Family Services, if they are not finished, are in another committee, and I cannot be in two committees at the same time, unless the minister wants to shut down the committee and I will run next door to Family Services. You know, I would do that, but I do not think that either one of the House leaders would appreciate that. So take it as notice and dig it up, if you can.

Mr. Pitura: Mr. Chairman, I think that we can take that question as notice for the honourable member and attempt to get the information for him from Family Services.

Mr. Maloway: Mr. Chairman, the Health department is included in this desktop project. I assume that the hospitals, Winnipeg Health Authority and so on are totally excluded. That is a totally separate operation because I know that they had separate Y2K estimates, Y2K costs associated with their projects, but I am just wondering how close the connection is between your operation and the WHA. I mean, it is all government one way or another. It is not strictly the government proper, but the taxpayers are paying the bills all around here, so I assume there is some sort of co-ordination between the government, health services, WHA, things like MPIC, our Crown corporations, but you have Hydro, and the province has an interest.

We dealt with this in Consumer and Corporate Affairs, that our interest goes beyond just what is happening here in the government; we are interested in what is happening in industry overall, what is happening in the banking system, what is happening in the mining system, what is happening in the entire province to make certain that we have as few failures as possible come next January. So I would like to know just how you tie into all these other things, including, by the way, the Pan Am Games.

Mr. Pitura: I think the honourable member brings up a good question, but at this point in time Manitoba Health is transitioning into the desktop environment as the Department of Health. At this point in time there is no indication that this environment will be transitioned into the Winnipeg Health Authority or the Winnipeg Long Term Care Authority or the regional health authorities that are in rural Manitoba. However, there is probably a good argument to made that perhaps that should be looked at in the future. However, at the present time that is not occurring.

Of paramount importance, of course, is the Y2K issue that the hospital authorities may encounter. To that end, our people involved in Y2K are working with the hospital authorities to

address any issues they may have with Y2K. But I think the honourable member makes I think a very valid point about the entire health care system in terms of discussions. They probably should take place in the future.

Mr. Maloway: Now the Pan Am Games are probably a different issue, but the government I think is providing the old computer hardware for use of the Pan Am Games. At least that was my understanding last year, but I would like to know just what is the connection. We have all these high-priced, high-paid experts here, Y2K people pulled in for this job, and this government seems to have gotten ahead of the game faster than some others. I have been paying attention to what has been happening in the United States for the last couple of years and other countries and other provinces and so on, and certainly Manitoba, I do not know whether it is the most advanced jurisdiction, but it has certainly taken an interest in it as early as or earlier than most, so I would expect to see less problems here.

With all this expertise floating around, I just wondered what the assistance that the department was making to the Pan Am Games. We are not worried about Y2K because that is not going to be a problem for the Pan Am Games, but I am wondering about—the games are a big-ticket item here, and I do not think that any of us wants to see big disruptions of the Games. We want to see the Games to be successful, and I do not think that we need computer glitches and computer problems that could cause disruptions or cause problems for the Pan Am Games, so I just wonder what the department is doing or what has the government done or what is it planning to do as regards the Pan Am Games, other than maybe be spectators at the Games themselves.

* (1710)

Mr. Pitura: In response to the honourable member's question, with the Pan Am Games being held in Winnipeg this summer and with Family Services coming into the transition at the back end of the summer, it has allowed us to facilitate the inclusion of 800 units that would be transitioned into Family Services to be used by the Pan Am Games committee during the period of the Games. After the Games are completed,

the units will be transitioned into the Family Services department which will, in terms of timing, just happen to work very well. Our people are also providing technical advice to the Pan Am Games committee with regard to the desktop units and to the software as well.

Mr. Maloway: So these 800 units then, are they in addition to or they are in place of or instead of the units that were planned to be put into the Pan Am Games a year ago when we talked about this whole issue? A year ago the plan was that the old noncompliant equipment was to be given to schools, was to be given to the Pan Am Games. That is what you told me last year, so what happened? Are these 800 in addition to what you were planning to give them or are these in place of? If that is the case, then why the change?

Mr. Pitura: The 800 units that we brought in as a result of the Family Services coming into the environment are being used instead of the old computers that were taken out of service. Again, it basically occurred as a result of the Family Services transitioning into the desktop environment which created the opportunity to utilize those machines, and as well the Pan Am Games Society had a requirement to have uniform standard equipment throughout all aspects of the Games. So again, these 800 units were much better to be put into place rather than the old units because they were not a standard issue, so we solved several problems by doing it this way.

Mr. Maloway: The question is: when did you discover that? When did you discover because it seemed like a very smart idea to me that when I asked you last year what is happening to the old units, your answers were at that time: well, we are going to give them to the schools. It makes sense to me. Before we give them to the schools, we are going to use them for Pan Am Games.

I can understand the Pan Am Games because they are going to occur before. The schools are going to be using these things after the Y2K problem becomes a problem, so I was not quite clear about that one. But nevertheless, that was the intention, but using them for the Pan Am Games sounded like a good idea. Now

somewhere after that time you found out that the equipment you were going to give the Pan Am Games was not compliant, so when was that, and how did you discover this?

Mr. Pitura: I think, just to share with the honourable member the fact that if we take a look at the Department of Family Services with regard to their option to renew, okay, you are looking at October 1998. At that point in time they decided that they would renew for one year which gave them to October 1999. When the member was asking me these questions last time it was probably around May or June of 1998. So, between that period of time and with Family Services going for a one-year option instead of a two year option and coming into the desktop environment, created a change whereby now they were being part of the desktop environment but not being fully transitioned until the end of October, it made sense to take the units that they were using and provide them to the Pan Am Games Society, and so they would have a standard set of equipment.

Had that not occurred, the Pan Am Games Society would have been still looking at the utilization of the used government computers, but things happened that allowed them to use the new units rather than the old units.

Mr. Maloway: It is a fortunate development, I guess, but the question is though that had you been forced to go with the old equipment, at what point would you have discovered that the Pan Am Games could not use it? I mean, we are not talking about Y2K compliance here. We are talking about their requirement of uniform equipment. At what point did somebody phone them or they phoned you or where in the process, what time last year did you discover that you could not use all this equipment that you were planning to donate to them?

Mr. Pitura: I am advised that the computers that the Pan Am Games Society were originally looking at, and needing some 800 units, when they started to put the logistics of standardizing all the units together, they could not physically get the job done in the time frame that they would like to have. So it then became apparent that the units, in order to be able to satisfy their requirements, would be best achieved through

this other process. So that is what occurred at that time.

I also would like to leave with the honourable member the fact that those units are designated for computers for schools and libraries and at the present time are going through that process where they are getting distributed—well, they are going to schools and libraries. They are getting upgraded if they need upgrading, and then they are being distributed to the schools and libraries with the emphasis in northern Manitoba.

Mr. Maloway: Mr. Chairman, I am just operating from memory now, but it seems to me that we were talking about, the minister kept talking about 7,000 computers. I thought we were talking about 9,000 or 10,000. Nevertheless, whatever the number is, who is upgrading them, who is distributing them and at what stage are we at with the distribution?

You have a total phase-in as of April 1, according to your rollout plan, April 1, this year. It is now almost July 1, a couple of months later. What percentage of these computers now are actually sitting in schools and libraries, and what numbers of them were upgraded? What kinds of upgrades? What is the typical upgrade, and who did the typical upgrade? Who is delivering them to where they are at right now?

Mr. Pitura: Mr. Chairman, I am advised that Computers for Schools and Libraries have distributed approximately 1,232 units through its program to date, and they have 120 units awaiting pick-up from schools. The remainder of the equipment is being reviewed, upgraded and readied for distribution through this program. Within the next few days I am advised that Computers for Schools and Libraries will be supplying us with a second-quarter update in terms of where it is at in the distribution of the computers.

* (1720)

Mr. Maloway: Mr. Chairman, so can the minister then tell us who is doing all of this? Who is doing the upgrading, and who is doing the distributing?

Mr. Pitura: The organization named Computers for Schools and Libraries is the group that is responsible for receiving the computers from the provincial government and assessing whether there was a need for upgrading and completing the upgrading and getting them ready for distribution to schools and libraries in Manitoba. It is, I believe, a nonprofit organization that has been set up to facilitate this. It consists of some people from the private sector as well as they have some computer experts that helped them out, I believe, on a volunteer basis with this upgrading and getting the computers ready for distribution.

Mr. Maloway: Can the minister then provide us with a list of the people on the board of this organization and also tell us who is doing the upgrades?

Mr. Pitura: We do not have the names of all the people who are involved with the computers in the schools and libraries with us here, but we will talk to them and certainly, if they are prepared to do so, we will share that information with the member. I would advise the member, too, that when we first made this announcement, we did have and held a press conference out at the facility for schools and libraries where they have their offices and shops and warehouse and distribution point, and they were all present there. I had the opportunity to meet them, but I unfortunately do not remember their names. I am advised as well that computers for schools and libraries have a website, so if the honourable member is on the Internet, he can probably pick it up fairly quickly.

Mr. Maloway: So I will take that as a commitment from the minister then to provide us a list of the directors of this organization, I take it.

The government's deputy ministers are being briefed quarterly on the state of Y2K readiness in this as far as the government is concerned. Your last briefing was supposedly allegedly held the end of May, the last few days of May. I would like to know just what was discussed at this meeting. What is the state of readiness as far as Y2K is concerned as of your last report, the end of May?

Mr. Pitura: Mr. Chairman, I will ask my deputy minister, Mr. Berezuk, to answer that directly.

Mr. Gerry Berezuk (Deputy Minister, Department of Government Services): Generally the information that was provided at that meeting showed that the province was doing quite well with respect to its state of readiness to go through the year 2000 changeover date.

Mr. Maloway: Is there a written report that comes with this meeting? I assume that when the deputy ministers meet that there is some sort of a written documentation of the problems you are encountering and how things are being resolved?

Mr. Berezuk: It seemed to me that there was a PowerPoint presentation that was made I guess at that meeting. I think there was written documentation as well, and the source of that information would be with the CIO's office, like actually the Y2K office, and the chief information officer.

Mr. Maloway: So they do not give you a written report then after each meeting? You do not get a written report of where things are in your department? Well, in your case, it would be the overall system.

Mr. Berezuk: Yes, there was a report that was provided, yes, when I think about it.

Mr. Maloway: Can I get a copy of that report?

Mr. Berezuk: I would suggest that perhaps the request for that should be directed to the CIO, Kal Ruberg.

Mr. Maloway: Mr. Chairman, I would expect that it would be a low-risk venture here, because after all we are looking at brand-new computers. We are looking at Y2K compliance systems and computers. So what could there possibly be in the report that would reflect badly on the organization? What would be the difficulty in giving me the most recent—and the reason I ask is because I have asked the Securities Commission for reports. They require companies to provide reports as to how they are dealing with

their Y2K issues. They are endeavouring to get me copies of reports.

They get quarterly reports and their last report was June 15, which was only a couple of days before I had asked the question. So obviously, I would be looking at three-month old information if I was to try to get information from the previous quarterly report, right. So I was interested in a more up-to-date report, and I have to wait a little while on that. Likewise, I mentioned the Securities Commission is one but also the financial institutions, they have their own regulatory body who are looking for updated reports. The PUB are getting updated reports from the people they regulate.

The regulators have to be asked these questions about how confident are you that this thing is going to work. We can all talk about things being compliant, but we have no way of knowing until we are actually in the environment as to whether or not things are actually going to work properly.

Mr. Pitura: Mr. Chairman, I just want to advise the honourable member that—I am not trying to be difficult with the so-called minutes of this meeting—however, we do have to be very much aware of protocol within the government. Basically, the broader aspect of Y2K comes under the Department of Finance. The Department of Government Services is solely responsible for the desktop unit. But I will share with the honourable member some of the information that we get back from the department with regard to the year 2000 project as it pertains to the Department of Government Services. So I will share that with the honourable member as to where we are and how comfortable we are.

Firstly, in terms of our accommodation cost-recovery system, this is fully tested and it is year 2000 compliant. There is development of an interface to SAP is not required until the first billing date that normally does not occur until July. So we are in good shape with accommodation cost recovery. Accommodation development information system is fully tested and year 2000 compliant. The property management accounting system, this project was originally identified as a year 2000 contingency for SAP. However, this contingency is no

longer required as the application has been replaced by SAP functionality which is—well, no, that is not it. You have the accommodation development there.

The purchasing related applications, these applications have been subsumed by SAP and have been deleted from the project register. The IT request for service, this internal tracking system is not required until December 1999. So it has been put on hold, in order to deal with other year 2000 projects of higher priority. The job costing system, the redevelopment of this application from the legacy environment is targeted for July 31, 1999. Timesheet application, the redevelopment of this application is targeted for the end of July 1999. The contract system has been redeveloped and installed and is targeted for completion at the end of June of this year.

* (1730)

Our parking inventory, which the member might be interested in knowing, is that we will keep tabs on him in terms of where he parks and how much he is going to pay.

An Honourable Member: Who is parking in my stall, that is what I want to know?

Mr. Pitura: Well, we want to get our money.

This is currently operating parallel with existing systems, and technical issues with the managed environment delayed this project, so this project is now targeted for completion at the end of June of this year. Then, our store's inventory is targeted for completion at the end of June of 1999.

So that provides the honourable member with kind of a quick update in terms of where we are within the Department of Government Services with the year 2000.

An Honourable Member: That is your May 31 report there? That is not three months before.

Mr. Pitura: The report is the May 31 report, Mr. Chairman.

Mr. Maloway: I mean, see, that was not so hard after all. Other departments I have asked these

questions of, and there is just this protective shield that comes up. You would think you were trying to get the nuclear bomb secrets. Of course, then suspicions arise because, I mean, after all, the whole reason for this exercise is to buy equipment and so on that is compliant. So, if it is not compliant, we really do have some problems, after spending all this money.

Now that brings me to my next point. I would like to know what you have on file in terms of promises from these suppliers as to their guarantee of compliance.

I will just flesh that out a little bit more. For example, two years ago, almost to the day, if you were to phone, say, Dell—I usually say Dell and Gateway, but let us say Gateway Computer. They will tell you that they spent millions to update their plants to make sure their computers are Y2K compliant. They will tell you they are Y2K compliant. The more you push them, the bottom line is they will not give you something in writing. Have you ever tried it? Try it. Nobody will give you any absolute guarantees. They will tell you all sorts of things verbally, as salespeople do all the time. They will tell you they are compliant, but they will not put it in writing. So you have to kind of write it on the invoice, you know, yourself, right? That is the only way you are going to get it from these people.

So what I want to know is what guarantees do you have that this stuff is going to work, and are there any penalties built into these contracts that if the stuff does not work and you have downtime and people are unemployed and people are sitting around that you have to pay and no work being done, and you have to subcontract the work out or go back to the old manual system, you know, the hieroglyphic route, if you have to go back to that, then who is going to pay those costs? Will that be borne by the people, your suppliers that you have paid all this money to, who you have been sharp enough to get guarantees written into the contract that, if this stuff does not work, they are going to pay penalties? So what is the situation with that?

Mr. Pitura: The desktop management services agreement does have a Y2K compliance for goods and services supplied under the agree-

ment. There is also a written guarantee within that agreement that the goods and services supplied under that desktop management services agreement will and are Y2K compliant.

Mr. Maloway: Are there any financial penalties on these suppliers, if in fact they are not? You and I can give all the written guarantees we want in writing, but you know that is not very good if we do not win the next election. We are not here to honour those guarantees, so that is what I want to know. It is fine to have these guarantees, but if there are no financial penalties and the thing does not work, then what is the point of the guarantee? There has to be some sort of penalty here written into these contracts.

Mr. Pitura: I am advised that we have within the parameters of the agreement that of course if there was a situation where there was supposed to be Y2K compliance and we found out that there was not, then what it does is, in terms of a penalty, kicks in under the agreement, the thing known as service credits, so that basically the service credits would be then credited to the Province of Manitoba's account for future use, so in effect that is the penalty that exists under the agreement.

Mr. Maloway: So is this penalty then in only the one agreement, or is it in multiple agreements?

Mr. Pitura: This is, I am advised, particular as we know it within the Desktop Management Unit as part of the desktop management service agreement that these service credits. So, within that context, that is the extent of our knowledge in terms of the agreement.

Mr. Maloway: But surely you would have similar requirements in all these Y2K contracts that you have all over in the various departments. You have a number of Y2K activities going on, work being done. I mean, that is where you would want to have the guarantees. The guy takes a big chunk of your dough to fix the Y2K problem, rewrites all your software and then it does not work, then that is where you would want to have some penalties that he is going to come back and work until the day he dies fixing all this stuff or at least paying for the fixing of it.

Mr. Pitura: I am advised, and I will share this with the honourable member because there is within the provincial government, the Manitoba Government Services is of course responsible for the Desktop Management Unit. As such the hardware that we have put into place and the SAP software is Y2K compliant, and that is part of our—not SAP. Okay, just the hardware is Y2K compliant. If we get into some of the contracts that the member is referring to about Y2K projects that are going on elsewhere in the province within the provincial government, then I suggest to the honourable member that this does occur under the CIO, chief information officer, so therefore they would have the responsibility for those Y2K projects.

Mr. Maloway: Can the minister provide me, then, with a copy of the wording of that particular paragraph or paragraphs that encapsulate this concept of responsibility for Y2K screw-ups in the contract? It has to all be on one page that he can just photocopy and give me a copy of. I would like to read it over, because it would be an interesting read, I am sure.

* (1740)

Mr. Pitura: I am advised that, with respect to the exact wording in the contracts, there is a confidentiality clause in the agreement, so therefore I am unable to share the exact portions of the contract that the member is looking for. However, our staff in the Desktop Management Unit would be well able to supply the honourable member with our written interpretation of what those clauses are, but we do have a restriction in terms of photocopying or releasing the exact wording in the contract.

Mr. Maloway: When could the minister provide me with that legal opinion of the contract?

Mr. Pitura: Mr. Chairman, just to clarify with the honourable member that it will not be a legal interpretation I presume that he is after but an interpretation. I am advised that if it is basically an interpretation of that agreement, then we could probably have it to the member on Wednesday.

Mr. Maloway: Mr. Chairman, I will basically take what I can get. So the best thing would be

to actually have a copy of the section of the contract, and I am sure that the minister could, if both parties were agreeable, it could be done. Right? So that if the other party agreed to just allowing that one section of the contract to be provided, then I am sure that if the minister was agreeable and the other party to the contract was in agreement, it would not be a problem. But in the absence of that, then some sort of a departmental opinion as to what it is that you have signed would probably suffice.

Mr. Pitura: I will just share with the honourable member that we have already discussed some of the penalties or the penalty within that agreement, and we talked about service credits for noncompliance with any part of that desktop management services agreement, so in effect, the honourable member already knows that if there is a follow-up or something is supposed to be Y2K compliant and it is not, that it will kick in service credits to the account of the provincial government. So, in effect, that is the penalty within that agreement that we are sharing with him right now.

Mr. Maloway: Mr. Chairman, I think it is important to have those penalties there because I have read some recent information that basically indicates if you cut through the legal jargon that they warrant, that this particular product will operate in a Y2K environment and is compliant, but they will not warrant that it will work with other pieces of equipment, and that is where the system falls apart. If you are the manufacturer of the product, you say that my product is Y2K compliant, but the weakness evidently is that it may not hook up and work properly with another piece of equipment. That, by the way, is represented as being a kind of a—well, I do not know whether you would call it a weasel clause or not, but it is certainly a bit of an escape hatch.

I will tell you why. The manufacturer of the equipment will simply maintain when the thing does not work and takes down half the province, because all these things are interrelated, he will say, well, look, it works itself. We just did not warranty that it works with other pieces of equipment. That has been a concern, by the way, in Y2K issues all along, is that what happens if you buy all the fanciest equipment in town and then your kid walks in with an old

DOS game from seven or eight years ago and plops it into your machine and takes the whole thing down? Then it takes down the next machine on-line. That is the real concern. The chain is only as strong as the weakest link, and you are going to have this really strong chain, and you people have fortified yourselves here, this millions and millions of dollars worth of equipment. You are sitting back here thinking: oh, this is just terrific. Then all of a sudden somebody downstream who is not Y2K compliant is going to take the whole thing down. That has been the fear all the way along.

So I do not know how strong your wording is, and maybe you do not know either. I mean, who really knows about this? It is all kind of speculation at this point. We are not going to know until we get into January, and we may get into January and find that nothing goes wrong. There may be just no problems at all, there may be minor problems, or the whole darn thing might collapse around us, right? And who is going to be there to pick up the pieces? The minister may not be here. I may not be here. I mean, who is going to be here?

So there is a certain amount of speculation. I understand that. So what we have to do is just make certain that we have guarded against as many possibilities and eventualities as possible. You know, it is already too late for you anyway. You have already signed the darn contract. The time to be asking these questions was before you signed the darn thing, but you did not come to me before you signed it to ask any advice; you went ahead and signed the contract. So we are all stuck in this boat together now. It is too late. But I was interested in just knowing how strong are the penalties, and what sort of penalties do you have? You still have some time. If you find some flaws in the system you have some time to fix them. The fact of the matter is that you have pretty well guaranteed yourselves a better possibility of success by buying all this new equipment, but you really cannot be 100 percent sure. That is really the bottom line.

So you can say things are compliant, these companies can assure the Securities Commission, and the companies who file with the TSE in Toronto on the quarterly reports can do all the bloody assuring they want, but at the

end of the day you are never going to really know until you actually get in that environment. So if you can get me this information, I think that would be fine.

Now I wanted to know just where you people are going with this whole area of e-commerce. I see this kind of progressing kind of step by step here. First you got rid of all the little home-grown Manitoba computer companies because you had the kind of Tower of Babel here. You actually did have all kinds of different systems and all sorts of different standards, and they did not necessarily reliably talk to one another. That was a good argument for you to use for doing what you did. It is done, so there is no point in crying over spilled milk. So you have moved on, and you have got yourself a state-of-the-art standardized system.

Presumably, one of your next steps is going to be looking at the whole area of e-commerce. There are probably a lot of different applications in your system. I have not really looked at a whole lot of them, but I know that in some departments I am sure it is possible to, if you have to renew your notary public licence or your licence in Consumer and Corporate Affairs that, rather than sending all this stuff through the mail and having the person go down to Land Titles Office or wherever he or she is going and driving down and parking and going in to do this thing, it is quite possible, if you are on-line, to just get on the computer and give your credit card. I mean, that is what your old Internet mall, ManGlobe, was all about. That big failure. But presumably you learned something from that, and you are looking towards some sort of an e-commerce system whereby the government can provide service to the public and get paid for the service and basically streamline the system.

So what I would like to know is: what kind of studies have you done? Because I am sure you have been doing some of them. Where are you at with that now?

Mr. Pitura: Just to respond to the honourable member in the comments he made a little earlier. The fact that the very comments he made was one of the main driving forces behind our government going into a comprehensive arrangement for the desktop services, and it was vitally

important to the provincial government that we not only get the desktop rollout that we would like to see, but we would also have the Y2K compliant. So it really stresses a need for—and the reason why we went to a very comprehensive agreement when we ended up with Systemhouse in terms of supplying the whole desktop rollout. So it provided us with a level of confidence, and the agreement is comprehensive from the standpoint that we have all the checks and balances in the system to ensure that we, indeed, are Y2K compliant come the next millennium.

Back in '95, I guess it was or earlier, when this whole process started in terms of the planning, that was one of the major factors in terms of doing the desktop rollout when we did because, No. 1, it was identified as a need; No. 2, the rollout would be in terms of timing prior to the new millennium. So, therefore, the issues of Y2K compliance and being able to function in the new millennium environment were also being able to be addressed.

* (1750)

The member also asked about e-commerce. Certainly, from the standpoint of the provincial government, that area is being looked at and studied, but I would have to share with the member as well that that particular project, e-commerce, is a function that is under the CIO's office, the chief information officer's office and their program, and they are working with not only just a single department. They are working with all departments with regard to potentials for e-commerce from each department. The member alluded to having a licence from the Securities Commission, or what happens if you want to renew your driver's licence, or you want to purchase a fishing licence. You are talking three departments there, different departments, so therefore it made sense that this be operated through the office of the chief information officer.

I would also share with the member, as well, that under the provisions of the AIT, the Agreement on Internal Trade, that in the procurement process that the province now participates in and rural municipalities in the province participate in, is the MERX, which is

the electronic tendering process that allows companies from every province across this great country of ours to participate and being able to supply the goods and services for the province of Manitoba or for any municipality within the province. So, in effect, we are on e-commerce within our department through that venue, and our staff within the procurement area in terms of purchasing are prepared and have been out with municipalities talking to them about the AIT and educating them and getting them into the position where they feel comfortable going on the electronic tendering process.

Mr. Maloway: Mr. Chairman, I do not want the minister to say, well, they will not tell me what is going on; it is not in my department, not my area. I mean, we can start on this tomorrow, and if he can get the information from the other office about what the department plans to do with e-commerce, then we can have a long discussion tomorrow about this, because I would like to spend some time talking about where the department wants to go with e-commerce. I did want to ask, just in case there is a need to develop more information before tomorrow, I would like to ask the minister then what problems he foresees with the TD bug? [interjection] It is the TD bug. TD.

Mr. Pitura: I was wondering if my honourable friend would tell me what that stands for.

Mr. Maloway: It is the time-and-date instabilities bug. I think it is also called the Crouch-Echlin effect, but it evidently results in the computer having difficulty calculating or retaining the correct time and date. The TD: time-and-date bug. It is something that is not going to be a problem before year 2000, but it can become a problem immediately after. So not only are you going to go through all the wars and battles and worries, then I am sure you are staying up nights every night worrying about all this stuff, about whether this system is going to function January 1, but when January 1 gets here, you have to worry about your time-and-date instabilities potentials.

I just wanted to have some assurances that you have that question dealt with by the people who are running your system here. I guess it would certainly be a vital issue in the banking

business because of the instabilities of the computer system. If it cannot do the time and the date properly, then you are in big, big trouble. How it will affect government, I am sure it will have serious effects there too. If you can check for tomorrow, find out what you guys know about that or what the status is of that. If you do not think you are going to have a problem with the TD bug, then you are not, but it is a possibility that you will.

Mr. Pitura: Mr. Chairman, I will take that question as notice and try to bring back the information for the member tomorrow.

I think as an aside to that, the comments made with e-commerce, I am probably safe in saying that across provincial government, the desktop initiative that we put into place and some of the results of that initiative in being able to utilize that system in an efficient manner, of course e-commerce is a vital role of that and certainly the provincial government is going to be looking at various opportunities to be able to establish e-commerce within various departments right across the provincial government. Just to share some information with the member, as well, that within the Desktop Management Unit, because we have the whole process laid out right across the provincial government, we also have a higher level of sophistication of security within this whole system because it is all laid out and it is in a managed environment.

So when we take a look at a virus that can affect a computer, as an example, and the member might be very interested in this. In the province of British Columbia, when they had the Melissa virus, they spent 10,000 man hours cleaning up that virus from the computers. I am advised from our chief information officer that within the provincial government, when the Melissa virus hit here, it took three hours to get the virus under control. So having it under the managed environment that we have here in Manitoba is I think very positive. It is very sustainable, and it will provide us with many opportunities in the future to be able to provide good service to Manitobans that is cost-effective and efficient.

Mr. Chairperson: The time being six o'clock, committee rise.

JUSTICE

The Acting Chairperson (Mr. Helwer): Would the Committee of Supply please come to order. This section of the Committee of Supply will be dealing with the Estimates of the Department of Justice. Would the minister's staff now please enter the Chamber.

Mr. Gord Mackintosh (St. Johns): I understand the minister was going to provide the committee with a report from his department today and presumably with his recollections regarding the gang hotline. I wonder if that report can now be distributed.

Hon. Vic Toews (Minister of Justice and Attorney General): I have some comments to make in that respect. During Estimates last week, the member for St. Johns asked a number of questions concerning the Street Peace gang and youth contact line. I would like to take an opportunity to provide the committee with information provided to me by my department concerning the background to and the present status of this initiative.

The Street Peace line was announced on June 28, 1994. The line was implemented in response to a number of recommendations from a summit that had been held several months earlier as a means of opening communications between police and youth and parents and the public on issues related to youth violence.

I am advised, Mr. Chairperson, that the arrangements at that time were that the province would pay for the line and the Winnipeg Police Service would answer and respond to calls where appropriate. That arrangement was entirely consistent with the role that the police and the Crown play in our criminal justice system. As I indicated last week, it is the police, in fact, who are charged with the enforcement of our laws and criminal investigation under those laws, and it is the Department of Justice, even though the role of the Department of Justice has evolved somewhat, to support the police in these types of matters.

In this particular case, the Crown was funding a law enforcement program that had been recommended as a result of a summit, and

the police were in their own way responding to public concerns and actually then carrying out the law enforcement program at the street level.

There was a discussion in respect of the prefix to be used for the gang line number, and in preparation for the implementation of this initiative, there appeared to be two options that seemed obvious. The 9-8-6 prefix is the prefix that is used by the Winnipeg Police Service, and that was then considered one option, and the second involved the 9-4-5 prefix that the government of Manitoba uses.

It was discovered at that time that the 9-8-6 prefix was not available, and so the 9-4-5 prefix was chosen. This provided a number that was identifiable with the program. Also, in respect of this process, it was seen to be administratively more convenient for the department simply to requisition the line to be installed at the Public Safety Building and pay for it, as opposed to reimbursing the Police Service for the costs that they would bear in maintaining that line.

So, again, for that very simple set of reasons, the 9-4-5 prefix was chosen. The agreement that was reached between the province and the Winnipeg Police Service would be that the Youth Division of the Winnipeg Police Service was to handle the calls, and if no officer was available to answer the call, electronic voice mail was to be used. So from that point on, the Police Service assumed responsibility for administering the line and the Province of Manitoba, through the Department of Justice, assumed the role of funder of the line and in that respect, then, I think fairly consistent with what the province should be doing and, generally speaking, what a police service should be doing.

Mr. Chair, it was in late April or early May of this year that the director of Public Safety conducted a review of telephone accounts for the Public Safety Branch. At that time, this particular line with the 9-4-5 prefix came to his attention, and it appeared to be unconnected to the immediate activities or, that is, the direct activities of his branch. He then asked the staff members to look into the particular line and to report back to him.

* (1450)

As a result of the inquiries made by staff, conversations took place with the Winnipeg Police Service, and it was agreed that the Public Safety Branch would at that point take over the responsibility of answering the line.

There was some question as to the future of the particular line. I note that the police chief has made certain comments in the media about the line. Indeed, I understand from staff that the Police Service at that time were of the view that the establishment of other programs such as the gang co-ordinator's office and the further establishment of the street gang unit in recent years had diminished the need for the continuance of the separate street gang line.

As a result of discussions then between my department and the Winnipeg Police Service, a staff member of the Public Safety Branch was given the access code to the voice mail, and on or about May 10, called to retrieve any messages on the line. What the staff member did at that time, as I have indicated on other occasions, the staff member simply had the messages played back and at that time discovered, I understand, that the voice mail would automatically repeat the name of the person who had called and hung up, if that person was on the 9-4-5 system and if, as part of their voice box set up, the person had recorded his or her name into that voice mail system.

Indeed, this was confirmed by staff to me after this matter was raised in the House by the member for St. Johns (Mr. Mackintosh). Again, to my knowledge, only one 9-4-5 line was identified in this passive manner.

By early May, therefore, departmental staff, Mr. Chair, had determined that the management of the line was inconsistent with the understanding that the Winnipeg Police Service would answer the calls placed to the line and would respond where appropriate. Also, staff concluded that this situation should be brought to my attention as I could be questioned publicly either in the Legislature or during the Estimates process. Also, as a consequence, a meeting was scheduled between the associate deputy Attorney

General, I believe it was of Prosecutions, and the chief of police to discuss this issue.

Starting around the middle of May of 1999, I began to be briefed by the various divisions in my department in preparation for the Estimates process. As I recall, and staff appear to bear out, it was on May 25, 1999, I was briefed by the senior staff from the Criminal Justice Division, which includes the Public Safety Branch, on a wide range of issues including the issue related to the street gang line. I was advised that in reviewing the calls that had been placed that over an extended period of time, it was noted that there were various types of calls that had been placed. Some callers left messages; some left a number; and some simply hung up.

In that context, I was advised that a number of calls had been made from the legislative telephone number listed for the member for St. Johns (Mr. Mackintosh), and in each of those instances no message was left and the caller simply hung up. As I previously mentioned, the name of the purported caller was simply produced by the playback of the message, and as far as I am aware, and staff has advised me, only one number was identified in this fashion.

As I have indicated earlier, there was no tracing of calls. The information concerning the identify of callers on the 9-4-5 system simply emerged as a result of the voice mail system and it was only in respect of the one number, I am advised, that this occurred.

The member for St. Johns (Mr. Mackintosh) has also raised questions concerning the number of calls that were placed on this line. I would simply say that on May 10, 1999, on or about that date, the staff member retrieved all of the messages then in existence, and from that date onward the Public Safety Branch took responsibility for clearing the line. During the course of this retrieval process, the staff member did not have to take any additional steps to retrieve the message other than to listen to all of the messages that were placed.

On June 18, 1999, special arrangements were made to replace the earlier message manager system with a call answer service offered by MTS that does not provide

information on any caller, even one from a 9-4-5 number. From that date on, therefore, certainly between May 10 and June 18 and the situation that had existed that enabled a member of the Public Safety Branch to retrieve these numbers, this line did not have any capacity subsequent to that June 18 date to identify any caller unless that caller took specific steps to identify himself or herself and wanted a call back or some information.

I can also indicate, Mr. Chairperson, that the staff are continuing to have discussions with the police and others to determine the best course of action to follow with respect to this line. As I stated earlier in the course of my remarks here, the police have raised questions about the utility of this line program, given the other programs that have emerged during the past few years which were not in place when this particular line was first initiated. I understand that this matter is expected to be resolved fairly shortly. My preference, of course, is that the department not run this type of program, as it is better left to the police or an agency with specific expertise in running this type of a program.

Pending that resolution, however, Mr. Chairperson, all safeguards are in place, I am advised, to ensure that this situation will not reoccur in the future, and I can indicate that certain negotiations are going on in that regard.

Those, then, are my comments and I trust that the member has what he needs.

Mr. Mackintosh: I did not hear, although the minister may have made this information known, but how many calls had been logged when the system was checked on May 10?

Mr. Toews: Well, I am not going to indicate any further calls other than the one call that has already been identified, and all I can indicate is that on May 10 my staff undertook the responsibility of clearing the line of any calls that were present.

Mr. Mackintosh: Well, I think in the interest of the public discussion on the future of this line and the history of this line that we get an understanding as to what use has been made of it, because I note that the line has not been

promoted since the last election, I do not believe, and the minister can correct me I am wrong, but I do not believe the wallet cards have continued to be distributed or the posters or the stickers in the last few years at least.

So I am just wondering, other than the calls that the minister says came from my 9-4-5 line, how many calls, and I think we are looking at a period beginning in December up to May. In other words, does the minister have a view or a sense as to how well used this line has become over the last half year or so?

Mr. Toews: I think I can answer that in a general way. The police have indicated their concern about the utility of this particular line and have, in fact, noted that it was not utilized as much in the last period of time as perhaps had originally been anticipated. It is for those reasons that we are having a discussion with not only the Winnipeg Police Service but another agency who could perhaps roll this into a larger program and more effectively use taxpayers' dollars.

*(1500)

Mr. Mackintosh: Can the minister explain why the Department of Justice took over the operation of this line on or about May 10? Who called for that? Was it the police or the department?

Mr. Toews: Well, as I indicated earlier in my statement, I think the initial review was initiated by my department, and it essentially began as more of a financial review looking at the particular line and the usage that it was being put to. At that time, a staff member contacted the Winnipeg Police Service, and, as a result of that contact, a general discussion ensued in respect to the utilization of the line.

Mr. Mackintosh: Well, was there concern on the part of the department about any delay in retrieving messages, and is that the reason that the department took the line over?

Mr. Toews: I think it is set out in my statement that it was departmental staff that determined that the management of the line was inconsistent with the understanding that we had that the

Winnipeg Police Service would be maintaining that line. Yes, that was a concern that staff raised and why, ultimately, the line was taken over by the Public Safety Branch.

Mr. Mackintosh: If that is the reason then, I ask the minister why it would take two weeks and a question in Question Period to answer a call from an intern with our caucus?

Mr. Toews: I can indicate that I am advised by staff that there was a process that if there was any emergency answer required, there was a specific number given to call in the case of an emergency.

All I can indicate is that if there was not any emergency in getting back to the caller, then that call would have been answered. I know that the staffperson who was responsible for answering the calls at certain times of the day was attending to other business out of province, I believe it was, and then returned back and then cleared all the calls that were of a nonemergency basis.

Mr. Mackintosh: I am still trying to understand the explanation that the voice mail system automatically, to use the word of the minister, repeated the name of the person who called. I have a 9-4-5 number, as the minister does, obviously, and when I retrieve my messages, even after I am away for some time, if there is a hang-up, it is simply recorded as a click. There is no name attached to that information. It was my understanding, and I did not know this until this issue arose, that the only way you can identify the hang-up is by pressing the number five on the telephone keyboard and at that time it will tell you the person who called and the time of the call. Will the minister confirm that, in fact, it is not automatic. You have to actually go out of your way and press the number five.

Mr. Toews: That is not my understanding of the system. There are two scenarios where that occurs in a passive way. Firstly, if the phone number has been on there for more than a period of four days, and again that can be set up in each of these voice mails, at the end of the fourth day, if the member has the same on his voice mail, if somebody phones him and let us say he—I do not want to get too tied up in detail here, but I know that on my line, if I put a message into storage

archives, that will come up at a certain period of time, so as soon as you pick up the phone, that number automatically comes up as soon as you access your voice mail. It will tell you the message and where the message comes from.

So that is one scenario where that happens without the pressing of the number five. I believe the other scenario is if the mailbox is full. The number will automatically come up, and, if it is on that 9-4-5 voice mail system, it would identify itself in a passive way without pushing that five button. That is what I am advised. I do not know about the second one. I am certainly familiar with the first scenario.

* (1510)

Mr. Mackintosh: To the best of the minister's recollection, would he not become aware that there was a delay in retrieving these messages from the voice mail system of the gang line?

Mr. Toews: As indicated in my statement, it was on May 25 that I was briefed by senior staff on this particular issue. So I would imagine that it was around that time period. I cannot recall any other time that that issue was raised prior to that time.

The reason I think it was the 25th is that I knew that there was a meeting set up with the police down the road and that that was an issue that was going to be dealt with by the police and my staff in discussions between them. So it would have been in around that period of time.

Mr. Mackintosh: What I find unusual about that is that CBC 24 Hours did a story on the gang hotline in late March or early April which I am aware of because I was in contact with the reporter and, in fact, had told the station that there were some reported delays, and I question how the minister could not have been made aware of that, particularly given that it was reported in the clip that Justice officials were asked for an explanation on that.

Was the minister not briefed or was he not aware of that exposé which would be a couple of months, roughly, before he said he was briefed on this problem?

Mr. Toews: Well, all I can indicate is what I have been told by the staff, that this issue came to the attention of staff at the end of April, and they brought it forward to my attention. I believe from the end of April, when this review took place, to the time that it was brought up at the briefing meeting on May 25, that there were discussions between the police and the staff.

If staff knew of it before that time, how much further before May 25, I assume that they felt that the matter was in hand in terms of their dealing with it and that it did not require my direction at that time.

Mr. Mackintosh: The other day we were asking as to whether there were records of what directions were given for the operation of this line when it began, and the minister I think was under the impression that documents had been exchanged. I wonder now if the minister has any documents that were exchanged between his department and the police in regard to the parameters, the operation protocol regarding the gang hotline.

Mr. Toews: I only have in my possession a copy of a letter from February of 1994. I believe it is February. It is dated 94-02-03. It is addressed to the then assistant deputy attorney general Mr. Whitley, and it states: Dear Sir, Re: gang hotline. I have discussed this with my Youth Division, and Inspector Lou Spado and Sergeant Gary Shewchuk will be contacting you to discuss further details. As I indicated to you on 94-01-31, I am in support of the proposal.

I understand that there may be another document that outlines the understanding then that both parties arrived at, but this seems to reference a series of discussions that were held in respect of this particular issue. But today I only have this particular document. I will have my staff produce any other documents that might be relevant to either the establishment of the line or the terms of reference governing the utilization of the line.

Mr. Mackintosh: Could the minister tell us when the government ceased promotion and advertising of this line, both by reference to expenditures on promotional materials and

actual distribution of materials that had been produced earlier on?

Mr. Toews: I will see if I can find the material that deals with expenditures that the department would have made in regards to the promotion of that particular line. My understanding is that once the police took it over the actual promotions were done by the police.

*(1520)

Mr. Mackintosh: Is the minister aware of any promotions done by the police?

Mr. Toews: Well, that is the information that I will be getting the member.

Mr. Mackintosh: At the May 25 meeting when the minister said he was briefed on this line, was it at that meeting that staff passed on to the minister a list of my calls?

Mr. Toews: That particular meeting, staff passed on the fact that the member had made calls. I was told eight calls, but I did not see a list of any calls that he made.

Mr. Mackintosh: What was the response then of the minister when receiving that information?

Mr. Toews: As I recall, the conversation did not dwell very long on that issue at all. In fact, it focused on the fact that there was going to be a meeting with the police as to the future of that line. I think the entire matter was brought to my attention because the police had been maintaining that line. We took over the line, so the issue was what the future of that line was going to be. I cannot recall exactly the date. There was going to be a meeting with the assistant deputy minister and the police chief fairly shortly, so it was going to be dealt with within a brief period of time. At that time, on May 25, a meeting was scheduled with the chief of police for May 27.

Mr. Chairperson in the Chair

Mr. Mackintosh: Had the minister become aware that calls had been made from my office before May 25?

Mr. Toews: Not to the best of my knowledge. I believe that was the first time that it would have been mentioned by staff. I cannot recall any other situation where that would have arisen. I would also like to emphasize that that was one of many issues that were raised in the course of a briefing for the Estimates process, and I do not believe that there was even any written briefing paper at that time on this issue.

In fact, what the briefing for Estimates actually involves is sitting down and asking for more information in this area or having the staff prepare more information in that area. Also, if issues that may be of concern to me are raised, then there is, as in this case, some quick discussion in respect of, well, where is that matter proceeding, what is happening now. That was my recollection. When I became aware of this, when my staff actually raised that, I recall it was so close to the meeting with the police, and that is what satisfied me that it would be appropriate to resolve the issue generally there.

I cannot say when staff and the level of staff was aware of that earlier. I know that obviously around May 10 when one of my staff members retrieved that information, that staff member would have known that fact, and indeed that would have been passed on, but, as far as I am aware, between May 10 and May 25, I do not believe that issue was raised in my presence.

Mr. Mackintosh: What was the response of the minister, though, to receiving this information? Did the minister in any way question the giving of that information or the gathering of that information?

Mr. Toews: At that time I recall the gist of the conversation being that we wanted to resolve this issue with the police and see where the future of this line would go.

Mr. Mackintosh: Well, did anyone in the room, in the briefing not question how appropriate it was that a caller's identity was known, particularly in political circles, to what was to be a confidential line?

Mr. Toews: All I can say is that the matter was brought to my attention because staff believed that this could potentially be a public issue, and

so the issue of the particular identification of that line was indeed secondary to the entire resolution of the problem of the line coming back to the Department of Justice to be administered by the Department of Justice. In view of the fact that I believed this would be dealt with in an expeditious way with the police chief and with the Winnipeg Police Service, certainly in my mind I felt that the way to resolve the problem was to ensure that there was some permanent future handling of this particular line.

* (1530)

Mr. Mackintosh: How could the minister explain that, when he received information about a caller to a confidential gang line, he did not question where that information came from, did not question the appropriateness of it, just continued his business as usual? Did the minister congratulate his staff for good political intelligence? Can the minister possibly explain how he did not ask a question then as to how it was that a name was known and that this was being done on a so-called confidential line?

Mr. Toews: All I can indicate is that my concern was that there was a problem with maintenance and the handling of the line, and that needed to be resolved. That was my focus. I did not specifically extricate that aspect of the issue out of the entire problem with the line.

Mr. Mackintosh: What has the minister done since this matter has been raised to bring home to officials in his department that what was done here was inappropriate and wrong?

Mr. Toews: In respect of the issue of staff bringing the problem to my attention and this particular aspect of the issue to my attention, they made a judgment that they believe that this was important to come to my knowledge. In respect of the issue of the line itself, we have taken a number of steps, not only discussions with the police, not only the continued maintenance of the line, not only establishing a line or overcoming this technical issue but also trying to find what the future of this particular line should be. As I have indicated already in my answers and as the police chief has indicated publicly in reading reports, reading the Free

Press, I believe it was, the chief had raised questions about the continued utility of the line. So that needs to be addressed, and staff is, in fact, addressing that.

Mr. Mackintosh: There is a Broadcast News radio clip from June 18. In there it says that the minister also admits two of his workers breached The Civil Service Act by giving the list of Mackintosh's calls. I am just wondering if the minister can confirm whether or not he had made such a statement and, if so, what he meant by that.

Mr. Toews: I had indicated in the course of an interview that I would further consider that issue as to whether or not there had been any inappropriateness in respect of staff providing me with that information. As a result of conversations I have had with my deputy in that respect, I have come to the conclusion that the action was not inappropriate in the sense of motivated by some improper motive on the part of staff. I think the staff did it in order to bring to my attention a matter that could have public ramifications, and therefore they brought it to my attention.

So having had that discussion with the deputy, that is my position on this matter.

Mr. Chairperson: I just advise the minister. Let me know before you are going to do your consultation, so I can shut the mike off so that you do not have to cover it up.

Mr. Mackintosh: Would the minister explain after having admitted that The Civil Service Act was breached, according to his determination, that it does not matter then? Can the minister explain that conclusion by him?

Mr. Toews: The member is referring to a specific statement that he attributes to me, and perhaps he could table that, so that I could consider the specific statement he is attributing to me.

Mr. Mackintosh: I can read it in. I only have one copy. I can read it into the record. The broadcast news clip says: Toews is facing political heat over the line because he revealed it is not anonymous as advertised. It goes on to

say: he also admits two of his workers breached The Civil Service Act by giving the list of Mackintosh's calls, end of the clip.

So my question is if he is determined that the act has been breached, can he explain now his decision?

Mr. Toews: Well, as I recall that, I do not believe that was something that I categorically stated. I stated that was something that I would consider, and I believe that is how I left it. I noted that the member did not quote something I had said. I do not know why the reporter would have reported in that way specifically, other than I note that there was a discussion as to whether or not what I did was inappropriate, and I indicated yes. I should not have disclosed that fact in the Legislature. Then the conversation proceeded to, well, what about the staff? Did they do something inappropriate? I think that is where we had the discussion about whether or not there was anything inappropriate done by the staff.

But, as indicated on further reflection and discussions of this matter with my deputy, it is my opinion that this is not a matter that I need consider in the course of The Civil Service Act. If this is something that needs to be examined further by the deputy for one reason or another, then the deputy should be doing that rather than I.

The reason why I think that I would not have categorically stated that there was a breach of act is I know that the minister is not responsible for making those determinations. That is something that the Civil Service Commission does. As a general rule, whenever there are allegations that staff have done anything inappropriate, that is an administrative matter and an operational matter that is then left to the deputy to consider whether action should be taken.

I know that personally I have a long-standing practice of not getting involved in any disciplinary matter where the issue is simply one that relates to the day-to-day activities of staff members.

Mr. Mackintosh: The basis of my question was, indeed, how can a minister simply impugn

his workers when the minister himself apparently accepted and did not question the receipt of the information about a person calling the line? Similarly, I question how the minister can make a determination about a breach of The Civil Service Act.

Has the minister or his department referred the matter to the Civil Service Commission and given what the minister says were more accurately his comments to the reporter?

Mr. Toews: The member, in fact, is correct. That certainly confirms the way I usually handle these types of matters. So I have not referred anything, and I understand from the deputy that he does not see any basis for referring anything to the Civil Service Commission.

* (1540)

Mr. Mackintosh: On May 25, when the minister said he was briefed, at that time or at any time after did he receive in writing a briefing note about the calls that were made to the gang line?

Mr. Toews: I have been provided with advice on this matter from time to time. Some it has been oral, some of it has been written. One of the things that I would not do though is to review any list that contained any of the calls regarding this matter. When I needed that type of information, and I recall one specific time when I needed that information, I obtained that information through the deputy's office.

Mr. Mackintosh: Could the minister confirm whether or not he received a briefing note from the director of Public Safety which passed along information about my calls to the line?

Mr. Toews: There was one briefing note that I saw that had the member's name on it. Part of that briefing note was produced and tabled in this House in respect of the issue of the 9-4-5 number, how that number is automatically downloaded. That I tabled in the House. The preface of that briefing note mentioned the member's name. That I believe was dated on or about June 17, so I would have received it either on June 17 or June 18.

Mr. Mackintosh: The Winnipeg Free Press reports on June 18 that the director of Public Safety had said to the reporter, and I am quoting: "the record of calls from Mackintosh's office surfaced when officials were doing an audit to gauge the effectiveness of the line. He said the information was passed along to Toews in a briefing note simply to illustrate the technical problem."

Can the minister comment on that, because that seems to be inconsistent with the information he just gave that that is only referencing a memo of June 17? This indicates a memo that gave the information originally to the minister a week earlier.

Mr. Toews: That is a memo, in fact, that I will not read because of the schedule that it had attached to it in terms of the names that were set out on that. That outlines, as I understand it, the number of people who made calls, and indeed names of people. So that is not a memo that I wish to familiarize myself with, because it was not necessary.

Mr. Mackintosh: Now the minister is talking about another document. He used the word "names"; in other words, the plural. Is the minister saying that there are names on that document of callers other than myself?

Mr. Toews: As I have indicated earlier, the person who was asked by staff to download that information did, in fact, download that information onto a list and then made the appropriate return calls. The only name that was not identified by an act of identification by the person was the member, I am advised, in respect of that 9-4-5 issue, but the other names are held under the direction of the deputy minister and are not a list that I would see. They will be continued to be dealt with in a confidential manner.

Indeed, when the member authorized me to release the names or the times that he had called or his office had called through the 9-4-5 number, I obtained that information by contacting the deputy. I was able to write down those from a list that was recited to me. So the only names that I am aware of are the phone calls made. I believe it was a list of seven times

that the member specifically authorized me to release and therefore I got access to that number.

* (1550)

Mr. Mackintosh: I do not understand. There seems to be an inconsistency. If the director of Public Safety had passed on a memo that attached these names, the minister surely received the list of names of those who called and left messages or otherwise. Would the minister explain that?

Mr. Toews: I am aware of a memo that contains a list. It is not a list that I reviewed, and I will not review it.

Mr. Mackintosh: Who has reviewed it? Obviously the person who recorded the information. I understand then the director of Public Safety has reviewed that. I wonder who else in the department has reviewed that list.

Mr. Toews: It is something that is maintained under the deputy minister and the deputy minister has that. I do not have that list to review. I know that the deputy minister has, in fact, reviewed that particular list.

Mr. Mackintosh: So will the minister then confirm that there are two memos that exist? First of all, there was the director of Public Safety's earlier note with the information about my calls and, second of all, there is the note which a part of it was made public regarding the 9-4-5 access. Is that understanding correct?

Mr. Toews: I have a note on the gang line which I have previously referenced. There is a more extensive briefing note in the possession of the deputy minister. There was an oral communication made in the meeting of May 25 in respect of calls from your line.

Mr. Mackintosh: Does the minister not see anything wrong with names of callers to a confidential gang hotline being distributed as high up as the deputy minister at least of the Department of Justice and being given out at meetings where political strategy regarding Estimates, for example, is being discussed?

Mr. Toews: These documents were not distributed at a briefing meeting.

Mr. Mackintosh: I then have a question. Did not anyone in any capacity in the Justice department, including in his office, question the appropriateness of passing around information about callers to a confidential gang hotline?

Mr. Toews: These briefing notes were not being passed around within the department; they were brought forward. This particular one that I have in front of me is dated June 17 and brought through the appropriate channel to my attention.

Mr. Mackintosh: What is the date on the earlier memo?

Mr. Toews: There is another advisory note dated June 16 of this year.

Mr. Mackintosh: Was there not an earlier memo which revealed to the minister the number of calls made from my office to the gang line on which the minister based his information in this House in Question Period a week earlier?

Mr. Toews: That was the information that I received at the meeting of May 25, and there were no other names mentioned at that time.

Mr. Mackintosh: When the minister talks about the downloading of information from the gang hotline, was the information all recorded necessarily by someone in either handwriting or physically writing out or typing out the information?

Mr. Toews: I am not aware of how the work was done.

Mr. Mackintosh: When this matter was raised, the minister responded by saying that the 9-4-5 tracing was done to prevent—and the words used were "internal abuse." I am wondering, if we accept that version, when the minister became concerned or suspicious about internal abuse.

Mr. Toews: Just in that respect, the issue of internal abuse was raised in the course of a press conference shortly after Question Period. This was one suggestion. Whether that was generated directly by me or one of the press members present, I indicated that, to my recollection, that was a possibility, but that I would be checking out these matters and would be confirming it. In

fact, I held another press conference later on that afternoon after it was confirmed that that was not the reason why this was known, and the explanation was provided to me as to why staff believe that this information was obtained.

Mrs. Myrna Driedger, Acting Chairperson, in the Chair

Mr. Mackintosh: Is the minister now denying that he said the 9-4-5 numbers were traced to prevent internal abuse?

Mr. Toews: I do not believe I have ever indicated that we traced numbers. If I ever used that word, I believe I corrected myself very quickly because we did not trace numbers. I know that in the course of a discussion with the press after Question Period, that was one suggestion that was made, but as I indicated to the press at that time, I would be looking into the matter and getting back to them and that is exactly what I did.

Mr. Mackintosh: Is the minister saying that he did not explain the information about my calls to the line as a result of a system designed to prevent or identify internal abuse?

Mr. Toews: The member is quoting from something. Perhaps he could show me the statements he is quoting from so that I can take a look at exactly what was said and confirm that.

*(1600)

Mr. Mackintosh: The Winnipeg Sun of June 19, on page 7, and the paragraph reads: "Toews originally said the hotline was set up to trace 9-4-5 numbers to prevent 'internal abuse.'"

Is the minister denying that he said that?

Mr. Toews: I am not denying that those words were, in fact, used in the course of a discussion with a number of newspaper reporters, but I do not believe, and to the best of my recollection, that I said that was why it was set up. I know that was a conversation that I had with a number of reporters, and that I would get back and confirm the reason why that was set up. The reason I know that certainly was my intent was I went back and I asked my staff about what is the

explanation on that, and then came out very shortly with the piece of that briefing note. I believe it was at that time, if not the next day, that that document was produced. It may not have been produced at that particular afternoon, but it was certainly as a result of discussions that I had with staff.

Mr. Mackintosh: Did the minister then come back and publicly state that this was all due and the knowledge of my calls were the result of a technical glitch?

Mr. Toews: I believe those were my words. I explained how these calls could have been identified in a passive way, and that was the explanation provided to me by staff.

Mr. Mackintosh: How could the minister say the numbers of callers could be known in a passive way when he stood up in this Legislature, after having this information for some time? What is passive about standing up in the Legislature and announcing the name of a caller to a confidential gang line?

Mr. Toews: I think my answers have been given in that respect.

Mr. Mackintosh: I also asked how the minister can move as he did to an explanation that this was all due to a technical glitch. Today we are told in detail that the matter was put forward, first of all, to the minister, and then used because it was an issue that may arise in Estimates. In other words, he first said it was internal abuse, which suggested it was a purposeful exercise; second of all, a technical glitch which was an error; and then third of all, it was indeed purposeful, it was for political reasons. What version are we to accept?

Mr. Toews: I think the member is deliberately twisting my words. There is no question about him deliberately twisting my words. He knows why this matter first came up and the course of events. I have explained that very clearly, and I think I have been quite consistent in what I have stated here.

Mr. Mackintosh: In the course of the discussions between his staff and police, was the issue canvassed as to whether the 9-4-5 tracing had

been occurring for some time? Was there any indication to staff that this was an ongoing concern that predates the May 10 exercise by a member of his staff?

Mr. Toews: The issue, and this is where the member is twisting the facts, that was raised with me at the end of April was the maintenance of the line. That was the issue that was raised with me at that time. As far as I know and I am advised, the department has no knowledge of any other calls or the operation of that line prior to its getting involved on or about May 10 of this year.

Mr. Mackintosh: Did the minister just say that he was advised in late April or had discussions about the maintenance of the gang line at that time?

Mr. Toews: I am sorry, the staff became involved in April. I am sorry, the staff became involved in April and, as a result, took over the maintenance of that on May 10. The issue that was raised with me on May 25, I might have said April. Did I say April 25 in answer to a prior question? But the issue that was raised with me on May 25 was the issue regarding the maintenance of the line. My staff, I am advised, has no knowledge of the calls that were not on that line on May 10, and subsequent to May 10 any new calls that would have come on, they would have learned about. As I indicated previously at the briefing session of May 25, staff advised me of these concerns.

Mr. Mackintosh: Can the minister tell us where physically this phone is located?

Mr. Toews: My staff accesses the voice mail here electronically through its offices and through its password, and we do not access any particular phone where those—well, we do access a particular phone line, but we do not deal with any specific phone equipment at the city of Winnipeg. Our contact is here through our offices where we electronically access it.

Mr. Mackintosh: Two questions follow from that. First of all, is he saying that there actually is no physical phone? Is it simply a phone line that is accessed by putting a password?

Mr. Toews: We, as a department, that is, the department does not have a particular phone in this respect. All the department does is access the line. That line is with the City of Winnipeg.

* (1610)

Mr. Mackintosh: Before May 10, can the minister tell us where the telephone existed or where access to the line was retrieved? Was it at the gang unit or the youth unit or where?

Mr. Toews: I cannot say with certainty where the actual phone was located.

Mr. Mackintosh: The minister then says that the phone is now located here. Can you explain where he is referring to?

Point of Order

Mr. Toews: I have not indicated that the phone is located here. I have indicated we access it electronically from provincial government offices. The phone line is still a City of Winnipeg phone line. We do not have the capability of plugging a phone into that line. That remains with the City of Winnipeg as far as I know.

The Acting Chairperson (Mrs. Driedger): The honourable minister does not have a point of order. It is a dispute on the facts.

* * *

Mr. Mackintosh: What I was getting at is where are the calls being received at or being accessed. When he says "here," does he mean in the Legislative Building? Does he mean in the office of the Director of Public Safety or one of the staff or where? Physically, where is that retrieval taking place?

Mr. Toews: I do not want to get into the details of where that is being accessed, but I can indicate that it is within the department as opposed to the City of Winnipeg.

Mr. Mackintosh: Is it being retrieved from the minister's office? Let us start there.

Mr. Toews: No.

Mr. Mackintosh: What division within the department is now responsible for this? I understand that the Public Safety office was doing this. I am wondering if that is where it is at now.

Mr. Toews: I can indicate that the responsibility for handling this issue is with the Department of Public Safety, but where it is actually taking place, I am not prepared to say.

Mr. Mackintosh: Could the minister explain: is there a security issue there? Is it because they are protecting a person or what? I appreciate he does not have to get into detail, but could he just explain why he does not want to release the information as to where the retrieval is taking place from?

Mr. Toews: It is the same reason why I would not release the information regarding the whereabouts of any particular list or the whereabouts of where this is located. It is a security issue.

Mr. Mackintosh: I may have some further questions on this one. I wanted to return now to where we left off last day. We were talking about the arguments against an expedited constitutional reference about the antigang laws that are now being relied on in the gang trial that will be starting, I understand, in late summer or fall and requires that the minister has confirmed to a certain extent a great degree of financing.

He said one of the reasons that it was thought best to proceed in the usual course with the constitutional matter heard before the trial is that it is best not to have these kinds of references dealt within a factual vacuum, to use his words. Can the minister confirm or deny that such a factual vacuum will nonetheless take place given that the hearings on the constitutional question, if there is a motion filed, will take place before the trial in any event, and therefore will be in a factual vacuum unless there are affidavits that are filed?

Mr. Toews: Let me explain that issue because it is quite an important one. Courts traditionally have been very concerned about the lack of a factual basis for proceeding with a reference. That is why traditionally in the British Commonwealth system they have not liked the idea of

these types of references. Even if you look at the old Queen's Bench rules, they were very reluctant to provide any type of an opinion unless, for example, there was a specific contract that you could refer to, some kind of a document that you could refer to. Similarly, with these references, they are, in many respects, advisory in nature. They are binding upon courts, but they are advisory in nature. Any way that they can be distinguished by fact, the matters are so in fact distinguished.

I guess the best example that I can point out to, and, unfortunately, I cannot off the top of my mind remember the jurisdictions, but there were two jurisdictions that brought forward almost identical legislation. One was, I believe it was Quebec, and the other one was Ontario. It was re: residential tenancies act. The Supreme Court of Canada dealt with these matters on a reference as I recall.

In one case, and I am just going by memory here, because it has been many, many years since I have read those cases, they held the legislation to be unconstitutional *ultra vires* the province. In the other context, the court held the legislation to be valid, and it dealt with the whole issue of residential tenancies and what power could be granted to a provincial tribunal in addressing the issue of residential tenancies. That, then, creates an anomaly: one province where the court has said it is unconstitutional, and in the same federation we have another province where it is constitutionally entitled to do that. In fact, when Manitoba drafted its legislation in respect of its Residential Tenancies Act and the administrative apparatus that was created, both those decisions, I understand, were, of necessity, carefully considered.

Mr. Chairperson in the Chair

As I am aware, I do not think in Manitoba that issue has, in fact, gone through the courts to the same level that it has in two of the other provinces. So that is I think one of the most glaring examples of why one should not proceed in a factual vacuum. Indeed, on occasion, I understand, I am not again aware of any specific citation, but courts of appeal have declined to answer referenced questions where it would be ill advised to do so.

Now, in respect of this particular matter, I understand that it is proceeding in August and that there will be a number of *voir dices* related to evidentiary matters which will then be beneficial for the discussion of the constitutional question. The problem with any new legislation and the ability to strike it down as unconstitutional has always been a grave concern. Although the courts traditionally award or grant or deem something to have a presumption of constitutionality, they are much less inclined to stray from a clear consideration of the matter before it where there is a factual underpinning.

I know that one of the cases that keeps on being referenced time and time again was not a matter that was a reference, but, in fact, the court dealt with it in much the same way references are dealt with and, in the result, because it speculated on certain possible courses of action where charges could be laid, declared a particular provision unconstitutional.

* (1620)

The case that I am referring to dealt with the provision in our, I do not know if it is called the Narcotics Control Act anymore. It is called something else now. Under the Narcotics Control Act, there used to be a provision which made a seven-year minimum for the transportation of narcotics into Canada. So in that particular case that came before the courts, the court was faced with a situation where someone was transporting a huge quantity of drugs. I cannot remember whether it was marijuana or cocaine, but it was a very large quantity of drugs. The argument that was raised in that particular case then was that the Supreme Court of Canada should declare the minimum sentence of seven years to be unconstitutional. I believe it was the Smith case and it did, in fact, involve marijuana or cannabis.

The court, then, and this was the early days of the Charter, then proceeded on an analysis and determined, yes, in fact, in a case where someone would have simply brought one small marijuana cigarette across the border, technically that person could be charged and convicted of an offence which would then bring a minimum seven-year penalty. The court, then, on that

basis, on that sort of hypothetical situation, struck down the minimum sentence.

I think that, if the court had that to do over again, it would probably now look at the situation and say, well, in this context, that would appear to be cruel and unusual punishment and grant a constitutional exemption from that kind of a penalty, much like, if the member recalls, the case of Latimer in Saskatchewan where I believe it was the Queen's Bench who determined that, even though the person was convicted of second-degree murder and the minimum sentence would be 10 years, the court, because of the situation at the court, felt a lesser sentence warranted, deemed it to be, I believe, cruel and unusual punishment, and gave a much lesser sentence than the statutory minimum.

That is an example of where the court used this kind of constitutional exemption, whether one agrees or not, in that particular case, whether that utilization of that doctrine was appropriate. I think, as the court matures in its handling of constitutional cases, and by that I mean not to suggest that the court is immature, but certainly in terms of constitutional experience in Charter of Rights and Freedoms matters, the court does have a very limited amount of experience. I think philosophies and doctrines change as things go along.

But I am getting back to the danger of proceeding on hypothetical kinds of situation. There is a real danger, as demonstrated by the Smith case and the seven-year minimum, where one tries to find an unusual circumstance and say, well, if this would have happened, then this would have been the result, and on that basis, strike down the entire legislation.

I think if the prosecutors and the constitutional experts, who, I am not about to second-guess, because I am not going to instruct them to say, well, you know, when I was the director of Constitutional Law this is the way we would have handled it. I think that would be pretty presumptuous and arrogant on my part to suggest how they should handle their case because they are the professionals. It is just like members coming to this House and suggesting that a doctor should have proceeded in an operation one way or another because we have to

respect the professional judgment like doctors in the area that they are trained. Similarly, we have to respect the professional judgment of the prosecutors, the constitutional law experts, and indeed the court generally in terms of determining what is the most appropriate way in dealing with this.

So, in this particular situation, I think that what has been determined is an ability to avoid the dangers of judicial activism, avoid the utilization of hypothetical situations which may give a ruling that does not take into account the real mischief that a statute was directed at. So, in this particular case, looking at it as a stranger to the case, as an objective viewer of the case, not necessarily knowing much of the detail about the case, I look at it and say, well, if they are going to proceed to do certain *voir dire*s, which then gives a factual basis for this evidence and the constitutional question, it would appear to me, that we avoid the dangers of speculation on hypothetical situations and also avoid the dangers of unwarranted judicial activism.

The case then can proceed because ultimately I think the legislation is good legislation. Whether there need to be more changes made to make it more administratively and procedurally user friendly, if I can use that term, I do not know. But we are so new in this particular area, I would not want to see prosecutors take a chance of losing that legislation as a tool simply by saying we could save a small amount of money and then have a huge public policy issue to deal with because a court has declared it as unconstitutional. I think we need to ensure that we give the prosecution staff the latitude, the court the latitude to deal with it in a particular context.

I also want to note that this case, and the issue is before the courts, so therefore it is very important that neither of us go too far in discussing exactly what the court should rule or should not rule. That, of course, I leave totally up to the court. The court may for one reason or another come to a different conclusion and change the process. Certainly my comments were not in any way intended to influence the court in that respect. Simply these are my comments as an observer who has spent some time defending legislation and especially where

this legislation addresses a perceived need by parliament and it was supported to a great extent by provinces across Canada.

* (1630)

With those words, I can indicate why then I do not think it is a bad thing that our prosecutors have chosen to proceed in the way that they have by ensuring that there is some kind of a basis, a factual basis, in the context of a particular case. Even admitting though that not all of the case will be before the court, but certain facts will be there before the court. There is also the possibility in matters like this where people can agree to noncontentious matters which may reflect on the constitutionality of a particular statute. So, again, those are other ways that they can enhance a full judicial consideration of the legislation and avoid some of the concerns that were raised in both the Smith case and to some extent, in the Latimer case.

Mr. Mackintosh: What were the options that the minister considered other than the purchase and reconstruction of the facility on Chevrier Boulevard to accommodate the gang trial? I wonder if you can list those other locations that were considered and the information, including the likely costs of those locations.

Mr. Toews: That was a determination made by Government Services and not by me.

Mr. Mackintosh: Was the minister or the Department of Justice not consulted by the Department of Government Services in terms of what kind of facility was needed and what amenities and construction issues were relevant?

Mr. Toews: Yes, the Department of Justice was a part of that particular process in terms of the input of what was needed, what was required and worked together with Government Services to supply that background information to Government Services.

Mr. Mackintosh: Can the minister advise what other options were brought to his attention in terms of locations?

Mr. Toews: I know that there were a number of options considered by Government Services. I was advised of that in a very general way. The

role of the Department of Justice was to identify clearly its needs and to ensure that any choice that Government Services made reflected those needs. I think that has continued throughout this entire process including the consultation now by the Department of Justice with the defence bar, generally with the court, and with others to ensure that the facility, as it was being renovated, met the needs of all parties concerned in a reasonable fashion.

Let us put it this way. I do know of alternatives that were mentioned to me but not in any significant way that would even allow me to comment in any way about them here. That is clearly a matter for the Minister of Government Services (Mr. Pitura) to answer to.

Mr. Mackintosh: I know there has been some public discussion as to why an armed forces base for example was not used for this purpose rather than the construction of the new facility. I wonder if the minister can address himself to that kind of option.

Mr. Toews: All I can indicate is that there were a number of facilities that were considered. I only know of them in a very general way and as to why each one was considered inappropriate. This was seen as the most appropriate one. I am not in a position to answer that. That is for the Department of Government Services to answer.

Mr. Mackintosh: I know and I am sure the minister has been questioned both publicly and otherwise as to why an armed forces base, for example, did not fit the bill. Can he tell us what problems were identified associated with that kind of a facility?

Mr. Toews: No, I cannot.

Mr. Mackintosh: In the last several weeks, there was a decision of the Supreme Court of Canada regarding same-sex couples. I see the media and others have characterized it as regarding the rights of same-sex couples. I think more appropriately and I think the minister has more adequately identified the decision as respecting same-sex responsibilities.

I am just wondering if the minister has reviewed the Manitoba statutes and determined

what legislative changes are required and Manitoba's result of that. We recognize, of course, that it was regarding an Ontario statute and wondering what ramification it has on Manitoba's statutes. Is it confined to The Family Maintenance Act, or are there other statutes that are affected in the minister's view?

* (1640)

Mr. Toews: The particular case being referenced is, I believe, *M. v. H.* That particular case dealt with the Ontario family maintenance act or at least its equivalent of The Family Maintenance Act. I had an occasion to read the judgment, a very lengthy judgment, and I cannot say that I read it particularly carefully. I did try to at least read the introductory portions of the case as well as the majority judgment, and some other comments from some of the other judgments.

It was made very, very clear by the court that the case did not deal with marriage. It did not deal with the institution of marriage. I think that is something that seems to have been lost in the press and otherwise. Indeed, from my reading of the case, and that remains to be confirmed with staff—I hope that my understanding of the case is correct—it essentially creates or compels government to pass legislation that makes a member or a partner in a same-sex relationship financially responsible to an economically dependent partner in the same way that opposite-sex, common-law unions' members are responsible.

This particular case does not extend the concept of marriage to homosexual relationships. What it simply does is say: if you as a province pass legislation protecting unmarried people in a conjugal relationship outside of marriage, you cannot differentiate between opposite sex or same sex. It creates responsibilities now on same-sex partners to their economically dependent partner. In the context of common-law relationships, opposite-sex relationships, I think it is well acknowledged that people who enter into these relationships and then create an economic dependency by one person on the other and more so in the context of children that are produced in the context of that relationship, those partners have a responsibility

to each other and to the children to ensure that they do not become wards of the state.

Similarly, the Supreme Court of Canada said a same-sex partner cannot simply abandon and should not be able to abandon a person who is then economically dependent for one reason or another and walk away from the relationship, and say: I am not going to pay anything, let the state take care of it. The Supreme Court of Canada said no, if you are going to do that for opposite-sex partners, you are also required to do it for same-sex partners. What the Supreme Court of Canada said then to the Ontario government, and the case is only binding in Ontario, clearly the principle is applicable to other provinces if their legislation is similar.

What they have said is that if legislation is not passed in Ontario granting the same responsibilities to same-sex partners within, I believe, it is a period of six months and I do not know whether that is from the date of an order or the date of the judgment or the like, I do not know, but it is in a six-month period, then the entire regime governing relationships outside of traditional marriage is struck down. It is not extended to same-sex partners, those responsibilities. The responsibility of opposite-sex partners is struck down. So Ontario then, if it wishes to maintain that for opposite-sex partners, it must similarly extend it to same-sex relationships.

Whatever it does, the marriage and the responsibility of people within a marriage is still maintained separate and apart from that. In reading the particular judgment, a very interesting question arose in my mind at least, and I might just indicate that it does not take much to interest me, but here in Canada we use the concept of common-law marriages in a very different way from some states and, in fact, many states, and I do not quite understand why the difference is.

In many states, a common-law marriage is, in fact, a marriage. It is not different from a traditional marriage where you are married in a church or by a justice of the peace or the like. I do not know whether it was in recognition of the early frontier days when people could not have access to churches or justices of the peace, and

perhaps a consideration that they did not want children of these unions of people living in these isolated areas to be considered illegitimate, what many states have said is that if you hold yourself out to be married that you treat each other as husband and wife, you, in fact, are legally married. You are legally married. So if you enter into a relationship in these states, I believe Colorado is one, you enter into a relationship in that state, you hold yourself out to be husband and wife. You cannot simply walk away from that relationship and enter into a new relationship or, in fact, get married in a church, because you would be committing the crime of bigamy.

In fact, a common-law marriage is exactly that. In Canada, we have not had that understanding of what a common-law situation is with opposite-sex spouses. We have not had the same legal implications occurring where somebody abandons a common-law spouse and enters into a new relationship and formalizes that relationship by getting married without getting divorced from the first because it has never been seen as a necessity. So there are some interesting policy questions as to whether or not one could, in fact, assume that common-law marriages are, in fact, marriages that are protected differently than relationships between same-sex partners. That is, I do not believe, an issue that has been discussed by the Supreme Court of Canada in that particular case. But, again, it is an interesting issue.

The Ontario decision that went to the Supreme Court of Canada only says that these benefits and, more importantly, I think, the responsibilities of the one partner to the other where that other partner is economically dependent is a very interesting one in terms of what impact that should have in Manitoba. Again the possibility of raising other arguments or decisions or drafting our legislation differently and still complying with the Supreme Court of Canada is a very open question.

I recall an article, and, of course, these are things that policy people have to consider, by I believe Archbishop Exner, if that is the correct title. I think he is out of British Columbia or that. He indicated, why, and I am paraphrasing him, this preoccupation with the necessity for it having to be a relationship outside of marriage

that has to somehow be centred around a sexual relationship. I mean, what business is it of the state in that context? He drew up a very interesting argument. The argument was what about, for example, an elderly mother who lives with a daughter, and the elderly mother has a pension, and the daughter, for one reason or another, is economically dependent upon that mother, and the mother then dies, why should that economically dependent daughter not have the ability to have a pension continue?

* (1650)

So if I understand Archbishop Exner's argument, if you are looking outside of the institution of marriage, do not look at the issue of whether or not people are involved in a sexual relationship, look at the issue of the economic dependence that has been created over a period of time between two people. In fact, I mean, I can see the situation where, let us say, one brother who has had a government job and a pension but no family other than a mentally handicapped sibling who lives with that brother, and then the brother dies, why should that pension not be given in terms of a survivor to that other person? I think that is a very interesting question. It is a question I have never thought about until I read this argument from this Roman Catholic archbishop.

I think those are the kinds of things that we have to look at as opposed to simply doing a knee-jerk reaction. I know that staff is looking at the issue of The Family Maintenance Act. Although we are not bound by the Supreme Court of Canada's decision directly, clearly there is an issue. We may want to have to deal with it on an interim basis or on a long-term basis which then will involve, I think, very significant policy considerations. It is not something that I particularly want to rush staff on. I do not want to prejudice anyone and their ability to be secure, but I think that, when we are met with these kinds of cases we should not simply accept them as a challenge but also as an appropriate time to consider this whole area, and I think that is essentially what the Archbishop was saying in his article that was drawn to my attention. Very frankly, I do not see—and I know my staff will have to brief me on this entire issue—why we have to limit these benefits to those types of

relationships and the responsibility to these types of relationships.

Even when you go into the Criminal Code and the provision of necessities—and this is something that common law has recognized for hundreds of years and which we adopted when we passed the Criminal Code here in Canada—but the provision of necessities by one person to another is not simply one that is seen, as I recall it, in the context of a marriage situation. For example, you could not have your elderly mother staying at your home and then feeding her and taking care of her for many years and then simply decide one day that you are going to go on holidays for three weeks and leave your infirm mother, maybe suffering from Alzheimer's, simply to fend for herself in the context of that home. I believe there may well be criminal responsibility that would attach to you where over a period of years someone has come to rely on you like that. I would be surprised if that is not the law, but I have been surprised before. But certainly those kinds of ways of addressing relationships and the responsibility of people who voluntarily choose to enter into certain types of relationships should not simply then be able to walk away from those relationships when someone has a health crisis or an economic crisis without some legal responsibility attaching to the person.

So that is something I think staff will have to consider in the long term, but clearly they have to address the impact of the *M. v. H.* case and ensure that the government, insofar as necessary, moves in a timely fashion. Again, I have not yet seen—I should not say I have not seen some comments in that respect, but we have not made any determinations as to what is the appropriate policy direction that the province should be moving in. I know that staff has diligently been working on this particular issue.

Mr. Mackintosh: I have correspondence from POINTTS, which represents defendants in the courts of Manitoba. I think they have made a specialty of representing people for certain traffic ticket offences. In that letter, they state that they were informed, apparently by the Law Society of Manitoba in September of 1998, that they were no longer able to represent anyone apparently on any matter in Small Claims Court.

The Law Society was to further review the matter, but that has not taken place.

I am just wondering if the minister has been made aware of that ruling and if he has any concerns about that and whether he is looking at any policy changes as a result.

Mr. Toews: I am peripherally aware of this situation. The reason I recall the letter with some interest—I think I received a copy of that letter from the member for St. Johns. I believe that the member for St. Johns either sent me a copy or POINTTS wrote to the Law Society and copied the member for St. Johns and myself. For some reason, I have seen correspondence on that point. I have not been directly involved in this issue nor has my staff been directly involved in this issue, because it does relate to the Law Society, the practice of law, and the independence and governance that surrounds that particular issue.

*(1700)

I can indicate to the member that quite a number of years ago the similar issue came up. I believe it was with POINTTS. If it was not with POINTTS it was with a similar organization. I will assume for now that it was POINTTS. POINTTS was representing people charged under The Highway Traffic Act and other summary conviction act offences, but I believe primarily it related to The Highway Traffic Act. They were representing them in Provincial Judges Court. The Law Society brought an action or threatened a prosecution or essentially wanted a declaration.

Perhaps, in fact, it was even POINTTS that brought the declaration, or the application for a declaration, to the Court of Queen's Bench. I believe the Queen's Bench judge at the time was now the Chief Justice of Manitoba, Richard Scott, when he was sitting in the Queen's Bench. I believe counsel for the Law Society was Mr. Bill Olson [phonetic]. I cannot recall who represented POINTTS. I know that I represented the government of Manitoba

The issue there was should POINTTS be allowed to represent these individuals. Ultimately, the compromise was achieved after

the court ruled that POINTTS was carrying out the practice of law in a way not authorized by The Law Society Act. Subsequent to that ruling, our government, and I believe the present member for Brandon West (Mr. McCrae) was the Attorney General at the time, brought in legislation which then permitted organizations like POINTTS to represent individuals in provincial court in matters where there was no possibility of someone going to jail. That situation exists to this date. In fact, they also, I believe, amended the legislation, or at least set up some kind of a process, by which the issue of governance was addressed that the provincial judges could then report people to the Law Society or some other body to ensure that these people were practising in accordance with acceptable norms, given that they were not lawyers but, in many cases, very effective advocates, having been police officers or others who were very familiar with the ins and outs of The Highway Traffic Act.

Someone mentioned to me that the position of the Law Society in opposing POINTTS appeared to them a little bit dog-in-the-manger; that is, no one was representing these people in highway traffic court. Lawyers who would do it would charge far too much for it to be worth the while of the person charged, and yet when POINTTS would come in and do it at a sort of a cut-rate situation, the Law Society objected to that and flexed the monopoly, essentially, that it has to ensure that appropriately qualified people are representing these persons. I do not take issue with the role of the Law Society. I would not characterize their attitude or their position as dog-in-the-manger. I think they exercised their jurisdiction in a manner consistent with the public interest as they understood it. I think, though, that our government recognized, and ultimately I think the Law Society, and that is why ultimately I think this proceeded. They recognized that representation was called for.

Now, with respect to the situation in Small Claims Court, we essentially have the same issue repeating itself. The Law Society, as I understand it, again has the jurisdiction and the authority to bring proceedings against someone improperly involved in the practice of law. I guess that is what the Law Society's position is that in Small Claims Court, you are, in fact,

practising law by representing individuals and that you should, in fact, be a qualified lawyer. The question is: is the ability to access legal help effectively thwarted because of the expense of the legal help? One might argue that is it not better to have someone who has some understanding of the legal process assist these claimants in court, whether it is the defendant or the respondent or the plaintiff, whether they should not have some access that is affordable?

I know that in the past our government has been responsive to this concern. They have amended legislation, and I understood that the Law Society was looking at this particular issue because that is their area of jurisdiction in the same way that government does not want to get into determining who should be practising medicine or not. I think this though is a slightly different situation and provided that concerns like appropriate qualification and appropriate governance, if those two issues are addressed as they were with The Highway Traffic Act, it would leave me with the question: why could not the same kind of arrangement be worked out between the Law Society and organizations like POINTTS?

So although we are not directly involved, nor should we be directly involved, the issue then is what is the Law Society doing about this? Have they come to any particular conclusion on this? If so, is this in the best interests of the administration of justice originally or in the long run?

* (1710)

It is the same, I guess, in respect of the issue of the Small Claims Courts and hearing officers. I know the Law Reform Commission had recommended that all hearing officers be lawyers with at least five years of experience.

My position has been to date that while it is important to have some hearing officers with a legal background to hear certain types of cases in Small Claims Court, I think that the experience that court clerks, who now sit as hearing officers, can bring to a Small Claims Court often makes them very, very effective hearing officers without having the legal qualification. I would be very reluctant to

impose an absolute bar from clerks of our courts who have demonstrated competence, who have gained experience, from sitting as hearing officers. From a policy point of view, I similarly have to ask myself the question: well, why should not appropriately experienced and qualified people, even if they are not members of the Law Society, represent people in Small Claims Court if the issue of governance is addressed? I understand it was addressed in the context of The Highway Traffic Act.

I do not know if I mentioned it or not, but the POINTTS people cannot represent people who might be in danger of going to jail. You would have to be a qualified lawyer to represent these people in that context.

So, with those comments, all I can say is I will have staff, and perhaps one of my staff members will make a note of that, inquire as to the status of this issue with the Law Society and see whether our department in a general way can be of assistance to them.

Just wondering, Mr. Chair, if I could have a break for about five minutes.

Mr. Chairperson: Can we have a recess for five? Okay.

The committee recessed at 5:17 p.m.

After Recess

The committee resumed at 5:22 p.m.

Mrs. Myrna Driedger, Acting Chairperson, in the Chair

Mr. Daryl Reid (Transcona): I would like to ask the minister a question. I know he has some experience in his previous ministry with the Department of Labour, so I am sure he is familiar with that. With respect to the prosecutions under The Workplace Safety and Health Act, can the minister tell me: does he have someone within his Department of Justice now that would have experience, or is it perhaps assigned to handle all of the Workplace Safety and Health prosecutions that may go to the courts?

Mr. Toews: I just had to confer with my staff there. I know that for many, many years, we had a particular individual who was in charge of provincial prosecutions, that is, prosecutions under provincial statutes. Staff was just advising me of the fact that we do have another person now who is responsible for those provincial prosecutions, came originally out of a private practice background and has been doing these prosecutions now for approximately two years.

So, yes, we do have a person who does provincial prosecutions under provincial statutes.

Mr. Reid: Can the minister tell me, the cases that would fall under The Workplace Safety and Health Act for recommendations for charges to be laid through the Ministry of Labour, Workplace Safety and Health Branch, is that prosecutor assigned specifically to all of those cases? Can the minister also share with us the name of the individual that would be prosecuting any of those cases that would come forward?

Mr. Toews: I was just trying to get the sequence down. The Department of Labour and Workplace Safety and Health, in many respects, acts as an enforcement agency. They are not the prosecutor per se. It is much like the relationship between the police and prosecutors that exists between the Department of Labour and the prosecutor in this particular case. The lawyer, who I understand is Mary Goska, is the prosecutor. She would then perform a role vis-a-vis the Workplace Safety and Health Branch or Labour, similar to the prosecutors having a role vis-a-vis the police.

Now, it is not necessary for her to authorize a charge. In many cases, and this goes back to my experience as acting for the Department of Labour and Workplace Safety and Health many years ago now, I ended in 1985, but as the civil legal lawyer assigned to the Department of Labour and Workplace Safety and Health, we would often discuss issues. Sometimes the investigator would make a decision on proceeding under a specific act and lay the charge and proceed, and then it would go to the criminal prosecutions branch. The criminal prosecutor—this Ms. Goska, does not do all of the cases—would then make the determination as to whether the case should proceed or not.

In many situations, the prosecutor looks at the facts and says: I cannot prove the case here, and it will have to end there. That is the right of the prosecutor to do that and to say that. In other cases, the prosecutor will be consulted by the investigators as to what charges can be laid. They will conference on that in the same way that police and prosecutors do, and the prosecutor will then give advice as to whether or not a certain charge can be laid on the evidence that is there or whether or not more evidence should be obtained or give other legal directions.

Generally speaking, Ms. Goska, then, does the consultation, does the prosecutions, but I do not believe she does all the cases. For example, in some of the rural areas, just because of the numbers, either a prosecutor will be brought in from Winnipeg on a specific case or a local prosecutor will handle the provincial prosecution. That is not unlike it is done in any other situation.

* (1730)

Mr. Reid: So I take it then because this individual has been, I think you said, two years within the department, is not assigned to every single case, we do not have a special prosecutor per se to handle all of the Workplace Safety and Health charges that may be laid before the courts. This Mary Goska, that you have referenced, and I thank you for providing the name for me, can you tell me, because you have indicated that the individual has been, I think, in the department for two years, what training protocols do you have in place for this individual or for other individuals that may be handling similar cases? Do they attend any conferences involving Workplace Safety and Health matters? Can you provide some background for me? Because this individual, as you said, has only been here a short period of time, I am looking for some direction that you can provide with respect to her experience that she has in these matters as well.

Mr. Toews: I do not know enough about her background and why she was assigned to that particular situation and those particular prosecutions. I know that I can get the dates and how long she has been there and what extra training they get. I know the prosecutors go to con-

ferences generally, and that when you undertake a prosecution in any specific area, it is important to know some of the background, and that is why you have to deal quite closely with Workplace Safety and Health. In fact, many times I found that preparing a case for any particular department, it involved a very intensive training program just in terms of interviewing the witnesses and speaking to the witnesses and becoming familiar with the concept.

Mr. Chairperson in the Chair

So the level of training, the level of experience and the level of skills that the prosecutor brings will vary from person to person, but, generally speaking, I think the prosecutors have been doing a good job.

We have traditionally in the department recognized a distinction between provincial prosecutions, that is, under provincial statutes and assigned prosecutors to that area, and those prosecutors then work very closely with the Legal Services people. For example, when I was counsel for the Department of Labour and Workplace Safety and Health, I would work very closely with Mr. Murray Conklin who was the prosecutor at that time in charge of provincial prosecutions. So I would, because of the expertise that I had acquired over the years as counsel to the department, be able to provide Mr. Conklin with some background, assistance, and follow-up where it was required or where he requested it. I became in many ways a conduit into the department.

Now, someone like Mr. Conklin also would have just direct access to all the investigators and often did it in that way. In cases where he needed assistance in constitutional cases, Mr. Conklin was and is a very independent prosecutor, and although he relied on constitutional lawyers, for example, for some of the background information, many of the cases he argued because he felt confident that he was able to do that.

It is, I guess, to a great extent a matter of how comfortable a lawyer feels in dealing with any particular case and, of course, always subject to the supervision of the assistant deputy

minister and the director. But I will see what type of background and experience she has, conferences that she may have attended or others may have attended, and provide you with that background, and perhaps expand on some of the comments I have already made.

Mr. Reid: I understand that the minister might not know specifically what would be on the resume for the individual that would have gone to his department, and perhaps staff would have made the decision with respect to hiring this individual. But I guess the more important question here, and I look to the minister to come back to me or to my colleague, our Justice critic, with the information with respect to the training and experience of this individual, but also, more importantly, what the ministry plans are with respect to training and providing further upgrading of skills necessary to prosecute these type of matters.

What plans did the department have for this individual, and perhaps other individuals as the minister has indicated that do handle these cases from time to time, as he indicated, more likely in the rural areas of the province? What type of training protocol do you have in place for these people as a part of your budget here this year and perhaps in past years?

Mr. Toews: Without getting into too much detail in that area, one thing I can indicate is that I do not get involved in any of the hiring decisions for prosecutors or any staff in the department, but I can indicate that, for example, very recently in constitutional law, a particular individual was hired, by the name of Heather Leonoff.

Heather Leonoff is a constitutional lawyer in her own right. She has done many, many cases involving constitutional cases in a criminal context and in other contexts. Now, she was specifically hired in the Constitutional Law branch to do constitutional work and, knowing of her reputation and the cases that she has been involved in, I would not anticipate that one would need to send her to Constitutional Law 101, so to speak, in order to sharpen her skills. She is a person who, on her own, would be able to take on most constitutional challenges that the government of Manitoba faces in this province,

and just by reading cases on a daily basis would acquire the necessary knowledge and skills.

So, again, in that kind of a situation and the very highly technical and specialized area that she would be in, there is great experience already available. If we brought other individuals into the Constitutional Law Branch, for example, I recall when I was the director of Constitutional Law, we brought in a couple of prosecutors over a period of time who were very skilled prosecutors in rural areas. We wanted to develop skills in these prosecutors so that they could handle the cases.

One of them was Lawrence McInnes from Brandon, who came in and worked in my branch for about four or five months. Now, a very skilled prosecutor, indeed I think he received his Q.C. in the last year or so. He also, within a short period of time, when he was working for me, went to the Supreme Court of Canada on a case involving minimum sentences. I believe it was a case where the Supreme Court of Canada talked about or was considering whether a seven-day minimum sentence was cruel and unusual punishment. I do not think that he had even been in any constitutional case prior to his going to the Supreme Court, but he obviously had the Supreme Court experience, he had the trial experience and he was a very quick study.

* (1740)

Similarly, another prosecutor came into that area, Brian Wilford, and again acquired skills by working with the other lawyers.

So whether it is through the Crown attorneys conferences that these individuals go to, whether it is through other areas, it is a continuous learning experience. One does not, as a professional, simply say: I have my call to the bar and now I am qualified to do whatever I want. I find that most of these professionals, indeed all of the ones I know, exercise their skills appropriately. Certainly we do training conferences and send staff to specialized courses when they are available.

In respect of this particular individual, I do not know whether she comes from a background

where she would have a lot of experience or whether it was necessary in the context of the cases that she is doing.

I know that within a very short period of time, one can acquire skills that are easily transferable from one area to another, especially when you are doing provincial prosecutions. I am not suggesting that the same knowledge is there when you go from highway traffic to Workplace Safety and Health, but I would suggest that, for example, someone doing environmental prosecutions finds the style of the prosecution, the types of witnesses, the expert evidence necessary to be very similar to each other and can make that transfer relatively quickly.

Also, I might point out that in terms of the expertise that our lawyers develop by working in specific areas is unparalleled virtually anywhere in the province. They have these skills. They acquire these skills by virtue of their day-in, day-out practice in these areas. In some respects training conferences are essential or may be viewed as essential where there is a radical change in the law that requires that but, generally speaking, much of the experience and qualification is gained on a day-to-day basis mentoring with others.

Just in that context, I think it is important to note that in our department we have established what we call the general counsels, and that is essentially their task. Their task is to mentor junior lawyers and not so junior lawyers who require assistance in litigation.

So I know just very recently a Bob Morrison, who is a member of our department and doing very, very good work, became a general counsel as a result of a very extensive interview process, not simply made up of people from my department, which alone would be, I think, a good basis for doing it, but also outsiders such as members of the Law Society and Bar Association, I believe. Members of the Law Society in this case were Dave Frayer and Eleanor Dawson, who recommended him as the general counsel along with staff. So here we have essentially created a mentor system where these lawyers can go to, if not a day-to-day basis, on a regular basis, consult with these

people, the expertise that they have. You look at an individual like Bob Gosman, I am sorry—Morrison, Bob Morrison. Gosman is now with the federal Department of Justice, another fine product of our department. But a person like Mr. Morrison is, in fact, invaluable in assisting junior lawyers and others to ensure that they understand exactly what is required.

When I look in the area of constitutional law, many of the cases that we used to do, we used to virtually consult on a daily basis with some of the big cases that we had and get the benefit of the expertise that each of the members of that department had. I assume that that sharing of skills and information still continues on, but having said that, I will look further and see if I can provide additional material for the member.

Mr. Reid: The minister references, and I think if I can quote him accurately, he said that the individual who is prosecuting or acting as a prosecutor for these cases is supposed to be a very technical or specialized area in which that she is working. Can you tell me what directives or guidelines have you provided as direction to this individual or these individuals that are acting as prosecutors in Workplace Safety and Health matters? Can you give me a breakdown of the number of cases a year that you might handle in respect to those types of prosecutions, and what the breakdown would be for Ms. Goska, and perhaps other prosecutors that you have that would be acting on these matters?

Mr. Toews: If that information is available I can get that. I am not going to put my staff through trying to marshal all this if it takes days and days of their time. What I will say is that I do not provide the prosecutors with any directions. That is done by Deputy Minister Downe [phonetic], and generally speaking by the assistant deputy minister responsible for Prosecutions. For example, the bail policy that we have here in Manitoba was one that was developed by the prosecutors in terms of violence or gang-related crimes. The prosecutors came up with that policy in conjunction with senior management, and I believe that particular policy went out under the signature of Mr. Finlayson, the assistant director of Prosecutions. That is essentially a policy that

the prosecutors then can consider in governing their actions.

Having said that, of course, I want to also emphasize that all of these prosecutors are independent law officers in respect of exercising their legal judgment, and, yes, they are expected to follow policy. They should only be deviating from it in exceptional circumstances. Usually, I would say in virtually all cases, they would be consulting with the assistant deputy minister or a senior person in their particular branch. Generally speaking, a policy that has been established by the prosecutors for the prosecutors is not something that I would be directly involved in.

* (1750)

Certainly, I will express concerns from time to time to the prosecutors about certain issues. I usually do that through the deputy and indicate that I have a particular concern in this area, what are we doing, is it necessary to develop a policy. Sometimes these policies develop almost on a parallel basis between what I as minister am doing on a political and statutory level with what the department is doing. For example, the policy that has been recently developed in respect of drinking and driving where death results was a very deliberate policy established by the Prosecutions branch in conjunction with the deputy minister. It is certainly consistent with the messages that we as a government have been trying to send out and, indeed, certainly the deputy's involvement in that process I would expect has been influenced in some part by the comments and concerns that I have brought to his attention in that regard.

I think it is important for a minister not to be involved in any specific prosecution, but it certainly would be appropriate for the minister to express concerns about a specific area and see whether we can do things better or differently as circumstances warrant. In answer to your question, I have not sent out any directives to prosecutors that I can recall in the last two and a half years that I would have sat down and said: this is what prosecutors are supposed to do. Those would have all been coming out of the assistant deputy minister's office or the deputy minister's office. Each prosecutor, I believe, has

access to all policies that the department is currently undertaking or governs their actions. As the deputy has indicated to me, all of our prosecution policies are, in fact, public.

Mr. Reid: Perhaps I narrowed my focus too much when I said: what directives has the minister given? It should have been more appropriate for me to ask about the directives given by the department to the prosecutors that would be acting on behalf of the public on Workplace Safety and Health prosecutions? That would be the more appropriate question to ask.

I am concerned here that there does not seem to be a clearer understanding of what this individual does. It does not appear to be any direction that is given here. There does not seem to be any known training provided for the individual from the comments that I have heard here in the last 40 minutes of questions and answers. There does not appear to be any knowledge of the experience of the individual. There does not appear to any knowledge of the caseload. What is known of the individual and the work that this individual does on behalf of the public in prosecuting Workplace Safety and Health cases? I know I have raised this matter with the minister when he was Minister of Labour. I had dealt with this—

Point of Order

Mr. Toews: I think the member knew that I prefaced my comments by saying: I would get that material to him. I know what he is doing. He is making a speech to run out the clock so I will not have the chance to respond, and that is what I am objecting to.

Mr. Chairperson: Order, please. The honourable minister did not have a point of order. It is clearly a dispute over the facts.

* * *

Mr. Reid: I am raising this because it has been a matter of concern of mine for a number of years. I looked back at some of the cases that the Department of Justice has prosecuted for charges or recommendations for charges that have come forward from the Department of

Labour, the Workplace Safety and Health Branch. I think back to the Poulin's case, where 11 of the 14 charges were plea bargained away. I do not know if that was a direction that was given by Workplace Safety and Health or if that was internal to the prosecutor that is involved. It leads me to my questions that are here today, because I want to learn more about how the prosecutor works in matters involving this. I want to know how it functions there so that I can have a clearer understanding of the direction that is provided by the department to the individuals that have been supposedly prosecuting these cases.

I have asked these questions of the Minister of Labour (Mr. Radcliffe) just recently in the Department of Labour Estimates. The Ministry of Labour indicates that you have a special prosecutor who handles all of the Workplace Safety and Health cases. Now I am hearing here from the Minister of Justice today, well, you do not have a special prosecutor. You have one who deals with some of the cases and others who handle cases in the rural area, so you do not have an individual who specifically is handling all of the cases which would, if you had, lead me to conclude that perhaps there is some expertise there.

That is why I am asking the questions with respect to the training of the individual, with the respect to the caseload, to find out how much experience the person is gaining on the job through the prosecution of these matters and whether or not the department is continuing to provide training skills necessary to allow for effective representation of the public interest in prosecuting these matters. That is the context of my questions, and that is why I am here trying to find out more about the process here. I appreciate if the minister says his department will search out the information and get back to us.

I understand that there are questions we pose from time to time that do not have all of that information readily available here in the Chamber. I understand that. That is not a problem, but I do ask that, when the department does have the opportunity, hopefully in the very near future, they would provide us with that information, so that I might have a better

understanding or clearer understanding of the role that Mary Goska plays in these matters and perhaps the other prosecutors that the minister has referenced as well. That is why I am looking for some information with respect to these matters. Perhaps the minister would want to comment on when we might expect to have that information come back to us with respect to Mary Goska and the other prosecutors.

Mr. Toews: I appreciate the question from the member. I do want to state that I think it is rather unfair to the prosecutor whom I named, now to leave the suggestion out there publicly that this prosecutor somehow does less than her job and is less than qualified to do what she is supposed to do. That really bothers me. I think the member, and maybe it is just the way he approached this subject, could have waited until I brought this information. I am going to continue my answer next date, and I want to, though, deal with that issue. I will go next date policy by policy by policy, and I will read them into the record, because I think it is very, very important that we do so.

Every scrap of information that my department can get me on some of these issues, I am going to read them into the record because this is an issue related to the professionalism of this particular individual. I do not want it to be left on the record that, firstly, she is less than capable of doing the job that she is doing, and somehow implying that she has been involved in some inappropriate plea bargain. I want to make sure that her reputation in that respect is not sullied improperly. Secondly, to suggest that the department puts forward prosecutors in those situations concerns me, and so I will continue this answer tomorrow.

Mr. Chairperson: The hour being six o'clock, committee rise.

Call in the Speaker.

IN SESSION

Mr. Deputy Speaker (Marcel Laurendeau): The hour being six o'clock, this House is now adjourned and stands adjourned until tomorrow (Tuesday) at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 28, 1999

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