



First Session- Thirty-Seventh Legislature

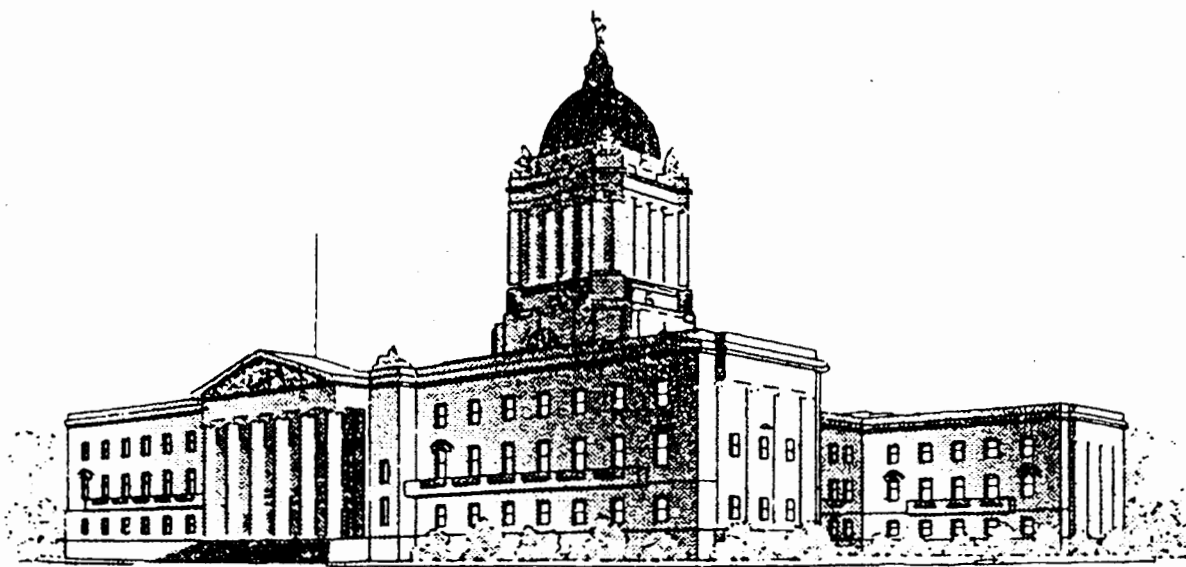
of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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The Honourable George Hickes
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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ASPER, Linda	Riel	N.D.P.
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PENNER, Jim	Steinbach	P.C.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 26, 2000

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Conrad Santos (Chairperson): Mr. 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 Selkirk (Mr. Dewar), that the report of the Committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Mr. Speaker, I am pleased to table the 1999-2000 annual report for the Manitoba Horse Racing Commission.

INTRODUCTION OF BILLS

Bill 41—The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Mackintosh), that leave be given to introduce Bill 41, The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et modifications corrélatives, and that

the same now be received and read a first time.

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

Motion presented.

Mr. Selinger: This bill makes the following changes, Mr. Speaker. It broadens the scope of debt repayment to include government pension liabilities. It ensures the proceeds from the sale of a Crown corporation are not used in determining whether there is a positive or a negative balance for a fiscal year. It ensures the transfers from the Fiscal Stabilization Fund and the Debt Retirement Fund are not recorded as expenditure or revenue but as transfers, and lastly, it ensures that all of the financial statements of the Government will be finalized and made public within the six months after the end of the fiscal year.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the gallery where we have with us today 18 students from Machray School under the supervision of Miss Rose Falgui. The school is located in the constituency of the Honourable Member for Point Douglas (Mr. Hickes).

Also in the public gallery we have with us, from the Applied Linguistics Centre, 12 English as a Second Language students under the direction of Ms. Greta Gibson. This school is located in the constituency of the Honourable Minister of Industry, Trade and Mines (Ms. Mihychuk).

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

ORAL QUESTION PERIOD

Freedom of Information Act Breach

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, my question is for the First Minister (Mr. Doer). On May 9 of this year, in this House, the Premier indicated, when he had his first report from the Ombudsman, that his office had breached The Freedom of Information Act. He indicated to the House at that time that he took it very seriously, that he accepted responsibility for his office breaching The Freedom of Information Act of this province.

We learned this weekend, and I would like to table this letter for the House, Mr. Speaker, that the Ombudsman has again found that the Premier's Office, that the Premier's staff have breached The Freedom of Information Act of this province and have done so for political reasons.

I want to ask the Premier if he is again prepared to accept responsibility for this. What action has he taken with his staff to ensure that this does not happen again?

Hon. Gary Doer (Premier): Mr. Speaker, I find it passing strange that a member who lost the privacy of every driver's licence in Manitoba was going around asking everybody and their dog to resign this weekend. I lost track of how many people the Member opposite wanted to resign. A person in charge of frozen food, he has got such a double standard in terms of the people of Manitoba.

Mr. Speaker, the information was released, and I think all requests from the Conservative caucus have been released on time. I believe that we do have a challenge. When we were first elected, by reducing the number of departments, with the number of requests that flowed from the new Freedom of Information Act, requests that were not factored into a new implementation strategy to deal with the difference between advice and information that should naturally flow to the public—that is why we have announced a review, because at the end of the day, we do not want a culture in the public

service that was like the former secretary to the Treasury Board where all files were kept in his briefcase.

Mr. Praznik: Mr. Speaker, the Premier is demonstrating he does not know what is going on in his own office.

I would ask the Premier: Given that the Ombudsman's report is not about any requests from the Conservative Party but about other parties who request information, and given that the Ombudsman's report clearly says that the Premier's staff were in breach of the Act and that the information could have been provided within a few days, in fact was provided by some departments in a few days, could he please tell this House if he is accepting responsibility for the wrongdoing of his own staff, and what steps he is taking to ensure that The Freedom of Information Act and the law is respected by his staff, Mr. Speaker?

* (13:35)

Mr. Doer: Mr. Speaker, with the number of requests we had in our first few months in office, the priority of negotiating and trying to negotiate support for agriculture, our work on water projects in the United States, trying to prepare a budget with the information we received from the Deloitte and Touche report, trying to prepare a budget with the same people that were responsible for preparing the budget in some of our departments as preparing these bits of information, the requests were all granted, the information was all granted. There were some that were a couple of days late, and we will improve.

Mr. Praznik: Mr. Speaker, the Premier is again proving he does not even know what is going on in his own office.

I ask the Premier: Given that the Ombudsman's report says very clearly "that the format for disclosure was initially provided within one week of receipt of this request," the information could have been provided. Given that the Ombudsman has said that it was deliberately held up by his staff, what steps is he going to take to correct—

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): On a point of order, Mr. Speaker, I heard a number of preambles beginning with the word "given." In supplementary questions, *Beauchesne's* Citation 410 says that "supplementary questions require no preambles."

I believe the Member has just put his question. In the future, Mr. Speaker, could you please direct that the Member simply put a question, when it is a supplementary, without preamble.

Mr. Speaker: On the point of order raised by the Government House Leader, he does have a point of order. *Beauchesne's* Citation 409(2) advises that a supplementary question should not require a preamble.

* * *

Mr. Speaker: The Honourable Member, please put your question.

Mr. Praznik: Mr. Speaker, I will rephrase my question. Can the Premier explain to this House how he can use the excuse of the information not being ready when the Ombudsman's report clearly said the information could have been provided, in most cases, within one week of the application? Why 60 days, Mr. Premier?

Mr. Doer: Mr. Speaker, we have added resources to the Ombudsman's office, three extra staff, and in fact at the same time we were doing that we reduced the number of people working for the Executive Council. We have reduced the number of departments. The day before we got this request we got requests for the briefing books and transition documents from all government departments. Those documents were not prepared consistent for the new government with the new laws, so there is an implementation challenge for us with the new laws to ensure that the public can be properly informed on a timely basis.

Mr. Speaker, we are disappointed that the Ombudsman has not yet reported on patients' records with the chiropractors in the Springfield constituency.

Mr. Speaker: The Honourable Member for Lac du Bonnet, with a new question?

Mr. Praznik: Yes, Mr. Speaker. The Ombudsman of this province, who the Premier says has been given more resources, has investigated this matter and demonstrated that the Premier's staff deliberately went to every department, had the information collected, brought it to the Premier's Office, without right, delayed it an additional 30 days in contradiction of the Act, and then gave out the information only reluctantly.

I am only paraphrasing the Ombudsman's report. I am saying to the Premier, given that the Ombudsman of this province has clearly identified his office as being in breach of the law, what steps will this First Minister do to accept responsibility under a parliamentary system? He is responsible. What steps to accept responsibility and to correct this action?

* (13:40)

Mr. Doer: I have already said that we plan on improving the situation with access to information. Part of what we have to do, Mr. Speaker, is dealing with the whole issue of advice to government, which is outside of the requests for freedom of information but was bundled inside of all the briefing books, all the transition documents and all the books that are available to ministers for Question Period.

That is something we must do because, quite frankly, there was no implementation strategy when we came into office. So, yes, we have to improve the situation, and we will.

Mr. Praznik: Mr. Speaker, the request was not about briefing notes; it was about ministerial expenses. I want to ask the First Minister if he stands by the public statements of his press secretary, I believe it is a Mr. Donne Flanagan, that the problem is not with his breaking the law, the problem is with the law. Is the Premier going to take action against this individual who clearly

has no respect for The Freedom of Information Act and the law of this province?

Mr. Doer: Mr. Speaker, the Clerk of Cabinet has been dealing with a number of requests. The Clerk of Cabinet has worked in this province for over 30 years under a number of different administrations. I have a great deal of respect for the decision making of that individual.

Mr. Speaker, we have readily admitted that, with all the requests we had in our first few months in office, there was no implementation strategy. We are readily admitting that we are going to improve that situation, and we are going to improve it in such a way that respects the parliamentary traditions of advice of civil servants being given to Cabinet ministers in an unfettered way, in a non-American way, if you will, and also allows us to release information to the public on a timely basis, which are, of course, the principles of this party.

Mr. Praznik: Mr. Speaker, I want to ask the First Minister why he is blaming the public servant when that information was available within one week of the request, and his own press secretary, a political appointment, has admitted in the paper that he does not respect the law and that he gave the instructions to do it. The problem is with the law, he is above the law, he does not have to obey it. Is the Premier going to take action against his press secretary?

Mr. Doer: All the requests made by the Conservative Party under FOI have been followed consistent with the law. Mr. Speaker, the number of other requests that we received, we were not able to deal with in the proper timely basis. Although all that information was released to the public, with all the other priorities we had when we first came into office, it was not our first priority to deal with, but we will improve, as we should.

Minister Responsible for Gaming Control Act Conflict of Interest

Mr. Leonard Derkach (Russell): Mr. Speaker, this Premier, in this House and on other occasions, has spoken about the need to restore trust in government, to remove any perception of conflict of interest that may exist. To the

Minister of gaming: Does the Minister of gaming not recognize that perception in the eyes of Manitobans is reasonable grounds for him to request the Premier to amend his Cabinet responsibilities?

Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act): Mr. Speaker, let me say and equivocally state that there is no conflict of interest, perceived or otherwise, and I just want to state that Mr. Nadeau and Mr. Freedman were an independent selection committee. Certainly they have stated, on numerous occasions, that Mr. Nadeau and Mr. Freedman are well respected in the legal community, and they gave independent recommendations to this government with regard to the proposals. Certainly they reviewed those proposals very closely, and those are the recommendations that they made.

Mr. Derkach: Does the Premier not recognize that in light of section 8 of the conflict-of-interest guidelines and act which says that performance of responsibilities by ministers during the exercise of any official power or the performance of any official duty or function by a minister there arises a matter in which the Minister or any of his dependants has a direct or indirect pecuniary interest or a matter involving the direct or indirect pecuniary interest of a person or corporation to whom or which the Minister or any of his dependants has a direct or indirect pecuniary liability, the Minister shall delegate the power of duty or function to Executive Council, refrain at all times from attempting to influence the matter and withdraw from meeting without any perception or discussion—Mr. Speaker, does the Premier not recognize that this is a breach of the law?

Hon. Gary Doer (Premier): Procedures under the conflict-of-interest law have always been followed by our ministers.

Mr. Derkach: This is quite incredible. I want to ask the Premier, given his previous comments and given the fact that we have a declaration here where it shows very clearly that Valerie Matthews is a partner who is involved as a counsel for one of the proponents for the aboriginal casino project—she is a counsel to one of the bands—will the Premier, given his previous

of the bands—will the Premier, given his previous comments, not recognize and not allow the citizens of Manitoba to in fact be given the comfort that this minister and this Premier will indeed act within the law?

Mr. Doer: If we were not, you would be filing under section 20.

* (13:45)

Mr. Speaker: The Honourable Member for Russell, with a new question.

Mr. Derkach: On a new question, Mr. Speaker. In committee last week, this minister clearly indicated to members of the committee that indeed he led the negotiations with regard to the casinos, that indeed he was involved in the decisions with regard to the casino allocations because he took those matters, those recommendations to Cabinet. That means that he was directly involved. The conflict of interest very clearly states that if in fact he is involved in that matter and if he has an indirect pecuniary interest, then he must withdraw from those discussions. I am asking the Premier to now change the responsibilities of this minister who is in conflict with the conflict-of-interest guidelines.

Mr. Doer: Mr. Speaker, we and members opposite—and I am sure the new leader of the Conservative Party (Mrs. Mitchelson)—should be very, very aware of the Act and the relationships with spouses and the financial interest that people hold. I trust that the new leader has approved this kind of attack on the Member opposite. It is very important, as the members opposite have identified, that people in Cabinet properly follow the Act, and if they do not, of course members opposite have the remedy under section 20 of the Act.

Having said that, the site location recommendations were made by an independent body. We said we would accept the recommendations, and we did. The recommendations were made by Mr. Nadeau and Mr. Freedman, and if members opposite are saying that the Minister influenced their recommendations, I would be quite shocked.

Mr. Derkach: Mr. Speaker, the Premier need not put words into the mouths of the Opposition, because indeed we did not say that.

I am asking the Premier to live up to his word. I am asking him to live up to his word when he said in this House about the need to restore trust in government and to remove any perception of conflict of interest that may exist. There is a perception of conflict of interest, which is clear in the minds of many Manitobans.

Will the Premier remove this minister from his responsibilities with regard to gaming?

Mr. Doer: No.

Health Care System Cardiac Care

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, doctors, nurses and other health care professionals have first-hand knowledge of what works and what does not work in patient care delivery. They are the ones that determined that consolidation at one site for heart surgery was the best choice for Manitoba.

Can the Minister of Health justify why he is interfering in their decision, which was made in the interests of making our health care system more cost-effective and co-ordinated?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, I do not think the Member is aware of actually what she is talking about, frankly, in this regard.

I would like to indicate, in this Legislature, the cardiac program in Manitoba has been in some disarray for almost a decade. We are facing equipment difficulties and equipment shortages, and we need to attract cardiologists and have cardiologists retained in Manitoba.

I think all Manitobans will be very pleased with the announcement that we intend to make tomorrow.

Mrs. Driedger: Mr. Speaker, I do find his accusation of not knowing what I am speaking about a bit offensive. It is right here in this book what I am speaking about.

Can this minister explain why he has put Dr. Brian Postl in such an awful position? On the one hand, the NDP expect him to make sound

and accountable policy recommendations and on the other hand they want him to make politically motivated recommendations of their choosing. Doctors, nurses and other professionals are the ones that determine the sites.

* (13:50)

Mr. Speaker: Order. The Honourable Government House Leader, on a point of order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): On a point of order, similar to the one raised earlier in Question Period. *Beauchesne's* Citation 410 says supplementary questions require no preamble. Of course, there is no midamble or postambles either, and the Member is definitely ambling.

Mr. Speaker, would you please direct her in the future not to add to her question, which should be direct and simple, any preamble.

Mr. Speaker: On the point of order raised by the Honourable Government House Leader, he does have a point of order.

Beauchesne's Citation 409(2) advises that a supplementary question should not require a preamble.

* * *

Mr. Speaker: The Honourable Member, please put your question.

Mrs. Driedger: Thank you, Mr. Speaker. Can the Minister explain why he has put Dr. Brian Postl in such an awful position?

Mr. Chomiak: Mr. Speaker, I always find it regrettable when members opposite choose—I mean, you can attack our policies and our government, but I prefer that you stay away from civil servants and public servants, who in fact were hired by the former government.

If the Member is referring to a newspaper story this morning that was talking about a proposed—*[interjection]* The Member for Lac du Bonnet (Mr. Praznik), I would like to see him

stand up on this question because I have a few comments for him.

I just want to remind the Member for Charleswood that the former government, which she represented, did a study that cost close to a million dollars that recommended a particular course of action, that is to have a cardiac program—one program, two sites, St. Boniface and Health Sciences Centre, and it cost close to a million dollars, that was paid for by the people of this province to make that recommendation. It is called Wade-Bell. If she wants, I will provide her with a copy of that particular report.

Mrs. Driedger: Can the Minister, the one who said we must show more respect for those in our health care professions, explain how politically interfering with their recommendations achieves that?

Mr. Chomiak: The decision that was made last September by the people of Manitoba was to improve our health care system, to put in place programs and activities. The cardiac program in this province has been listing for almost a decade, and we intend to make announcements to have a positive program and developments tomorrow that I think will please most Manitobans. I think if there has been any politicking, it is the Member for Lac du Bonnet who asked for more resignations this weekend than the whole time when I was a member of the Opposition for eight years, and I think if you want to talk about politics, that talks about politics.

Health Care System: Heart Transplant Program

Mrs. Bonnie Mitchelson (River East): My question also is for the Minister of Health. I would like to ask about his decision to establish a heart transplant program here in the province of Manitoba. Can the Minister of Health tell us how many Manitobans per year require heart transplants and are referred to London, Ontario, for those procedures?

* (13:55)

Hon. Dave Chomiak (Minister of Health): I urge the Member to wait until our announcement

tomorrow, at which time we will make announcements with respect to this. I also urge the Member to take the Wade-Bell report that was commissioned by a government of which she was a member of the Cabinet and, in fact, made recommendations to do heart transplant programs in Winnipeg to go in conjunction with lung transplant programs.

Mrs. Mitchelson: I wait with some anticipation, I suppose, for that announcement, except I think there are some questions that Manitobans would want some answers to. Along with that announcement or maybe today the Minister of Health could indicate in this House to us whether there have been any studies that have been done that indicate that a heart transplant program would be a safe program for those that receive that kind of surgery here in our province, given that we do not have a significant number of individuals right here in Manitoba that seek heart transplantation on a yearly basis.

We would really like to know whether there have been any studies done that would indicate that we could run that kind of a program here in a safe and efficient manner to ensure that patients might survive those kinds of procedures here.

Mr. Chomiak: One of the things we want to make sure that we do as government, that everything that we do is safe and in the best interests of patients, and that has been our guiding principle and will continue to be our guiding principle within the health care field.

The Member seems to be quite interested in heart transplant programs. I think we can have a discussion in Estimates, which we will be going to shortly. I can indicate that there are heart transplant programs in Vancouver, Edmonton, London, Toronto, Hamilton, and most major centres in the country.

Mrs. Mitchelson: Given that we have not received Judge Murray Sinclair's report on the baby deaths at the Children's Hospital and there seems to be some indication that we were not doing enough of those kinds of procedures here in Manitoba to ensure the safety of individuals receiving that treatment, is it not a little premature to be embarking upon another trans-

plant program until we have the results of Judge Murray Sinclair's assessment of the situation and those recommendations on the table to look at?

Mr. Chomiak: Mr. Speaker, again the Leader of the Opposition is confused with respect to the number of programs. Judge Sinclair is looking at the pediatric infant program and the deficiencies in regard to that. We are anxiously awaiting the recommendations of Judge Murray Sinclair in that regard.

As the Government is responsible for health, we are supposed to do what we can and move as quickly as we can to improve the health situation in the province of Manitoba. We intend to do that. We intend to do what is best for the patients of Manitoba across the field. That is what we did when we were elected. That is what we will continue to do.

Health Care System Pediatric Cardiac Care

Hon. Jon Gerrard (River Heights): In cancer care, the Minister of Health is pursuing a rather extraordinary out-of-province strategy.

However, when it comes to cardiac care, the Minister of Health in fact appears to be bringing forth some measures which I would judge represent a positive step forward—he is to be complimented—ensuring better utilization, for example, of existing facilities at St. Boniface Hospital.

I have a question about the cardiac services. I will ask the Minister for some clarification on his view of the status of pediatric heart surgery in terms of this overall cardiac or heart program.

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, I appreciate the comments and the fact that the Member said the "extraordinary." The cancer situation was in fact, in my view, a health view, a crisis that required extraordinary circumstances to deal with. When we saw the number and the waiting lists for particular patients, we felt we had no choice but to adopt that course of action. *[interjection]* Well, in fact, that is taking place.

With respect to the pediatric for children, I thank the Member for raising that, because there

is a distinction that I think members ought to recognize. We are in the process of working with the other western provinces. We will have an announcement with respect to the western pediatric issue very shortly.

Mr. Gerrard: Ma question supplémentaire: Est-ce que le ministre de la Santé est certain qu'il y a assez d'anesthésistes au Manitoba pour faire toute la chirurgie cardiaque qu'il veut?

[Translation]

My supplementary question: Is the Minister of Health certain that there are enough anesthesiologists in Manitoba to do all the cardiac surgery that he wants?

* (14:00)

Mr. Chomiak: Je pense que nous sommes en train de discuter cette chose avec tous les gens dans le champ, et en même temps je pense qu'on va planifier le système pour déterminer, pour assurer que nous aurons tous les gens dont on a besoin pour faire ça.

[Translation]

I think that we are in the process of discussing this with all the people in the field. At the same time I think we are going to plan the system so as to determine, to ensure that we will have all the people we need in order to do that.

Heart Transplant Program

Hon. Jon Gerrard (River Heights): My second supplementary to the Minister of Health: Can he please provide us more details of his view of the proposed relationship between the new proposed heart transplant program and the cardiovascular science research institute at St. Boniface Hospital?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, there was a newspaper report with regard to this. We are going to be making an announcement tomorrow, at which time we will outline all of the details of the announcement and the relationships and the various factors. Perhaps tomorrow we will be in a better position to outline the specifics of that particular matter.

Minister Responsible for Gaming Control Act Conflict of Interest

Mr. Darren Praznik (Lac du Bonnet): My question is for the First Minister. I want to ask the First Minister if he has read section 8 of The Conflict of Interest Act that states very clearly that a minister cannot act in matters in which their dependants have an indirect pecuniary relationship. As well, has he read section 3.1 that defines that as having any employment relationship?

Given that his minister's spouse is employed as a lawyer, her firm is employed by a band who is now negotiating with that minister for a contract for a casino licence which his own commission has said is a privilege, I want to ask the Premier if either he or his minister has availed himself of the service that is available to have an independent lawyer look at this matter and provide an opinion? Was that done by him or his minister?

Hon. Gary Doer (Premier): We believe in full disclosure, which has taken place, and the members opposite have referenced that. We believe that in decisions a government may or may not make, section 8 must be followed, and we are following it, Mr. Speaker. Thirdly, we know that the recommendations made by Mr. Nadeau and Mr. Freedman were not made by the Minister to Cabinet.

Mr. Praznik: I want to ask the Premier if he knows what is going on in his own government. I want to know if the Premier knows that last Thursday his minister admitted that he is in charge of the negotiations, that the negotiator reports to him as minister and that he would be taking the recommendations for the contracts to Cabinet with a recommendation? Does the Premier know that his own minister has admitted that he will have that responsibility in these negotiations, which puts him in the perceived conflict-of-interest situation?

Mr. Doer: The word "perceived" is not a violation of the Act. In fact, the Member opposite uses that term in quite liberal ways, which is regrettable. We believe that the Minister did not influence. The Member opposite knows that the full disclosure was made (a), and (b), the

recommendations made by Mr. Nadeau and Freedman were made not influenced by the Minister.

Mr. Praznik: Mr. Speaker, does the Premier of this province know what his own government is doing? Does he not know that his own government now is negotiating with the Nelson House First Nation who employs his minister's wife and that his minister is the person who is in charge of those negotiations? And that is not a conflict of interest the Premier says. I ask the Premier: Does he know what a conflict of interest is?

Mr. Doer: The Member opposite can yell all he wants in this House, and he can ask for everybody's resignation over the weekend, but the law has been followed. The Minister's spouse is involved in relationships with Nelson House and, as the Member opposite knows when he was in government as a Cabinet minister responsible, was involved in negotiations generally and specifically on hydro development. The Minister has always disclosed that and withdrawn from any discussions that would be directly related.

Minister Responsible for Gaming Control Act Conflict of Interest

Mr. Leonard Derkach (Russell): Mr. Speaker, what a tangled web we weave. The First Minister just said in response to a question from the Member for Lac du Bonnet that a perceived conflict of interest is not a conflict of interest, yet I want to quote what he said in this House. He said in this House, the Premier has spoken in this House about the need to restore trust in government and to remove any perception, any perception of conflict of interest that may exist.

It appears now that there is more than a perception in terms of conflict of interest because indeed the Minister's wife is in fact counsel to one of the First Nations that has applied and has been successful in receiving a casino. I ask the First Minister: Will he do the honourable thing and reassign the duties of this minister who is responsible for gaming in the province of Manitoba?

Hon. Gary Doer (Premier): The people of this province restored integrity to this province and

to government when they changed the Government on September 21.

Freedom of Information Act Breach

Mr. Peter Dyck (Pembina): Manitoba's Freedom of Information and Protection of Privacy Act ensures the public has the right to access government information. We know that more than 3000 elected officials, senior administrators and staff participated in FIPPA-awareness workshops to make sure that they are prepared to deal with FIPPA legislation. However, it seems some members of the Premier's political staff do not think the legal obligations under FIPPA apply to them. Will the Minister of Culture explain to the House what measures will immediately be taken to ensure that the members of their government's political staff can no longer interfere in the release of public information requested through FIPPA?

Hon. Diane McGifford (Minister of Culture, Heritage and Tourism): I thank the Member for his question. If the Member understands FIPPA, then he would know that FIPPA is housed in the Department of Culture, Heritage and Tourism and that the duty of my department is to provide education. The Member has certainly shown how well my department has done in providing education to people around the province. That is the work of Culture, Heritage and Tourism.

Further to that, I would like to tell the Member that we recently did announce a review. The review will most likely get started some time in the fall. The purpose of the review, of course, is to provide Manitobans with an opportunity they did not have when the previous government brought in FIPPA in 1997 and that is to provide all Manitobans with the opportunity to tell government of the effect and impact that FIPPA has had on their lives and what they would like to see in this legislation. As I point out again, it was not an opportunity afforded Manitobans in—

Mr. Speaker: Order.

Mr. Dyck: Will the Minister of Culture explain to the House why the province's civil servants

have been put in a compromising position by being told by their political masters not to release information? Can the Minister tell the House, please?

* (14:10)

Ms. McGifford: As I was telling the Member opposite, what this government intends to do is to provide all Manitobans with the opportunity to address the issues of FIPPA, to address the shortcomings of FIPPA, and consequently we are going to review this act. We are aware that certain groups have expressed concerns with FIPPA. I personally have expressed concerns with FIPPA. Here is an opposition that seems to be concerned about FIPPA and its implementation. This is an opposition who, when in government, brought in a clause restricting government records to 30 years, protection for 30 years, which is the longest of any government in Canada. So I do not think I need to take lectures from members opposite in how we should behave when in government.

Mr. Dyck: I would ask the Minister again: Did you instruct the members of the bureaucracy not to give forth information to the public? Is this a part of your directive that you have been working with?

Ms. McGifford: The answer to that question is really very simple, Mr. Speaker: No, I did not.

Freedom of Information Act Accessibility

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, when the now government was in opposition, they complained loudly, arguing that the public's ability to access information was restricted. Today we see that they themselves have been actively restricting access to information. I wonder if the Minister of Culture would confirm that it is her view of the access to information act that it should be opened up further.

Hon. Diane McGifford (Minister of Culture, Heritage and Tourism): Mr. Speaker, I had some difficulty hearing the question between catcalls from members opposite, but I think the Member asked if I believed The Freedom of Information and Protection of Privacy Act

should be opened up for review. I have already assured the House that I think the Act should be opened up for review and that is the intention of this government, to conduct a review. We are now in the preparatory stages.

If members opposite want to be advised of our progress towards that review, and of course they are always free to make presentation to the review when it begins, then I welcome their input.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Rulings

Mr. Speaker: I have a ruling for the House.

On June 5, 2000, I took under advisement a point of order raised by the Honourable Deputy Government House Leader (Mr. Ashton) concerning the use of the word "misled" by the Honourable Member for Lac du Bonnet (Mr. Praznik). The Deputy Government House Leader asserted that as the word in question appeared on the list of unparliamentary words contained in *Beauchesne's* Citation 489, that the use of the word was out of order.

The Honourable Official Opposition House Leader (Mr. Laurendeau) also spoke to the point of order and suggested that the word was not out of order because it appeared on the list of parliamentary words contained in *Beauchesne's* Citation 490 and because the Member for Lac du Bonnet had not used the term "deliberately" in conjunction with the word "misled." I took the matter under advisement in order to peruse Hansard.

I thank both House leaders for their contributions to the point of order.

As I ruled in the House on June 8 and again on June 12, 2000, a word is not in or out of order simply because of the appearance of the word on a list of parliamentary or unparliamentary terms. Much depends on the tone used, the context of the situation, and the amount of disorder generated. The guiding principle for Manitoba Speakers to primarily follow is Manitoba

precedents in conjunction with the context of the usage of the word.

Past Manitoba practice has been that if a member uses the phrase "deliberately misleading," the words are ruled out of order. This is reinforced by rulings from Mr. Speaker Rocan on July 12, 1991, and Madam Speaker Dacquay on March 20, 1997, on April 9, 1997, and June 10, 1997. However, the word in question used by the Member for Lac du Bonnet was "misled" which had no qualifier or connotation of deliberately misleading. As was ruled in the House by Madam Speaker Dacquay on October 17, 1995, the word "misleading" is not considered to be unparliamentary unless it is claimed that the misleading is deliberate.

I therefore find that there is no point of order and that the word "misled" was not used in an unparliamentary context.

* * *

I have one more ruling.

Order, please. I would ask the co-operation of all members that when the Speaker is giving a ruling that the Speaker should be heard in silence.

On June 7, 2000, I took under advisement a point of order raised by the Honourable Government House Leader (Mr. Mackintosh) concerning the use of the words "Minister of gambling" by the Honourable Member for Morris (Mr. Pitura) in addressing a question to the Honourable Minister of Consumer and Corporate Affairs (Mr. Lemieux). The Honourable Government House Leader indicated that there was no such minister. The Official Opposition House Leader (Mr. Laurendeau) also spoke to the point of order and indicated that it was immaterial whether a minister was referred to as the Minister responsible for a particular area. The Honourable First Minister (Mr. Doer) also spoke to the point of order. I took the matter under advisement in order to peruse Hansard.

I thank all members for their contributions to the point of order.

On the matter of the proper reference to ministers in Question Period, *Beauchesne's*

Citation 484(1) advises that it is custom in the House that a minister is normally designated by the portfolio held, such as the Honourable Minister of Consumer and Corporate Affairs. Marleau and Montpetit, on pages 521 and 522 of *House of Commons Procedure and Practice*, state that during debate members do not refer to one another by their names, but rather by title, position or constituency name in order to guard against all tendency to personalize debate. A minister is referred to by the portfolio that he or she holds.

Upon checking the title of the Honourable Minister of Consumer and Corporate Affairs on the Order-in-Council appointing the Minister to Cabinet, he is listed as being the Minister responsible for The Gaming Control Act. I would therefore respectfully request that honourable members refer to the Minister by his correct title, which is the Honourable Minister responsible for Gaming or The Gaming Control Act.

*(14:20)

MEMBERS' STATEMENTS

Kathleen Kozak

Ms. Marianne Cerilli (Radisson): Mr. Speaker, I want to recognize Kathleen Kozak, who lives in the Windsor Park area of Radisson and is training for her first marathon. She hopes to run this marathon in Ireland, all expenses paid. Her job, other than training, is to raise \$4,500 for the Arthritis Society. This is a unique fundraising campaign by the Arthritis Society, where runners raise money and can run in marathons in places like Hawaii, Ireland and others.

What has motivated this 22-year-old network and systems administrator for Inland Audio Visual to set this goal for herself is a very touching story. Kathleen's great-aunt Gerry Nichols, 59 years old, passed away recently after a long, painful illness of arthritis. Kathleen said her great-aunt was like her grandmother, whose death left her feeling helpless, until she heard about the Arthritis Society's event. She said it was one of those things, when you hear it, it just feels right. She has now begun training for a year in order to raise funds for the Arthritis

Society in her great-aunt's name and to complete her first marathon.

I would hope all members of the House will join me in wishing her well with her training and her fundraising activities, including a social as well as sponsorships, and with the help of her trainer, Chris Glowach of the Running Room, that she will successfully complete her marathon in Ireland. Thank you.

United Nation's International Day in Support of Victims of Torture

Mr. Ron Schuler (Springfield): Mr. Speaker, I would like to draw my colleagues' attention to the fact that today is the United Nation's International Day in Support of Victims of Torture. Throughout the world today, events will be held in over 75 countries in recognition of the need to break the silence about torture, to strengthen support for torture victims and to increase efforts to eradicate torture worldwide. The United Nations General Assembly officially proclaimed the 26th of June as UN International Day in Support of Victims of Torture. The UN Convention Against Torture first came into force on June 26, 1987. It is hard for Canadians to believe and accept that nearly half of the world lives under governments who still implement forms of torture and ill treatment of their citizens.

It is up to each of us not to sit by and watch lives being destroyed through barbaric government and terrorist practices. Suffering torture and ill treatment is a traumatic experience which leaves serious physical and psychological scars. The experience affects victims for the rest of their lives. It is very important to raise awareness of the rehabilitation needs of torture victims and to break the silence surrounding torture. We need to join Canadians already working to raise awareness within Canada about these atrocities. I hope that we, as elected representatives, and all Canadians encourage awareness of the UN International Day in Support of Torture Victims.

South Indian Lake

Mr. Gerard Jennissen (Flin Flon): I rise today to acknowledge Manitoba's largest Northern Affairs community, South Indian Lake. The

community was recently profiled on CBC radio as a model for northern economic self-sufficiency. Since 1974, The Northern Affairs Act has provided for incorporations of northern communities. Last April, South Indian Lake became the first Northern Affairs community to take steps towards incorporation. I was proud to attend that celebration in my constituency last year.

South Indian Lake, like so many other northern communities, faced some enormous challenges in the 1970s with the Churchill diversion and hydro development. Housing and sewage concerns became a reality of life as the people's traditional livelihood based on fishing, hunting and trapping was severely disrupted. In the past decade, the area's jobless rate hovered around 70 percent to 80 percent.

One year after its incorporation, the community has already assumed greater control, independence and authority over its own affairs. Economic control has translated into jobs for South Indian Lake. This year alone, nearly 40 employment opportunities were created through the addition of constables, nursing station guards and a local housing initiative. Economic success has also enabled the community to establish a new day care and encourage the growth of small businesses like laundromats.

A five-year strategic plan drafted by South Indian Lake Mayor Joan Soulier and the local council will help ensure future success in this community. South Indian Lake now serves as a model for other northern communities.

I should add that our government recently expanded the Self-Reliance Initiative to help an additional 12 northern communities develop local government services. Investment in the North will improve conditions today and provide hope for tomorrow. Thank you, Mr. Speaker.

Trans Canada Trail Relay 2000

Mr. Leonard Derkach (Russell): Mr. Speaker, between June 20 and June 22, the Trans Canada Trail Relay passed through a number of communities in the constituency of Russell. I was very pleased to attend some of the events held at the communities of Inglis, Russell, Angusville,

Silverton, Waywayseecappo, Rossburn, Vista, Oakburn, Elphinstone, Sandy Lake and Erickson, who celebrated the relay. These communities displayed a great deal of excitement and support for the Trans Canada Trail while the relay was passing through these areas of Manitoba.

The hikers, the runners, cyclists, inline skaters, wheelchair athletes and horseback riders who were taking part in the Trans Canada Relay are carrying two small containers of water collected from the Arctic Ocean and the Pacific Ocean. These flasks of water will be passed hand to hand by relay participants making its way to the Trans Canada Trail fountain in Hull, Québec, where the water will be mixed with water from the Atlantic Ocean. It was extremely fitting that the relay arrived at Waywayseecappo First Nations as the community was celebrating Solidarity Day. An elder blessed the water, the community held a drum ceremony, and there were performances by native dancers.

My congratulations go to all the relay participants for taking part in a truly historic event. I would also like to commend the communities in my riding for showing a tremendous amount of support, their diversity of culture and excellent hosting of cuisine in an exceptional event that occurred between June 20 and June 22 in the constituency of Russell. Thank you very much, Mr. Speaker.

Icelandic National Day

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, on Saturday, June 17, Icelandic National Day celebrations were held here at the Legislature. A wreath-laying ceremony took place at the Jon Sigurdson statue followed by a reception inside the Legislative Building.

It is an exciting year for Manitoba's Icelandic community. This year marks 125 years since the arrival of the first Icelanders on the shores of Lake Winnipeg. The year 2000 also commemorates 1000 years since explorer Leifur Ericsson first set foot on North American soil. On June 17, an authentic replica of the Viking ship, the *Icelander*, set sail from Reykjavík to Newfoundland. The ship will follow the course of the first Icelandic explorers.

A number of celebrations have been planned throughout the year by the Millennium 125 Commission headed by Arborg area farmer David Gislason. In early August, Gimli will host the 2000 Icelandic Festival with a visit by Icelandic President Ólafur Ragnar Grímson. One of Iceland's prominent boys choirs and folk dance groups will perform in Riverton, Gimli and Winnipeg in August. Arborg will host a visit of the Bishop of Iceland in September.

Manitoba has an active Icelandic community with over 25 000 people of Icelandic origin. Today, the province continues to maintain close trade and cultural ties to Iceland. I wish both the Millennium 125 Commission and host communities continued success in their many celebrations this year. Thank you.

ORDERS OF THE DAY

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister charged with the administration of The Gaming Control Act (Mr. Lemieux), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to.

Mr. Speaker: Mr. Deputy Speaker, please take the Chair.

COMMITTEE OF SUPPLY (Concurrent Sections)

CONSUMER AND CORPORATE AFFAIRS

Mr. Chairperson (Harry Schellenberg): Order, please. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 254 will resume consideration of the Estimates of the Department of Consumer and Corporate Affairs.

When the Committee last sat, there had been agreement to have a global discussion on the entire department. Is that still the will of the Committee? *[Agreed]*

We are on line 5.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$323,700. Shall the item pass?

Mr. Darren Praznik (Lac du Bonnet): Mr. Chair, my colleagues Mr. Penner from Steinbach and Mr. Derkach from Russell, we would like to continue a series of questions today in the gaming area, so the Minister, if, in fact, he wants to have staff here, we would accommodate that.

Mr. Chair, my first question, I want to come back to this issue of a conflict of interest. I want to start off by saying to the Minister that I appreciate very fully that he is a new minister and that many things come onto his plate in his early days, and I say this because I genuinely believe that this minister wants to do the right thing. I want to say that. My party in no way is saying that this is some devious minister whom the public should be wary of. I believe that this minister would like to do the right thing. Our concern is that within his own government, the operations of doing the right thing, quite frankly, are not working well. We are seeing this on a number of occasions when the government's sense of what is right and wrong is highly questionable.

The questions we put today and the answers we got on The Freedom of Information Act are just one good example where it is okay to breach the law. The Premier (Mr. Doer) obviously was not briefed on that matter, because he was all over the place. He did not appear to know what was going on in this particular area, and instead of just admitting that and dealing with the issue, he went on the attack, and on this particular issue of a conflict of interest, we saw the same thing, the solid positions, when, in fact, I do not think people have really firmly studied the issue.

I want to also say to the Minister that, first of all, we recognize fully on our side of the House that his wife has a right to her life and she has a right to earn a living and she has a right to work for clients. We are in no way attacking her on this. She has a right to do that, and we fully respect it. In fact, from the comments I saw in the media, and I predicted to my colleagues—and I know her. I know her very well. She is one of the best land negotiation lawyers in the province

of Manitoba, if not the country. When this was first brought to our attention, it was my view that she would probably do the right thing from her perspective, and in recognizing that there was a conflict here, that she within her firm would refrain from dealing on the casino file.

So I think she has done the right thing, and at this stage of the game, the Minister—and the Premier (Mr. Doer) reinforced it today—has not been making a decision. All he has done to date is receive the report of the commissioners and appointed the implementation team.

But this is the time when this conflict now arises. It arises, we believe—and I think the law will prove us right and the facts will prove us right—because the Minister, as he said on Thursday in this committee, is the Minister responsible for the file. He is the Minister to whom Mr. Luke reports. He is the Minister who will have to give instructions to Mr. Luke on behalf of the Government. In fact, when we in the Chamber asked the Premier who is speaking for the Government, who is in charge of these negotiations for the Government, the Premier remained in his seat and allowed this minister to answer with the clear implication that this minister is responsible for this file, and he acknowledged that in this committee on Thursday.

He also acknowledged that when the negotiations are finished under his direction, that he will be the Minister who takes this matter to Cabinet, and with all Cabinet matters he will be the Minister who makes a recommendation to Cabinet. So it is very clear that this Minister is past the stage of just being the recipient of a report from an independent body. He has now reached the stage where he is directly involved in the negotiations for casino licences which Mr. Freedman and Mr. Nadeau said was a privilege being granted by the Government to these five applicants.

Now, I would like for the benefit of the Minister, if we could just provide him a copy, so he can reference where we are coming from, of the conflict-of-interest legislation—Perhaps we could just provide it to the Minister. Section 8 is the operative provision here. It clearly says, and I quote: "Where, during the exercise of any official power or the performance of any official

duty or function by a minister"—clearly, Mr. Chair, the Minister has acknowledged that he is the Minister responsible for the negotiations, that Mr. Luke answers to him and that he will take this matter to Cabinet. So it is a matter that he is dealing with. It is part of his function, in this particular case, as assigned by the Premier.

So where the Minister has that responsibility, and I carry on: "(a) a matter in which the minister or any of his dependants has a direct or indirect pecuniary interest."

Well, what happens in that case because that is what we are suggesting: "The minister shall (c) delegate the power, duty, or function to the Executive Council or a committee thereof; (d) refrain at all times from attempting to influence the matter; and (e) at any subsequent meeting of the Executive Council or committee thereof which considers the matter, disclose the general nature of the direct or indirect pecuniary interest or liability and withdraw from the meeting without voting or participating in the discussion."

* (14:50)

So, at this point in time, this act is very clear. He should not be dealing with this matter. Now, let us make the case, and I want the Minister to follow this through so he understands where he is coming from. If a dependant has an indirect or direct pecuniary interest, we are arguing that his wife has an indirect pecuniary interest. His wife is a dependant. If the Minister looks at the definition section, it indicates very clearly that a "dependant" means "the spouse of a member or minister." So, unless he is prepared to tell us that he is not living with his wife now, or they are separated or divorced, there is no relationship, it is very clear that she is a dependant.

Now, is there an indirect pecuniary interest here? That is the question. I would refer the Minister to section 3(1), which defines an indirect pecuniary interest. I quote: "For the purposes of this Act, but subject to the section, a person shall be presumed to have an indirect pecuniary interest in a matter where"—and we refer to the (b) section—"the person is (i) a partner of or employed by"—"employed by" are the operative words—"a person, corporation,

partnership or organization who or which, or (in the case of a corporation) a subsidiary of which has a direct pecuniary interest in the matter."

I think the Minister could acknowledge that the Nelson House First Nation has a direct pecuniary interest in the casino licence. It is absolutely clear they do. He has already acknowledged that his wife and her law firm, of which she is a partner—and I refer him to the application or the conflict-of-interest information that he filled out that clearly acknowledges that Valerie Matthews Lemieux, his spouse, is not an employee of but a partner in Myers Weinberg Kussin Weinstein Pollack, which is employed by the Nelson House First Nation.

So, it is very clear here that his wife is employed by Nelson House First Nation, and that, under this section, implies an indirect pecuniary interest in the matter in which he is dealing. She does not have to be negotiating on their behalf. She does not have to be handling the file on their behalf. She does not have to even talk about it on their behalf. She **does** not even have to know about it, but she and **her** firm of which she is a partner, not an **employee**, are employed by Nelson House First Nation. They have been so for many years, and they are now.

So this act clearly says that there is an indirect pecuniary relationship, and section 8 clearly says that if there is an indirect pecuniary interest on the part of a dependant of the Minister, he must refrain from dealing with this matter. There is the case we make, and we have the Premier (Mr. Doer) telling us there is no case. We have the Minister saying there is no conflict. We have never said that the Minister has unduly influenced any decisions to date. In fact, I would be so bold to say knowing this minister and knowing his spouse, whom I have a great deal of respect for, in fact, for both of them, I do not think in any way she would attempt to influence this matter, but that is not the issue.

The issue is the law, and the law says very clearly that this minister must refrain from acting in this matter. Because we think this minister is a new minister and we want to give him the benefit of the doubt, we have not asked for his

resignation from Cabinet. We have not said that this minister is so blatantly in disregard of conflict of interest that he should tender his resignation, and, believe me, we could have asked for that. In many provinces and many circumstances, ministers have resigned for this, but we have not.

We have given this minister, I think, because he is new and because he has always been a gentleman, an opportunity to recognize now that he in fact is in violation of the conflict-of-interest law, particularly when he has acknowledged that he has now appointed an implementation committee who reports to him, and their work will be coming to him and that he will be taking it to Cabinet. We are asking him to acknowledge that he is now in violation of the statute. All we are suggesting, all we are asking, is that he remove himself from this file.

If he served a premier who was more than someone who is prepared to just stand up and bluster, the Premier today would have read the statute and probably announced to the House that on second thought they were removing the Minister from this file, no shame in that. In fact, we are not here to shame the Minister into it. We believe that it was probably an oversight. We believe he probably discussed this with his wife. His wife withdrew at that law firm, and she did the right thing from her end, but now he must do the right thing from his.

He really only has two choices. He can excuse himself from this file, which is what we are asking for. We are not asking for his resignation from Cabinet. We think he has a contribution to make. Or his spouse can withdraw from that law firm and no longer be employed in any capacity by Nelson House, and I think that would be very unfair to her in her career. But it is a choice that the Lemieux household now has to make, and if they do not make it now, they rise totally against the law. I will tell the Minister this—it is a lesson I learned from the Member for Thompson (Mr. Ashton)—it is always better to admit when you have made a mistake or potentially made one, backtrack a little, check it out and emerge for another day than it is to dig oneself in until there is no turning back.

I can tell the Minister this, from the facts that are known today: Unless he is prepared to tell us that his wife no longer has any employment relationship, she is no longer retained by or in the employ of, or her firm is no longer in the employ of the Nelson House First Nation, unless he is prepared to tell us that—you know from the Premier's (Mr. Doer) answers today he undermines this minister because he basically said this minister has no discretion, decision making or involved in any way, he is just a courier who is going to take the paper from one guy and deliver it to the next. So, unless the Minister is going to tell us some new information, the prima facie case here in reading the Act is that he is in conflict. Now, we are prepared today, if the Minister is committed, to have this matter go to a lawyer. There is a lawyer retained by the Province for just such a situation—many of us have used that lawyer as MLAs in the past—who provides an independent review of the law and advice.

If the Minister wants to take a day or two to reconsider his position, we would allow him that. But if the Minister wants to insist that he has done nothing wrong, and we are not saying that he has done anything wrong. We are not saying that there was some untoward act here. We are not saying that he and his wife have been in cahoots to make sure Nelson House has a casino. No one has accused them of that. What we are saying now is on a reading of The Conflict of Interest Act on those sections and his wife's employment, her firm being employed by the Nelson House First Nation, that it now has put the Minister into a conflict under the Act and he should do the honourable thing and excuse himself from the file and do exactly what the Act says. He should turn the matter over to another member of the Executive Council or to the Executive Council. And his premier, who jumped to the gun without really thinking or reading anything today, did not sound well briefed. I guess his staff were quite busy trying to cover their own butts for breaking The Freedom of Information Act instead of doing their job.

If the First Minister has to get up in the House and acknowledge that maybe he was wrong, so be it. First ministers have to do that; I know it is hard to do. But my fear today, because I know this minister and I know that he has not

done anything untoward here, he has moved into a conflict position. You know, this is a very generous offer from an opposition because it would be a really great thing for us to go after him and try to say that there was something untoward. We are not doing that. I think this matter would end quite quietly and nicely if the Minister would acknowledge that there is a conflict and do what the Act requires to turn this file over to the Executive Council, another minister to handle it, and that would be the end of the matter. In fact, I would applaud a new minister for doing the right thing. But if he insists on pursuing this, we will have no choice but to use section 20 as the Premier blatantly challenged us to do today. We will apply before court for a ruling, and we will go forward and the ministers under section 20—and we will proceed this, and you know what? We are going to win this unless there is some fact the Minister wants to bring to our attention, and when that happens then the Minister is going to have to resign because then he will have been warned and flagrantly disobeyed the law. So, if he wants to take some time to say he needs to get some more counsel on that, we would allow it.

I must excuse myself for a few minutes. I want to ask the Minister if he has read these sections. We want to ask the Minister if he has actually sought a legal opinion from the lawyer who is available, if he will table that opinion so it can be reviewed, and my colleague the Member for Russell (Mr. Derkach) will be pursuing this and others. I do apologize. I have to slip away for a few brief moments on a family matter, but I will be back.

* (15:00)

Hon. Ron Lemieux (Minister of Consumer and Corporate Affairs): Mr. Chair, just with regard to the questions, there were quite a few questions from the Member for Lac du Bonnet (Mr. Praznik). I will certainly attempt to answer some of them, but, as I mentioned in the House, I felt there was no conflict, perceived or otherwise. Certainly my wife has a career as a lawyer for a reputable law firm, as was stated. She has been working for different First Nations communities for many years.

I just mentioned also last week with regard to the implementation committee and some of

their tasks that they have. Also I mentioned about the selection committee itself, about Mr. Nadeau and Mr. Freedman. I certainly spoke about the task that they had and all the different people that they called upon to address the concerns and the proposals that were given to them and how it was an independent, de-politicized process, which I am sure members opposite as well as the general public would appreciate. I am sure this is something, because the issue itself is a difficult issue, I believe, for all party members, whether they be on the Government side or the Opposition side.

Having said that, I think all of us want it to be a success. Sometimes I have questioned that from members opposite, whether or not they sincerely were in support of First Nations casinos or not, because some of the things they were raising appeared to be slighting the proposals a bit, bringing in the problems in Saskatchewan. In Saskatchewan, the minister there responsible for gaming and liquor certainly stated that they are certainly very supportive of the First Nations casinos in Saskatchewan.

Yes, the SIGA, Saskatchewan Indian Gaming Association, has some difficulty at present with a CEO having overspent his limit, I understand. But that has nothing to do with the First Nations casinos themselves and how successful they are in providing over a thousand jobs and most of them to Aboriginal people.

Having said that, it shows that First Nations casinos can be very successful. We certainly on the Government side want also First Nations people to be included in this process and to be involved with First Nations casinos and to have their own casinos be a success.

I mentioned that the duties of the implementation team are certainly numerous. I also mentioned last week with regard to the word "negotiate," the word is actually loosely used. To some degree I would agree with the Member for Lac du Bonnet, who said in the press release it used the word "negotiate." Well, there are many conditions that are laid out that are black and white. There is no room essentially for negotiating.

The duties of Mr. Luke and the implementation team are numerous, as I mentioned. They have a large task ahead of them, meeting with First Nations communities, addressing the different concerns that they have with regard to the conditions for success and having to work through that and having those First Nations communities attempt to address the conditions for success that are laid before them.

As was mentioned on numerous occasions by the Member for Lac du Bonnet, saying that certainly he has no ill will towards me personally, I would certainly believe that and take him for his word. I do not believe that he has to say that. There is nothing to be gained by saying it publicly. As well, his caucus, I believe, members opposite may be very sincere in what they are saying with regard to conflict, perceived or otherwise.

I do appreciate some of the comments they did make with regard to my wife having the ability to practise or to be involved in a profession. Even for members opposite, the days of being pregnant and barefoot in the kitchen as the only role of women in our society, I believe that members opposite would agree that if a person decides to take on that role, that is certainly their choice, and that is a choice that is well respected, if that is what they decide to do. In my particular case, my spouse decided to enter the practice of law and has done an excellent job of doing just that and is recognized for that also from the Member for Lac du Bonnet.

* (15:10)

I just want to say that at this time, I had wanted to go through a couple of points with regard to what Mr. Luke and the implementation team, the actual team that is going to be implementing the recommended sites, what their job is and some of the things they are going to have to be doing with First Nations people, or the recommended proponents. If you will bear with me, Mr. Chair, I just want to look at a couple of my notes, if you will give me a second to find my notes.

Thank you for your indulgence and thank you for allowing me the time to look through my material. I just want to say, in preface to my

remarks with regard to the implementation team, that with regard to Cabinet's role in all of this, the decision to proceed with First Nations casinos rests with the provincial Cabinet. The initiative will proceed only when all the regulatory and all the legislative requirements are met. All proponents in keeping with the Bostrom selection committee reports must meet the criteria required by the Manitoba Gaming Control Commission before they are allowed to proceed.

Now, I just want to put this on the record. We are talking about an implementation team that was struck approximately a week ago. This team has been put in place with Mr. Luke. The members on that committee had been put in place about a week ago. Now, a week ago, to the best of my knowledge, they certainly have not even had the opportunity to meet as a committee and to go over a number of the conditions and the requirements that these particular proposals or recommended proponents have to be dealing with.

Now, it is very nice to say that they have been recommended. Yes, they have, but this particular implementation committee have to meet, they have to be able to have the opportunity to talk about the number of the different conditions for success that have to be met, when are they going to meet the First Nations communities, and so on. I mean, they have a large task ahead of them. The reporting structure that is put in place is intended to underscore the province's ultimate authority with respect that the gaming regulations in Manitoba, the Criminal Code and The Manitoba Lotteries Corporation Act and The MGCC Act as well as accompanying regulations are inviolate.

Now, there are a number of things that this implementation team has to do. They have to look at mandatory requirements that are going to be looked at. Having said that, they are going to have to call upon a number of different advisors. They are going to have to assist them in trying to address the concern the concerns or conditions for success that are going to have to be met by the First Nations community. A number of people that already have been used by Mr. Nadeau and Mr. Freedman in recommending the proponents are certainly going to be called upon

again to be of assistance to Mr. Luke and the implementation team or committee that is in place.

Now, there are a number of things with regard to, as I mentioned, what this implementation team is going to have to do. They are going to have to look at the mandatory requirements. Of course, that deals a lot with certainly what will guide this implementation team. The team is going to be guided by mandatory requirements such as the RFP, including regulatory management imperatives required by federal and provincial legislation and regulations.

We have said all along that the province has the ultimate authority over gaming, including accountability for casino development and operations, which will be the key to ensuring mandatory requirements are met and adhered to.

Also, you talk about the Criminal Code, Lotteries Act, Gaming Control Act. We talked about this in the Legislature and how important those are in that certainly we as a government are going to ensure that all of those acts are certainly adhered to and certainly dealt with.

I know we often talk about the request for proposals. It is important. I know members opposite pointed out on numerous occasions, the Member for Southdale (Mr. Reimer) I believe it was, about the request for proposals. Now, in part 3 of the RFP on page 19, it stated three mandatory requirements. This is something that, as I mentioned previously, will guide Mr. Luke and his implementation committee.

They are, No. 1, it talks about the proponent must be one or more Manitoba First Nations governments. I think everyone would recognize that all the proponents, recommended ones, are. We are ensuring if there are new partners that come on board and so on, they have to be a Manitoba First Nation government.

Number two, the casino facilities must be located on reserve land before they will be authorized to operate. We also talked about TLE land. We have talked about lands that First Nations people have that they may wish to

convert to reserve and so on. That has been brought up in the Legislature.

Number three, the proponent and participants must comply with regulatory framework and meet the eligibility requirements set out in part 1 of the request for proposal. Part 1 of the RFP details the purpose of the RFP and the project's objectives. It identifies matters related to the competition and project sites, sets out the scope of the casino proposals, establish, manage and conduct requirements stipulated by the Criminal Code of Canada, and outlines regulatory framework and discusses operational and revenue sharing matters.

Now, these three particular requirements are mandatory. That is something that Mr. Luke and his implementation team will be using certainly to guide them through the mandatory requirements.

There are mandatory implications for comprehensive and operating agreements. Certainly First Nations communities and government, there will be comprehensive and operating agreements. I think it is very, very important to note that both of these agreements will be based on mandatory requirements. These agreements will be legally binding documents between each signatory, First Nation, and certainly under the direction of Cabinet on behalf of the Province.

I talked a little bit about a comprehensive agreement and certainly looking at an operating agreement. Just to mention, under the comprehensive agreement, something that is really important certainly to note, the accountability and obligations that are there are certainly important to touch on a little bit.

Under the direction of the Government, Mr. Luke will be responsible for establishing comprehensive agreements, as was mentioned. It certainly was recommended by the selection committee as well within the recommendations. With each of the recommended proponents and the Province or the Government of Manitoba, within each document the majority will spell out the requirements to proceed with casino development. There is little room, if not any, for negotiation given that these agreements are

based on the province's authority with regard to gaming in the province, adheres to all gaming laws and regulations, is inviolate.

* (15:20)

I just want to comment, under accountability and obligations, consequences of non-compliance with these agreements will be included in the agreements themselves. Depending on the nature of non-compliance, consequences may include revocation of employee or supplier registration, suspension of gaming activities, fines, or other penalties. The question of consequences is a complex matter. It is quite complex actually when you start to go through it. The implementation committee has been directed to research matters related to non-compliance and consequences and to provide information and advice with regard to this matter for consideration of further direction.

Now, these comprehensive agreements, as I mentioned, certainly it is imperative to note, and we talked about this in the Legislature, about audits and having audits done with regard to First Nations communities and their operations. A complete audit program will be included as part of the comprehensive agreement and operating agreements. The audit requirements will be set up by the Provincial Auditor in keeping with the standard provincial practices and certainly using generally accepted accounting principles.

There have been comments made by the Member for Lac du Bonnet (Mr. Praznik) with regard to value-for-money audit. The intent of this initiative is to ensure that revenue generated by the casinos is directed to benefit all First Nations people in the province and certainly with regard to the proponent themselves. I certainly have directed the implementation committee to develop an audit mechanism within the comprehensive agreement certainly as part of a trust fund and to ensure that a fair and equitable revenue sharing formula is implemented and maintained for the benefit of all First Nations people.

I think that, No. 1, Manitobans, knowing that First Nations are going to be given the privilege of having casinos, people certainly

want them to be successful. They are up and running and they meet certain criteria, are law abiding and are certainly within compliance.

I think Manitobans also want some accountability, some transparency and some auditability with regard to these casinos. Certainly, all along I believed, not only myself but the Leader, the Premier of the Province has mentioned that this is an important factor, that audits are important and that Manitobans would expect that they want to know how is the money being spent with regard to the casino operations and so on.

Certainly at this point I do not think I want to get too much in depth, but I just want to run through quickly some of the other things that the implementation team is going to have to be responsible for. I know members opposite want to certainly have the opportunity to ask some questions, so I will certainly try to be brief with regard to this. As I mentioned, there are certainly different agreements that have to be brought into play. There is a comprehensive agreement. There is an operating agreement. I want to deal just specifically with not necessarily the operating agreement but with individual proposals themselves.

Now, it is important to note, and I will try to be brief about this, but we talk about conditions for success. Some people use the word "caveats." I have used the terminology. I think members opposite use caveats, but I use the term "conditions for success." The team will be really responsible for identifying the conditions necessary for success for each of the proposed developments. The selection committee addressed and outlined these matters generally in its report; however, each proposal is unique and thus requires individual attention to ensure the conditions necessary for successful implementation are met.

Now, perhaps one of the most significant aspects in this regard is compliance with The Municipal Act, negotiations of the municipal development services agreement with municipalities proposed for land conversion. A time frame will have to be put in place or certainly looked at to guide these municipal negotiation processes. This will be done in consultation with the team support advisors and certainly members

that they may want to call upon from government to assist them in looking at this, I think it is probably one of the most important areas, and taking a look at land and the land for those First Nations people that are recommended proponents who are currently not located on the reserve. I know other individual proposal matters will relate to financing capabilities, arranging financing based on cash on hand, institutional financing, MLC capital purchase financing.

So there are a lot of different areas, whether it is the investigations and approvals by the Manitoba Gaming Control Commission, compliance with comprehensive agreement requirements that I stated before about some of the requirements that are going to be necessary to be met, and environmental requirements and so on. There certainly are a number of different individual proposals. They are all unique in many ways. Many things are certainly quite firm with regard to compliance and so on that are going to have to be met.

There is revenue distribution we talked about. We talked about a potential time line that is going to have to be put in place. There are a number of things that Mr. Luke and his implementation team are certainly going to have to keep up with. They have their work cut out for them. As I mentioned, this committee was struck about a week ago. I believe, at least I have been advised, that they have not even had an opportunity to even meet yet. So they are certainly going to try to meet, I am sure, as soon as possible.

But not only that, we have mentioned all along that these First Nations casinos, depending on their conditions, are going to take a great deal of time to get off the ground and running. I think most people realize that and some people initially thought that just the moment Nadeau and Freedman made the recommendations to government that there would be a shovel in the ground the following week. I think most Manitobans would realize that is not the case, but there were some people who felt when would they be up and running, and how soon would the machines be in place and so on.

This is a long process. For some people, from putting in a proposal to having it recom-

mended to having the implementation team conducting discussions with them and to going through the conditions that have to be met, the process is long and arduous. That is essentially the kind of the process that the implementation team will be involved in.

There were other questions raised from the Member for Lac du Bonnet (Mr. Praznik) with regard to conflict. I just want to comment certainly that neither my wife nor her firm are lawyers for the band in connection with the casino proposal. Therefore, there is no conflict of interest. They are not involved whatsoever with that. My wife, who is a lawyer, was involved with this particular First Nation community, has been involved with a number of them with regard to—I believe it was when I was up North a number of years ago when Mr. Newman was the Minister, I believe, for Northern Affairs. He was there signing an agreement on behalf of the Province and the First Nation community.

* (15:30)

The Member for Lac du Bonnet certainly knows my wife as a lawyer, because she practised and represented Nelson House with regard to the NFA, the Northern Flood Agreement, and certainly met the Member for Lac du Bonnet in his previous capacity as Minister of, I believe, Northern Affairs at the time. So I am appreciative that members from the Opposition and members opposite certainly stated the fact that they understood there was no skulduggery. There was no effort in any way for my wife to try to, I think the term was used "cahoots," in cahoots. It might be a term that is only recognized in Russell and Dauphin, but it is a term that certainly members opposite stated that they were 100 percent sure, and they can rest assured that my wife absolutely, or anyone in her law firm, has absolutely nothing to do with the band in connection with the casino proposal whatsoever, and therefore there is no conflict of interest.

Mr. Chair, we have gone through a number of, not the criteria but certainly areas that the implementation team are going to have to look at. As I mentioned, they have their work cut out for them. They are going to have to meet the

First Nations communities. They are going to have to discuss the conditions for success with them, and they are going to have to begin this long, long process of trying to reach a successful conclusion with regard to the casinos.

I believe all First Nations communities understand that it is a long process. I do not believe that anyone in the First Nations communities feel that these casinos are going to be up and running in the near future. They know it is a long process. Again, they are all unique situations, and they are going to have to address their concerns and their conditions with Mr. Luke and work through his committee, the implementation committee, and see if they can address these concerns. I guess it would be in their best interest to address them as quickly as possible, whatever the conditions may be.

I know that initially I was really disappointed that the Member was asking for resignations on the weekend with regard to this issue and somehow inferring that there was some kind of a conflict. Well, there is not. Certainly, as I mentioned, it is really disappointing because really what you are doing is you are not only tarnishing the reputation of the independent selection committee somehow and the First Nations people and proponents—and yet, I believe, most of the members opposite would like to see First Nations communities have an opportunity to be successful, create jobs, and so on.

I mentioned making reference to Saskatchewan and the CEO of Saskatchewan or the SIGA, the Saskatchewan Indian Gaming Association. Yes, this person certainly was doing a number of things that were wrong and incorrect, at least it has been pointed out, but the casinos themselves have provided jobs, provided economic development. The community of Yorkton, I understand, is certainly a booming community, and in part, has to do with this. It has become a viable community.

It is not the be all, end all. We all know that. Casinos are not the be all, end all, and First Nations people know that they are not. They realize that this is just an opportunity, a beginning, to employ their young people and people from their community and surrounding

areas. They know that this is something that is just a beginning, but they are certainly wanting to work in partnership with the province. They are really looking forward to that opportunity.

So I just want to say that I know the Member for Russell and members opposite may have questions with regard to not only the casino process, but they may be wanting to ask questions with regard to conflict and so on. At this particular point, I mentioned there is no conflict perceived or otherwise. As has been pointed out by Chief Jerry Primrose, Indian people are not stupid. They are not out to screw themselves. He has indicated that she has provided Nelson House advice for nine years—and I quoted the Chief with regard to his comments I believe in the paper—and that with regard to that particular issue I believe that there is none, there is no conflict perceived or otherwise. Thank you.

Mr. Leonard Derkach (Russell): Mr. Chair. I certainly will have more questions with regard to the mandate that has been given to the implementation committee, issues of compliance and so forth. But I think we need to focus our attention on the matter that was raised by the Member for Lac du Bonnet (Mr. Praznik), and that is that the issue of conflict is a very serious one. I feel the same as the Member for Lac du Bonnet. I have no ill will towards the Minister personally because—and I know that this does not have to be said—but I think it needs to be said because there is no personal grudge here.

This is an issue which I think the Minister has found himself in and one which he really needs to think about. He is a new minister and one who I think can contribute fairly significantly to his caucus and to his Cabinet. But if in fact he digs himself in on this issue, it is one that we are not going to let go very easily because indeed it is one that we think that has to be resolved. There is a process in which it can be resolved, and we will follow that process if in fact the Minister does dig himself in to a position where he is reluctant to move from.

Now the Minister continues to say that there is no conflict perceived or otherwise, and he makes that a pretty definitive statement, Mr. Chair. Yet, when I read the Act—and I am not a

lawyer—and when I have the implications of the Act explained to me, and I put myself in a position where I as a member of the Legislative Assembly who has responsibilities would find himself in that kind of a situation, it is clear that the advice I get is that you would be in a conflict of interest, if in fact you found yourself in that position.

Therefore, for the benefit of the Minister, I would think that he would have to seek legal advice fairly quickly on this issue, not just because his leader, his premier, says there is no conflict of interest, but indeed, if you like, for his own integrity and long-term longevity as a member of this government. Mr. Chair, I cannot believe when I look at the issues here that, in fact, an individual would allow himself to be exposed in that way. Today, in Question Period, I asked the Premier (Mr. Doer) not for the ultimate resignation of this minister from his portfolio, but indeed for this minister to step aside or have this particular file moved to another minister so that indeed there can be some integrity in this whole issue.

We have had nothing but issues arise out of the way that this whole issue has been addressed with regard to casinos right from the very first day. I do not fault the Minister for this personally, but this is a mishandling of an issue by the Government. The First Minister clearly gave us the impression today that this minister had very little to say about what goes on with regard to casinos, and we were left with the impression that it is really the Premier who makes the decisions and the Minister is there just as a figurehead. Well, when the Minister has been assigned the responsibility for casinos by his premier, I think that assignment in itself carries significant responsibilities for the stewardship of that particular issue. Together, with his department, I think he would be obliged to carry out the duties as a minister should.

The Minister talks about the fact that Mr. Luke and the implementation committee also report to him, which means that he does have a direct influence with regard to the mandate that is given to the implementation committee, with regard to how that mandate is carried out, and, indeed, in representing the outcomes of that implementation committee to his Cabinet for

final decisions, because he has said on several occasions this afternoon that the Government and the Cabinet are the final authority with regard to the implementation of casinos. If that is the case, then he is the Minister who has to carry the message, who has to carry the recommendations from that implementation committee, from Mr. Luke and the implementation committee, to Cabinet. In that way he places himself in a conflict of interest because his wife is, indeed, counsel to Nelson House First Nations or I do not have their official name in front of me, but nevertheless to that band.

An Honourable Member: Nisichawayasihk.

* (15:40)

Mr. Derkach: Excuse me for not being able to pronounce that right offhand. But, Mr. Chair, I am going to ask the Minister what advice he has had from outside legal authorities or from the government legal people with regard to this issue, because that certainly is important for us to know, and whether he is prepared to table that advice that he has received from legal counsel with regard to there not being a conflict of interest. I think it is important not only to this committee, but it is important to the people of Manitoba to see whether or not the legal advice that he has received is such that says that there is absolutely no conflict in this matter. If that is the case, then somehow we have misinterpreted the intent of the conflict-of-interest guidelines.

When the Member for Lac du Bonnet (Mr. Praznik) went through The Conflict of Interest Act and the articles that pertained to this particular issue, I think it was very clear what the Minister has to do in the case where there is a conflict of interest. It does not say that the Minister has to resign. It simply says the Minister has to remove himself from that position, has to remove himself from dealing with that issue. He withdraws from the meeting; he does not vote on a discussion; and he allows for Executive Council or another minister to undertake the responsibility for this issue. I think that, if the Minister finds himself in that position, he should almost voluntarily, in good conscience, do that, so that he would protect himself and his integrity as a minister of Executive Council in this entire issue. I do not

see any big win for the Minister in holding on to this issue, if, in fact, he can delegate this to another member of Executive Council or to Executive Council in general for that matter.

Yet today the Premier of the province almost gave us the indication that this minister really has no authority in all of this casino issue. That left us somewhat perplexed after Question Period because this is the Minister who is responsible for the casino issue and for the gaming issues in the province of Manitoba. In his remarks, the Minister has indicated that, although he said that the Committee has not met, Mr. Luke and the implementation committee have not met, they somehow have been given the authority or the mandate to do certain things. I do not know how they received this mandate, but this mandate has to come from someone. It cannot be the Premier, and it is not, certainly, Cabinet, in general. It has to come from the Minister.

I think the Minister, in his comments today, acknowledged that he is giving the mandate to the implementation committee. I want to know whether the Minister has met with the implementation committee to make them aware of what their responsibility and their job descriptions are. They can draw some of their job description from the casino proposal, but indeed the specific job direction has to come from his department or from him as a Minister in some way, shape or form. So he is the person who is responsible for that mandate. If he is responsible for giving the mandate to the implementation committee, then he accepts the responsibility for giving direction and for passing the information that he gathers from the implementation committee on to his Cabinet, and then he is responsible for advising Cabinet. As I understand the Cabinet process, he will be bringing in a paper into Cabinet which suggests direction that should be taken after the implementation committee has come to him.

He said very clearly that it is the Government and the Cabinet that has ultimate authority for these matters. So, if that is the case, he as Minister is going to be the one who takes the paper to Cabinet and the recommendations to Cabinet. Clearly, very clearly, if you look at section 8 of The Conflict of Interest Act, it spells

out very clearly what the Minister must do if he finds himself in that position. I think it spells out very clearly what the Minister must do if he finds himself in that position. I think it spells out very clearly that the Minister must, No. 1, either remove himself from any discussion or any voting on that matter. Secondly, he must also step aside if in fact he finds himself in a conflict with the Act. I think some of the basic requirements are spelled out, and I would just like to read this one: when a conflict of interest arises, an individual, a minister or a member, must disclose your conflict of interest, withdraw from any meeting without voicing or participating in the matter and refrain from influencing the matter.

When I was in Cabinet, Mr. Chair, I have to tell you that from time to time matters arose where individuals around the Cabinet table found themselves in a position where they felt there might be a perceived conflict of interest. At that point in time, the Minister would indicate there could be a perceived conflict of interest or there is a conflict of interest, I am withdrawing from the discussion at this point, and removes himself from the room and from the discussion of any matter relating to that issue. At that point in time, the Clerk of the Executive Council would note that in the minutes, and that person then would have clearly absolved themselves of any conflict or any perceived conflict.

In this case, we seem to have the Premier (Mr. Doer) of our province digging his heels in on the issue that there is no conflict or no perceived conflict, and the Minister is saying the same thing. He says there is no conflict and no perceived conflict. It is no crime on anybody's part to say, well, we had better take another look at this act. We had better examine it more carefully, and, if there is a perceived conflict, then perhaps we should err on the side of caution.

I think that is what the Premier said in the House when he was Opposition Leader. He said it is important to restore the integrity of government, and, when there is a perceived conflict, we must remove ourselves from that perceived conflict. I think that is what we are dealing with here. I think we are dealing with this in a very serious way. I think there is a window of

opportunity here. I know, when I was on the other side of the bench and the opposition was sitting where we are today, they called for our heads on any matter of that nature. They wanted us out of Cabinet right now. Well, we are not calling for that, Mr. Chair. We are asking this Minister, if he finds himself in that position, to simply declare it and step aside and allow somebody else to handle the file so that, in fact, neither he nor his wife, nor his wife's firm, whom she is a partner with, put themselves in an awkward and in a position where it becomes a media issue and becomes a public issue in the minds of many Manitobans.

So we are giving the Minister that kind of flexibility, that kind of opportunity and, I think, a time frame to do that in. But I have to say to the Minister, in all sincerity, that that is not going to be a position that we are going to maintain forever because, if the Minister continues to dig his heels in and if this premier continues to dig his heels in, then we are going to take the next step. There are steps that can be taken under the Act, and we will certainly pursue those, but, at this point in time, we are simply asking for the honourable thing to be done, the right thing to be done for the benefit of Manitoba so that this initiative is not further marred than what it has been to this point in time because there are issues and concerns about how this has proceeded to this point in time.

* (15:50)

Mr. Chair, I represent five First Nations communities in my constituency. All of them have views on how this process has gone. I would have to say they are not positive views from their perception either and from my discussions that I have had with them. Of course, they do not know all the details, so they are only speaking from where they are at in terms of reading what is in the media. I have to say I have not spoken to the chiefs of any of these First Nations communities in my constituency because I do not want to be giving them any kind of perception from my point of view. Rather, I want them to be able to be participants in an opportunity here in Manitoba that could benefit them. It is the Government that has made the decision that we are going to go into First Nations casino. They have a right to do that as a

government. I acknowledge that. It does not mean that I support it; it does not mean that I endorse it, but indeed it means I will be watching very carefully the process that is embarked on to allow for casino expansion in our province.

So this is a pretty heavy obligation on behalf of this Minister. I do not envy the Minister for having this initiative as part of his responsibility, because I do not see a great, big win-win in this situation for any minister who has this responsibility, but, nevertheless, because I think this minister is honourable and he is somebody who is trying to do the right thing, I think we have decided as an opposition that we have to give him the latitude and the opportunity to be able to address this in that we have raised the issue.

I want to ask the Minister, because I do not want to preoccupy the rest of my time simply going on and on, a specific question or a few specific questions with regard to this issue. One of them is with regard to his meeting on this issue and receiving advice from a legal person, a lawyer, with regard to whether there is a conflict or not. Can he table that opinion?

Mr. Lemieux: Mr. Chair, I thank the Member for Russell (Mr. Derkach) for his questions. I just want to say at this time I certainly do not have anything to table at this point. I will just leave it at that for now.

Mr. Praznik: Mr. Chair, the Member for Russell is just going to allow me two brief questions. I want to ask the Minister: Was he made aware by the Premier or the Premier's staff when he became a Cabinet minister that whenever he felt that there could be a conflict of interest, and obviously in this case, from the news reports, he and his wife were aware of the potential conflict because she took the appropriate steps within her firm on this matter, was the Minister made aware by the Premier or any of his staff that within government there is an independent lawyer available who any time any MLA or minister wants to check out whether or not they are in conflict of this act or any other that they can contact that particular lawyer who works for a firm in Winnipeg outside of government—it is not a government lawyer—can

contact that firm and that lawyer in confidence, lay out the issue, and that lawyer will provide on a timely basis a legal opinion as to whether or not there is a conflict, and if there is, the appropriate steps to take?

Now, I am asking the Minister if the Premier or any of his staff made the Minister aware of this service which is available to him and all MLAs? Because we have all used it, many of us over the years, and it is there. Has the Minister been made aware of that by the Premier or any of the Premier's staff?

Mr. Lemieux: Mr. Chair, just on a point of clarification, a couple of things, one is that the Member for Lac du Bonnet stated that somehow my wife's law firm or she took the appropriate action of some kind. My wife's law firm or my wife as a lawyer has nothing to do with the casino proposals whatsoever, nothing. Yes, I have been made aware of the conflict-of-interest guidelines and certainly the option for anyone who feels that they are in a conflict. In Cabinet, as was mentioned from the Member for Russell, you can exclude yourself from the discussions. Thank you.

Mr. Praznik: Mr. Chair, in the reports of Saturday it indicated that the client of your wife, the Nelson House First Nation, who is one of the applicants for a casino that the Minister will be considering, indicated that they were aware of the relationship between her and the Minister and, as a consequence, she was not, whether she would have ever been anyway, but it was clear that the band and the law firm ensured that Valerie Matthews Lemieux would not be working on the file. In fact Chief Primrose even made the comment that they wanted to make sure that they were not putting this in jeopardy with a conflict.

So my comment as an observer is that unless Ms. Valerie Matthews Lemieux wants to withdraw from her law firm and all dealings of employment with the Nelson House First Nation, which I am not suggesting she would have to do, then it does put the onus back on the Minister that the band and the law firm and his wife have ensured that she would not be in any way involved in her work for Nelson House as one of their solicitors with the casino issue.

No one has accused his wife of doing anything wrong. She has a right to a life. She has a right to be a solicitor. She has a right to be a partner in a law firm. She has a right to earn a living. She has a right to contribute to the Lemieux family household income, which that does. The question is, how does the Minister handle it? The onus is on the Minister and the Act puts the onus on the Minister, and the Act raises, on the surface of it, very clearly it states in section 3(1) that it presumes that there is an indirect pecuniary relationship when a spouse or dependant of a minister is employed by someone who has a direct relationship, which Nelson House does.

I would remind him that his wife is not an employee of the law firm; she is a partner. Her income is derived from the partnership, which includes income received from Nelson House. I assume she shares household expenses with the Minister, so he has an indirect relationship. Maybe I am wrong, but the fact is the Act presumes it. The Minister does not have to be in a conflict. He has not had to do anything wrong; the Act presumes it. Right?

So, having said that, surely to goodness, when the Minister realized—and we are not saying the Minister in putting out the applications—when the Nelson House proposal came in I guess the Minister then, out of abundance of caution, should have probably checked, but he did not. I would assume because he has not told us he has. But when the independent committee came back with five recommendations, including Nelson House who employs his wife and her firm of which she is a partner, it should have flagged with anyone, any reasonable person, that there was at least an issue that had to be explored legally.

Now the Minister is telling us that the Premier (Mr. Doer) has been sloppy, that he has not told his Cabinet ministers that any time they have a potential issue here, out of an abundance of caution they should go to Shirley Strutt who will pass on the name of the lawyer who is available on a confidential basis, and they can check it out. So the Minister is telling us he has nothing to table, so obviously he does not have a legal opinion. I just want him to confirm again or answer today, did he seek a legal opinion as to

whether or not he would be in conflict once he was aware that Nelson House was one of the proponents who had been recommended by Mr. Nadeau?

It is a very simple question. Did he take the normal cautions that any reasonable minister of the Crown would take when it became aware to him or when he became aware that there was a potential conflict? We would like to know, did he do anything to seek a legal opinion about this situation? If he did, could he table that legal opinion here today because if he did and the legal opinion says he is not in conflict, there is absolutely no doubt about it, well, I think that might end the issue. But if he has a legal opinion that says, well, it might be iffy, it is not clear, that raises doubts about the Minister's judgment.

* (16:00)

If he took no action at all, it raises some doubts about his judgment, which perhaps we could forgive him being a new minister, but it certainly raises the issue about the way the Premier (Mr. Doer) operates the Government in that he is not taking the time and the energy to ensure that his Cabinet ministers, his new ministers who have not been exposed to this problem, are able to make the right decisions and assessments and seek the right advice.

So I ask him again: Did he seek a legal opinion when he was aware that Nelson House First Nation was one of the successful recommendations out of the Nadeau-Freedman report?

Mr. Lemieux: Just a couple of comments. I know the statement from the Member for Lac du Bonnet has been made a couple of times with regard to my wife's law firm, but my wife's law firm has not worked on the Nelson House casino proposal. My wife has not worked on the Nelson House casino proposal at all, knows nothing about it, and she has worked for Nelson House over the last nine years.

One thing I want to comment on is also with regard to the Premier. The Premier of this province has taken this initiative with regard to First Nations casinos. The Premier views this as being a very important initiative. The Government of Manitoba views this as giving First

Nations people an opportunity to create jobs and have economic development. It is not the be-all, end-all, as I have stated on numerous occasions. We know that. We feel that the previous government should have been—and I have tried to give them credit as well because they had not only the Desjardins report but also the Bostrom report, which dealt specifically with First Nations casinos, and the Government, to their credit, recognized that First Nations people should be brought into this process.

The Member for Russell stated that he is not necessarily—"condoning" is not the correct word, but not necessarily stating that he personally is very supportive of this initiative, but his government as well previously looked at First Nations casinos and looked at bringing in First Nations people into the gaming industry, and they recognized it because of the Bostrom report. They recognized it as an important initiative that should be entered into and looked at. We decided to have an independent selection committee decide it. We had two people. It would be depoliticized, no politics involved. Let the proposals come in and let an independent body take a look at it and view the economic benefits and to ensure that those casinos, if recommended, would be viable, or they would have an opportunity to be viable. No one wants them starting up and then falling down and not being viable at all.

I want to state that, once again, the law firm has not worked on Nelson House First Nations casino proposal at all. My wife certainly had no involvement whatsoever with Nelson House or Nisichawayasihk First Nations casino proposal at all. They were made, they were recommended by an independent body that recommended them to government. Now the challenges lie ahead for all these First Nations communities. They are going to have to address the conditions for success and try to meet them. The challenge is there for them. No one anticipates these casinos to be up and running in the very near future, as I mentioned. I am not sure how many times I have to reiterate that her law firm has not worked on it at all—has nothing to do with Nelson House First Nations casino proposal whatsoever. Thank you.

Mr. Derkach: Mr. Chairman, there is no question of whether or not there is blame on the

part of the law firm or the Minister's wife. Indeed, he has acknowledged that she is working for the band on a specific project under the NFA, the Northern Flood Agreement. However, she is working for the band, and I want to ask this minister one more time—nothing to do with his wife, nothing to do with her law firm, but has he sought legal advice in House or outside with regard to his position and with regard to the conflict-of-interest guidelines that are in place in the province of Manitoba since this issue has emerged? Has he sought legal advice?

* (16:10)

Mr. Lemieux: With regard to the issue of conflict, I have never felt that there was an issue with regard to conflict. Certainly, in my own mind, there is no conflict. One may look at a legal opinion with regard to conflict if one thinks that there is one. I have never felt that there has been a conflict. As I have mentioned previously, and members opposite agreed to that, that in the matter, she has nothing to do with the casino project and that being the matter, she has had nothing to do with it and neither has her law firm. So one would say, well, a person should get a legal opinion, but in my mind, there was no conflict. And so I just have to reiterate and state, Mr. Chair, having looked at the facts, that I felt previously, and I feel now, that there is no conflict.

I know members opposite are asking about a legal opinion, and so on, and I can say that no, I have not. So, certainly, there is nothing to table and there is no legal opinion to table, because I felt there was no conflict and in my mind there was no need to proceed with regard to a legal opinion and to look at that avenue.

One thing I want to reiterate certainly, and I think I have said it on numerous occasions, is that certainly, and members opposite I believe agree and have acknowledged that my wife has nothing to do with it, with the casino proposal, nor has their law firm with Nelson House's proposal whatsoever. I will just leave my remarks at that for the moment, Mr. Chair.

Mr. Derkach: Mr. Chair, the Member says that he has not sought legal advice because he feels that there is no need to seek legal advice. I want

to ask the Minister whether in fact he has read section 8 of The Legislative Assembly and Executive Council Conflict of Interest Act. In addition to that, has he read section 8 and section 3, specifically 3, subsection (1)(b), I think it is?

Mr. Lemieux: I thank the Member for the question. I was looking at, I think it is 3(b), yes, section 3(1)(b) where it says a person, corporation, partnership, organization who or which or in the case of a corporation a subsidiary of which has a direct pecuniary interest in the matter—in the matter. In the matter.

The law firm nor my wife has any interest, pecuniary interest in the matter, the matter being a Nelson House casino project, being the matter. As I mentioned, and I have read it, I mean, the Member for Lac du Bonnet (Mr. Praznik) is saying: Hey, have you read the section? I did and I am trying to give as honest and forthright an answer as I can. I am saying in my own mind I have looked at it and I have read it and I have certainly—and I should reiterate or certainly mention that, no, I am not a lawyer. As the Member for Russell (Mr. Derkach) also stated, we are not lawyers. I am certainly not a lawyer. But certainly when I look at it, I mean, when I take a look at this, my interpretation when I look this, I feel that there is no conflict of interest here.

Certainly members opposite are, you know, willing to and certainly able to make the argument for this particular fact, but I would disagree with them. Certainly at the moment I would disagree with them. When I take a look at that and I read it I just do not feel that there is a conflict of interest, perceived or otherwise.

I know some members opposite on both sides of the House were starting to get into what I will call borderline discussions with regard to articles in the paper and things happening in the Interlake and all those kinds of things.

The members opposite sitting around here know that, well, I hope they do know. If they do not know it they are not going to hear it from me, because I believe the discussion we are having now is a very important one, as members stated. I certainly am not going to try to digress in any way. That is another issue. Other people

will take care of that particular issue. I know people have made mention that this was a diversionary tactic. I will give members opposite full credit that they are sincere with regard to this matter of conflict and that it was not used as a diversionary tactic because of the negative press that had come out with regard to the Interlake.

Having said that, I just want to state that I have read the sections. I am not a lawyer. Obviously I am not a lawyer. In my interpretation as a layperson I do not, you know, I just do not see, there is no conflict. Thank you, Mr. Chair.

Mr. Derkach: I think it is sufficient for the Minister to know that we have raised this issue as one where we strongly believe that there is a conflict. Now, the Minister says that he has looked at those two sections and he believes, from his interpretation, that there is no conflict. I suggest to him that perhaps he should seek some legal advice with regard to the interpretation of both section 3 and section 8 of the Act to ensure that in fact he is not leaving himself open.

I think we are approaching a very precarious situation here. I think the Minister is at the very edge of leaving himself open when he says: It is sufficient for me to have read article 8 and article 3 and satisfy myself that I am not in conflict and therefore politically I take the stand that I am not in conflict. I think that is dangerous.

We have given the Minister some latitude here. We have asked him whether he has a legal opinion. He said, no, he does not. We have asked the Minister whether or not he would seek a legal opinion and whether he has looked at section 8 and section 3? He at this point in time is not giving us any comfort that in fact he is prepared to seek legal advice and take action once that legal advice is given to him and then be prepared to table that legal advice. That is what we are asking for.

I would further ask the Minister whether or not he has had a discussion with his leader, the Premier (Mr. Doer), with regard to this issue and with regard to his position in this matter, because that, indeed, is a very important element as well. Have he and his premier discussed the issue to

ensure that there is no question with regard to him being placed in a position of conflict?

Mr. Lemieux: I just want to say—certainly, I will try to attempt to answer the questions—that the Premier is very much aware that my wife is a lawyer. He is very much aware that my wife is a lawyer at the law firm that she is at. Certainly, as was stated in the paper, he is aware that she practises law and has, in the past, represented Nelson House. Now I would state that with regard to this particular issue, and the chief, Jerry Primrose, who was contacted, and I believe that one of the media outlets contacted him, there was an article in the paper that stated that Chief Primrose indicated that she has been a lawyer for them for a number of years and that she has provided them with this advice for I think it was nine years that was stated in the article.

Certainly, he mentioned, as I mentioned before and I will quote again: We First Nations—I believe it is, I do not know if it is accurate or not—are not out to screw ourselves. We would not be doing anything that would put anyone in a conflict in order to make their attempt to be a successful proponent with regard to casinos fail in any way. Certainly they are people that want to do business. They are people that are wanting to go ahead. They are people that are wanting to move ahead. I hate to use the word "mainstream," but they want to be not only a reserve that is northwest of Thompson, Manitoba, but they want to be a viable entity and be a strong community for their young people and for the adults from that community.

* (16:20)

Now, as I mentioned previously as well, any kind of comments made with regard to First Nations people and gaming tends to taint all First Nations communities and taint all the proposals. Now what has been said in the Legislature and in the House, making reference to the CEO in Saskatchewan and stating that the CEO in Saskatchewan, because of his wrongdoing, somehow has some kind of implication on the casinos in Manitoba, is absolutely wrong. Now, in Saskatchewan, the Minister in Saskatchewan that is responsible stated over and over that those casinos in Saskatchewan are abso-

lutely viable, that they are working well. The Government of Saskatchewan and the Minister certainly are very, very supportive of those casinos. Mr. Lerat [*phonetic*], I believe his last name is, there are some indiscretions there and the Saskatchewan Government is addressing that situation.

But, when we talk about Sioux Valley, for example, and Sioux Valley and the community and First Nations management company that was in North Dakota somehow being in contravention of their laws—and we have shown that that is not true at all—and using some kind of management company that is not in compliance in the U.S., and yet the Attorney General down there states that they are absolutely clean and that there is nothing wrong with them. All of this in many ways attempts to—"smear" might be too strong of a word—certainly have people look negatively upon this process and First Nations that are trying to get ahead. They are certainly trying to proceed in a way that they can provide jobs for the young people and the adults, and not only that, the economic spin-offs for communities surrounding these casinos. People feel very strongly that that is a real advantage, whether it be Brandon or The Pas or wherever the community may be.

I understand that the questions raised by, and I said this and I sincerely mean this, that this is not, if I thought otherwise, I would be even more disappointed than I am, but that the members opposite feel somehow that there is a conflict. At present, I certainly feel that there is not one, perceived or otherwise.

As I said, and I will repeat it, that this is not a diversionary tactic to get away from some negative press that took place before. The members here raising these questions, having known them for the short time that I have, I believe, are—at least I am hoping that they are—sincere about these questions and not using it as some kind of a political tactic to try to dissuade or have readers not look at another important issue that is before us as well. But that issue will take care of itself.

I just want to state again that the Premier (Mr. Doer) of the Province is certainly aware of the law firm where my wife works. I believe he

is and is certainly aware of the article in the newspaper. As Chief Jerry Primrose indicated, she has been providing advice for Nelson House for nine years. This is something that is not a secret. The Member for Lac du Bonnet (Mr. Praznik), upon becoming a Cabinet minister I spoke to him, and my wife had dealings with him when he was a minister of the Crown. She said that she was able to work very well with the Member for Lac du Bonnet. Certainly he was aware that she worked with Nelson House. That was in October.

Hopefully, no one is saying that somebody is trying to hide something or anything like that, because the Member for Lac du Bonnet is very much aware that my wife worked for Nelson House, for years and years, going back six, seven years ago, and certainly approached me, and we spoke when I became a Cabinet minister.

So there is nothing that is being sneaky about this or anything like that. That is why when I stated that when I read this legislation, I looked at it, and in my own mind, not being a lawyer. I felt that, no, I am not in a conflict of interest. She has absolutely nothing to do with casinos. Her law firm has nothing to do with Nelson House whatsoever. I want to repeat that over and over again. That is why I feel there is no conflict. They have nothing to do with the casino proposal project at all.

And did Ron Lemieux select Nelson House? No, Ron Lemieux did not select Nelson House. An independent selection committee, Mr. Nadeau and Mr. Freedman, again two lawyers, selected—recommended I should say, Nelson House, as well as four other proponents. This independent process, on the path that we have been going down, I think Manitobans and I think members opposite, hopefully not too grudgingly, would state that this process is the best process and the best way to go. You have an independent body looking at all the financial implications with regard to job creation and so on. When you look at that, and you have an independent body looking at it, they are saying, okay, this is out of the political arena. We will see whether truly these can be self-sufficient and they can survive, that they will not fail, that they will be able to survive because they have a good business plan

in place, there is economic development, there are jobs for their own people, and so on.

I guess, just on that particular note, with regard to this independent process and the independent selection committee that was put in place, I think—not think, I know—people have come up to me personally in my own constituency and so on and said that is the way to go. Maybe governments should do that more often with regard to other initiatives and have an independent body look at this particular situation, whatever it may be, and decide, based on non-political issues, if you will. Just base it on good business decision making.

Once again, Mr. Chair, I just want to say that I am not a lawyer, and certainly neither is Chief Primrose, but certainly in his comments, saying that my wife has had absolutely nothing to do with casinos and has done work for them for nine years, and certainly her law firm has had nothing to do with Nelson House with regard to casinos. Again, I am not a lawyer, but looking at the legislation at present, I do not believe that there is any conflict, perceived or otherwise. What we are talking about when we state in the legislation when it talks about "the matter being" or "the matter," "in the matter," it is referring to casinos. I believe that when it says "who" or "which" in the case of a corporation, the subsidiary of which has a direct pecuniary interest in the matter. my wife's law firm, with regard to casinos—and I believe that is in the matter—has nothing to do with any kind of pecuniary interest with regard to the casino project whatsoever, and my wife has nothing to do with regard to any pecuniary interests with regard to casinos at all.

Mr. Chair, I just want to certainly conclude my remarks on this particular point at the moment. Thank you.

* (16:30)

Mr. Praznik: Mr. Chair, you know, the answer is very simple for the Minister. He can just commit to have the lawyer who handles conflict-of-interest review this matter over the next few days and make that opinion public, very simple thing. The Minister himself admits that he is not a lawyer and he really does not understand this stuff. Any reasonable person would do that.

I must admit, we are getting a little concerned that the reason why the Minister is evading this—my colleague and I might want to actually get into the fish market business, because I have never seen so many red herrings on a simple issue as I have today, that the reason why he is not doing this is because I think even he and the spinners in the Premier's (Mr. Doer) office, when after Question Period they actually looked at the Act, have probably come to the same conclusion that any other reasonable person would reading it, that there is certainly a prima facie case, at minimum, that the Minister has a legal problem.

You know, what is interesting is we have come here today, we even said to the Minister, okay, we understand coming from a new minister. We have said to him, why do you not just adjourn this committee? You can consult with your lawyer, with the independent lawyer who is available for all MLAs, who provides that consistency of opinion to all of us and then come back in a couple of days and make it public. The Minister keeps refusing to. Yet he admits he is not a lawyer, but he sort of reads the thing. He says: Well, I am not in a conflict, but I am not a lawyer. Well, we know that.

Why do we not get a real lawyer, the lawyer that the Province pays for, the lawyer that is assigned to do this, the lawyer that has done it for many MLAs and Cabinet ministers to look at it. The Minister could commit to do that this afternoon, and he could commit to bring back that report and make it public, and if that person says there is no conflict, fine, issue done. If he says there is a conflict, the Minister says okay fine, I step aside from this responsibility. Case closed. It is very simple. The Member for Thompson (Mr. Ashton), if he were in this committee today, would probably be advising the Minister that is the proper course to take, but the Minister refuses.

You know, I want to say a couple of things. The Minister says this is about First Nations casinos. This issue is not about First Nations casinos at all. This issue is about the credibility of the Government and of the Minister. Whether it be casinos, whether it be the Agricultural Credit Corporation, whether it be any other dealings that a Cabinet minister could have, this

is about the law. This is about respect for the law, and this is about following the law.

It has nothing to do with the casinos. No one here is challenging the casino issue, but we are saying that the Minister who on Thursday was going to be responsible for this decision but according to the Premier (Mr. Doer) now is just a delivery boy who runs the documents from one independent person to another, and I do not think he is—I say that sarcastically, because that is what the Premier is using as an excuse that this minister really has nothing to do with this. He is just the Minister in charge—is unfair to the Minister. The Minister is in charge. He admitted freely on Thursday that Mr. Luke reports to him, that he would be receiving, he would be giving instruction to the implementation committee, the negotiator on behalf of the Province, Mr. Luke. Mr. Luke would be reporting to him as minister. He would be taking the recommendations to Cabinet with his recommendations. There is no greater involvement that a Cabinet minister can have in this than he now has.

Now the Minister had a quick glance at the definition section—which I do not think he realized was the definition section—of what an indirect pecuniary interest is, and he read one part and he said, well, my wife does not have a pecuniary interest in this contract. Well, that is not what that section says or is about. I want to take him through it again, because I think it is important he understand it.

The operative section is section 8. It says to him that where, during the exercise of any official power or the performance of any official duty or function by the Minister—and part of his duty and function is to give instruction to Mr. Luke, to receive instruction from Mr. Luke, to receive the report from Mr. Luke, to prepare a Cabinet document, to take it to Cabinet under his signature with his recommendation—that those are all the functions that he performs, that where a minister in doing those functions, there arises a matter in which the Minister or any of his dependants has a direct or indirect pecuniary interest, the Minister shall delegate the power, duty or function to the Executive Council or committee thereof. The Act is clear. It says—and these are the operative sections that we are referring to—where he is doing something in his

job and a matter arises in which a dependant—him or his dependant—has a direct or indirect pecuniary interest.

So what is an indirect pecuniary interest? We are not accusing them of profiting by this or putting money in their pockets. We never said that. We are not saying there is a direct pecuniary interest. We said there is an indirect pecuniary interest. Now what is it? It is defined by section 3(1), and it says: For the purposes of this act, but subject to this section, a person shall be presumed—does not have to have one—but is presumed to have an indirect pecuniary interest in a matter where, and the section that we believe is operative is section (b): the person is employed by a person, corporation, partnership or organization that has a direct pecuniary interest.

So how does this read? This reads that where the Minister in the exercise of his duty, a matter comes up where he or his dependants have an indirect pecuniary interest, and what is that? They are employed by someone who has a direct pecuniary interest. So what are the facts? The facts are that the Minister is responsible for the negotiation of the comprehensive agreement. The negotiator, Mr. Luke, reports to him. He gives instruction on behalf of the Government. He will take the recommendations to Cabinet with his recommendation, so we know that.

The matter is the negotiation of a licence of a casino with the Nelson House First Nation. The Nelson House First Nation has a direct pecuniary interest in getting a casino licence. If he needs proof of that, his own commissioners, Mr. Freedman and Mr. Nadeau, said this was a privilege that bestowed a great deal of money on the people who received it. So we know Nelson House has a direct pecuniary interest. Is Valerie Matthews Lemieux a dependant or a spouse or in the category of a dependant of the Minister? Yes, by definition, she is the spouse. I am reading the sections of the Act. *[interjection]* Well, the Minister who is responsible for freedom of information, which really means a prison of information of this government, before she talks in this Committee, she should go back and chastise her premier, who, the Ombudsman said, was in violation of the law. She cannot

even know what is right and wrong in her own responsibility.

Now, Mr. Chair, what is the connection, the final connection?

Mr. Chairperson: Order, please. There is too much interruption for the speaker here. *[interjection]* Excuse me, I have not recognized you yet. There is still too much noise from the chairs to my right.

Mr. Praznik: Mr. Chair, so we know the Minister is in charge, we know Nelson House is applying for a casino licence, we know Nelson House First Nation has a direct pecuniary interest in getting a casino licence. Now, does the Minister's wife have an indirect pecuniary interest, which then would mean section 8 is operative? Well, what does the Act say? As I have said before, it says very clearly she will be presumed to have that. That is not me speaking, that is the Act. That is the law. It says she will be presumed to have that if she is employed by a person or group or organization who does have a direct pecuniary interest.

Now, I notice the Minister quietly slipped in she has done work for Nelson House. Well, is he telling us today she does not do work for Nelson House. According to the Chief and the reports in the paper, she admitted, they admitted that she is currently working for Nelson House First Nation. She is employed by them. So this act makes that presumption, and if it does not, then what does it mean? What does it mean? The purpose of this was to ensure not only were there not conflicts but there were not the perception of conflicts.

* (16:40)

Now the Minister says why that is important, the cause is greater than the process. Well, I challenge him on that. Because do you know what it will do? If this minister is not prepared to get a legal opinion and find out if he is in conflict, it puts in question the whole process that he is embarking on. If he does not believe that is the case, the Member for Russell (Mr. Derkach) I think can confirm, as he has done already, that in some of those First Nations that were not successful, they are already saying,

ah, why did Nelson House get a casino? What are there, 19 000, 20 000 people in the area? It is too small. It does not make sense. Ah, well, the Minister's wife, well, she has done very well working for Nelson House.

I am not accusing him and his wife of having done anything wrong, but the perception will be out there. That is why the Act is struck the way it is. That is why the Act is drafted the way it is. It is so that there is clearly no accusation that can be made, and today that accusation will be out there. You know what? The Minister says well, how can it be? She is not working on the casino project. Well, you know how it is? Someone will come up and say: Well, if they do not get what they want in the casino licence, they will not hire her anymore and she will lose that income to her law practice and the Minister will lose that income to his family. That is the accusation that will be made. His wife, Valerie Matthews Lemieux, I will say anywhere, is one of the most talented land claim lawyers in this country, but the accusation will be made out there on the street, not by us, but by people out in the community. That is why the Act was drafted the way it was, not because it is bad legislation. That is tending now to become the battle cry of the New Democrats. Well, it is okay to break the law because we did not like the law. Well, that is not right, and that is what it is about.

You know, we are saying to the Minister today: What harm would there be in him, who has admitted that he is not a lawyer, who has admitted that he has not got a legal opinion, who has admitted that his premier (Mr. Doer) has not raised this or even suggested that, what harm is there today in this minister simply saying the issue has been raised? To assure that there is no question at all that I am in any breach of that act, I will go to the solicitor that is available to all MLAs, and I will have an opinion as to the Act and the circumstances.

I will disclose those circumstances. I will have an opinion done, and I will have it tabled and made public. If that opinion says all is clear, well, that is fine, everyone will accept it. The world will have a comfort level that there is no violation, no perception and the Minister will, and anyone who raises the issue will be able to

pull out that legal opinion and say to the world: Here it is. I have done everything right; I have checked.

If that opinion says well, Mr. Minister, you may have done nothing wrong, but the Act does say that because she is employed for work as a lawyer with the First Nation who is before you to receive—as Mr. Nadeau and Mr. Freedman said—the privilege, a very lucrative monetary privilege of having a casino licence granted that this presumption in the Act does put you in a position where you should refrain, that you with all honour and dignity can say well, I have reconsidered this now. I have this opinion, and I will step aside from this file.

We have not asked you to leave Cabinet, sir, but you could step aside from that file and another minister could handle the file, deal with Mr. Luke, complete the negotiations and there would never be any opportunity for anyone to challenge the decisions and recommendations on implementation and the decisions of Cabinet, never would that be challenged on the basis of the Minister who is responsible having a wife who derives a portion of her employment income from Nelson House First Nation. It is so simple; it makes such common sense. What we are asking the Minister to do is the right thing, and yet he refuses over and over and over again. Does he need to have the Premier come to this committee and tell him what to do? Does he need to have the Premier's staff come and give the stamp of approval, that he cannot commit to have this done? Or will he do what every Cabinet minister must ultimately do, and say: Okay, I did not think there was a conflict; I will undertake now to seek that opinion of that independent solicitor available to MLAs and MPs, will have that report, and I will make it public, and I will live by its result? That would end this matter. One way or another, it would end it. The Minister's reputation would remain, I think, a strong one, but, instead, he refuses. He absolutely refuses.

* (16:50)

It is becoming one of those things that is indicative of a government. Are we going to see this pattern where freedom of information laws are ignored, and the Premier, in the scrum and in the House, did not even know what we were

really talking about, did not take responsibility for his own staff? The Minister is not prepared to check the law. The Premier's press secretary is saying: Well, the problem is not breaking the law; the problem is that I do not like the law. Well, maybe the Minister and the Premier's office do not like conflict-of-interest legislation, but it is the law of the Province of Manitoba. It is the law today, and it governs this. If the Minister is not prepared to do the right thing, which is to seek that legal opinion and make it public, then that means we will have to take the Premier up on his—I thought, the mark of a very stubborn individual who is not prepared to admit that he might actually make a mistake. He said: Go challenge it under section 20. Well, we will, and within a week or two, the Minister is going to find that he is in court, and a judge is going to rule on it. If a judge has to rule that this minister is in violation of the Act, and he has to go there kicking and screaming, then he is not worthy of the ministerial office that he holds, and he should resign, not just from this job, from this file, but resign from office. It is it so hard to just get that legal opinion? The Minister has acknowledged here today that he has not sought a legal opinion, that the Premier's office has not sought a legal opinion. We have the Premier to say there is no conflict.

So we ask the Minister again: Will he not undertake today, in the interest of ensuring, for goodness sake, that at least all the proponents who are now going to begin negotiations with him, through Mr. Luke, so that they can be sure that their process will not be tainted by any hint of impropriety under conflict of interest? Do it for them, I suggest. Will he not again undertake to ask for that opinion today, have it done in three, four, five days, as I am sure it can be, and have it released publicly to the Legislature, and we will all live by the results? Can he not just undertake what is a simple common sense approach to this issue?

Mr. Lemieux: Mr. Chair, I thank the Member for Lac du Bonnet for his questions. There were a few questions in there, and there were a couple of statements made, a couple I certainly want to try to correct, if I can.

One was, there are First Nations communities out there that are wondering, well, is

Nelson House somehow being recommended because the Minister's spouse or wife had done and does some legal work for them. Once again there is an independent selection committee that designated or recommended Nelson House as a viable proposal.

An Honourable Member: You missed the point.

Mr. Lemieux: No, the people outside the First Nations community or within the First Nations community, if they raise that, are absolutely wrong. You had Mr. Nadeau and Mr. Freedman who are the ones who recommended them. Now they are in the ballgame. Now you have five recommended casinos or recommended proponents. Now those proponents have a job in front of them or a job ahead of them. They have to be able to now show that they meet the conditions for success. This had nothing to do with the Minister of Consumer and Corporate Affairs selecting them or recommending them. Nadeau and Freedman recommended them. So, when Mr. Nadeau and Mr. Freedman recommend them, all it is an opportunity, and I cannot recall the exact terminology that the Member for Lac du Bonnet (Mr. Praznik) used about how it is certainly an opportunity for First Nations community to proceed.

This has nothing to do with the Minister of Consumer and Corporate Affairs. This has a lot to do with Nadeau and Freedman recommending them, saying: Hey, look, here is a good business plan. You have a great business plan in front of you. We think it is. We think it is viable. Well, now, go ahead, and see if you can run with it, and show us that you can meet these conditions for success.

This had absolutely nothing to do with the fact that my wife has done some work in the past, and does some work for Nelson House. The Minister for Consumer and Corporate Affairs and MGCC are certainly not the ones who made the selection for Nadeau and Freedman. Nadeau and Freedman made that selection. They looked at their business plan and said: Hey, this is a very good business plan. They have an opportunity here. Let us see if they can make a go of it. If you have taken a look at this report—when I take a look at Nadeau and Freedman's

report, Nadeau and Freedman's report states that all of them may not be viable at all. In the end, they may not be able to make a go of it because they are just not able to meet those conditions for success. It could be land; it could be community support; it could be financial reasons. There are all kinds of reasons why they may not make it. Those particular reasons have nothing to do with the Minister of Consumer and Corporate Affairs, but because they are not able to meet those kinds of conditions that are set and those conditions for success.

Again, I think it is a very prestigious career obviously, and I do not mean to be derogatory in any way towards the legal profession when I say, you know, I am not a lawyer, some people would applaud that. They think it is great. They put us—some of us are lawyers and politicians, but some of us they would include and put in the same ballpark with regard to how we treat each other and so on.

But, when I say that I am not a lawyer, and I have taken a look at the section in the Act which has been pointed out by members opposite, at least certainly in my own mind when I take a look at this, there is no conflict and there is no perceived conflict. I know members opposite are trying to make a case that somehow there is conflict. Well, I do not think there is conflict at all.

With regard to a direct pecuniary interest in the matter, and the matter being a casino proposal or a casino, my wife's law firm nor my wife who is a lawyer had anything to do with the First Nations community of Nelson House and their proposal to Nadeau and Freedman. I take the issue very seriously. As I mentioned before, I do not believe members here are bringing up for frivolous reasons. I believe that they are sincere about it. At least I trust they are. I am not going to be so cynical as to state the opposite because I believe Manitobans would want us to be doing our job and to be sincere about these issues. I believe that they would want their opposition, which absolutely has a right, and they should have that right, to raise questions with regard to their government and so on. That is fair enough.

The only problem coming out of some of the questions, and I do have a bit of a concern,

because you have professionals nowadays, either they be male or female, who are the spouses or partners of people in government—Cabinet ministers or other members. They have a right to have their careers. They have a right to go on; they have a right to make a livelihood; and they have a right to have a profession. I am certainly hoping no one is putting that in a question, and I do not believe members opposite are at all. Certainly it is something that, with this particular item, when you take a look at a person who has been a practising lawyer for the past nine years—I believe, the Chief stated, to be exact—he stated that legal advice and certainly dealing with the different legal issues that they hired her for certainly had nothing to do with casinos as well. Certainly I would just want to say that.

I know members opposite are saying I am not getting the point, and, you know, they are not questioning the validity of casinos, they are supporting casinos—I am not sure if they support casinos or not for First Nations people—but that is something that First Nations people are asking.

They are starting to ask the question since the Member for Lac du Bonnet raised it. They are not only asking the question, you know, yes, it was an independent selection committee that did it, but now are they asking the question, is there some skulduggery involved? They are asking the question, do the members of the Opposition actually support First Nations people going ahead with this initiative? Those are the questions that I am hearing. People are saying, you know, here is the issue. A couple of members are saying that is not the issue. The issue is this, in many ways. People are saying you are raising questions with regard to Spirit Lake, in North Dakota, you are raising questions about SIGA in Saskatchewan, you are raising questions about—*[interjection]*

Well, somebody said the only reason is it is our job. Well, it is your job and it is not, because it depends on the slant that people are putting on it. If people are putting forward negative, negative, negative all the time, First Nations people are starting to say, well, is the Opposition really in favour of First Nations people going ahead? It seemed like before the election they were, and now we are not so sure anymore because all you

hear is Spirit Lake, SIGA and things like that—*[interjection]* Well, you know, it is a bit of a dilemma. We on this side are supportive of this initiative. We are trying to make this initiative work.

So what we are saying is that we want First Nations to have the opportunity, they are going to work through the implementation committee, and they are going to go ahead and see if they can meet these conditions. This is something that, as I mentioned, we are certainly supportive of. Well, anyway, I just want to thank you, Mr. Chair, for the opportunity to make comments with regard to the questions. Thank you.

* (17:00)

Mr. Praznik: Mr. Chair, my question to the Minister: Is he saying to this committee that he is not prepared to get a legal opinion on this issue, yes or no?

Mr. Lemieux: Mr. Chair, I thank the Member for his concern, obviously, with regard to this issue. It is certainly noted, and maybe we can move on to another line.

Mr. Praznik: Mr. Chair, I have asked the Minister, we have asked this Minister: Is he prepared to get a legal opinion on an issue that is there? If the Minister believes in the malarkey he is telling this committee, then he should have no fear in getting a legal opinion. By refusing to get one, he is telling this committee and the world that he is scared of the result.

I ask him again: Is he prepared to get a legal opinion from the lawyer who provides such independent advice to all other members of the Legislature and Cabinet, or is he scared to do that because he knows he is going to be found out to be wrong? Will he commit to that legal opinion? A yes or a no and not an evasive answer. It is simple. If it is a no, then I ask him to have the courage of an adult to say so today, right now, to the people of Manitoba.

Mr. Lemieux: Mr. Chair, certainly, I can take the concerns of members of the Opposition very seriously. I certainly take their suggestions very seriously. I would say that certainly in my opening statement with regard to my Estimates, I

mentioned that we as government are certainly able to give members opposite the credit where credit was due with regard to their particular government.

Now, also, the Member for Lac du Bonnet raised the issue about courage. I think that with regard to this issue on First Nations casinos, I think it has taken a great deal of courage on behalf of our government to move ahead with this particular process. I think that we have certainly made a promise during the election campaign that we would do so, and we are certainly carrying out on that. *[interjection]* I think that some people say, well, that is not very courageous. Well, I can tell you that the members opposite, when they were in government, it certainly took them three years since the Bostrom report came out. It took them three years to look at it. You take a look at the Bostrom report and you determine: Oh, well, maybe we will move on and maybe we will not—after three years of taking a look at the Bostrom report. That is why I say, yes, it did take some courage to go ahead and do it. So whether members opposite believe that or not, they are entitled to their views, but it did take a lot of courage on behalf of our government to go ahead and to move on this. We think that First Nations people deserve a chance to get involved in this industry, and it was stated in the Bostrom report three years ago. We have taken the opportunity to go ahead and move on this.

Again, I just want to reiterate, I certainly accept your advice, I certainly accept your opinions. I take them very seriously, I truly do, and I mean that sincerely. That is something that certainly I will consider. *[interjection]*

Mr. Chairperson: Order, please. There is some interruption when the speaker speaks. Please respect the person that has the floor.

Mr. Derkach: Mr. Chair, we have gone around this issue from several different angles today to try and convince, I guess, the Minister that indeed this matter is not one that should be taken frivolously, nor is it a matter that he should simply rely on his own gut instinct with regard to whether or not he is in a conflict or not. This is a matter which he has an obligation, as a minister, as a member of Executive Council, to

research through legal channels whether in fact his actions are in conflict of the Act that is within this Legislature and in Manitoba. He simply has indicated time and time again today that in his opinion there is no conflict perceived or otherwise. Now it is not a legal opinion that he is providing for us. It is his own opinion, his own impression of whether or not he is in conflict. That is not good enough. That is not good enough for us. It is not good enough for the people of Manitoba. He is digging in his heels in terms of denying to accept responsibility for this issue and to seek legal advice and to bring that legal advice to this table. That is what we are asking of the Minister.

His premier today stated in the House that in fact, if we do not like it, then we should seek an alternative recourse through section 20 of this act. Now is that what the Minister is really forcing us to do, is to seek action, an alternative action to try and resolve this matter through section 20 of the Act, or is he in fact going to come clean in this matter and indicate to this committee and to the people of Manitoba that there is question and that there is doubt as to whether or not he as a minister is in conflict here or not?

We have given him latitude. We have given him the opportunity to go back to seek this advice, come back to this committee and tell us. Here is the advice. The advice concurs with my impressions, with my opinions, therefore we proceed, and the matter would be closed. On the other hand, if the legal opinion is not that, then I think there is another course of action that needs to be taken, and we have given this minister the opportunity to be able to seek that legal advice, come back to this committee, tell us what it is and then to take appropriate action without us asking for his head, but if this persists, then what option does he leave us? We have been down this road before when we were in government. Certainly these kinds of issues occur from time to time, and government has to accept responsibility for them. That is acknowledged, and in this case, this government has to accept responsibility for this, but we are asking them to give us a legal opinion which is available in government, which is available to any member of the Legislature, which is available to this minister, to seek out that legal advice so that

indeed he is not simply going out to Manitobans with his gut feeling and his impression and his opinion but rather he is standing up proudly in front of Manitobans and saying: I am not in conflict. I have a legal opinion that says I am not in conflict, and therefore we will proceed.

As I said before, I think this minister would stand tall in the eyes of Manitobans if in fact he had a legal opinion that said that he was in conflict, he would back off and say, look, the legal opinion says I am in conflict; therefore I am allowing this matter to be handled by Executive Council or by another minister that is appointed by the Premier of Executive Council. He would stand tall in the eyes of Manitobans, but I do not think he does himself any kind of credit by digging in his heels and saying, in my opinion, I do not have a conflict, I do not have a perceived conflict, and so therefore I am going to continue along the path that I have been on for the last while.

* (17:10)

I think it would also give some comfort to the law firm that his wife is a partner of because indeed this must be some discomfort to them as they deal with the Nelson House First Nations people. When I look at section 8 of the Act and I look at the fact that it says where, during the exercise of any official power or the performance of any official duty or function by a minister that arises a matter in which the Minister or any of his dependants has a direct or indirect pecuniary interest, that says to me that the matter here is Nelson House First Nations and the relationship between them and his wife's law firm and the relationship between them and him as minister with regard to the casinos, and therefore there is an indirect pecuniary interest which needs to be addressed.

This minister has also told us that he gives direction to the implementation committee, he receives advice from the implementation committee, and he takes their advice forward to Cabinet. It is Cabinet that will make the decision, Cabinet which he is a member of and he will have a say in, in terms of what direction is going to be taken by that government, so therefore he is implicated in every decision that is made with regard to casinos. So you cannot

say that it is an independent, completely hands-off decision as to the issues that revolve around casinos, because the Minister has said that it is government that will accept the responsibility for the direction and for the action that is taken with regard to the implementation of this entire matter.

So, when I said, oh, what a tangled web we weave today in the House, I really meant that because this matter is becoming more complex as the days go on, and we are continuing to blur the lines between what is supposedly independent and what is supposedly not independent anymore. I think the Minister finds himself today in a situation where we are giving him an out. We are giving him an out. We are saying get a legal opinion, bring that legal opinion back, and then let us proceed from here, but if he does not accept that, then he limits his options and, I think, our choice in how we proceed from this point on. The Member from Lac du Bonnet (Mr. Praznik) has clearly gone through the articles of The Conflict of Interest Act which speak to this matter. I think he has made it very clear as to why there are questions about it. It is a perception at this time, and, if there are questions about it, then I think it needs to be cleared up.

I think it goes beyond this minister. I think it goes right to the Premier (Mr. Doer) of the province, who should, because he is the Premier of this province, command, or demand that indeed there be a legal opinion given on this matter. How can you be the Premier of a province and come up with a situation like this and not demand a legal opinion? That is what we have lawyers for. That is what the Legislature has lawyers for, to give legal advice in matters of this nature, so that, indeed, we can carry out our responsibilities without a cloud hanging over our heads as to whether we are in conflict or not in conflict.

Mr. Chair, I want to ask the Minister one more time whether he will acknowledge the fact that there are questions with regard to this perceived conflict of interest, and whether or not he will agree to seek legal advice and whether he will table that legal advice as it pertains to this matter.

Mr. Lemieux: A couple of things I would like to say. One, I would like to respond to the

Member from Russell (Mr. Derkach). I would like to say, first of all, that I do not take this as frivolous, obviously. I hope everyone understands that. I understand that this is a very serious question, and it is not taken frivolously by me. I just want to state that. I have stated over and over on numerous occasions that I will consider your comments, and that I will consider your suggestions and your advice with regard to this issue.

As I mentioned, I have taken the opportunity to take a look at this section. Previously, I have looked at it, but it is not something which I look at every day, obviously, but I certainly have read it before and looked through it before. But, having looked upon it again, I mention that my own opinion with regard to whether or not my wife or legal firm has a direct pecuniary interest in the matter, I just feel that, no, they do not. I just do not believe it that there is any conflict of interest, perceived or otherwise. I mean, when I take a look and I read it, and the Member from Russell mentioned, the Member from Lac du Bonnet had stated it earlier with regard to, and read through the sections, I realize that—yes, he read through the sections, but I read through the sections as well, and certainly, this is notwithstanding, I mean, I understand, I certainly take your comments seriously and also I accept your comments with regard to this issue. But, when I read it, and I take a look at whether or not my wife has a direct pecuniary interest in the matter, she does not. Neither does her law firm. They did not participate in any way, shape or form with regard to this casino project at all.

The Chief of Nelson House, Jerry Primrose, stated that, over and over and over and over again, and made mention to the media that, had this article in the weekend paper that—Chief Primrose said, we are not stupid. He said, quote: We are not out to screw ourselves. I mean, why would you hire someone and know that that person is married to a Cabinet minister responsible for this initiative, the lead minister?

Just on the face value, I think we have to give First Nations and Nelson House some credit with regard to their own business acumen. They have been involved, I am sure, in a number of different business proposals and so on. They are not going to hire someone that is going to

jeopardize something that they have worked hard for and they look at something very positive with regard to jobs and with regard to employment opportunities for their people.

This particular issue, as I mentioned, is very serious. When I am filling up my vehicle with gasoline, as I mentioned before, what did a person say to me that is pumping gas, saying: Well, it sure seems to me awfully fishy that this all of a sudden comes out, and then at the same time that there are scandalous reports about something that is happening in the Interlake. I was just going to say, and I mentioned before, and I hope members here understand—and I believe that they are taking this seriously, and I trust that they are. They are not doing this as a diversionary tactic in some way, some smoke screen to say, there is a conflict of interest here, and all of a sudden somehow people will forget about Uncle Cubby and others.

So I do not want to go down that path. I do respect the Member from Russell (Mr. Derkach) and the members here. So I am not going to go down that path. Obviously, there are people here, whether it be in the Interlake, certainly members at this table, I do not believe there is anyone sitting here that the Member from the Interlake (Mr. Nevakshonoff)—and I trust the members opposite here had nothing to do with that issue. I would hope not.

Nevertheless, I do take this absolutely seriously, and this is not a frivolous endeavour. Saying that a minister may be in a conflict of interest is a very, very serious matter. To drag one's family involved into this argument is very serious. I know members opposite would feel the same. That is why I tell you here today that I do take this absolutely seriously. I mean, when my spouse is brought into this matter and she has nothing to do with casinos, nothing to do with casino proposals in any way, shape or form, has nothing to do with Nelson House's initiative in this, it is a serious matter, and I take it that way.

So I just want to end on that note that I do appreciate the advice, I do appreciate what members here are saying. I trust that they have the best interests of the Legislature at heart and the perception of Manitobans of us, because the young people I saw that came and visited my

office the other day, what they saw in the gallery they were not very impressed with, because there are a lot of negative comments made not only about lawyers but certainly made about politicians. When we do not treat each other with respect, when we are involved in either name calling and other innuendo, I believe what it does is it taints all of us and brings us all down another notch in the estimation or certainly in the eyes of the electorate or people of Manitoba.

So I want to say to the Member for Russell (Mr. Derkach), thank you for your advice. I thank you very much. I will certainly consider your comments and your advice. I appreciate it greatly, as well as your comments with regard to this issue. I certainly do not take it as frivolous. It is not a frivolous endeavour at all. So I take this very seriously.

* (17:20)

Mr. Jack Reimer (Southdale): The Minister mentioned something in his last comments there in regard to perception and what is perceived by not only, like he mentioned, the young people in the gallery but I think the public in general in regard to MLAs or politicians or anybody that is involved with public office is the perception that is put forth by that individual by himself or his caucus or his Cabinet or his government. That is a lot of times what people will make judgements on.

I can recall back to being first elected into this Legislature. I think the Minister can relate to it as how there was sort of an indoctrination process that we went through by the Clerk at that time outlining the tremendous responsibility that has been put forth on us as elected MLAs and the responsibilities, some of the House duties and all the workings of government and everything else like that. But one of the things that was emphasized quite strongly, and I believe it was done to myself and to the Minister, was the perception as to our ethical standards that we are now expected to uphold to in regard to our decision making placed before us by the electorate here in Manitoba through our constituencies.

I think that even becomes more compounded when we get the privilege to be appointed to

Cabinet by the Premier in a position where we are given even added responsibility and we become the direct link to decision making and the concept of law making, legislation that is brought in, opinions that are sought. They all funnel through the Minister and what the minister, he or she, says in regard to certain aspects of whether it is legislation or situations that arise. The Minister is put in a position of being, in a sense, the final authority other than Cabinet and the Premier. But it is usually put into the Minister's portfolio of decision making as to the responsibilities that he or she has.

I think one of the things that comes about initially when an individual is placed into a Cabinet position is there is an indoctrination process that he or she will also go into in regard to their principles. It is even reinforced even more stringently, the conflict of interest and the perception of conflict of interest.

I can recall myself being lectured very sternly by Don Leitch at that time, the principal secretary, as to the position that you are put in as a Cabinet minister and the perception that you have to uphold in regard to what the public sees of you and what could be seen through you and what can be seen through you even by your close associates and even your staff because you are the spokesperson, in a sense. So I can recall the principal secretary at that time, Don Leitch, being very, very strong and made us aware of what we as ministers were expected to uphold to.

I think that it was not only when I first became a Cabinet minister, but along the way as a situation arose there was always the call or the conversation with the principal secretary of what is perceived in regard to the decision or the path of legislation or the path that we would be going onto to make sure that there was not a conflict or a perception of a conflict or the implication of a conflict of the decision that you were making as a Cabinet minister and the fact that if there was even the perception of an indirect benefit that you were asked to either remove yourself from the decision making at the Cabinet table so that there was not that perception that you were indirectly or directly benefiting by yourself or by a relative or a strong acquaintance that you may be involved with.

So I guess what I wanted to ask the Minister was whether he had had that type of conversation with the principal secretary now, who is Mr. Jim Eldridge, when he was made a Cabinet minister and whether the strict rules of conflict of interest and the code of conduct, if you want to call it, for ministers was outlined to him in a manner that indicated that the perception and the conflict of interest are something that he had to be very, very strongly aware of and the strict adherence to it.

So that was more or less what I was wondering, whether he had that type of conversation with Jim Eldridge.

Mr. Lemieux: I thank the Member for Southdale for the question. Certainly, being a new person on the block does not mean that you come in totally helpless and not knowing what the real world is all about.

Upon becoming, certainly, a Cabinet minister, which is indeed, not only a privilege but an honour to be able to represent people, I was kind of taken aback. I know my first thoughts were I do not know a lot about Consumer and Corporate Affairs. I know about the Residential Tenancies Branch a little bit, but I do not now a lot about my portfolio. I certainly can thank my department for assisting me in learning very quickly what it is all about.

Just on the point that the Member for Southdale raised with regard to the responsibilities and the obligations that we have as Cabinet ministers, not only is it an honour for a lot of people, but you soon get past that, whether it is flattering or not, because of all the hard work one has to put in. You realize the obligations that you have. I guess the word I am trying to look for here is not only "obligation" but it is quite an overwhelming task almost when you take a look at your responsibilities with what you have to do and what you have to carry out.

I just want to say that, with regard to conflicts, certainly many of us not only had the opportunity to read this legislation, which I did, but many received, I think it was, from Mr. Binx Remnant, he spoke to us, as all rookies, not in this room, I think it is 253, but it is not important

about the room we were in, went through talking about our obligations as MLAs. He said, well, for some of you, you will be Cabinet ministers, and some of you will have other obligations with regard to all types of issues and confidentiality and those types of issues, but all members of the Legislature have conflict-of-interest guidelines which they have to adhere to.

In my own particular case, I have had the occasion, a couple of occasions, to have to remove myself from discussions in the Cabinet room because I felt that I may have been in a conflict situation with regard to a couple of issues that were being raised, so I removed myself. Thereby, telling you this, I am saying that, when I take a look at the legislation and it says has a direct pecuniary interest in the matter, the matter being the casino project, when I take a look at that, and I am not a lawyer but when I take a look at that and I say, well, has my wife had a direct pecuniary interest in this matter, no, she has not, has her law firm, no, they have not, there is no direct pecuniary interest in the matter. That is why I say that I have had the opportunity where I have had to excuse myself and declare that there may have been an issue where I would have been in a conflict situation.

* (17:30)

I am aware of it, even though I am not a lawyer and trained as a lawyer. I know the Member for Russell (Mr. Derkach) refers to it as being a gut feeling. Well, call it what you will, but one knows when one is treading on that type of ground, and then this particular issue, when I see that, and even coming from the Chief and as stated by myself on numerous occasions this afternoon, I cannot see where members opposite are saying that somehow my wife is in a direct pecuniary interest or in conflict somehow in this matter. I do respect your advice and your suggestions, and I do not take it frivolously at all. I know you have said, please, consider our comments. I am considering your comments seriously, because this is not an issue to be taken lightly.

Once again, with regard to the Member for Southdale, it really is important as you have stated. We all have had obligations. Two of you that are here today, the Member for Southdale

and the Member for Russell, have had the privilege and the honour and the responsibility of being Cabinet ministers. You have certainly had that responsibility a lot longer than what I have. You have had different portfolios, and you have had the opportunity to take a look and have probably on the odd occasion yourself have had to exclude yourself because I, within my short tenure, have had to exclude myself as I mentioned previously because you feel that you are in that situation.

With regard to this issue, and I do take your suggestion seriously. I do. When I take a look at this on the surface, I do not see the connections that the members opposite are trying to make. Now, First Nations people—and I think Jerry Primrose, the Chief of Nelson House First Nations commented about how a lot of people think Indians are stupid, but we are not. Those kinds of comments were from the heart.

This is a person who is a chief of a First Nation community, attempting to work with this community to give them something, to have something substantial that their community can work with, get the jobs that they can have and all of those kind of things that have been mentioned on numerous occasions before.

When interviewed in the paper, when I take a look at Saturday's paper and the comments that he put in the paper, you have to say that whether they were coming from the gut or from the heart—I would say the heart—he was making those comments in his words that said I am not going to do anything, I think I am quoting correctly, "to screw ourselves." Well, why would he do that?

He is taking a look at this whole issue, and he is saying there is no conflict with regard to this issue. I mean, Mr. Primrose is a chief, he is not a lawyer, but he has enough business acumen to know that he is not going to put his First Nations community in a conflict in any way. That is why when my wife is not associated with a casino project in any way, shape or form, that is why he is saying, indeed, there is no conflict, because she is not involved in the process whatsoever.

Mr. Lemieux, the Minister of Consumer and Corporate Affairs and The Gaming Control Commission, did not select or recommend these proponents. He had nothing to do with it. It was Mr. Nadeau and Mr. Freedman recommending to government who they are recommending. So Nadeau and Freedman are saying: Here, we are recommending to the Province five First Nations communities. Now you have an opportunity to go ahead.

So you have an implementation committee made up of five individuals. You have Mr. Luke, who is the chair of this implementation committee. You have two representatives of the Assembly of Manitoba Chiefs. Just to correct the Member for Lac du Bonnet (Mr. Praznik), they are not representatives of the proponents, as was said last week. They are representatives of the Assembly of Manitoba Chiefs who we have entered into a partnership with. Now they are there to give their viewpoint with regard to different issues that may arise, whether it is reserve status or whatever. Certainly there are a lot of issues that they can comment on. They have their own expertise. Then you have two people from government who are also on that implementation team. So the AMC representatives, the Assembly of Manitoba Chiefs, are there to represent the assembly. They are not there to represent a particular proponent or five proponents. That is not why they are there. They are there as an advisory body.

Yes, Messrs. Freedman and Nadeau did make those recommendations. Now this next process or this next phase is about to continue. You have Mr. Luke who is going to meet with his implementation team and certainly sit down and discuss where they are going to go, discuss the criteria, where they are headed with regard to this initiative, and then they will be proceeding and meeting face to face with First Nations proponents. Thank you, Mr. Chair.

Mr. Reimer: What I wanted to get back to in regard to what was said by the Minister, in regard to perception and the advice that was sought or not sought in regard to the conflict of interest with the Minister, have there been any discussions?

We are talking about a legal opinion which we feel has to be sought by the Minister as to his

position. But have there been any discussions? Once the selection committee had made their recommendations, and it was pointed out that one of the successful applicants was from Thompson, was there anything that was brought to the Minister's attention immediately by his staff or possibly by Jim Eldridge in regard to the situation or the perceived situation that was presented because of his wife's involvement with the Nelson House band in their application?

I am assuming, you see, that this happened quite a few weeks ago. Have there been any discussions with staff or the principal secretary in pointing out the fact that there is this possible perception of conflict by the Minister and the awarding to Nelson House?

Mr. Lemieux: Just to attempt to address the question from the Member for Southdale, when the recommendations were made by Nadeau and Freedman—they are an independent body—they made the recommendations based on the opportunities or certainly the business plan that was put forward. Nelson House was one. When I took a look at that, I just thought, well, okay, here they are one of five and they have an opportunity now, even though now there are all kinds of hurdles that they are going to have to jump because of the conditions for success we keep talking about and whether they be financial or reserve land, and all those different kinds of issues they are going to have to address.

When I took a look at that, I thought, well, okay, fine, good for them. They have an opportunity here. Obviously their plan must have been pretty good, just like the other four. They have an opportunity here because there were five selected out of twelve and their proposal must have been a decent proposal.

Just to try to answer the Member's question, had I thought that there was any perception in any way with regard to some type of conflict, no, because conflict in what respect. I mean, conflict because my wife did some work for them or does some work for them, no. No, I looked at that, and I thought she has nothing to do with. She has no direct pecuniary interest in the matter. She was not involved in the proposal at all, and the law firm had nothing to do with the proposal whatsoever.

So I thought, well, Nadeau and Freedman looked at it. They must have thought this is a great business plan, so they must have decided that Nelson House has a good chance to be successful. Out of the 12 proposals that were put forward, they were selected of 1 of the 5. Now the ball is in their court to try to meet the conditions for success, and so they have a great opportunity here. They are going to go ahead, I presume, and they will be certainly meeting with Mr. Luke in the near future and addressing those conditions for success and attempting to meet them over the next while.

Nelson House is one of those communities that their proposals are listed as Thompson, Manitoba. Thompson, they have a challenge ahead of them, as do two others, because they are currently not on reserve land. We had mentioned with regard to TLE and reserve land how important that was, and it was listed as one of the criteria in the request for proposals. Obviously they have a challenge ahead of them.

* (17:40)

So to again answer the question from the Member for Southdale, you know, somehow would this not just jump out at me and say, you know, no. Indeed, yes, my wife does work for Nelson House but certainly does not do anything in any way, shape or form related to casinos at all, nothing, nor did her law firm. Secondly, Mr. Nadeau and Mr. Freedman made the recommendation. Ron Lemieux did not make the recommendation. They are an independent body, and the politics were totally out of it, totally. I believe Manitobans have a lot of trust in that process.

So thank you, Mr. Chair. Hopefully, I addressed the question from the Member for Southdale.

Mr. Reimer: Mr. Chairperson, what I was going to ask the Minister is as he mentioned, the selection committee made its recommendations. The recommendations were then forwarded to this minister with the recommendations for the five sites, and Thompson being one of them. When he saw that site of Thompson being one of the five that was selected, did it ring any bells or set off any alarms in his mind saying that there

could be a perception here and that maybe I should either inform my staff or inform the Premier (Mr. Doer) or inform the principal secretary Mr. Jim Eldridge as to what could be perceived out there, or did he feel that it was something that was of no consequence and that it did not need any further explanation to any of the other principles that I mentioned like Jim Eldridge or the Premier or even his staff?

Mr. Lemieux: Well, I thank the Member for Southdale for the question. Certainly, when these recommendations were passed on to government and I saw Nelson House as one of the successful proponents, I thought, well, congratulations, good for them. Again, they must have had a very good proposal or a very good plan put in place in order to be one of the successful or—I do not want to use the word "successful"—but recommended ones, because obviously none of them are successful as yet. They have a lot of conditions to meet and a lot of hurdles to jump in order to get there.

So they are recommended, and Nadeau and Freedman recommended them, an independent body. I did not participate in the selection of it. My wife's law firm nor she participated in any way in assisting them or working with them to put forward their proposal. It was an independent body that selected them, so when I took a look at that I thought, well, congratulations, good for them. It is a small community. They are up north, and so their plan is viable and workable. So when I take a look at their proposal it has nothing to do, in my own mind, with being very suspicious of how they got there because you have an independent body, Nadeau and Freedman, who made this selection.

So they took a look at their proposal, and when you take a look at their proposal and what they are recommending in their proposal and the recommendation that came from it, and when I take a look at their request, they took a look at how many machines, for example, they wanted and so on. It listed in the report from Nadeau and Freedman. Everyone had to determine whether or not their business plans would work, and you take a look at Swan Lake, for example. They are taking a look at 300 slot machines, 30 tables, and 120-room hotel, a \$51-million investment, they are taking a look at for that particular one. Then

you have Aseneskak company, consortium members. They are using 177 slot machines, and they are putting a \$4.6-million investment. Then Sioux Valley, their investment is \$31.5 million; Brokenhead is around \$25 million. Then you take a look at Nisichawayasihk Cree Nation, and theirs is a 13 500-square-foot casino, 200 slot machines and 10 gaming tables—\$14.2-million proposal. Now, what they did was that, when they took a look in their particular proposal, they took a look at what they could do and what they could not do. They used their best business acumen or judgment to determine that they are going to be very reasonable. It is not because of any favours that are incurred in some way.

When you have an independent body making the selection that they were selected from, Nadeau and Freedman, I would hope no one in this room would question Mr. Nadeau's and Mr. Freedman's choice and the work that they have done to select Nelson House as one of the recommended—recommended, not successful as yet—proposals.

So once again, when you take a look at this, it has nothing to do with favouritism, nothing to do with conflict. It has a lot to do with an independent body selecting one of the best proposals out of 12 and recommending them. Also, my wife's law firm, as well as herself, had no direct pecuniary interest in the matter, in the matter being the casino or casino project or casino proposal, if you will.

But I do thank the members. I do thank the Member from Southdale (Mr. Reimer) and I thank the Member from Russell (Mr. Derkach), as well as Lac du Bonnet (Mr. Praznik), for your advice and your suggestions as to what I may want to look at and what I may want to do. I certainly appreciate it, and it is not frivolous obviously, and I made mention of that. Hopefully, they understand that I am sincere about it. I know that they are doing this because they are sincere and it is not a smoke screen to divert, somehow, away from the Interlake scandal that is now breaking out. So I just want to say that—I just want to thank the members for the question and am certainly open for more questions, if there are any.

Mr. Chairperson: Member for Steinbach.

Mr. Jim Penner (Steinbach): Thank you, Mr. Chairman.

Mr. Chairperson: Excuse me. Did I pronounce that correctly?

Mr. Jim Penner: Very close. That is good enough. I know what you meant. I just had one question in regard to the issues that we have been discussing this afternoon. I finally got a chance to get a word in.

As we all know, perception is sometimes the only fact in life. So we have to deal with perception. This came home to me, to roost very clearly last week when the First Minister (Mr. Doer), introduced a bill on amending The Elections Act, because he spoke to the need to protect us from the perception of wrongdoing through corporate support of political parties. The emphasis was on that we would be perceived to be doing something wrong. Or, just as we were saying here, it shall be presumed. We have talked a lot about various issues in regard to conflict of interest, but both the Bill introduced by the First Minister last week on the amendment to The Elections Act and the discussion today are dealing, really, with the perception.

* (17:50)

We need to protect ourselves as politicians from perception of conflict of interest. If we are perceived, then, in fact, people think it is true. The same as if we would be taking large donations from a company, we would be perceived as catering to that company. So perception, I think, is the word, the catchword here. To me, the whole issue deals around perception.

I just wonder whether the Minister of Consumer and Corporate Affairs would respond to his understanding of what perception means here.

Mr. Lemieux: I thank the Member from Steinbach—hopefully, I pronounced it correctly—for the question. Certainly the Member raises the question about perception. I believe the perception in the community and throughout Manitoba is excellent with regard to the government's initiative on First Nations' casinos.

I really feel that, and what I have heard, and the comments that I have received back on the doorstep when I have been able to go around and speak to people and some of my constituents, that people feel—and the perception being that this process was open, transparent, and fair for all First Nations that were applying and attempting to get one of these proposals to be recommended.

So the perception, certainly in my mind, is that the perception of the process is an excellent one. This is no slight to members sitting here, but the process that they had undertaken when they were government, when you had First Nations people knocking down barricades in front of the Legislature because it looked like—and this is not a slight on members here—the old kind of colonialism where I am going to give you some blankets, and I am going to give you some beads as long as you behave. This is not in any way a slight on members here, but the perception, that perception of we are going to pick and choose where we think those casinos should be, the perception was that it was like handing out beads and blankets. So it may not have been correct, but that is the perception that was out there. So the perception of the way we have approached First Nations gaming, the idea of having an independent body, well respected members of their community, Mr. Nadeau and Mr. Freedman, certainly I had been advised from all quarters that these two gentlemen are held in high regard because of their own expertise. They are, to the best of my knowledge, not of my persuasion, politically speaking. They are people who were selected because of their business acumen and the expertise that they have.

Now just dealing with perception with regard to that issue, the Member for Steinbach (Mr. Jim Penner) raises the question with regard to perception. When I take a look at the process with regard to First Nations people and the opportunity that they have, I would say the perception of the way we have proceeded, just on balance, taking a look at our procedures and the way we have approached it, with Nadeau and Freedman and the independent body, the independent selection committee, is far better than just appointing or being able to select and kind of pinpoint where a government or a cabinet feels that a casino may be most successful.

Now if you went around this room and took a survey, I would venture a guess that a lot of people may have selected ones far different than what Nadeau and Freedman recommended. They may select one because it is on a particular highway close to a certain border, or they may have wanted to take a look at different reasons why, but Mr. Nadeau and Mr. Freedman had a look at all the facts. They had a great number of people from provincial government assisting them and helping them to try to make this decision.

So, when I take a look at perception, I believe that the perception is very good on the process. People are looking at this and saying, you know, this was the way to go. Not necessarily that the previous administration should have gone that way. Certainly it is far beyond me to say and suggest that is the way they should have gone, but I do believe that, that an independent body like that would have, really, I think, avoided a lot of the pitfalls that the previous government ran into with regard to casinos. As was mentioned by Mr. Newman at the time—I believe he was the Member for Riel—he mentioned how something like this can become so political and become such a flashpoint for First Nations people, because they are so needy. I really take him for his word. because I believe he was sincere when he said that. He said, you know, there has to be a way to do this that brings First Nations people in, gives them an opportunity, but yet government as a whole is not looked upon as handing out favours somehow.

So it was a real tough one, and it was a difficult one for the previous government to deal with, granted, but I believe we have the courage to go ahead with it. The perception is that the process is absolutely the way to go. So I just want to say that, in conclusion to the Member's question, perception is very important, certainly with regard to this issue.

You know, what we are talking about here is a direct pecuniary interest in many respects to my wife's law firm or to her. She has no involvement whatsoever in the casino project, no involvement in putting together the proposal, even well done as it was, I guess, because it certainly was recommended, and her law firm

had no input into Nelson House's proposal in any way, shape or form. So members are correct, no, I am not a lawyer. Having read it and knowing, having excluded myself on a couple of occasions with regard to where I thought there might have been a conflict, I looked at it and said, no, she is not involved in any way in this particular project. Having looked at that and having seen their recommendation come forward, I thought, well, good luck for them. This is a start for them. They have a lot of hurdles to clear, and good luck to them.

Other than that, with regard to Nelson House, once again, they will be meeting with Mr. Luke and possibly members of his implementation team and attempting to get through those conditions for success. It should be noted that this is a long, long process. This process is going to take a long time before any of these casinos are up and running, because they have a lot of hurdles ahead of them and a lot of hurdles that they have to jump to get there.

So, once again, some of the members opposite said, well, you know, it is your gut feeling; you are not a lawyer. Well, on the other hand, some people are, well, no, I am not a lawyer, granted. I have said that repeatedly, but what I am saying is, when I read the legislation and I look at the legislation, and I see the involvement, my wife's involvement, which is nil, which is none, with regard to the casino proposal, the casino project, and when I take a look at her law firm's involvement, none, and I read the legislation, I am looking to see where this pecuniary interest "in the matter" is. "In the matter," to me, is the casino project. Not being a lawyer, of course, I certainly take the recommendations sincerely from the members of the Opposition. I do not take it frivolously at all, having mentioned that on numerous occasions, but I do take seriously their recommendations and the comments they have made to me today, and I thank them very much for that. Thank you, Mr. Chair.

Mr. Reimer: Mr. Chairperson, the Member has mentioned a few times the selection process and the sanity of it, if you want, or sanitation of it all so that it is not political, was not a political movement through Nadeau and Freedman. But, unfortunately, what is happening now, it is

coming down to a political spin on it because of the fact that, as was pointed out, in regard to the conflict of interest.

The Minister has mentioned that he is not a lawyer and that it is more or less his own gut feeling that he felt that everything was in order. But I have to refer the Minister back to the responsibilities of a minister of the Crown in regard to the perception. This is where there is the difference between being a Cabinet minister and an MLA or a member of the public. The elevation of the status of an individual into Cabinet brings with it a tremendous amount of responsibility as to the perception of that person and the carrying out of his or her duties and the relationships that they have.

This is in no way any type of besmirchment towards his wife or to her profession and to her duties and, as I think it has been pointed out, her excellent duties that she is performing within her job. What it is is the perception of a minister put in a position that has a perception of being in conflict because of an indirect benefit to a dependant of his. I have to refer the Member back to section 8 of The Conflict of Interest Act, where it says the responsibilities of a minister: the Minister has the responsibility that is a matter involving the direct or the indirect pecuniary interests of any person, corporation, subsidy of a corporation, partnership or organization to whom or which the Minister or any of his dependants—I mean we could even talk possibly his dependants being his wife and even his children that have a direct or an indirect pecuniary liability.

These are the things that the public is seeing. The public is seeing that there is a perceived conflict here. The Minister, all he has to do is say there is a perception out there and maybe it does need the ability to have an interpretation by an outside lawyer, which is available, which is available to the MLAs, which is available to the ministers to get a judgment. I guess that is what we are asking. Will the Minister get an outside opinion as to his position or his perceived conflict of interest in regard to this matter?

Mr. Lemieux: I thank the Member for Southdale for the question. I truly believe that your question is a sincere one, and I want to tell you

that. With regard to what you have said, I will certainly note your recommendation, and I note your suggestion. I know that—

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

LABOUR

Madam Chairperson (Bonnie Korzeniowski): Good afternoon. Will the Committee of Supply please come to order. This section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates for the Department of Labour. Consideration of these Estimates left off on page 129 of the Estimates book, Resolution 11.1. Labour Executive.

Resolution 11.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$607,100 for Labour Executive for the fiscal year ending the 31st day of March, 2001.

Resolution agreed to.

Madam Chairperson: This completes the Estimates for the Department of Labour. The next set of Estimates that will be considered by this section of the Committee of Supply are for the Department of Education and Training.

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

The Committee recessed at 2:36 p.m.

The Committee resumed at 2:47 p.m.

EDUCATION AND TRAINING

Madam Chairperson (Bonnie Korzeniowski): Will the Committee of Supply please come to order. This section of the Committee of Supply meeting in Room 255 will now consider the Estimates for the Department of Education and Training.

This section of the Committee of Supply meeting in Room 255 began consideration of

these Estimates on June 1, 2000. An agreement was reached at that time to have a global discussion on Resolution 16.1. Administration and Finance, with the exception of (a) Minister's Salary. Is it the will of the Committee to continue this agreement? *[Agreed]*

The floor is now open for questions.

Mrs. Joy Smith (Fort Garry): Madam Chair, it has been a while since we have been together, so I will just go back over some of the ground that we had talked about before, but with a few gaps in.

Could the Minister please give me a rundown of the current staffing levels in the department and in the Minister's office? I had requested that in writing. Is it available now, Madam Chair?

Hon. Drew Caldwell (Minister of Education and Training): Madam Chair, perhaps just before responding to the Member's question, I would like to introduce the staff that we have in attendance with us here today. I am just looking back there. We have got Butch Bérubé; we have got Juliette Sabot from the Native Education Branch; Gerald Farthing, Assistant Deputy Minister of Public Schools; Tom Thompson, to my left here; and Dr. Ben Levin, the Deputy Minister, as well, who are in attendance. I would like to thank the staff for attending this afternoon, taking time out of their busy schedules to do so.

With regard to the Member's question about staffing, we did go over some of this material. Perhaps the Member was not in attendance during that time, but the total staffing for the Department of Education and Training this year is 929.12 full-time equivalents with a salary of \$41,584,000, which is down from the 1999-2000 level of 974.68 full-time equivalents and a salary expenditure of \$45,786,000.

* (14:50)

Mrs. Smith: Madam Chair, I also asked for a listing in the Minister's office of the political staff, and if my memory serves correctly, the Minister said he would provide that in writing at some time later. I am just wondering when that would be.

Mr. Caldwell: It is another question that was responded to. Political staff: Annalea Mitchell is my special assistant and Jonathan Richert is my executive assistant. We have currently in the Minister's office two political staff which is down from three which was the level of the outgoing administration.

Mrs. Smith: Madam Chair, could the Minister please indicate any layoffs or terminations there have been in the department since October 5? I would like to know who they are, what position they held and what salary level they had.

Mr. Caldwell: Certainly, Madam Chair. As you will appreciate and no doubt the Member will appreciate, we do not discuss individual layoffs in public. It is a personnel issue. I can state for the record, however, that no permanent civil servant staff will be losing their jobs. Of course, there are a number of term positions that, by their very nature, being term positions, there is a constant rollover of term positions in any department in government and that is basically standard practice. Terms are used to satisfy individual projects and so forth. But there will be no permanent civil servants losing their jobs.

Mrs. Smith: Could the Minister please give me a rundown of the wage comparisons of the Minister's office staff, the executive assistants, special assistants, communicators as compared to when the previous government was in power? I know, Madam Chair, he would not have that probably at his fingertips right now. If he could submit it in writing, that would be fine as well.

Mr. Caldwell: There is a salary range for those positions, and the salary ranges were consistent between this administration and the previous administration. As in the previous response, individuals other than the two political staff that I mentioned earlier, freedom of information and privacy, in fact, precludes individual discussion, but I would be pleased to, if the Member would again state precisely what she wants in terms of dollar figures. I know that in terms of political staff we have a special assistant and an executive assistant. That is the sum total of political staff in the office. Salaries over \$50,000 a year are published each year as part of the Public Accounts responsibility.

Mrs. Smith: In terms of what I was asking specifically for, if you could do it, is submit the wage comparisons of the office staff so we can have some clarification at a later time. I understand it is not at your fingertips right now, but I would appreciate that being submitted.

Mr. Caldwell: They are in the same salary range as the previous administration. Certainly we do not want to do individual salaries. I know that that is not what the Member is requesting, and I appreciate that. The salary ranges are the same. The numbers, of course, are quite different. We have reduced the number of deputies and reduced the number of assistant deputies, reduced the number of political staff. But if the Member wants to have a comparison, I suppose between the senior management at ADM and DM level and political staff level in terms of gross amounts, I can provide that and I would be happy to.

Mrs. Smith: Madam Chair, that would be very acceptable. Could the Minister outline the job descriptions of all of the directors within Administration and Finance?

Mr. Caldwell: All the job descriptions of everyone in Administration and Finance. There are 16 staff in that particular branch under Administration and Finance, and I would be pleased to. It is a number of pages, I mean I can read things into the record or I could—I would be pleased to again table that at the next sitting.

Mrs. Smith: Madam Chair, what I am asking for specifically is the directors only and to table it in a couple of days would be just fine when the Minister has time to put it together. Thank you.

Mr. Caldwell: Sure.

Mrs. Smith: Madam Chair, could the Minister also outline for me the mission statements, any new mission statements that have been revised in terms of the Administration and Finance department?

Mr. Caldwell: There have not been any changes in reference to the Administration and Finance sector.

Mrs. Smith: Madam Chair, the 2000 budget indicated 60 layoffs within his department. Who,

what and what pay levels, time line of layoffs could the Minister please provide for me, with the details in writing? How do these 60 layoffs present themselves?

Mr. Caldwell: There are no job cuts. The people and individuals of the 60 are term contracts and secondments that were not renewed. There will be no permanent civil servants who will be losing their job as a consequence of our action. But maybe it will give me an opportunity to speak a little bit about the particular decision that was made in terms of freeing up resources in the Department. We had, in the Department of Education and Training, as I mentioned earlier, some 929 staff this year, 975 staff, approximately, last year, full-time equivalents.

We conducted a very extensive review of the Department of Education and Training and almost within two or three weeks of gaining office made substantial changes in the senior management levels in terms of reducing the numbers of deputies and assistant deputies in the Department to free up resources to put back into the public and post-secondary school budgets. The same philosophy guided our assessment of the Department as a whole.

We did not want to have any permanent civil servant impacts. We thought that that was not appropriate, but we did review the term contracts that the Department had undertaken, as well as the secondments that the Department had undertaken, and ascertained that we could free up approximately an additional \$5 million of bureaucracy, as it were, bureaucracy dollars, expansions that were taking place within the civil service in the positions of secondment and term contracts, and use those resources more efficiently; that is, direct them towards the classrooms and programs at the front lines in terms of Education and Training responsibilities.

It was a very thoughtful exercise, a very cautious exercise certainly because people's livelihoods are impacted in this regard. I would like to commend, frankly, Human Resources, and Jack Gillespie in particular, for taking a very sensitive approach to this issue. We, and I am sure that the Member also shares this philosophy that the best resource expenditure in Education and Training is in the classroom, and that is what we were trying to achieve with this.

Mrs. Smith: I thank the Minister for that answer. I just want to have it on record right now as saying that it is very gratifying to hear that. You know, there is a great deal of emphasis put on the classroom. The other fact of the matter is that the bureaucratic structure within Manitoba Education and Training has a lot of people in there with a lot of expertise. My concern was when I did see the 60 layoffs, and it is gratifying to hear that these are term contracts and people. It is a very sensitive issue. Having worked in Manitoba Education and Training, I know the time and commitment and love these people have for their jobs, so I thank you for that answer.

Have any grievances been filed concerning the selection of any of the ADMs?

Mr. Caldwell: No, they have not been.

Mrs. Smith: Could the Minister please outline any capital projects proposed in the near future?

Mr. Caldwell: Would it be possible, Madam Chair, and I appreciate that, but could we go through 16.8? That is where capital expenditures are highlighted in the Estimates booklet. If the Member would indulge me, maybe we could go through some of the staffing and go through the Estimates. Thank you. She is nodding her head, and I appreciate that. Thanks very much.

Mrs. Smith: Under Research and Planning, can you give me some outline as to your diagnostic assessment plan, what research had been done before implementing that particular proposal that went out concerning the Grade 3 assessment in the province?

* (15:00)

Mr. Caldwell: In a like regard, if we could deal with this under 16.2 when we get to it and get off of 16.1, I would feel very comfortable with doing that.

Mrs. Smith: I appreciate you need the appropriate staff here at the appropriate time, and I would be very pleased to do that.

Could the Minister provide the Committee with a list of the active boards within the Department of Education and Training at this time?

Mr. Caldwell: Madam Chair, there are a number of active boards, as the Member knows. Some of them are reflected in the Estimates document; others are not reflected in the Estimates document. If the Member would prefer, we can get a list of all the active boards and maybe we could be a bit more specific. There are advisory committees. There are boards that do not have legislative structure or regulatory structure. If the Member could be a bit more specific about if it is post-secondary side, public school side, advisory boards, what exactly that she is interested in, and I would be pleased to articulate those.

Mrs. Smith: Madam Chair, I know this question will come up, so I am trying to just get it done and over with and this is all-inclusive. So what I am asking for is a list of the active boards—and I might as well go on to the second question, because it can be done all at once—a list of the active boards with the members and a list of the inactive boards across K to Senior 4 and into the post-secondary. I know that these questions will be asked, and we can short-cut the process by just asking it now. I realize that it is impossible at this moment to just ream them all off with all the members, but I would very much appreciate a listing of the active and inactive boards and the members on those boards.

Mr. Caldwell: Sure, and we will endeavour to have that information available by the end of the week, Madam Chair.

Mrs. Smith: Thank you very much.

Madam Chair, could the Minister indicate to me at this time, or to the Committee, the status and composition specifically of the Minister's advisory board? We can start at that point.

Mr. Caldwell: Is it the statutory advisory board? Is there something specific in terms of the Minister's advisory board?

Mrs. Smith: I have asked to have a complete listing of all the boards, and in the previous government we had the Minister's advisory board of which I sat in on some of the consultations. I do not know whether the name has been changed, Madam Chair, so what I am trying to find out is what all these boards are and

who is on them, if you could provide that. If it would be better by the end of the week, you know, I have my list of prepared things so I do not miss anything, and that would be fine, as well.

Mr. Caldwell: Well, Madam Chair, I will be pleased to bring that in with the other material.

Mrs. Smith: Okay. Very specifically, Madam Chair, I want to make sure that their understanding is that the current status and composition of the board of reference and the collective agreement board and all these boards would be included, I would understand, in this listing at the end of the week. *[interjection]* Okay. Then I will just—the Minister is nodding—eliminate those specific questions, because I think we can get that accomplished all at once. Thank you.

Madam Chair, could the Minister also outline for me any changes which have occurred to any of those boards and commissions since October '99, as well? That could be done in the same manner when those are submitted at the end of the week.

Mr. Caldwell: I would be very pleased, Madam Chair, to provide the appointments and dis-appointments, the terms of reference and the individual memberships of the boards under the aegis of the Department of Education and Training, beginning hopefully at the end of this week. I know that staff is making copious notes right now, so I know we will begin to get that information flowing after this session today.

Mrs. Smith: Could the Minister advise whether the make-up of the committees also include people from the educational field, as well, or what field they originated from?

Mr. Caldwell: The boards and committees under the aegis of the Department of Education and Training, as has been practice for decades, are drawn from a variety of levels of society. Certainly, educators or those with a background in education in some capacity have been favoured as board members by this adminis-

tration, by the previous administration and administrations going far into the past.

The philosophy guiding that principle, I am certain for this government and governments that have come before, relate to having the highest level of expertise possible for deliberations on matters educational, whether that be for pension boards or university boards or what have you. Certainly, educators have been appointed by this government to boards during my tenure here, retired educators, trustees, former teachers, parents. We believe, I think like the previous administration, that the best decision making for matters educational are made by those with some experience in matters educational. I think that is a sound philosophy.

Of course, there are those who are appointed to boards who come with other expertise. There are statutory memberships, for example, under the Teachers' Retirement Fund advisory committee that do not necessarily have a background in education specifically but have a background in the insurance business or banking financial services. That expertise, of course, is useful to have for boards such as the Teachers' Retirement Board in getting the best return for resources that are put into TRAF.

There are not backgrounds for appointees of the previous government. I am not aware of the biographical sketches that may or may not have been provided for the appointments that we inherited as a government, but certainly those who have been appointed by this administration, we do have some biographical information in terms of their expertise and what skills or talents they bring to the individual boards that they have been appointed to.

But in very large measure, and I am very pleased to say this, the individuals on boards in the main who were inherited by the new government I had the highest degree of respect for. I think it is notable, and it has certainly been mentioned to me a great many times with surprise, in fact, that we as the new government were not going and holus-bolus disappointing board members upon our election to office. There has not been a wholesale disappointment of boards which historically has been the behaviour of governments.

Traditionally, governments have come into office and liquidated entire boards. I know that that was a trend that took place with the previous administration. It was something that took place with New Democrat administrations as well.

* (15:10)

But the philosophy that we are bringing to the table as a government, not just in Education and Training but as a government, is one that puts the highest value on the expertise of individuals who are sitting on boards and will be appointed to boards. We think it is very appropriate to have individuals who care first and foremost about service to the institutions, service to their communities with the highest level of professionalism and the highest level of consideration for the very important work that they do on boards.

I think it is notable in that we as a government have not gone out holus-bolus and decapitated boards. We have been making very considered decisions. In fact, the vast majority of boards that are under Education and Training continue to have the vast majority membership of appointments made by the previous administration. Of course, through time that sort of make-up will change. Board changes occur in a rational sense for the most part; at least they are going to be made in a rational sense by this administration.

It is in our interest in Education and Training to have the best possible appointees to boards. I think we have recognized that in some of the board members that were left to us by the preceding government. There are excellent people who are holding excellent stewardship for post-secondary boards, for example, around the province, and we recognize the very good work that some of the previous government's appointments have done for their institutions. We also recognize, in our appointments to those boards when we make them, that the highest levels of competence and the highest levels of commitment and engagement to the task at hand in managing individual institutions will be a primary consideration in our board appointments. We have been making them very cautiously, very studiously and with the highest value placed upon educational excellence and

contribution to the betterment of the individual institutions when we are making those appointments.

So we have really taken a very balanced approach, Madam Chairperson, to these appointments, and it is something that we want to continue in the future. I think it leads to stability in the institutions, which is also very important. Stability in our post-secondary institutions and providing a sense of continuity is something that I think is very important in good management of institutions.

I think that there is a lot to be learned from new board members discussing issues with older board members, those who have served for a longer length of time. I know that when I came into this House last year, in 1999, as a rookie MLA and now a rookie Cabinet minister, that I learned and had an opportunity to learn a great deal from those who have served in this House for a number of years and from those who have served previously in Cabinet. We have at least one member of our caucus who has been in Cabinet before, and I know that at universities and colleges, in particular, but also other boards, there is a great deal of value in having those with a historical perspective on their institutions and a great deal of value in having those who have experience in just the day-to-day minutiae of board governance. So we have taken a philosophy that there is a lot that new Board members can learn from those who have been previously sitting on institutional boards.

There is a lot that new board members, in turn, can give to re-energizing, from their enthusiasm, those boards which have existed for maybe a number of years without any real new blood being put on them. But we are doing it in a very measured way. Appointments and dis-appointments will be made in a measured fashion, taking into consideration levels of expertise, levels of experience, levels of commitment to the institution and to the communities.

I think it is a sound philosophy. It is very different from what has been the historical record in Manitoba and elsewhere in parliamentary democracies where governments change, and the first order of business is to clean out all the boards. We are doing it very

measured and maybe anecdotally this kind of illustrates our perspective.

I am from Brandon East, as members know, and Assiniboine Community College is in Brandon East, as members know as well. I have had a number of meetings with all the post-secondary institutions now in my term as minister thus far, meetings with the student groups, meetings with the faculty groups, meetings with senior administration and boards. One of the first meetings I had at Assiniboine Community College—and it is kind of a funny one because Mr. Mazer who is the Chair of the ACC board and an acquaintance and friend of mine in Brandon, a person of long-standing political support for the Conservative Party in Manitoba, although he went over to the Alliance more recently. I do not know where that will end up, but we are on very friendly terms with one another. I appreciate Mr. Mazer's skill as a businessperson, certainly his skill as the head of the Assiniboine Community College board.

But during a meeting with the ACC board, I guess it would have been before Christmas—and you will appreciate this because it is kind of funny. We were chatting about future directions for the community college and needs of the community college, and where the community college was a number of years ago and where it is today in a context of real enthusiasm—and I commend the Member's party, when they were in government did some very, very good work in community colleges, in particular. Certainly at ACC, there is a lot of enthusiasm at ACC with the new structure that was put in place through legislation passed by the party of the members opposite when they were in government.

At any rate, we were chatting about this, and about halfway through the hour-long session I guess, Mr. Mazer said I just have a question for you Drew, and I said, yes, what is it. Well, why am I still here? I said excuse me. He goes, well, the Government has changed. Why am I still the Chair of this board? I said, well, you are doing a good job are you not, and he says, well, yes I think we are. I said, well, I think there is pretty good consensus and that is why you are still here. He said, well, this does not happen. Conservative partisans do not stay on boards when the Government changes. I said, well, you

know, we have a bit of a different regime here. We really want to do what is best for the institutions. We want to do what is best for educational excellence in the province of Manitoba and that is really guiding and informing our decisions in how boards are structured and how boards evolve.

I know that when partisan considerations are put into the mix, there is often a lot of demands. I know when an NDP government comes in from NDP partisans that you just cut off the head, and I am sure the same takes place when a Conservative government is elected you have the Conservative partisans that really—you know, both sides have blinders on. They do not see much beyond the partisan advantage. I think those particular individuals and that particular mindset really do not have a place to play in any constructive sense in good governance, in good policy developments.

So as I said to Mr. Mazer, you know, you are doing a good job. People have a respect for the institution and respect for the job that the board of Assiniboine Community College is doing, and my decision making or the decision making of the Department of Education and Training in this regard is going to be to maintain the best quality of board person for appointments as is available within the community with the philosophy, as I outlined earlier, of mentorship where new board members can learn from old board members and older board members in a time of service perspective, not an age perspective but in the time of service perspective, could be re-energized by the new blood coming in.

So we have acted very cautiously. We have acted very studiously and with a lot of consideration for impacts, positive impacts on our board appointments, and I think that is how we will proceed throughout the course of the mandate. I think that board decisions are going to be made in a very considered manner with the highest respect given to the skill sets that can be brought to the table, the synergies that can be achieved between longer serving and new board members and with great consideration, I think, to the benefits that individuals can bring to individual institutions and individual boards that

are under the aegis of the Department of Education and Training.

Mrs. Smith: Madam Chair, I would agree that boards—I know the previous government, when we were in power, as well, had the same philosophy, that if you look back, records will show that our government put in the best people and did not decimate the boards. I understand what the Minister is saying because I know other boards such as Hydro—and I will not name them all—but some other boards have been decimated by this government and that happens with all governments I know. So it is really gratifying to see that.

That is one of the reasons why I have asked for the listing of the boards, the ones that are active and inactive, and also the background for the people that were there. Thank you for that answer. I appreciate the thoroughness, and I agree very much with the philosophy behind it because I think in Manitoba Education and Training and in educating our students, we have to look at what is best for the students and partisan concerns should not be a part of it. So I thank you for that answer.

I would like to go to 16.1.(c) at this time under Administration and Finance.

* (15:20)

An Honourable Member: 16.1?

Mrs. Smith: 16.1.(c), which is Native Education Directorate, I have a few more questions to fill in there, please.

An Honourable Member: I will just catch up here. 16.1.(c)?

Mrs. Smith: Yes, please. Madam Chair, I am looking forward to that listing and do thank the Minister for his assistance in that.

Mr. Caldwell: I would just like to take the opportunity to welcome Juliette Sabot, the Director of the Native Education Directorate. Juliette was unavailable when we were at this three weeks ago because she was quite ill, but I am happy to see her up and walking today. Welcome, Juliette.

Mrs. Smith: Madam Chair, I do also welcome Juliette Sabot. I am very glad to see that she is feeling better because we heard of her illness during our first day in Estimates.

Could the Minister please advise this Committee as to what consultation has been done, with which members of the Education stakeholders, with the Native Education Directorate to forward the philosophies of the Directorate?

Mr. Caldwell: Madam Chairperson, I can begin with a brief discussion of initial meetings that I had. One of the first opportunities I had to have discussion with those concerned about Native education in the Province of Manitoba was at the behest of our Speaker. Mr. Hickes, before he was appointed Speaker, asked me to visit Niji Mahkwa and Children of the Earth schools in the north end of the city of Winnipeg.

I spent an afternoon at Niji Mahkwa and Children of the Earth. It was a fascinating experience for me to gain some real insight into how these schools functioned and focussed their energies on Aboriginal culture, Aboriginal languages and giving a renewed sense of value for First Nations culture in the province of Manitoba. I spent a very, very satisfying and, to me, very important afternoon at Niji Mahkwa and Children of the Earth to give myself a real understanding of what the needs are and the expectations are and the challenges are for the First Nations population, the Aboriginal population in the city of Winnipeg and within these schools, and was very, very gratified to be able to experience in some small way the important and valuable work that is done in those two institutions for young Manitobans, First Nations kids, in the city of Winnipeg. My own experience began, frankly, with that visit to north Winnipeg and Niji Mahkwa and Children of the Earth.

With regard to the consultative and collaborative process with stakeholders which has been undertaken by the Department, by the Directorate specifically, for the continued development and implementation of strategies to increase success and completion rates for Aboriginal youth in Manitoba, there has been joint planning with school divisions in the province of Manitoba, the Manitoba Association

of School Superintendents, MASS, a very important institution in the province of Manitoba, one of which I have had considerable dealings with as well during my tenure in the office and whose views I respect very highly in forming education policy for the province.

The Manitoba Association of School Superintendents has established a subcommittee on the issue of increasing success and completion rates for Aboriginal students and is working closely with the Assistant Deputy Minister of School Programs, Doctor Farthing, and the Director of the Native Education Directorate, Juliette Sabot, to build local capacity systematically and in partnership with school divisions around the province. I was very, very pleased. We have an excellent working relationship with the Manitoba Association of School Superintendents that is characterized by the highest degree of collegiality and professionalism. It is truly a pleasure to be working with MASS, to have the Assistant Deputy Minister and the Native Directorate Director working closely with MASS in developing this initiative to build local capacity.

In collaboration with the Native Education Directorate as well, the Manitoba Association of School Trustees will be holding a two-day seminar in Aboriginal education in the province of Manitoba in October and February. These consultation sessions, these seminar sessions, I believe, do a great deal towards educating particularly trustees, who oftentimes, unless you are in a division with a high proportion of First Nations and Aboriginal students, I think of Winnipeg 1 and some of the larger urban divisions as well as northern divisions, who are elected officials, in the most part not in a voluntary capacity but certainly people with other jobs and other interests than solely being a trustee, it gives a tremendous opportunity for school trustees to interact and interface with the Native Education Directorate to each other's mutual benefit. That is a process that is underway in partnership with MAST.

There is also continued partnership with the Manitoba First Nation Education Resource Centre to build capacity in First Nations schools. There is a collaboration, and this is an important collaboration, Madam Chairperson, with Indian

and Northern Affairs Canada to partner on initiatives aimed at achieving common goals. That is essentially strengthening partnerships between communities and increased completion and graduation rates.

The Member will appreciate the jurisdictional issues around reserve inhabitants in particular. I know the Member will agree with me, there is far too often people pass off, well, that is not my jurisdiction, it is the federal government's jurisdiction, and vice versa, that is not our jurisdiction, that is the provincial government's jurisdiction. That sort of hot-potato tossing goes on between levels of government all the time.

Of them all, I think the collaboration with Indian and Northern Affairs Canada likely is one that has the most to gain for First Nations people in the Province of Manitoba. We are very sincere as a government. I know the members, when they were in government, were also sincere in creating the strongest possible partnerships with the senior level of government, the level of government that is, after all, primarily responsible for on-reserve activities.

There is a very sincere effort by the provincial government, both this administration and the past administration, to partner with the federal government and really work collaboratively and as closely as possible in terms of achieving common goals without real regard to the jurisdictional nuances of responsibility but more in a sincere desire to work together to the best possible benefit for First Nations people rather than having the kind of bickering that goes on interjurisdictionally. So there are a number of initiatives that were begun by the previous administration that we will continue to build on and a number of initiatives that will be under way that—I guess, in fact, do continue to build on initiatives that were undertaken previously.

I want to add there was an expansion of the Native Education Directorate this year. Their staffing was increased modestly, but it was increased nonetheless. I think as time goes on, we want to be able to direct some additional resources into the Native Education Directorate in recognition of the very real issues that

surround the completion rates for First Nations people, Aboriginal people in the province of Manitoba, that revolve around issues of accessibility for making the university post-secondary and, in fact, the public school environment friendlier to First Nations and Aboriginal people in the province of Manitoba. I think the province does have a real role to play in and of itself and has a real role to play in partnership with the federal officials whose responsibility this primarily is and First Nations band councils, communities where there are higher proportion of Aboriginal students. I think that co-operation is very, very important.

* (15:30)

Mrs. Smith: Madam Chair, I would agree that the education of our Aboriginal students in schools is of utmost importance in that it supercedes anything that we have in terms of partisan concerns. The needs of the students have to be met to ensure that proper practices are put into place.

Could the Minister please outline the professional development opportunities—he has already alluded to, I think, two of them—for teachers in schools across Manitoba who do have Aboriginal children in their classrooms. I would like to know if there is any initiative to give a better understanding of these teachers, their understanding, I suppose, of the cultural aspects as well as the learning opportunities for Aboriginal children across the province.

Mr. Caldwell: I thank the Member for the question. There certainly are a great many challenges in terms of cultural understanding in terms of creating a more sensitive environment in the classroom for Aboriginal and First Nations children. We do have and the previous government did have a number of programs geared to creating opportunities for teachers to acquire some expertise on developing a better curriculum, providing learning resources that are sensitive, creating a school environment that has some capacity for recognizing Aboriginal perspectives.

In collaboration with universities, colleges and Aboriginal organizations to provide professional development opportunities, there have been joint ventures, including the hosting of two

summer institutes in Aboriginal education, one in Thompson and one in Winnipeg. As I indicated earlier, the Native Education Directorate is partnering with the Aboriginal Teachers' Circle to host a national—I am just giving you a little bit more detail on the Aboriginal Education Conference for October, where we will be partnering with the Aboriginal Teachers' Circle to host a national Aboriginal Education Conference this coming October, October 2000, which is a very exciting initiative and something I think that Manitoba may be uniquely placed to host, given the tremendous increase in population and tremendous increase and awareness of Aboriginal culture in our province and the importance of Aboriginal and First Nations Manitobans in our province, socially, culturally, economically and politically.

Also, last year, in the 1999-2000 fiscal year, which nicely straddles both the previous administration and the new administration, the Native Awareness consultant provided 56 sessions in 34 schools around the province, an additional 6 sessions at post-secondary institutions and with several community agencies in the 1999-2000 fiscal year. The Native Awareness consultant was very active throughout the province in developing a broader awareness in Manitoba communities about the very real importance of providing cultural awareness and anti-racist training to departmental staff, to educators, to parents and community agencies throughout the province.

I think that in a very real and tangible sense the activities of the Native Awareness consultant in moving throughout the province and providing these cultural workshops and anti-racist training is very, very, very important in developing awareness and understanding in Manitobans for the very real cultural diversity that we have in this province, not only between First Nations and Aboriginal people and those of other ethnic backgrounds in terms of European backgrounds and so forth but, also, broadly in terms of creating an environment of understanding and tolerance and celebration, frankly, of the different cultures and different perspectives that Manitobans have.

Certainly, I think that the work done by the Directorate and the Native Awareness consultant

in providing these anti-racist workshops and cultural workshops throughout the province go a long way to enhancing the understanding and celebration of different cultures in the province.

Another activity that was undertaken in this regard by the Directorate this year was the development and promotion of Aboriginal-focussed career-related information for distribution at various career days and symposia. In that regard, earlier today I had the privilege of proclaiming the next two weeks to be Hire-a-Student weeks. I was very happy outside on the Legislative grounds where right now if we were to go outside to the Legislative Grounds, there is a big tent set up there, and representatives from the Manitoba Métis Friendship Centre and from the Aboriginal Education Centre have booths as part of this celebration and proclamation day for Hire-a-Student weeks in the province of Manitoba.

So there is a very active Aboriginal presence today on the Legislative Grounds for disseminating career-focussed information to Manitobans in the city of Winnipeg, as the case is today, but I know that throughout the province over the next two weeks that both the Manitoba Métis Federation and other Aboriginal agencies will be taking that message throughout the province.

So directorate staff this year, not in terms of today's event but in terms of what occurs throughout the year, have attended five career fairs and symposia province-wide in addition to four school career days, three conference displays and have visited several First Nations communities throughout the province.

This strikes back again at the whole notion of co-operating with our federal partners in Aboriginal training and Aboriginal job creation, in developing career-related information. It is very, very important that we work together with Human Resources Development Canada in these endeavours, with band councils in these endeavours, with partners in communities in these endeavours to create an atmosphere of welcome and of inclusion for First Nations and Aboriginal people in the province of Manitoba in career-related areas throughout the province.

In addition, Madam Chairperson, with regard to Aboriginal teachers in itself, I have had the privilege to attend a number of convocations and graduations. I expect that all members have had that privilege over the last little while. I notice my colleague from Portage nodding his head, so we have all attended a lot of graduations and convocations over the last few weeks and likely have a few more this week before the school year is finally out.

When I was in Brandon, in particular, but also I know that the University of Winnipeg and the University of Manitoba had experience with this, there are more Aboriginal teachers graduating every year, and this is in itself very important. Again, I am always fond to raise Brandon any time I can as my home constituency, but the BUNTEP program at Brandon University, the Brandon University Native Teacher program has had tremendous success both in increasing the numbers of Aboriginal teachers in the system and graduating Aboriginal teachers, but also updating skills throughout the teaching careers of First Nations and Aboriginal peoples.

I cannot take an opportunity not to blow the horn for Brandon, but BUNTEP has done excellent, excellent work in developing a professional teaching capacity amongst Aboriginal and First Nations communities wherein Aboriginal teachers are teaching Aboriginal students. We have come a long way from the old residential school days in terms of philosophy, having First Nations and Aboriginal teachers already understanding the culture, understanding the challenges, understanding the values in a very real sense.

* (15:40)

Although those of us who are from a European ancestry can bring to a classroom some very real skills and some real positives, I think those teachers who take it upon themselves as First Nations people to commit themselves and dedicate themselves to the classroom in our First Nations communities and in the classrooms of Winnipeg and Brandon and Flin Flon and Thompson, wherever they choose to teach, can bring a perspective, a very real perspective of Cree culture and Dakota culture and Ojibwa

culture or Inuit culture, Saulteux culture. Those of us who come from France or Denmark or Britain or the Ukraine or Italy, while we have our own cultural insights and our own cultural lessons to offer to young Manitobans, so do First Nations people. I am very, very encouraged by the large numbers of Aboriginal teachers who continue to graduate from our schools and from our universities and continue to use their skills to address the very real need to have First Nations teachers and First Nations perspectives brought into the classrooms of Manitoba.

Professional development: I cannot understand the Deputy's writing here sometimes, but he passed me a note about school division issues regarding professional development. I am sorry, I had the Deputy Minister wincing. I know, every time I put these into the records, he winces some more, but he does excellent work, I have to say.

Professional development in the school divisions is also an issue of importance. I should commend, particularly Winnipeg 1 school division because Winnipeg 1 school division comes back to my remarks that I made at the beginning of this. Winnipeg School Division No. 1 does an extraordinarily good job on professional development on surrounding First Nations and Aboriginal issues for its staff. I mentioned Niji Mahkwa and Children of the Earth schools, both of which reside in Winnipeg School Division No. 1.

I really do have to commend the trustees of Winnipeg 1 for their wisdom and foresight in recognizing the very real needs in the city of Winnipeg, the very real needs that First Nations and Aboriginal students and parents have in Winnipeg and commend Winnipeg 1 for recognizing the importance of having a solid professional development regime and, in fact, in Winnipeg 1 a solid institutional regime for accommodating and furthering the best interests of Aboriginal students in the city of Winnipeg.

I also have to note Frontier School Division in this regard, because Frontier School Division, as many of us know, has the largest proportion percentage-wise in terms of First Nations and Aboriginal students. Frontier School Division does excellent work in terms of being responsive

to the needs of Aboriginal students, of Aboriginal teachers, of anti-racist and cultural initiatives in the Frontier Division. They have got considerable challenges given the great distances that occur in the Frontier Division and the great challenges that distances bring with it, but the work that is done and the commitment that is there for Aboriginal education is truly laudable.

I want to mention a number of other divisions here that have Aboriginal education initiatives. Mystery Lake School Division in Thompson, I know, has a tremendous proportion of First Nations and Aboriginal students equal to, in fact, the proportion of non-First Nations and Aboriginal students. So the work that is done in Thompson, in the Mystery Lake School Division, on this issue is also very laudable and notable.

Other school divisions that have Aboriginal education initiatives include the Agassiz School Division, Turtle River School Division, Duck Mountain School Division, Lakeshore School Division, St. James School Division, St. Boniface School Division. I am sure I am missing others as well. So there is a tremendous commitment on behalf of trustees and school divisions throughout the province. I know on behalf of the Native Education Directorate, on behalf of the Government of Manitoba, on behalf of the members opposite when they were in government, there is a recognition that Aboriginal and First Nations education is extraordinarily important in our province. The further development of initiatives to enhance completion rates, enhance participation rates, is something that both this government and the previous government considered very seriously and took action to advance. I think that is very commendable, and I am very gratified by the interest that school divisions have taken in this particular matter and the very good work that school divisions do in this regard throughout Manitoba.

I might also say, just a couple of more remarks before I wind up this particular question, that during the graduation ceremony at Brandon University that I attended, it will be a couple of weeks ago now, I guess, I had the pleasure to share the platform with Don

Robertson, the chair of the Council on Post-Secondary Education. Don, as members know, is an Aboriginal Manitoban. His career is notable by many good works but just one of the many good works he undertook in a previous existence, in a previous life before he was director of COPS. He was with the BUNTEP, Brandon University Native Teacher Education Project. It was very gratifying to see First Nations and Aboriginal students crossing the dais, the platform, to get their degrees and come over to Don and pay a personal respect to Don by shaking his hand as they were shaking the hands of the chancellor and president of Brandon University.

It is a real recognition and a real testament to the good work that Don Robertson has done on behalf of Aboriginal and First Nations education throughout the years that many young Manitobans when they were getting their degree recognized the real groundbreaking work that Don did on their behalf over the years and continues to do on their behalf as chairman of COPS in making sure that Aboriginal interests, First Nations interests, are very much at the centre of thinking for institutions in the province of Manitoba.

So there is a lot of work being done. There is a lot of collaborative work being done and a lot of positive work being done by school divisions, by government, by the Native Education Directorate, by, in fact, the members opposite in continuing to advocate for resource allocation and for additional collaboration in terms of supporting teachers, in terms of supporting school divisions, in terms of supporting classrooms and young Manitobans, in supporting initiatives which bring Aboriginal perspectives into the curriculum as well as implementation of Native Studies programs at universities and so forth.

So, just in conclusion, I think that there is a lot of good work being done by a lot of very conscientious and very dedicated Manitobans, and I include the members opposite in that statement.

Mrs. Smith: Thank you for that answer. I am quite gratified to hear the kinds of things that are being continued and the acknowledgement that

this minister has made of the previous government which took Native education very, very seriously and which is looking forward to these new and exciting initiatives being continued and expanded upon by this government.

Madam Chair, could the Minister of Education advise this committee if the Manitoba Education and Training staff have had any specific cultural workshops themselves? These people go out into the schools and are very, very knowledgeable people. I think that with the growing demographics here in Manitoba, it is a concern that all understand the kinds of sensitivities and cultural aspects that teachers across Manitoba are having to meet. So if this minister could please outline the cultural workshops that Manitoba Education and Training staff have available to them.

* (15:50)

Mr. Caldwell: I thank the Member for the question. The Native Education Directorate have provided all senior staff with seminars with regard to Aboriginal education issues, and all staff of School Programs specifically. There have been cultural workshops and anti-racist training provided to departmental staff, and, as I said, all senior staff and staff in the School Programs branch have undertaken to attend and participate in those workshops.

The School Programs branch has had two days of workshops thus far during our tenure, and there is a continuation of training with the post-secondary system, as well as the Council on Post-Secondary Education, and so forth.

I think it is important to note that anti-racist training and cultural workshops are an essential feature of the work of the Native Education Directorate. We do take those workshops out of the Department and into the schools, into school divisions, as well as to parents and community agencies generally. The branch also maintains current and relevant information on the Directorate's home page, which is available to anybody internationally who has access to the World Wide Web. That is, I think, an important feature as well.

Ms. Marianne Cerilli, Acting Chairperson, in the Chair

The collaboration that is occurring with other government departments on intersectoral initiatives is also very, very important. The Government of Manitoba currently has a Minister of Aboriginal and Northern Affairs, the Honourable Eric Robison, and I think that that in a very important sense, a very real sense, indicates the level of commitment that the Government has to focussing attention and focussing resources and focussing discussion when it takes place on having First Nations perspectives, Aboriginal perspectives, at the table during every important discussion.

As a member of the Executive Council, I know that the Honourable Mr. Robison brings a wealth of knowledge to the table, a wealth of information and perspectives on First Nations issues, First Nations attitudes, First Nations expectations and experiences to every discussion that takes place in Executive Council. Our caucus has a large number of First Nations individuals. The Minister of Conservation is at this committee meeting here today, the Honourable Oscar Lathlin. There are Inuit, Métis members of caucus, so Aboriginal perspectives, First Nations perspectives in government have never been greater, quite frankly, and that is a lucky, I do not want to say coincidence, but a lucky fact that we have such high participation in this government by First Nations members of the Legislative Assembly. It is something that I certainly value very highly, as the Minister of Education and Training, the perspectives of Mr. Lathlin and Mr. Robison and Mr. Dewar and certainly when I speak to Mr. Hickes on Inuit issues, it provides a great deal of insight to me personally and that insight in turn forms the deliberations that take place in the Department.

I should add also, in participation with other government departments, the Department of Education and Training is beginning to address the recommendations of the Aboriginal Justice Inquiry which obviously provided a great deal of insight on First Nations and Aboriginal needs in the province of Manitoba, so that is very useful in terms of, again, furthering the perspectives, the needs and the challenges that occur within the province of Manitoba vis-à-vis First Nations people in the province. So we are striving for an inclusive and integrated approach to Aboriginal education in the province of Manitoba, which

will be evident within the institutional culture of Manitoba Education and Training. The Deputy informs me that he will be meeting with the Aboriginal Justice Inquiry committee on July 11 to discuss the role of education in the Department of Education in furthering some of the recommendations of the AJI and the most effective way possible for the Department of Education to participate.

Also, in Human Resources development, the Department will continue to build an internal capacity by providing cross-cultural education as a regular part of doing business in the Department.

In this upcoming year we hope to enhance recruitment and mentorship as well as work placement to increase the number of Aboriginal employees who are established within the Department. I think that one of the important implications for the way in which we do things are reflected in a number of the bases for decision-making in the Aboriginal directorate. I will review a few of them just briefly because it does speak to the question that the Member asked, and I think it does highlight the very real commitment that, as I said, not just this government but previous governments have had to enhancing the role of Aboriginal and First Nations people in the Department of Education and Training in particular but across government more generally.

We want to enhance Aboriginal empowerment and involvement in decision making through a number of strategies designed to ameliorate the conditions and circumstances that Aboriginal peoples are faced with and which must give greater control to the Aboriginal community over decision making and service delivery, and this really means, in a fundamental sense, being open to alternative models to different government structures and in some instances, I think, as we move forward, transference of controls.

I will harken back to my experience at Niji Mahkwa and Children of the Earth. You know, I walked into the Children of the Earth School to the smell of sweet grass, the beating of drums and singing. I am not sure if it was Cree or Saulteaux or Ojibwa, the language that was

being used that day, but it was very, very refreshing to walk in, to come in over, I guess it is, the Slaw Rebchuk Bridge, driving over the bridge into the north end and getting out of the car and walking down the street and having a dialogue with whoever was with me that day—I cannot remember who was with me; it might have been Juliette, in fact, Juliette Sabot, who was with me that day—and walking into the school and being greeted by the principal and not being greeted by students but having actually the smell of sweet grass and the beating of drums emanating from classrooms and having the opportunity to visit the school and talk with teachers about what a really valuable institution was Niji Mahkwa and Children of the Earth in terms of being open to alternative models in different structures.

Here we have a free-standing school that is dedicated to carrying out the curriculum that we think is important in the Province of Manitoba and indeed is important in the Province of Manitoba, the curriculum of the Province of Manitoba, but in the context of First Nations culture and the transference of that curriculum through culturally sensitive means, it was very, very important.

I know that Niji Mahkwa and Children of the Earth existed during the reign of the previous administration, so I know that they understand what I am saying when I say this, because the values of the cultural delivery that took place for that Manitoba curriculum was really, really heartening. I was quite moved, in fact, when I went into that school and had experience with that sort of delivery and that sort of cultural presence as a minister that had only really been on the job for a week or so. So that is something that was begun and continues to be furthered in the public school system.

The second point is addressing root causes of inequity and preventative measures in the system in the Department of Education and Training. So we are committed to an approach that emphasizes proactive and preventative actions that get to the root causes of inequity, including racism, as opposed to being reactive or taking remedial action as required. So we are truly trying to be more proactive as opposed to reactive.

I think having a Minister of Aboriginal and Northern Affairs, Aboriginal Affairs, in particular, is an acknowledgement of the beginning of that proactive approach as opposed to being reactive. So in particular we need for significant improvements in results for Aboriginal learners' academic and employment skills. We need to be very proactive in improving results and improving outcomes and improving participation rates. This means that there will be increasing pressure to demonstrate that Aboriginal learners are being provided with opportunities to experience success and are getting the necessary support and experiences to enable further education employment. Prevention also means a greater emphasis on early years and early interventions.

* (16:00)

Certainly, with the Healthy Child Initiative that was announced a number of weeks ago, we are beginning to address in a very real proactive fashion, early years, pre-school and early interventions, as well as elementary school students, again, always harking back to Niji Mahkwa and Children of the Earth in this regard as being real models for what can occur more broadly in communities where there is a high number of Aboriginal and First Nations learners.

This sort of approach, getting preventative measures and root causes, also requires an emphasis on transitions such as supporting employment programs for youth to foster labour force attachment because we do have a too high of level of unemployment and underemployment in our First Nations communities, and we want to be very proactive in addressing those very real needs as the exit from school in the beginning to the workforce takes place. We will be looking to be proactive in those areas in conjunction with the Minister responsible for Aboriginal and Northern Affairs and his department.

The third implication I think for the way in which we would like to proceed is bringing in greater Aboriginal perspectives. The need for programs and services to respect and celebrate Aboriginal culture, Aboriginal values and perspectives, I think, must be an increased area of attention for the Department. I know that some of the workshops I spoke of earlier go

towards that goal, as do institutions such as Niji Mahkwa, Children of the Earth, the Aboriginal centre in the city of Winnipeg, that give a higher profile for Aboriginal perspectives, the celebration of Aboriginal culture and values amongst Manitoba society as whole. These sorts of initiatives in the Department, and more broadly in government, call for a directing of financial and human resources to ensure the relevance and effectiveness of departmental activities. It also requires the direct involvement of Aboriginal people in program design and delivery.

I am just always thrilled to meet with Juliette Sabot from the Native affairs directorate because her branch is such an enthusiastic team of people, a very small branch, one that grew a little bit this year. We are hoping, as years progress, that the Branch will become better sustained and have the capacity to act in a broader way in the public domain. Juliette's staff and the staff of the Department are absolutely committed to enhancing the involvement of Aboriginal people in program development and delivery in the public school sector as well as the post-secondary sector, frankly.

I have told you this before, I think, but it is a real pleasure to work with Juliette and her staff in advancing this very worthwhile case for First Nations and Aboriginal peoples in the province. I know that Don Robertson and I talk about this an awful lot when we do sit around at convocations and have the opportunity to sit beside each other. We are always engaged in the discussion to enhance Aboriginal perspectives. I think it is something that Minister Robinson also brings to my attention quite frequently, so it is on the forefront of our thinking in the Department in how we best further the development of Aboriginal perspectives in departmental initiatives and across government more generally.

I know that Juliette and the Native Education Directorate are staunch advocates for this and certainly do very, very good work in advancing this sort of perspective development amongst government. A significant implication is the need for further human resource development of educators, government staff and other partners to increase sensitivity and knowledge of Aboriginal culture and Aboriginal perspectives

in the Department but across government more broadly.

A fourth implication for the way in which Education and Training can do business in this regard is in considering the cost-effectiveness and data collection in the research and development aspect of governance when it comes to Aboriginal education and First Nations education. The collection of data and other information which demonstrates that resources are being used in the most cost-effective way and are having the desired result is critical, and this speaks to good management and efficient management of resources.

So this implies the development of better information on the educational experience of Aboriginal learners. There are levels of satisfaction and dissatisfaction with the public education and post-secondary education system in the province of Manitoba, what works, what does not work, what is satisfying, what is dissatisfying for Aboriginal learners as they experience the system and changing practices to reflect creating improvements in Aboriginal learners' experience in the province of Manitoba. We need to develop a research and evaluation protocol which measures and analyzes the results with the general emphasis on accountability for our post-secondary and public school system vis-à-vis First Nations and Aboriginal learners' participation in the public and Aboriginal post-secondary system.

This is consistent with Manitoba's Education and Training desire to have achievement in graduation rates and employment rates as key measures in terms of success for Aboriginal learners in the province of Manitoba.

I think the fifth area that is very important in this regard with regard to collaboration and enhancing outcomes is taking a cross-sectoral approach to integrating Aboriginal issues, First Nations issues, and perspectives and experiences into government as a whole. So through coordinated action interdepartmental efforts at addressing issues in a holistic manner must be stressed. We have begun to do that with the Healthy Child Initiative in particular but also with the Aboriginal Justice Inquiry work that is being done.

As I mentioned earlier, the Deputy will be participating two weeks hence in bringing forth Department of Education and Training's perspectives to AJI and begin that dialogue with other branches of government and other departments. The coordinated actions in terms of inter-departmental efforts at addressing issues in a holistic manner must be stressed, and are being stressed, by the Government. Certainly, again, the Honourable Minister for Aboriginal and Northern Affairs (Mr. Robinson) is very central to this. Having a minister responsible in this area who can intervene and express representation of Aboriginal and First Nations people at the table where Executive Council is meeting at the table, where caucus is meeting, in fact interdepartmentally within government, I think is a very advantageous position to be in in terms of creating policy that does reflect and strengthen Aboriginal input into decision making and policy making at the government level.

So the implication for the Department of Education in this regard in terms of creating a cross-sectoral approach is two-fold. One is to work more closely with other departments and levels of government. Certainly that is a very critical approach, and it is something we are very committed to. The other is to become more community-based. This means involving the community directly and identifying service priorities and determining how existing resources will be utilized in delivering services through community agencies. Certainly the experience that I had at Niji Mahkwa and Children of the Earth, and I know the experience that the directorate has with grassroots organizations, community organizations outside of government, is very, very important.

I made reference a few minutes ago to the activities which are taking place right now on the grounds of the Legislature with regard to Hire-a-Student and was very pleased to sit and chat with the Manitoba Métis Federation representatives today and individuals from the Aboriginal Employment Centre today about how they feel as members of the Aboriginal community in terms of being part of Hire-a-Student week being part of government activities and feeling like there is an inclusion that is taking place right now. It has been taking place for a number of years with Aboriginal and First

Nations organizations at a community level that have been very, very positive for community organizations in terms of feeling like they do have an influence on how government policy is developed and do have an influence on the thinking of government when policy is being developed in relation to having Aboriginal and First Nations perspectives being on the mind of government when policy decisions are being made.

Madam Chairperson in the Chair

So there is a lot of work that the Native Education Directorate has undertaken. There is a lot of work that the previous administration and the current administration have been participating in and have been advancing on behalf of Aboriginal and First Nations interests for the last number of years.

* (16:10)

Mrs. Smith: Could this Minister please indicate, advise this committee, when will the Research and Planning actually take form that you were referring to earlier in your presentation?

Mr. Caldwell: The Department is currently in the process, through the Civil Service Commission, of hiring a director of the research and development branch. I am advised that, upon that competition concluding, which should be sometime this summer, the Branch will be developed and up and running. Upon the hiring of a director for the Research and Planning Branch, that will occur, and I am advised that that will be this summer at some time.

Mrs. Smith: Could this minister please advise this committee of the specific objectives or have the specific objectives for this department been put together in terms of the Aboriginal students over and above what we talked about?

Mr. Caldwell: The research and development branch will assess data and advise on issues pertaining to education generally across departments. Specifically, however, as I mentioned earlier, and I will just do the objectives of the Research and Planning Branch is "to facilitate and support research and evaluation across Department units, and to identify priorities for

the collection of information to aid in evaluation and justification of departmental programs."

As well, the Objectives of the Research and Planning Branch are "to coordinate the Department's education and training planning processes (including strategic, business planning) and linkage to resource requirements provided through the estimates process."

In terms of activities, the Research and Planning Branch will facilitate and support "programs and branch managers to collect appropriate data and conduct relevant research that will enhance program delivery and evaluate the program/branch activities." Activity of the branch will also be to monitor and provide "advice and information to the Deputy Minister on the Department's overall strategic agenda." As well, the Research and Planning Branch will summarize "relevant research findings (international, national and local)" and provide "information on education research findings to the education community and to the public."

The Branch will also act "as the Department's primary liaison with national and international educational training agencies (e.g., the Council of Ministers of Education Canada, Statistics Canada, Human Resources Development Canada, the Organization of Economic Cooperation Development, etc.)."

Expected Results of the Branch are to develop "a coordinated corporate approach to planning, policy development, multi-dimensional research and information sharing," as well as to encourage and support a department-wide culture, an institutional culture, that embraces openness, embraces consultation, embraces an enhanced knowledge base, and embraces a joint responsibility in supporting government initiatives. The "better use of research information in the development of policy and practice" is going to be a fundamental objective of the new research and training branch as the branch relates to the education of the Department and, more broadly, the public, on First Nations and Aboriginal perspectives in the public and post-secondary school system.

As I mentioned to the Member earlier, it is the desire and intent of this government to have

an inclusive and integrated approach to Aboriginal education. Within the institutional culture of Manitoba Education and Training, we want to promote very strongly the development of Aboriginal-focussed perspectives, Aboriginal perspectives in Education and Training, and have a clear understanding amongst teachers, trustees, the Manitoba public in general, of the very real importance of Aboriginal and First Nations Manitobans, the very real importance of the cultural values of Aboriginal Manitobans, First Nations Manitobans in the public school system and post-secondary system. Certainly part of the mandate of the Research and Training branch, as a whole, will be on reflecting the 20 percent or more of Manitobans who are from First Nations communities in the province and do have perspectives and experiences that are derived from their existence as part of the Aboriginal and First Nations community in the province of Manitoba.

So we are currently collecting information with regard to the numbers of Aboriginal students in the system through the education indicator system, the EIS system. It is, of course, difficult to collect information regarding Aboriginal students because they are not always self-identified. Aboriginal students do not often always self-identify, but we will be working very closely with principals of our public school system, with superintendents certainly, and with parents to make sure that parents know that we are collecting this information on Aboriginal students in the province of Manitoba to give us a better idea of the numbers of Aboriginal students in the province and how best we can be responsive to the needs of Aboriginal students and the expectations of Aboriginal students in Manitoba, that the public education and post-secondary education system is sensitive to their needs and is going to be responsive to the needs so that we can provide more effective programming and more effective services.

Again, I have to state, I know that the member opposite when her party was in government, they shared in great measure these same concerns.

Mrs. Smith: Thank you for your detailed reply in that. Would the Minister please advise this committee what planning in research and

assessment—are there any plans put in place to research and assess the academic standard within the Aboriginal student community to ensure that the Aboriginal students have a high academic standard throughout the province?

Mr. Caldwell: I thank the Member for her question. I think across the Department we want to ensure, first and foremost, that we do that for all students in the system. I know that she will agree with me that it is important to have sound data on outcomes, degrees of success rate, degrees of participation rate, satisfaction levels for all students in the public school system. That is something that the Department does on a regular basis through assessments and through meetings with divisions and so forth to discuss what are best practices for outcomes, for participation rates, for satisfaction levels and for real knowledge acquisition, frankly, in the public school system.

So we do and have done, the Department has done for generations frankly, had an interest very strongly in creating the best possible education system in the province of Manitoba to create the best possible outcomes for students. Of course, life is dynamic and time is dynamic so what was appropriate in 1920 was not appropriate in 1940, and as time goes on in the 1960s, there were some interesting models for education satisfaction. I know I came from a very interesting one that was called student centred responsibility, which I do not think exists any place in the system, but it was something that came out of California which I found very interesting when I was there. But that was the '60s philosophy. Then we went into the open concept of classrooms where you had 200 kids without walls, which made the education very interesting at the middle years level if not at the elementary school level, very challenging for teachers.

An Honourable Member: I am too young to remember.

* (16:20)

Mr. Caldwell: The Member indicates she was too young to remember. I appreciate that. I have had some experience in open-concept classrooms myself, and it certainly provides different

challenges than having 30 kids in a Grade 3 classroom when you have 240 from K to 6. I guess the point I am trying to get at is that education, like most areas of human endeavour, is dynamic, and certainly there are new criteria and new theories for enhancing outcomes and participation rates.

I think the real test of that is the students who are in the system now. What are their criteria for success? In fact, are we meeting their criteria for success? I would suggest it is a knowledge base that makes those students' skills valuable in the world outside of school, valuable for employment, valuable for the development of a civilized society, valuable for self-actualization and self-understanding.

We, I think, and the Department of Education has, for the course of its existence over the last 120-odd years of Manitoba history, within the context of the times, dedicate ourselves and dedicated itself as a department to being the best it can be. I expect that will continue long after our time has passed here as current legislators and current bureaucrats within the system, that the Department will continue to strive toward best practices and the best possible education for young Manitobans.

In response to the question, as a whole, we value that system-wide for all Manitobans. As it relates to Aboriginal students and First Nations students in the system, some of the remarks that I made earlier about best practices and bringing in Aboriginal perspectives to the classroom and having seminars and workshops on awareness of Aboriginal cultures and anti-racism training and so forth I think are really valuable in providing a little bit of a focus—I should not say a little bit—but a significant focus to that area which does need additional supports and does need additional attentions. I think, as I concluded my remarks on the last question, that that is something that, at least recently, in the recent historical past, governments have been sensitive to in the province.

Mrs. Smith: Madam Chair, could the Minister advise this committee what recommendations of the Aboriginal Justice Inquiry have been implemented as relates to the Native Education Directorate?

Mr. Caldwell: Madam Chairperson, there were no direct recommendations in the Aboriginal Justice Inquiry that were directed at Education and Training. In terms of the AJI generally, there were a number of recommendations that had implications across numbers of departments. That is something that we are very sensitive to in Education and Training.

I made mention of the fact that the Deputy Minister will be discussing issues surrounding the AJI that may have relevance for Education and Training, and, in fact, I fully expect they will have relevance for policies in Education and Training. The Deputy will be meeting with the AJI Implementation Committee in mid-July to discuss what expectations are from the AJI, what programs and policies we have in place in the Department currently, what programs and policies, perhaps, could be integrated into the thinking in the Department of Education and Training coming forth from the AJI. I think that those discussions will be very, very interesting for both the members of the AJI Implementation Committee as to what Education and Training currently is doing but also for Education and Training and for the Deputy, and through the Deputy to myself and the Department about what AJI sees as perhaps initiatives or policy nuances that we can put into place that will be beneficial for the overall welfare of Aboriginal people in the province of Manitoba.

I think it is important to note in this regard that education in the province of Manitoba will be vital to the overall welfare of Aboriginal people in the province and hence to Aboriginal justice issues. Issues of justice, issues of equity, issues of community and economic development, to try and foment an atmosphere where First Nations and Aboriginal people in the province of Manitoba are recognized as full citizens in the province with full opportunity and equal opportunity to employment, equal opportunity to educational institutions and valued as full citizens in the province of Manitoba to foment job creation opportunities, to take advantage of a growing economy, to have greater equity in the province of Manitoba.

So I fully expect that there will be some interesting back and forth between the Deputy Minister and the implementation committee of

the Aboriginal Justice Inquiry, and I fully expect that there will be, on the one hand, an understanding by the AJI Implementation Committee what Education and Training is doing and has been doing for a number of years, what we could do better, and an understanding on our part how we can better help the process of enhancing issues surrounding Aboriginal justice and Aboriginal perspectives, experiences in the province.

Mrs. Smith: I would say this kind of partnership, when we are talking about intersectional initiatives not only to government departments but to the Aboriginal Justice Inquiry, as well, I think anything that we do in education, Madam Chair, has a great impact on all sectors of the community, so that is why I asked that question. I do not think we can be segregated, as it were. I know the former government had a great belief that all aspects of Native education and Aboriginal perspectives had to be addressed. Education cannot be isolated from economic development or from justice inquiry, so it will be very interesting as the Minister stated before. I think governments on both sides of the House have been very aware and are very supportive of all these initiatives.

Madam Chair, could the Minister please describe the integrated approach to Aboriginal education that is taking place at this time in Manitoba Education and Training?

Mr. Caldwell: Part of my remarks in terms of the integrated approach. We are striving to have an institutional culture that recognizes implicitly as part of the culture of the Department of Education and Training that Aboriginal perspectives should be and must be a fact integrated into curriculum with the widest possible perspective. As I mentioned earlier, we have increased the staffing at the Native Education Directorate to help support that sort of activity in terms of enhancing First Nations and Aboriginal perspectives in the classrooms and amongst the teaching professionals, the educators of the province of Manitoba. There have been some gains made; obviously, over the years we are farther ahead now perhaps than we have ever been in the province of Manitoba through the good efforts of preceding governments in making gains vis-à-vis creating a more enlightened and understanding

and, indeed, celebratory approach to First Nations reality in the province of Manitoba.

A much more aggressive position has been adopted this year in terms of increasing staffing in the Department and at the same time as staffing across the Department declined by some 60 FTEs. So we have increased support in the branch itself to assist in the development of this integrated approach. There is an expectation—and this may be cutting right to the quick here—that all managers will assume leadership and be accountable for initiatives to design to achieve the goals of the strategy which is to enhance the awareness and enhance the value of Aboriginal perspectives in the classrooms of the province of Manitoba. These goals will be achieved through the integration, and this is central to the Member's question—these goals will be achieved through the integration of Aboriginal education and training within current departmental activities as well as through Aboriginal-focussed initiatives. But, primarily, we want to develop an institution of culture that places value on respect for and awareness of Aboriginal perspectives and Aboriginal issues in the Department as a whole.

* (16:30)

Se we are looking to have, first, more Aboriginal staff throughout the Department, and I can give, and I will read into the record, because I think it is important to do this. In terms of Aboriginal employees, and these are declared Aboriginal employees in the Department of Education and Training: March 27, 1995, there were 19 declared Aboriginal employees in the Department of Education and Training which translated to 2.87 percent. This is very important because, of course, we know that the Aboriginal population in the province of Manitoba is 10 times that. So, March 27, 1995, we had 19 declared Aboriginal employees in the Department of Education and Training; March 31, 2000, this spring, we had 47 Aboriginal employees, a threefold increase over that five-year period.

We still have a long way to go, believe me. We came from 19 in 1995 to 47 in 2000. The percentage increase was from 2.87 percent of the staffing to 4.8 percent of the staffing, but it is

important to note—I think it is fair to acknowledge successes whoever was in office—that that increase in employees took place under the rule of the former government. Certainly we, as the new government, applaud the work that was done by the previous administration and are committed to working with the same objective, and that is to increase participation within the Department, to increase awareness within the Department and within the public school system as to Aboriginal issues.

I think it is important that Aboriginal issues no longer just land on the desk of the Native Education Directorate but they permeate the Department as a whole. I have just been handed a note about important demographics, and it is that First Nation, Métis and Inuit people represent approximately 12 percent of Manitoba's population, the highest proportion amongst the provinces.

So, you can see, while we went from 2.8 percent in 1995 to 4.8 percent in 2000, we still have a substantial distance to go. We, like the previous government, are committed to continuing to enhance that percentage.

Mrs. Smith: Thank you for that answer. Madam Chair. Could this minister please outline the data that will be produced or the plan that is in place to monitor the expectation of increased graduation rates within the schools in Aboriginal students, if that is possible to do that? One of the objectives, just to go over this, that the former government had, and I know indeed that this government has, was to increase the graduation rates. I know that is a concern, and I am wondering what policy or, more specifically, what accountability or data base has been put in place to monitor these students so we can see indeed if the graduation rates do increase and how we can assist those students to ensure that does happen.

Mr. Caldwell: Well, I thank the Member for her remarks. I think it is very important to have data that is accurate and it reflects the success rates, participation rates, the entry rates, the exit rates of First Nations and Aboriginal students in the province of Manitoba. I know, historically, it has been a difficult task because there often has not been a lot of self-identification. In fact, there

often has not been a lot of data collection, as the Member acknowledges. So it is something that is very important in developing policy and, as importantly, in understanding how well policy is working.

So, currently, Manitoba Education and Training data do not have specific information on Aboriginal students. That has been the case throughout Manitoba's history. However, while imprecise, Management Information Services workload enrolment information, together with other jurisdictional data sources—for example, StatsCan, Indian and Northern Affairs Canada's nominal rolls, Frontier School Division No. 48's rolls, Winnipeg School Division No. 1 rolls and the Aboriginal peoples survey—provide indicators which give an adequate although not completely satisfactory or foolproof basis for planning programs.

Numbers, of course, are very difficult to achieve in the absence of clear declarations in school divisions. It is something that school divisions have not done historically. It has not happened previously in the history of the province of Manitoba. It is something that I would like to see perhaps develop a little bit better in terms of identifying individuals who are leaving the public school system.

But we do have some data for 2000 in terms of the school-age population based on the 1996 census information. Out of Manitoba's total student enrolment of 244 410 students—this is approximate. It is interesting how approximations can get right down to a zero number, but this is an approximation. Out of the 244 440 students in the school-age population of Manitoba, this school year just ending, 48 235 are Aboriginal, and I take that to be First Nations; 32 645 are—this is a breakdown, I am sorry. Aboriginal are 48 235 students out of that 244 000. North American Indian are 32 645. Métis are 14 600. Inuit are 95.

Now, these numbers have been adjusted to reflect the school-age population, as I said, for this school year. The limitations for the 1996 census data include the following, that not all reserves were enumerated. Again, that kind of goes back to that jurisdictional issue between the

provincial government and the federal government in terms of on-reserve responsibilities.

Some institutions were not included in the census data collection process. We have to say that the numbers—and I thank Juliette Sabot for providing me with this information. Although this information is clearer than was provided in the 1991 census question, the 1996 census question for self-identification was also not clearly stated, because it did not ask for non-Status. It was only for on-reserve Status individuals.

So the number of potential Aboriginal students in schools is at best, I think, a minimum estimate, given those lapses in First Nations communities and the absence of a clear question regarding Status versus non-Status. but it is an estimate that can be used, in an indicative regard, for self-identification. Until we can get Aboriginal parents and families and communities to assist us in identifying students, or school divisions, frankly, to have an identification in terms of exit and entry self-identification, we will be working with estimates. I know it is not very satisfactory, but it is the best that we have, and it is the best that government has had, and, in fact, it is the best that it has been, historically, in the province of Manitoba.

So we will try, in recognizing the Member's comments and questions—and I am certainly recognizing the frustrations that the previous administration had in this regard—we will try to continue to improve our data collection in this regard so that we can have increasingly accurate statistics of entry in participation rates, exit rates and, in turn, increasingly accurate reflection of satisfaction rates, and best practices should be developed around those levels of satisfaction and participation and exit rates.

Mrs. Smith: Madam Chair, along with that, one of the Expected Results in this document is increased labour market participation. So again it is incumbent upon me to ask this minister: Are there some plans in place that can track the students, say, graduating this year specifically? This year, can we be able to have graduation rates assessed to see if those same students have gone into the labour market or if they are going

into post-secondary to help support the kind of supports we have to put in for these families and for these students?

*(16:40)

Mr. Caldwell: Again, we do have—and I will table it here right now. I do not know if this is the right time to do it, but I might as well do it. As in an earlier question in terms of tracking Manitoba students and creating policies for Manitoba students generally, Aboriginal students specifically, we do have a longitudinal study of school-to-work transitions that take place for all Manitoba students, just previously published in March. I will table that with the Committee so that the members and the critics and so forth can have copies of that. We do have the data generally for Manitoba students across the system as we do in so many areas. The difficulty, of course, is the breaking down of Aboriginal students vis-à-vis the population as a whole because of the self-identification issues that we face in terms of the absence, in many cases, of self-identification.

I certainly will take the Member's comments and concerns in this regard under advisement in discussions with school divisions because obviously the best place to keep track of statistical data is at the local level in terms of the numbers being manageable and so forth. There are, frankly, a number of school divisions where this is of greater import, Winnipeg 1, Frontier, Mystery Lake and so forth, where you have a large rate of participation of Aboriginal and First Nations students.

Certainly, I think it is advantageous with the caveat that it is difficult to get the data, and we, as the previous government did and governments before that have had to, rely on Stats Canada data for a lot of this material which, as I outlined earlier, while the best we have still has some shortfalls in terms of First Nations communities not being enumerated and some of the issues around Status and non-Status First Nations people, I think that we can do better. We will strive to do better, and we do have the accurate data across the system, but we will work towards getting better data specifically for First Nations individuals.

Mrs. Smith: Madam Chair, could the Minister please indicate to this committee or advise this committee, one of the Expected Results is to strengthen partnerships. Could you outline specifically what partnerships that you are going to target and what measurement is in place or what accountability factor is in place to monitor whether or not these partnerships have been moulded together and indeed are workable?

Mr. Caldwell: I am assuming that the Member is asking about the Aboriginal and First Nations partnership specifically and not generally across the Department right now.

Mrs. Smith: The Native, that is right.

Mr. Caldwell: Well, as I remarked earlier today, my first experience with this particular issue was a week after I was appointed Minister going to Niji Mahkwa and Children Of The Earth to get a sense of what Winnipeg 1—in fact, one of our partners in public education along with the other 50-odd school divisions in the province of Manitoba—was doing specifically in the area of Aboriginal and First Nations education in their own division. As I indicated earlier, quite effusively, I was very charmed, frankly, and quite humbled by the work that was being done with our partners in Winnipeg 1 and, in fact, our partners at Niji Mahkwa and Children Of The Earth for the nurturing and development of First Nations culture into the Manitoba school curriculum at those two public schools.

We do have, of course, partnerships with every school division in the province of Manitoba vis-à-vis funding and vis-à-vis curriculum development and professional development and so forth that are very, very important, critical, in fact, for the educational excellence in the province of Manitoba and for the education of young Manitobans. I suspect that the partnerships the Member is referring to are not the standard relationship between the public school divisions and government. That partnership is pretty well statutorily defined, but we do have a number of partnerships with a number of agencies within the First Nations community, a number of organizations.

The Assembly of Manitoba Chiefs, for example, on May 4, 2000, Employment and

Training and the Assembly of Manitoba Chiefs signed a partnership strategy protocol agreement with regard to the delivery of human resources development for maximizing training and employment opportunities for Manitoba's First Nations people. That agreement was signed regarding the delivery of programs with Human Resources Development Canada in relationship to the Canada-Manitoba labour market development agreement. So that agreement between AMC, the Province of Manitoba, HRDC, again, you are talking about three different levels of government if we include the AMC as a level of government. First Nations certainly do perceive themselves, and rightly so, as a legitimate level of government. But this protocol, this partnership between the federal government, the provincial government and the AMC towards maximizing training and employment opportunities was something that really is very tangible in terms of partnerships that we have with First Nations institutions and organizations in the province.

A regular planning and process review will facilitate communication with regard to this agreement, and individual client support and project-based training will be co-ordinated to reduce overlap and duplication and better meet clients needs. There will be cross-training amongst staff between the two organizations in areas such as client assessment, employment counselling, client tracking and accountabilities. Cultural training will also assist each organization in their role to support employment and training goals of Manitoba First Nations people.

This is a tangible example, I think, of some of the programs that the previous government put into place and some of the programs that the current government is putting into place with regard to partnerships, in this instance, with the AMC. We also do have a number of partnerships more generally with the Manitoba First Nations resource centre, friendship centres around the province of Manitoba, the Métis learning resource centre—I had a meeting with some of the principals of the Métis learning resource centre a number of weeks ago—Aboriginal programs at Red River Community College, certainly Aboriginal programs at Brandon University and the University of Winnipeg, as well as the University of Manitoba, many

individual First Nations and Métis communities. I know I made reference to the Native Education Branch participating in seminars and workshops throughout the province during the 1999-2000 year.

So there are a number of initiatives that are underway. The Aboriginal Council of Winnipeg and the Centre for Aboriginal Human Resource Development which as I mentioned today are out on the front lawn of the Legislature participating in Hire-a-Student week, which, again, was proclaimed today.

There are a number of quite exciting developments with regard to partnerships in the educational sector, in the employment and training sector, facilitating work between First Nations organizations and government.

Mrs. Smith: I was just going to say I am going to turn some of the questions over now to the Member for Portage. He has some questions, Madam Chair, he would like to intercede with right now.

* (16:50)

Mr. Caldwell: If I might, this is just in relation to our first meeting of this Estimates process which took place, I do not know, two or three weeks ago. At that time, I took an undertaking to provide members with information requested from me that staff did not have.

The first point was the basis for remuneration to Dr. Don Robertson, the Chair of the Council on Post-Secondary Education. The question was put as to what the basis for the change in that position was from a full-time Chair. Doctor Robertson was appointed as a member and chairperson of the Council on Post-Secondary Education commencing February 1, 2000, and expiring on January 31, 2003. His remuneration for the chairperson of the council is \$300 per month, plus reasonable travelling and out-of-pocket expenses incurred in the performance of his responsibilities as chairperson of the Council on Post-Secondary Education.

I wanted to place it into context. The past chair, Dr. Dick Dawson, was a full-time chair. Doctor Dawson's salary was \$87,974 per year. In

addition, he had a vehicle allowance of \$4,500 a year, a parking allowance of \$1,608 per year. Mileage was set at 11 cents a kilometre, for a total compensation of \$94,083 per year.

We moved from that reality to the current reality where the present chair, Dr. Don Robertson, in a part-time capacity, his monthly stipend is \$300 a month and reimbursement for any expenses such as travel, lodging, et cetera. The total compensation package is estimated at \$13,600 a year, for a net reduction in that line item of \$81,000, and that money, of course, goes back into programs as opposed to, I guess, administration.

The second question that was put, and I said that I would bring the information back as requested, the employment status of the individual—I cannot read this. This was the employment status of the co-ordinator for the Learning Technologies initiative. I do not want to name individuals because I do not think that is appropriate, but the employment status of the individual responsible for the Learning Technology initiative was revised. The Member for Russell (Mr. Derkach) made the inquiry.

The Learning Technology co-ordinator was classified as a planning consultant in the new structure. The salary range is \$51,746 to \$69,032. This position was a term employee when the position was terminated in November 1999. Where an employing authority is laying off an employee under the terms of the collective agreement with the Manitoba Government Employees Union, term employees with one or more years of continuous service are provided with a four-week notice, as referenced in article 22(9)(b) of the Act. In accordance with the agreement, the individual responsible for the Learning Technologies initiative was provided with four weeks pay in lieu of notice, and the specific text on this issue is available in section 22.09.

The third item that I committed to coming back to Supply with, the Committee with, is the identification of individuals laid off or terminated since October 5, 1999. I think we covered that a little bit earlier today, but the Department cannot table specific information with the Committee of Supply. It says: Personal

information concerning individuals who may have been provided lay-off notices or who may have been terminated cannot be disclosed, according to The Freedom of Information and Protection of Privacy Act, section 1(i) and section 44. However, as I indicated to the Member earlier today, no permanent civil servant will be losing their job as a result of this. It was secondments and terms.

The fourth issue that I committed to bringing back with regard to the education indicator system is an update of the activities of this initiative, and I have just already provided it. It is material I tabled earlier about the copies of the longitudinal studies, four copies of Phase I of the longitudinal study, school work transition study dated March, 2000. It has been tabled, and this is the first phase of the longitudinal study on student transitions.

Those are the four pieces that I committed to bringing back. I thank Tom Thompson in particular from the Department of Education and Training for doing this research. Thanks Tom. I take the Member's remarks vis-à-vis Aboriginal students as something that we will try and work on to get better data on that particular sector of Manitoba's demographic population because I think, as the Member indicates, it would be very useful to have that information in terms of participation rates, satisfaction rates and entry rates.

Chairperson's Ruling

Madam Chairperson: Order, please. I have a ruling for the Committee. This point of order was raised while this committee was considering the Estimates of the Department of Labour. However, as the major players are present, I would like to deliver this ruling now.

On Monday, June 12, 2000, I took under advisement a point of order raised in the section of the Committee of Supply meeting in Room 255. The point of order raised by the Honourable Member for Brandon West (Mr. Smith) referred to unparliamentary language and hypothetical questions from the Honourable Member for Fort Garry (Mrs. Smith) to the Honourable Minister of Labour (Ms. Barrett).

The Honourable Member for Springfield (Mr. Schuler), the Honourable Member for St. Norbert (Mr. Laurendeau) and the Honourable Minister of Family Services and Housing (Mr. Sale) also spoke to the point of order. I thank all the honourable members for their contributions.

I must rule that the Honourable Member for Brandon West does not have a point of order. With regard to language rulings, Manitoba precedents in conjunction with context and usage are the guiding principles for presiding officers in Manitoba. The language in question "non-answers" has not been ruled unparliamentary and in this instance caused no significant disorder.

On the topic of hypothetical questions, no convention exists in our rules and practices prohibiting the asking of such questions in the Committee of Supply. I would remind all honourable members, however, that ministers do not have to answer all questions.

Regarding the comments made by the Honourable Minister of Family Services and Housing (Mr. Sale) on the inappropriateness of questions about legislation which has not been "laid before the House," while there are many rulings in the Manitoba precedents to support this claim, these rulings refer to bills that have already appeared on the Order Paper. The proposed legislation under discussion in this Committee had not yet appeared on the Order Paper on the day in question, and therefore, under our rules, it was an appropriate topic of questioning.

I would again remind the Committee that ministers are under no obligation to answer such questions.

The Honourable Minister of Family Services and Housing (Mr. Sale) also suggested that questions about legislation in the Committee of Supply should not be allowed unless an appropriate reference can be found in the Estimates book. Our Rule 73(2): "Speeches in a Committee of the Whole House must be strictly relevant to the item or clause under discussion" supports his suggestion.

In the current consideration of the Estimates, however, a somewhat more free-ranging discussion had been agreed to by the Honourable Minister of Labour (Ms. Barrett) and the Honourable Member for Springfield (Mr. Schuler), as noted in Hansard on May 30, 2000. Agreements such as this one do allow for some latitude in the scope of questions and answers. The topic under consideration was the proposed repeal of Bill 72 and the amendment of The Public Schools Act regarding the process and requirements for teacher collective bargaining.

In one of his contributions to the point of order, the Member for Springfield (Mr. Schuler) identified the following entry under sub-appropriation 11.2(c) in the Estimates book: "Assist Public School Teachers and School Boards in collective bargaining, as provided under The Public Schools Act." Therefore, within both the scope of our rules and the context of the agreement, the topic should be considered relevant.

I believe all honourable members wish to keep the discussion flowing along constructively. With this in mind, I would like to ask all honourable members to endeavour to keep their contributions relevant both within the boundaries of our rules and within the spirit of agreement such as the one mentioned in this ruling. Thank you.

* * *

* (17:00)

Mr. David Faurshou (Portage la Prairie): Madam Chairperson, I would like to ask a couple of questions in regard to the line of questions currently underway here involving the Aboriginal population of Manitoba.

It was related earlier by the 1996 census that almost 20 percent of the school-age children are of Aboriginal descent. I wondered if the Minister could perhaps break this down insofar as the provincial and federal jurisdictions have varied responsibility for education. What then would be the numbers of children of Aboriginal descent taking the formal schooling in facilities operated by the province?

Mr. Caldwell: As I mentioned earlier, what my hand was up for, I was going to remark that the Minister is not here yet. The obligation to answer your question—what I really like is her rule. Not to take that rule to advantage for me, the data are very poorly constructed by StatsCan. There is an issue where there is not a delineation whether they are Status or non-Status First Nations folks or Aboriginal people in the StatsCan data which makes it very difficult. There also is in the enumeration of the StatsCan data entire communities that have been missed, First Nations reserve communities. So it makes it very much a flawed data. So we do have trends that can be ascertained or divined almost from the material, but it is very, very difficult.

I will give you the information we do have, but keeping in mind what I said about the StatsCan data. They did not ask if they were Status or non-Status and entire communities were missed. In terms of provincial schools, we have in 1999-2000, and this may be the material the Member is looking for at any rate, Madam Chair, registered on reserve for provincial schools is 4022 students. Provincial schools, as students funded by Indian Affairs, 4022. Students funded by Indian Affairs who are other, which would be non-treaty children, but they are funded by Indian Affairs, is 83, for a total of 4465. The Deputy had his brow furrowed, which always concerns me. In terms of independent schools, private schools, that is, registered on reserve, 88 students funded by Indian Affairs. Band-operated schools, again funded students funded by Indian Affairs, 16 285 students. Other non-treaty individuals in band-operated schools, 290, for a total of 16 685. So, in total, there are about 21 000-and-change students funded by Indian Affairs in 1999-2000, if that helps you.

Mr. Faurschou: Madam Chairperson, I was just essentially looking for the estimated numbers of individuals of Aboriginal descent that would be, in fact, receiving their schooling within the public schools of Manitoba, provincial jurisdiction. When one looks at 4000 versus 240 000, I think that we are getting a little closer to the numbers of individuals that are employed within the Department of Education that would be reflective. So I think that that is the point that one should be appreciating so that we are not getting a mixed picture of how many individuals

we should have, in fact, within the Department of Education and within our public schools systems, so it is reflected.

I want to make the Minister appreciative of where I am coming from as the Member of the Legislature from Portage la Prairie. Essentially I have four reserves proper, one unofficial, for a total of five within the jurisdictions of my constituencies. Coming from the Portage la Prairie School Division's board of trustees, again a greater appreciation of the challenges that come from our Native community within the public schools education system. One particular initiative that I will share with the Minister today is the hiring of individuals that are to act in counsellor capacities, and I will say that this particular position has proven to be probably the greatest single asset within our public schools system as it relates to Aboriginal individuals. The counselors that were joint funded between the Portage School Division and the corresponding First Nations reserves proved to be absolutely extraordinary as far as results go. Now this was, as I say, a local initiative, and I would like to ask the Minister whether they have had deliberations in this capacity, and as I can relate, today, the absolutely extraordinary results from a person in that position.

Mr. Caldwell: I thank the Member for his comments, and I do acknowledge the very good work that the school division in Portage has done in this regard, because I know I have family in that community and they have made mention to me, in fact, about that very initiative. Incidentally, they do not have kids in the school system anymore, so that is something that they have recognized as being community members of the community of Portage.

I agree with the Member. I think that the Aboriginal counselling in terms of having elders, in terms of having individuals who are Cree, Ojibwa, Saulteaux, Sioux acting in a capacity of being able to counsel young Aboriginal students on issues of schooling, issues of education, issues of workplace transition, issues surrounding cross-cultural issues, cross-cultural contacts is very, very important. I think that those divisions, there are a number of them in the province, have recognized the importance of this. Your home constituency or the Member's

home constituency, being one, are to be commended for the very, very good work that they do in this regard.

I do not know if the Member was a member of the trustees when that was done in Portage. He is nodding yes, and I think that is very commendable that the school division did take this upon themselves to place into the schools a counselling initiative that involved First Nations counsellors.

I know that in my home community in Brandon, again, Brandon University has begun a program for First Nations, and Native counselling is a distinct degree-granting program at the university under the Faculty of Education, I believe.

* (17:10)

An Honourable Member: Yes.

Mr. Caldwell: Yes. The Faculty of Education in Brandon, and it has been a very popular program and one that there was considerable demand for both, on the part of First Nations individuals and non-First Nations individuals, to provide supports and guidance to Aboriginal students, and perhaps as importantly to non-Aboriginal students and teachers as to the very real perspectives, needs, experiences of First Nations people in the public school system in the province. It is something that is recognized and valued by government.

Those divisions that have taken a leadership role in this regard are to be commended and are certainly, when reference is made to me about the importance in value of counselling services such as the Member suggests, referred to as areas where other divisions could get advice and counsel on how to best succeed.

While there are initiatives in the field, and as you mentioned the school division in Portage la Prairie being a leader in this regard, I certainly hope and expect that more divisions across the province will take similar initiatives. There are supports now provided at the post-secondary level, at Brandon University in particular, for this sort of profession to be further developed, the counselling profession.

Mr. Jim Rondeau, Acting Chairperson, in the Chair

I think that it does have value. It is certainly something that the Government of Manitoba supports now and I know that the previous government did support in the past. There are a lot of very positive developments in this regard that need to be further built upon and certainly I expect governments in the future will continue to build upon the legacy as we are doing from the legacy provided by the members opposite when they were in government.

I should mention at this time, I just got it handed to me, that we committed in April, 2000, \$350,000 for an Aboriginal youth-focussed initiative centred out of friendship centres in Brandon, Dauphin, Flin Flon, Lynn Lake, Portage la Prairie, Riverton, Selkirk, Swan River, The Pas, Thompson and Winnipeg to help Aboriginal students raise their awareness and understanding of employers needs and the demands of today's labour job market so that young First Nations and Aboriginal Manitobans entering the workforce or who are in school and will be entering the workforce in the future after graduation and exit from the public school system, that they have an understanding and awareness of employers' legitimate needs and employers' legitimate expectations of what is expected of people entering the job market.

So that also speaks to the question raised by the Member.

Mr. Faurschou: I appreciate the Minister's response in that regard. I do recall the Minister saying he would be reviewing the funding formula. This is one aspect of counselling that I truly believe is one that, although supported, is the greatest value for dollar in our public school system as it relates to Aboriginal students, and I want him to consider that in his review of the funding formula.

Further to the recognition of Aboriginal students within our community, it has been mentioned by the Minister here today that 1996 is, in fact, the census year which we refer to in our funding model. Portage la Prairie is rather unique in the situation, being that the Waterhen First Nation's difficulty that took place in 1997 is

one that still remains with us in Portage la Prairie today. It is something I know that I have mentioned to the Minister in the past, but would like once again to place it upon the official record that the 1996 census—I am sorry, it was the fall of 1996 that the Aboriginal individuals from Waterhen came to Portage la Prairie, but it was after the census date. So being that the census is the foundation on which we allocate Level 1 funding, for instance, Waterhen First Nation individuals in Portage are not accounted for, I would like to stress at this point in time that the uniqueness of that situation, I believe, is one that the funding formula should have flexibility enough within it to be able to absorb a unique situation such as that, because it was substantial. We had individuals come into Portage la Prairie who had, in fact, been out of school for upwards of two years.

Having said that, I do want to leave one further comment, as far as Aboriginal individuals coming into the school division, as Portage la Prairie has found, there is required an adjustment time frame where one has to attempt to address some subject matter that Aboriginal individuals are behind in when they enter the public school system, in some matters we have found, in certain subject areas, upwards to two years below grade level. This is very detrimental, not only to the individual that has to overcome this situation, entering the public school system, but also it is an immense stress upon the teaching staff that are attempting to bring the course material to these individuals who have found themselves in this situation.

So the question I have for the Minister is do you see within your view of the funding formula the ability to recognize and support these situations when there are transfers in from the Aboriginal community that are really in significant need of additional teaching resources allocated to them? Currently, that is not available, because we still use census data and not actual specific data.

Mr. Caldwell: I thank the Member for his remarks and note his very real concern for the issue that affects his constituency. Frankly, I think that is laudable. In that representation, he does very good service to his constituency in bringing this forward in the Estimates process.

The funding formula review, which we committed to undertake after the public schools funding announcement this year, of course is predicated on building in equity to the system as a whole across the province of Manitoba so that poor divisions receive greater resource allocation from the Province and wealthier divisions who can afford more receive fewer provincial resources. I certainly am sensitive to the fact that equity has to be the dominant criterion in any funding formula that the provincial government chooses to function under.

I know that Doctor Farthing was heavily involved in the funding formula that we operate under right now. He is currently deputy minister. I am sure he is happy not to be continuing in his previous capacity as Executive Director of Finance some days because of the tremendous expectation and tremendous pressures that are put on the Finance branch, although I do not know that his current 20-hour days are any more satisfying for him than the old days. He is at the back with a grin on his face, so they may be a little bit more satisfying, I am not sure. He certainly works hard.

I know in my discussion with Doctor Farthing about the funding formula and what the principles are that underly it. The principle of equity primarily so that we have equitable distribution of resources across the province is something that is very, very important to this government, was very important to the previous government. I think that any refinements that can be made to enhance that principle of equity are certainly in order and should be pursued in the interests of fairness and delivering the best possible education to Manitobans wherever they reside in the province of Manitoba.

With regard to the specific instance that the Member relates with regard to Portage and the Waterhen issue, I certainly would take under consideration if the Member would like to phrase in a memo to the Minister some desire as to how he would see this accommodated within the current discussion about the program review. I would be more than happy to pass that along to Doctor Farthing and the Finance branch to consider in the context of equity as a whole.

* (17:20)

I agree there is a need to connect more to needs, specifically the funding formula more to needs. I think that is recognized in the Member's comments in regard to the high need that is currently experienced in Portage in this regard. I think that socioeconomic status must have a greater weight in the funding formula. I know we depend primarily right now on enrolment figures and assessment figures, which are all very fine and good, but when we neglect socioeconomic indicators, although assessment does have some bearing on that, I think that there are larger socioeconomic indicators that can be factored into the formula which may have a bearing.

In fact, I suspect it would have a bearing in this particular case. There are also achievement gaps which should be considered in terms of how school divisions are performing with the resources that they are allocated. We do need to be responsive to local situations. There is no doubt about that, as Portage indicates. It is difficult. I know the Member will appreciate it is difficult to do in a formula that suits 52, 54, 50-odd divisions or jurisdictions.

I would be pleased to again, as the Minister, take the advice that the Member has to offer with regard to the situation in Portage and be pleased to transmit that into the review currently taking place under the aegis of Doctor Farthing's office. I agree with the Member that there are perhaps criteria in the formula that strive for equity that are perhaps missed right now and should be added into the equation in creating a new funding formula for school divisions in Manitoba. I would be pleased to take that.

Mr. Faurchou: I am most encouraged by the Minister's response, and I certainly will take him up on the commitment to provide further information. The point though that I want to stress is the working agreements that we have between the First Nations reserves and the local jurisdictions of school divisions is for the most part a good one. However, there are occasions when we need a mechanism with the federal government in order to address the areas that are in dispute. When is it a voluntary exit from reserve residency to off-reserve residency, as we can sometimes appreciate, is up for analysis from different perspectives.

So we need a mechanism in that regard, and I hope that the Minister can keep that under advisement when negotiating and discussing areas of concern with the federal government. It is a concern to not only Portage la Prairie but all other school divisions that have persons of Aboriginal descent schooled within their facilities. Just one comment on the ability of school divisions to pay, the rich versus less than affluent municipalities, that I want to leave with the Minister, there is only one taxpayers' pocket. In the case of Portage la Prairie, the municipal taxes were rated as No. 1 in the province as far as per capita taxes collected by the municipality. Of 202 jurisdictions, we have now fallen to the positioning of No. 4.

So having said that, our ability as school trustees to increase the level of taxation to support the valued programs which we have spoken of here today is one that is very limited. Just a minor increase in the Portage la Prairie school division could very well see the overall tax burden of the Portage la Prairie taxpayers as No. 1 once again in the province of 202 municipalities. Even though the Department of Finance is not responsible for the expenditures of the municipality, I believe that one, within the funding formula, should review extraordinary circumstances which again was unfortunately precipitated in Portage la Prairie. So having said that, I am not expecting a response, but those are the two key elements that I would like to leave with the Minister at this time.

Mr. Caldwell: I appreciate the Member's remarks. I truly do. The Deputy advises me that he is working with his colleagues at the federal level on the whole issue of payments for off-reserve students. The Deputy has met with regional staff from the federal government on this matter and also a senior department of Aboriginal Northern Affairs staff from Ottawa and will continue on this particular file. I think he has referenced the Portage la Prairie situation in particular, so if that is any consolation in the fact that we are working on it and do appreciate your comments in that regard.

I look forward to some advice on how we may be able to accommodate it within the funding formula as a province of a whole in terms of our deliberations and discussions

revolving around how best to amend or alter the funding formula in the province for public school financing.

Mrs. Smith: Mr. Chair, in sub-appropriations 16.1(c), could the Minister clarify Administrative Support? Could he clarify the comparison on the third line, Administrative Support, if you have got that on your book?

Mr. Caldwell: Yes, I am pleased to. I am advised it is Ms. Redsky. It is Administrative Support for the branch, secretarial and clerical work in particular for the branch.

Mrs. Smith: Supplies and Services under Other Expenditures, 36.3, could you clarify what that is?

Mr. Caldwell: Sure, I am pleased to articulate that. The same line, Supplies and Services in 1999-2000 was \$22,300. In 2000-2001, it is \$36,003. The major differential is, if you go one line under, Repairs and Maintenance/Rentals, \$18,700 in 2000-2001 versus \$8,700 in 1999-2000. The majority of that, I understand, is made up from more space in terms of the branch, more rental costs associated with it and desktop improvements.

Mrs. Smith: Mr. Chair, under Professional Services on the next line, could you please clarify that? Would the Minister please advise this committee regarding this increase?

Mr. Caldwell: In 1999-2000, the amount for Professional Services was \$7,500. In 2000-2001, the estimate of expenditure is \$11,500. That is primarily made up of an enhanced workshop commitment on behalf of the branch. They are going to be conducting more workshops. They are also looking at a fee-for-service component in that because we do want to be more aggressive in terms of getting out into the field.

Mrs. Smith: Under Capital, could the Minister please clarify for this committee the 16.0 under 2000-2001? I notice it is exactly the same as 1999-2000 was. I guess that baffles me, simply because with the expanding room and increased professionals in the building or in the Native Directorate, I am wondering why it is still the same.

Mr. Caldwell: The branch advises me that they budget on need. In 1999-2000, they had \$16,000 in other Capital expenditures. As the Member knows, in 2000-2001, they also have \$16,000 in Capital. There is an expanded presence. The capital is primarily for furniture and other non-computer-related equipment, which I would expect would be AV, material for conducting workshops and so forth. That was their anticipated need for the capital expenditures this year, so that is the budget figure that went in. Whether or not they will spend all that, I guess we will see at the end of the year, but I am kind of hoping that every department brings back some money, frankly.

* (17:30)

Mrs. Smith: Mr. Chair, under Desktop Services, could this minister please advise the committee specifically what that is about?

Mr. Caldwell: I am advised that the branch established two new workstations this year. In 1999-2000, it was a \$10,000 expenditure; in 2000-2001, a \$16,000 expenditure, and that was primarily related to the establishment of two new stations. It was over the two courses of the two administrations.

Mrs. Smith: Could we go back to the Administrative Support again? Underneath that, so that is for two people, could the Minister please advise? This is for two people, so one person has been added to that allotment.

Madam Chairperson in the Chair

Mr. Caldwell: The change in staffing was for one new—[interjection] The Member is correct. There is the addition of one new staffperson. The position is one new individual, a clerk 3 staffing at \$28,000 a year for salaries. Increments were \$10,500, and benefits at 10.25 percent, \$2,900. That is a pretty detailed response from Mr. Thompson.

Mrs. Smith: At this point in time—I might have a couple of more questions tomorrow, but I need to have time to look over 16.1(c) to see if there is anything I missed. I thank the Minister for his very timely answers today and clarifications. It is very much appreciated.

Madam Chair, if we could go back to 16.1(a) and 16.1(b), I have a couple of questions there. Perhaps if we go to 16.1(b) first, it might clear it up quite quickly. I am looking at the hour right now, and we have 25 minutes left. I have more questions in 16.1(a), so if we do 16.1(b) now, maybe that will clean that up for today.

So, in 16.1(b), Madam Chair, could the Minister clarify in Administration and Finance 16.1(b) Executive Support (1) Salaries and Employee Benefits, if salaries have been reduced by approximately \$10,000 in 2000-2001, why have the benefits not been reduced? Could the Minister please clarify that for me? I would appreciate it. Thank you.

Mr. Caldwell: Madam Chairperson, the benefits are calculated on the basis of the entire complement of staff, and the total of \$505,000 this year is comparable to the total of \$507,000 last year. So, while there has been a reduction of about \$9,000 in terms of the Deputy Minister's salary, in terms of the entire complement of staff in the Minister's office, it is approximately the same. I think it is just under \$2,000 difference. That is why.

Mrs. Smith: Madam Chair, I thank the Minister. That helps clarify that.

If we could go back to under Managerial line one in 16.1(b), there has been a difference. Could the Minister please clarify the difference there from 1999 to year 2000-2001?

Mr. Caldwell: I hate to say this in the presence of the Deputy Minister, Doctor Levin, but it is simply because the new deputy is getting paid less than the old deputy, and what good value we are getting.

Mrs. Smith: Madam Chair, I had an idea that was what it was, but I just thought we would clarify that point, that he is worth every penny.

Going to Professional/Technical, I notice there is a slight change there of 2.5. Could this minister please advise this committee as to the difference there, on line 2?

Mr. Caldwell: Essentially, the difference in the 1999-2000 for the three equivalents is 146,800.

In 2000-2001, it is 148,300, a difference of about \$1,500. I am advised that it is primarily increment change, that is a very small percentage in terms of the total.

Mrs. Smith: So I would assume this minister could clarify, Administrative Support, I suppose that it is the same kind of thing? Thank you so much, I think that is very helpful.

If we could go back to 16.1(a), we can begin some other questions that we needed to pick up on in that section. I would appreciate it very much if we could do that.

I do not want to take the Minister's Salary. I am talking about different kinds of things. We have agreed not to touch the Minister's Salary. I am going to be going back to more general questions that can be answered today, that have nothing to do with the Minister's salary, but things about economic growth and that kind of thing that is related, if that is acceptable to do that. If you wanted, I will ask the questions and you can advise me, Madam Chair, if you would like that in a different section, but I have it listed as 16.1(a).

My first question to this minister is: Could the Minister define the rate of economic growth? What is meant by that, in terms of the funding formula for Manitoba Education and Training? Is there more than a definition? If we could do it under this, would this be appropriate, under this allocation?

An Honourable Member: Sure.

* (17:40)

Mrs. Smith: Thank you. Madam Chair, if the Minister could advise this committee, in terms of the funding formula that occurred earlier this year. I know that this minister has said that additional modifications are going to be made to the funding formula. I know this minister can appreciate that it is something we have all struggled with over the years.

Just for clarification, if the Minister could define what this department means, in terms of rate of economic growth as it impacts on the

funding formula in the future. What are the expectations there?

Mr. Caldwell: The question likely is most accurately the purview of the Minister of Finance (Mr. Selinger), but I can articulate my understanding as best I can, in the context of my discussions with the Minister of Finance over the course of this past year.

The economic growth that the public schools funding announcement will be based upon is an average that is determined by consulting a number of indicators, that is banks, bond-rating agencies, financial institutions. The Minister of Finance determines the rate of economic growth in the province of Manitoba by consulting with a number of different agencies, as I mentioned, banks, bond-rating agencies, and so forth, to arrive at an average number that is reflective of the rate of economic growth in the province of Manitoba. This past year, I believe, it was set at 2.6 percent, and the funding announcement for the public schools support was based upon that.

Incidentally, the Government has made a long-term commitment to increase funding to public schools at the rate of economic growth in the economy. When the announcement for this year's public schools funding was made, the Government of Manitoba announced that it translated into an increase of 3.8 percent over the 1999-2000 support to the public school system, or an additional \$29.7-million increase in funding to public schools for a total in 2000-2001 of \$811 million for the public school system. At this time, this number does not include the property tax credit, which was also announced later in this year's budget. So the actual increase for K to S4, which equals the rate of economic growth this past year, was 2.6 percent. Incidentally, I should also mention that 75 percent of the increased funding in this past year was to base support, so that individual divisions would have flexibility in the use of funding, recognizing, of course, that local authorities oftentimes have the best perspective on local needs.

As the Member knows, the percentage increases for each division vary because of the funding formula which takes into account enrolment changes, local expenditure levels, and

changes to property assessment values. The current funding formula, which dates from 1992-93, in which I mentioned that Doctor Farthing at the back of the room was instrumental in helping to create, although he did not hear me that time, is being reviewed, and we are hoping for a very improved formula for this coming year. I know that the Member for Portage (Mr. Faurchou) has undertaken to provide me with some advice on that particular issue.

The commitment of the Government is to a long-term promise, or to a long-term commitment, to increase funding to public schools at the rate of economic growth in the economy. Economic growth in the economy is determined by the Minister of Finance (Mr. Selinger) by consulting indicators from banks, lending institutions, bond-rating agencies, and so forth.

Mrs. Smith: Could the Minister clarify why, over the province, many school divisions actually had a decrease in the final end? Could the Minister, please, Madam Chair, outline why he feels this has happened at this time?

Mr. Caldwell: Sure. Doctor Farthing is going to come and join us with this. We have wakened him from his slumbers, and he is approaching the dais here now.

In response to the specific question, there were, as I recall, only two or three divisions that had a decrease in funding this year with regard to the provincial support that was provided to divisions. Of course, the funding formula, as mentioned, is designed to create equity in the system across the province of Manitoba, recognizing that divisions, divisional increases or percentage increases with each division vary because the funding formula takes into account enrolment changes, local expenditure levels and changes in property assessment values.

Therefore in divisions where enrolment is in sharp decline or where property assessment is very high, a wealthy division, those divisions achieve less resources and divisions where enrolment is increasing or where property assessment is declining.

A lot of the discussion around the funding formula this past year was as a consequence of the largest injection of funds into the public

school system in many, many years, over a decade, translated in some divisions to rather less than the 3.8% increase. I think divisions were experiencing 1.2, 2% increases. That is a consequence of the way the formula works out. I was pleased that there were only two divisions or three—I think two. Two is the number that sticks in my mind, but it may be three—that realized the net reduction. We are hoping, with a review in the funding formula and also the subsequent review of the adult education support, the divisions in future years will achieve a greater rate of support from the Province than occurred in some divisions this year. There were some that did very well with the current funding formula in the context of growing resources this year. I know there were a number of divisions in Winnipeg that achieved over 3% increase this year, 3.2, 3.4, 3.5, which was very well received. With those divisions, of course, those divisions which achieved 1 percent or negative was not very well received, as one would expect.

The curious thing this year, in some cases, divisions did very well and still complained, which is a curious thing for me, but I am a rookie and new to these sorts of things. I often thought, where there were substantial resources going into a division, that division would be quite happy with those growing resources and, in fact, encourages to do more of the same next year. That is a bit of an anomaly, but I am a little bit new to the weird and wonderful politics of trustees and the Department of Education and Training, although, as a former municipal councillor, I do recognize that the whole issue of property taxation vis-à-vis school property taxes and local municipal property taxation is a very hot-button item out there.

Certainly, I had many a conversation with my friend Jim McCrae when he sat in this seat last year about his travails in that regard, so I empathize with previous ministers of Education certainly, and I do empathize with divisions that are having to make some very tough choices in the context of the funding that has been provided to divisions recently and historically over the last decade.

But we are committed, as a government, to a long-term investment in the public school

system by increasing funding to the public school system at the rate of growth in the economy. As I mentioned earlier, this past February, that translated into a 3.8% increase to the public school system or \$29.7 million in new money, taking the total across the system to \$811 million in the 2000-2001 school year, not including the property tax credit which was additional tens of millions of dollars. We are on, I believe, a correct course of action in terms of increasing support to the public school system and, I think, also on a correct course of action with regard to reviewing the funding formula for how those monies are distributed throughout the province.

Mrs. Smith: Thank you to the Minister for clarification. Madam Chair, could this Minister please advise the Committee in terms of the funding formula and how it impacts students who go to schools of choice, very specifically, if the student leaves one division and goes to another school division? I know the funding formula has been altered to apply to those students. If the Minister could clarify how that works, thank you.

Mr. Caldwell: The funding formula itself does not affect the schools of choice at all or levels of support. What does have an impact is the transfer fee that goes between division. That, in large measure—well, it is not part of the funding formula, so maybe I should just leave it at that right now, but it is something that is of some concern to some specific divisions, there is no doubt about it, but it does not have a bearing or relationship to the funding for real and proper.

Mrs. Smith: Could the Minister please advise as to when he would like to—I have further questions on that and I do not wish to pursue it if he would rather do it under another appropriation. What would you like me to place it under then and I can make a note of it?

* (17:50)

Mr. Caldwell: The brain trust over here advises 16.5.(d), and I say that sincerely. They know their numbers and alphabet.

Mrs. Smith: Going to 16.1.(b), under Executive Support, could the Minister please clarify if

there are new policy initiatives that he is taking under advice right now? I understand that this is part of the Executive Support's duties, and could you outline any new projections or policies that you are looking at at this point or the Minister is looking at this point through Manitoba Education and Training?

Mr. Caldwell: With 900-odd employees and the number of branches that are in Education and Training, both post-secondary and public school, there are a huge number of things under discussion, many of which predate this government, in fact, the majority of which predate this government because it is a monumental, a massive department or branch of government, Education and Training.

In terms of specific policy initiatives that are being discussed, those which are on the public record are the ones that are obviously what we are working on: the Grade 3 skills assessment, the whole issue of commercialization of classroom, YNN, initiatives revolving around adequate levels of support for both capital and operating at the post-secondary and public school side. I think that it is a very, very busy department. One of the ones that was put on the Order Paper, and I know we will be discussing it once the statutory restriction on discussing it comes out, will be Bill 42. We have other discussions around teacher pensions. These are not classroom issues specifically, but there are a great many discussions occurring in the Department, both at the ministerial level and at the departmental level with stakeholders in the field. Those which are in the public agenda are the ones that are taking up time of the Department right now in a very real sense. There is also the issue of the adult learning centres, the special ed review, which I had the pleasure of unveiling the work done to date the other day at the Manitoba centre for disabilities' annual general meeting. Tuition and affordability issues are under discussion in terms of post-secondary. So there are a great many items under discussion.

I should add that I think, like previous governments, the discussion is framed around how best to achieve excellence in the system, and I think that that is something that all governments strive for in their deliberations around the

issues of education and training. It is certainly something that the field educators, parents, trustees, students, communities, expect of the Department. They expect the Department to work towards a greater capacity, greater outcomes and generally excellence in education. Certainly that is where our discussions are always focussed whenever we discuss things like new curricula, introduction of technology or better use of technology, Grade 3 assessment, tuition, accessibility, affordability, the special ed review, really all areas under discussion.

So I do not think that is any different than any administration that has been in government since the founding of Manitoba.

Mrs. Smith: I am going into another line of questioning, and I notice the hour is five to six. I know that we will be adjourning at six o'clock, so I am going to maybe suggest that rather than starting and then breaking, it might be better to start tomorrow and go through the whole line of questioning at that time. So that would be my suggestion, if you would like to adjourn today and continue on tomorrow.

Mr. Caldwell: It is a good suggestion. I will just make a few brief remarks to wind up today, and maybe before I do that, I will ask the Member if the Member knows what she is going to begin with tomorrow. I could make sure I have the appropriate staff here.

Mrs. Smith: What I am going to do is I do have additional questions, of course—we will be here for awhile—on funding, and I want to make sure that Doctor Farthing is awake. He is so awesome. He is I know just a very capable member of this whole team.

I will start tomorrow with 16(1)(d) the amalgamated Human Resource Services. There are some questions I have at 16.1, 16.(b), 16.(c) and 16.(d), so that will probably take the majority of the day tomorrow. Is that some help to you? It depends how things move along.

My objective here, Madam Chair, is to do a very thorough and reasonable analysis and to ask the kinds of questions that we need to ask and to work on together. So it will be a full day. Is that somewhat helpful to you?

Mr. Caldwell: That is very good. I appreciate the Member indicating where we are going to start from tomorrow, and I will ensure that we have the appropriate staff here. Just in winding up before it gets called six—I guess I have thirty seconds here.

I just want to say that I appreciated the Estimates process in this room today. I know I sat through a few of them in the weeks past, and they were marked by quite a different tone. I sure appreciate this tone a lot better than some of the ones I sat through. I note the Member for Brandon West (Mr. Smith) is calling pass. I do not know if that is an indication of his past behaviour or not.

I certainly appreciate the discussion we have had today. I think that both parties here learned something about Education and Training. I certainly appreciated the comments about Aboriginal education that both parties made earlier in today's Estimates process, and I think that some of the comments will help inform policy deliberations in the future.

I think that is a useful process, frankly, so I thank the members for putting some valuable information and comments on the table, and I thank the Member for Brandon West and the Member for Transcona (Mr. Reid) for keeping me company here today, as well as staff. Thank you very much.

Madam Chairperson: The hour being six, Committee rise.

AGRICULTURE AND FOOD

* (14:30)

Mr. Chairperson (Conrad Santos): Will the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Agriculture and Food. Would the Minister's staff please enter the chamber.

We are on page 29 of the Estimates book, Resolution 3.6. Policy and Economics (a) Economics (1) Salaries and Employee Benefits \$1,126,800. Shall the item pass?

Mr. Jack Penner (Emerson): Mr. Chairman, we have I think spent a significant amount of time on most of the issues in the Estimates, and I had indicated to the Minister on Thursday of last week that it was my desire to wind up the Estimates on Thursday, yet we were not able to conclude because of unforeseen circumstances. So it would be my desire to wind those Estimates up today, and, hopefully, if the Minister is co-operative, then we can probably do that within the next half-hour or so. It will depend on, as I say, how co-operative the Minister wants to be.

I want to ask the Minister a few questions. I started with crop insurance the other day and had asked the Minister whether she was going to be able to provide me with the information that I had requested a month ago, or more. It was simply the insurance coverages in all the other provinces and also the premium rates paid by producers in other provinces, and I hope that the Minister is able to provide that information for us today; if not, then at her earliest convenience. I am sure I can get the information myself, but I thought the Minister would have access to that information, so if she could—*[interjection]* Mr. Chairman, I do not think I have concluded my remark.

Mr. Chairman, I hope that the Minister will be able to provide that information for us today. If not, then maybe she could provide that in the future, in the near future, because it is important when I have discussions with agricultural leaders in the province—and I intend to have a significant number of discussions during the next number of months to try and determine what is needed because of recent changes that have been made.

* (14:40)

I am very concerned that the safety net program is evolving and devolving into a population-based programming and funding. I simply do not think that we, in Manitoba, should, or can, accept that. I think we need to have those discussions with Ottawa, and I fully intend to pursue those discussions with some people in Ottawa over the next number of months.

I believe that the supply management system is in jeopardy nationally because of the protec-

tiveness that Ontario and Québec are displaying in their negotiations. I think the ruling on eggs that affected Manitoba very severely is a most unfortunate ruling and a very untimely ruling, I believe, and clearly demonstrates an unwillingness by Ottawa, Québec and Ontario to recognize that there have been major changes in Canada, specifically western Canada, and that the changes in quotas and quota-based production had better change, or else, in my view, we are going to lose supply management. Whether we like it or not, we are going to lose it. I do not want to see supply management dissolved. As a matter of fact, I would like to think that people in agriculture should pay a lot more attention to the productive capacity or the production relevance in debates and discussions in the future.

I would ask the Minister whether she can give me any indication as to where her thinking is in how she is going to approach the negotiations with Ottawa and the other provinces in respect to supply management and quota-setting abilities. It is clear that Ontario and Québec want to go to a population-based quota system. That does not surprise me entirely, not a mix of things. It is my view that we should go to a cost-of-production based formula. That, in my view, would be acceptable to the consumer as well as to western Canadians. That would change the allocation-of-quota system entirely from where we have been. So I would like to know from the Minister what her views are and how she intends to approach this.

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Before I respond, I would like to introduce two people who have joined us at the table, Mr. Lorne Martin, Manager of the Policy section of the Economics branch, and Gordon MacKenzie, Director of Boards and Commissions.

Mr. Chairman, the Member asked about the comparison of crop insurance with the other provinces. I have provided him with information with regard to Ottawa, but certainly I will ask the Corporation to prepare a comparison of all the other provinces, because indeed this is a very important issue for us, for the producers of Manitoba, and there is discrepancy now in the amount of coverage we can provide. That

discrepancy is going to increase because of the changes that have been made in the allocation of the safety net funds.

The Member raises the issue of supply management, about the supply management being in jeopardy. Certainly we recognize this as a very important issue. In recognition of how important this issue was, I raised it at the meeting in Ottawa when we were negotiating on safety nets and said that it also had to be taken into consideration when we were making changes to funding formulas. The advantage of safety nets that other provinces have, particularly Ontario and Québec, where the majority of the safety net quota is allocated, has to be taken into consideration, no matter what.

I will tell the Member when he asks about what I am going to do. One of the things that I am going to do, and something that I have been doing, is discuss this with the producers. This is not something that we can go out and make a quick statement on, that this is what we are going to do. There are a lot of people involved, and we have to ensure that there is discussion with all the people in Supply Management, whether it is the chicken producers, the turkey producers, the egg producers. All of this has to be taken into consideration, and it has to be very thoroughly discussed on the kind of position we take. There is no doubt that this is one of the most serious challenges facing us.

We are on the threshold of change here and we have to be sure that change, whatever it is, is used. Manitoba, where we were short-changed in the Crow negotiations, had the opportunity to take advantage of some of the situations that have developed here in Manitoba. Certainly supply management is a system that I support and I want to see maintained, but I also want Manitoba producers to be treated fairly. So, Mr. Chairman, it is not an issue that can be taken lightly. It will be a subject of a lot of discussion. It is something that should have been discussed a long time ago. When we lost the Crow benefit, that is when this whole situation started and should have been addressed then.

The Member who is posing the questions was part of government that took part in the Crow benefit negotiations and made the deal that

allowed \$100 million annually to be taken out of Manitoba, \$600 million out of western Canada, with the elimination of the Crow for a settlement of \$1.2 billion, without taking into consideration what the impact of all of this is going to be, without taking into consideration what the cost would be to Manitoba, what kind of shift we were going to have in cost of production—none of those was taken into consideration.

We heard all kinds of discussion about all the value-added jobs that would result in this province because of the elimination of the Crow, but his government did not negotiate anything to compensate for all the losses. To have settled for a one-time payment when this was a program that should have been in place forever and then settle for an amount of \$1.2 billion, or in that range, and not do anything to ensure that Manitoba was able to take advantage of those lower grain prices and higher transportation costs, was very poor negotiations on the part of the previous government when the Crow was eliminated. Now, we are seeing the consequences of that. We are seeing the consequences of it in the negotiations on the safety net. We are seeing the consequences of it here as people are looking for shifts in supply management, when people do not recognize the advantage we have here in Manitoba. We get rulings against Manitobans when they try to increase production here and other provinces not supporting us.

So, Mr. Chairman, the Member raises a very important issue, one that is going to take a lot of discussion and one that we certainly have to take very seriously in consultation with the producers. We have to find a way that we can maintain supply management but also have the ability to produce those for in the egg industry, for example, those industrial eggs. Unfortunately, those things were not taken into consideration or thought out thoroughly enough when the Crow benefit was negotiated away. Now we are having to play some catch up here and try to figure out a way for our producers to be able to get their share of what is going on. I want to tell the Member he raises a very important point. Supply management is going to be a topic of a lot of discussion. Staff are working on it now. Of course we are very disappointed in the

ruling that we had with regard to Manitoba eggs. We will have to follow up on that one.

* (14:50)

This goes back a long way, Mr. Chairman, something that should have been addressed and taken into consideration a long time ago when the previous government was all in favour of moving to wanting to eliminate the Crow and not thinking far enough down the road as to what the implications of that were going to be. It is certainly something that should have been addressed earlier that we are going to have to address now.

Mr. Jack Penner: The Minister seems to want to go back into opposition. Hopefully, we can arrange that relatively soon, maybe sooner than later, that she is able to go back and then she can keep on blaming previous governments or former colleagues and whoever else she wants to blame. That has been the name of her game, Mr. Chairman, and that is her prerogative. I mean, she can go on and blame previous governments.

However, I just want to remind the Minister that in the debate and the discussion that led to the dissolution of the Crow, there was a government in Ottawa that said they would put in place \$8 billion to assist farmers in the transition. A fund would have been set up and the monies flowing out of that fund would have been really put in place to support the agricultural community and western Canada in perpetuity.

Yet it was the Farmers Union and her colleagues that objected and said no to the system. It was the Farmers Union and her colleagues. As a matter of fact, it was the head of the Farmers Union, the then-head of the Farmers Union elected to a position in Ottawa that participated in the decision-making process in eliminating the Crow benefit without any assistance, without any support.

The Minister is right in her number of two-point-a-few billion dollars put in place as a one-time transitional payment which did not even pick up half the costs of the increase over the last four years. I think it was absolutely deplorable. Yet I did not hear any words from the Farmers Union in opposition, nor did I hear

the NDP express their disappointment in the dissolution of the Crow nor of the amount of money that was paid to not only western Canadian farmers, as a matter of fact, it was paid to many farms out east. Eastern Canada probably ended up with more of the Crow benefit than the westerners did, because not only was the Crow benefit done away with, the At and East program is being dissolved and so is the feed freight assistance act being dissolved, which affects us again in western Canada, but it was perceived that that would affect the east and therefore many farmers benefited probably as much as western farmers from the transitional payment. Most of the money, in my view, or a lot of the money went to the bureaucracy in the increased administration. Similarly AIDA is almost a disaster in itself wanting to address the issue.

The question I have for the Minister, supply management, and I only say this to the Minister, she is the one that is now responsible for doing the negotiating. She is the one that is facing the problems of Manitoba losing its quota allocations. The Minister is the one that is going to have to face the fact that Ontario and Québec are not going to back down easily. The Minister is going to have to face the fact that CEMA has a decision to make. The decision is simple: Are we or are we not going to force our processors to be dependent on foreign produced eggs to process in this province? My question to the Minister: How many eggs, how many foreign eggs, U.S. eggs are coming into this province daily to be processed in this province instead of having them produced in this province and/or in Canada?

Ms. Wowchuk: Mr. Chairman, I want to say that I am surprised that the Member gives so much credit to the National Farmers Union. I never realized that the Member thought of the National Farmers Union as the Official Opposition as he indicates. If that is the credit he wants to give to them, so be it, but I have to remind him that things that he himself and members of his government spoke about with regard to the negotiations on the ending of the Crow had a much greater impact than the National Farmers Union. They were the ones that were supposed to be negotiating for Manitobans and let them down.

The issue of eggs certainly and the loss of quota is one that we are all concerned about. I said to the Member that I was having discussions with producers and how they want this addressed. We have to work on this one with the producers. Ontario and Québec, we are not going to back down easily just as they did not back down easily when we were negotiating the safety net funding. They wanted to move towards allocation based on cash receipts. They had the support of the federal government, but again, all of those things go back to, I believe, improper negotiations at the time when the Crow was being eliminated.

With respect to the number of eggs coming in to Manitoba, 30 boxes come in weekly to Manitoba under CEMA. I am sorry, 30 000 boxes with 15 dozen to a box. We also have a mandatory requirement that 5 percent of our production can come into Canada from the U.S. or from other countries, and the majority would come in from the U.S. That would be 150 000 boxes coming into Canada. There is no breakdown as to how many of those boxes from the U.S. would come into Manitoba but 150 000 boxes annually, 30 000 boxes weekly coming into Manitoba under CEMA, which would be eggs from other parts of the country where there would be surplus production. Those eggs would be coming into Manitoba.

Mr. Jack Penner: I have only one other issue to raise, and that is the whole matter of Disaster Aid Programming and/or the Agricultural Income Disaster Assistance and Disaster Aid Programming. I note that the line Agricultural Income Disaster Assistance had \$12 million in it last year, and there is zero in it this year, and Disaster Aid Programming has \$16.2 million in it this year.

* (15:00)

I want to say to you, Mr. Chairman, that the people in Manitoba have been nothing short of amazed at how uncaring this minister has been and how uncaringly she has indicated the non-support to those that were flooded in '99. It has been very evident that all she has done so far is blame the federal government. Yet, when I look at this budget in this department, it is clear that she had no intention of supporting those in dire

need. Had it not been for our previous colleague and the previous Conservative government, I would suspect that those that were flooded in '99 would have received absolutely zero.

I think the Minister's colleague when he was addressing the issue about road building in this province, when he said that he suspected that southern Manitoba would not receive one thin dime over the next five years, I think that also applies to disaster aid and those kinds of things that we have talked about in this committee. I think we have clearly seen this minister not being able to convince her colleagues in Cabinet that the people who were flooded in '99 deserve the same attention from her ministry and from her government that were provided in the Swan River area when the Swan River flooded, or that was provided during the fires in the Interlake.

The kind of leadership that it takes to make the decision to support has clearly not been there from either her premier or from herself. I am hearing this more and more every day at the disappointment that people expressed not only in the southwest area but indeed virtually all others. They cannot believe that this government would simply not have gone ahead and supported those people who were flooded and then go to Ottawa, as the previous government did, and negotiate on what kind of support Ottawa would offer.

In saying that, Mr. Chairman, all I am saying is that we will keep very close tabs on this, and we will pay a great deal of attention in our caucus to agricultural issues and matters. Agriculture is and will remain one of the key issues in our mandate as opposition, and we will pay a lot of attention to issues in agriculture.

When I look at, indeed, the whole budget and when I look at increased revenues of over \$400 million that this government has experienced this year, it clearly demonstrates how right we were during the election campaign in stating that Manitobans would see an increase of over a billion dollars in excess revenues over the next five years. That is clearly demonstrated now in this budget that we were correct. The now government laughed at that and told Manitobans how silly we were, and yet they have demonstrated how right we were.

I think the honesty that was portrayed during the campaign is now already beginning to demonstrate itself, and the people are realizing that they made a real mistake in electing this government. I say to the Minister that we will be very vigilant in what happens in agriculture, and we will continually remind her of her obligation to be the spokesperson for the agricultural community in her Cabinet, in Ottawa, and anywhere else she goes. We will scrutinize with great care any action she takes and in travels that she does and what she says and how she represents this province, and we will be very vigilant in our efforts.

Before we adjourn, before we pass the budget, I want to express my extreme appreciation to the staff that have been here and how they advised the Minister. I had many of the previous Minister's briefing notes, and I think they reflect relatively clearly what advice they are giving the Minister. I hear the responses not always being the advice that the Department has given the Minister, so I say to the Minister take care. Take your advice from your department. I think you have good staff. I think you have excellent advisors and take their advice and move as they direct you to. Be careful of how you politicize the Department. Be careful of how politically involved you want to get with the Department or how politicized you want the Department to become. Be careful because we will be watching. So, Mr. Chairman, having said that, I am prepared to pass the rest of the lines in the Budget.

Mr. Chairperson: Item 3.6. Policy and Economics (a) Economics (1) Salaries and Employee Benefits.

Ms. Wowchuk: Before we pass it, I would like to just correct a few comments that the Member made with regard to our safety net funding. I just want to correct the record a little bit for the Member about his government's commitment to agriculture and what happened when we took office. The previous government did put in slightly over \$70.6 million, which we supported them on, and we in Opposition said that that money should go. They also put in \$12 million for 1998 AIDA. After the election, our government put in an additional \$9.1 million for the 1998 AIDA. We put in a total of \$46 million for

the 1999 AIDA and the AIDA enhancements. We also put in \$16.4 million for the 2000 AIDA, and we put in \$40 million for the CMAP program. So under his administration the amount was \$82.6 million. Under our administration there was an additional \$111.5 million put in to support the farming community. So the Member can say what he wants about Disaster Assistance and lack of support from our government, but I think, if he would look at the numbers, he would indeed see that there has been tremendous support from our government for the farming community.

He talks about the people of Manitoba having made a mistake in putting this government into power, well, the people spoke, and we will see who made a mistake. I think, if you look back at what his government has done, the people of Manitoba are not sorry at all.

* (15:10)

As far as being a spokesperson for agriculture, I would like the Member to think back a little bit. One of the first announcements we made as government, the Premier said that we were going to profile the issue of agriculture. We were the ones that took an all-party delegation to Ottawa and raised the issue of the need for supports for Manitoba producers.

Now the Member may think lightly of that, but I think a hundred million dollars for Manitoba is not something to laugh about and certainly something that Manitobans appreciate. They have appreciated the supports that we have put forward. The southwest part of the province is still an outstanding issue and one that I wish had been resolved in a better way than it has, and I wish we could get the federal government to recognize—[interjection] Our money is on the table. The federal government is not prepared to address it.

Mr. Chairman, as the Member knows, disasters are the responsibility of the federal government. It is a joint program, and the federal government refuses to treat the people of the southwest part of the province the same as people were treated in the Red River Valley, and that is quite unfortunate.

I, too, would want to commend the staff, because I think the staff have advised me very well. I have to say that they have had to work very hard with a new minister who asks for a lot of information. As far as politicizing the process, I think the Member should look back at their record and how they politicized the process. I can assure him that the Department of Agriculture has not become politicized.

Mr. Jack Penner: Clearly the Minister does not want the Estimates process to end yet, and I can accommodate that.

The interesting thing that the Minister has forgot to put on the record is that nowhere in the Budget does the hundred million dollars show up that she speaks about. The AIDA program was in place prior to her coming to office. There were some amendments and adjustments made and announced by the federal government, not by negotiations of this minister but by previous administrations.

This minister only, Mr. Chairman, announced that she would not participate in the negative margins which saved this government, this provincial government, some \$30 million. The negative margins would have been part of the program that would have supported the southwest region and the people that were flooded and had crop reduction losses and would have supported them immensely, yet she refused to participate in that program. I think that speaks very loudly of how this government thinks and how this government thinks about supporting those that were in dire need and still are today in dire need.

Clearly, this minister can talk all she wants, but when it comes to taking action, the previous government demonstrated how to take action. They did not speak very long and very hard, they just did things. They went to Melita, and they announced a \$70 million assistance program without one federal official having said yes. There was no federal agreement when that announcement was made. She and her Premier stood right beside Mr. Filmon and Mr. Enns when the announcements were made, and they nodded their heads in approval.

Yet, when they come to office, the first thing they do is blame and blame and blame again the federal government for not taking action. That is all she has done so far, Mr. Chairman. She has done nothing but blame others. It is time the Minister recognizes that she is now the Minister and she is part of a government that has been charged with the responsibility of supporting and taking action, and yet all she does is point fingers and blame.

If that is all she wants to do, then I would say to you, Mr. Chairman, she would be better off resigning because she would be better off remembered having resigned because she did not know how to make decisions. I say to you, her staff have advised her well; she listens very poorly. I think—[interjection] And the Member for Interlake (Mr. Nevakshonoff) says let us get on with it. It is hard for the Member of the north Interlake to recognize what difficulty his farmers are in and how badly affected they are this year. He can only look at his own farmers and how much land is under water and realize what he is going to have to do this fall.

He is going to have to go to his minister and say, my farmers need support. He will not get the support because this government is crass and this government does not listen and this government has no heart. The Member for Interlake had better realize that he is a member of a government that is totally heartless, and they have dealt with the people in the southwest in a very heartless manner. Constantly they have negated their responsibility and walked away from the responsibility of support when they should in fact—and all they have done is blame the federal government when they could have made the decision. They could have made the announcement and they could have paid, and yet nothing had been done. The Minister can talk till she is blue in the face, yet nobody believes her. She herself has destroyed her credibility.

Mr. Chairman, I say to you that the only way these people will have any comfort is by her to write the cheque, and then they will believe her. Until that time, they will know she does not mean what she even talks about. Having said that, I am prepared to pass the lines except the Minister's Salary.

Mr. Chairperson: If the Minister wants to get ahead of ourselves, all these debates can happen under the Minister's Salary.

Ms. Wowchuk: I just want to thank my friend for those comments and that advice. He wants to start talking about the Interlake, and there is a whole host of issues that we could talk about in the Interlake, about politics and about support for farmers and political games. I could get into those whole issues, but rather than do that I will take the Member's advice. I will tell him that I am quite proud of our record, of what we have done to support farmers, and I think that our record stands for itself. Thank you, Mr. Chairman.

Mr. Chairperson: Item 3.6. Policy and Economics (a) Economics (1) Salaries and Employee Benefits \$1,126,800—pass; (2) Other Expenditures \$406,700—pass.

Item 3.6.(b) Boards and Commissions Support Services (1) Salaries and Employee Benefits \$393,400—pass. Can somebody say pass when I ask?

Item 3.6.(b)(2) Other Expenditures \$637,500—pass.

Resolution 3.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,564,400 for Agriculture and Food, Policy and Economics, for the fiscal year ending March 31, 2001.

Resolution agreed to.

Item 3.7. Agriculture Research and Development (a) Agri-Food Research and Development Initiative \$1,000,000—pass; (b) Agricultural Sustainability Initiative \$1,200,000—pass; (c) Grant to the University of Manitoba \$768,300—pass; (d) Grant to the Prairie Agricultural Machinery Institute \$557,500. Shall the item pass?

* (15:20)

Mr. Jack Penner: I only have one comment to make before we leave the line of the Prairie Machinery Institute. I want to say that I think the Machinery Institute has done a very significant

service to the farm community in helping it evaluate the kinds of equipment that farmers, very often farmers, are the inventors of. I say to you, Mr. Chairman, that I would encourage the Minister in her attempt to increase the activity there, and I am encouraged by the increased funding that I see in that line because I think there are some real advantages to be gained by utilizing the institute in future years.

Mr. Chairperson: Item 3.7.(d) Grant to the Prairie Agricultural Machinery Institute \$557,500—pass.

Resolution 3.7.: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,525,800 for Agriculture and Food, Agriculture Research and Development, for the fiscal year ending the 31st day of March, 2001.

Resolution agreed to.

Item 3.8. Agriculture Disaster and Programming (b) Disaster Aid Programming \$16,200,000—pass.

Resolution 3.8.: RESOLVED that there be granted to Her Majesty a sum not exceeding \$16,200,000 for Agriculture and Food, Agricultural Disaster Aid Programming, for the fiscal year ending the 31st day of March, 2001.

Resolution agreed to.

Resolution 3.9: RESOLVED that there be granted to Her Majesty a sum not exceeding \$834,100 for Agriculture and Food, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2001.

Resolution agreed to.

At this point, the last item to be considered for the Estimates of the Department is item 1(a) Minister's Salary. At this point we request that the Minister's staff leave the table for the consideration of this item.

1.(a) Minister's Salary \$27,300. Shall the item pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Mr. Chairperson: The item is accordingly passed. *[interjection]* No.

Mr. Jack Penner: Mr. Chairman, I think the Minister has demonstrated that there needs to be further support for the flood aid of 1999. I would ask the Minister whether she would willingly pass or support me in passing a motion to allocate that amount of money to disaster aid in support of those families that cannot afford to buy groceries and food and give it to charity in the flood-prone areas?

Mr. Chairperson: Shall this item pass? Minister's Salary?

Some Honourable Members: No.

Some Honourable Members: Pass.

Mr. Chairperson: I heard "pass." The item is accordingly passed.

Voice Vote

Mr. Chairperson: All those in favour of passing the Minister's Salary, say yea.

Some Honourable Members: Yea.

Mr. Chairperson: Those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: The Yeas have it in my opinion.

Item 1.(a) Minister's Salary has passed.

An Honourable Member: On division.

Mr. Chairperson: On division.

Resolution 3.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,733,700 for Agriculture and Food, Administration and Finance \$2,733,700, for the fiscal year ending the 31st day of March, 2001.

Resolution agreed to.

This completes the Estimates of the Department of Agriculture and Food.

The next set of Estimates that will be considered by this section of the Committee of Supply are the Estimates of the Department of Health.

Shall we briefly recess to allow the Minister and the critics the opportunity to prepare for the commencement of the next set of Estimates?

The Committee recessed at 3:27 p.m.

The Committee resumed at 3:46 p.m.

HEALTH

Mr. Chairperson (Conrad Santos): 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 Health. Does the Honourable Minister of Health have an opening statement?

Hon. Dave Chomiak (Minister of Health): Thank you, Mr. Chairperson, and welcome to all members to the Supplementary Estimates for the Department of Health. I have certain habits that I have adopted through Estimates because I have done so many hours over so many years that I am loath to change even though I am on the other side. So people will probably have to bear with me as we move through it.

I wanted to take the opportunity to discuss, in general and in specific, some of the areas of health care that we are dealing with in the first nine months since we have formed government, as well as outlining some of the rationales for some of the decisions we have made and perhaps a blueprint for the future to outline some of the direction with respect to health care.

I think I would like to commence by repeating a statement that I generally said when I was in opposition with respect to health care that I have repeated as Minister. And that is, generally, most people that are involved in the health care system in Manitoba are very pleased,

have no difficulty whatsoever. I think the figure I used when I was in opposition was that it was in about 10 percent of the area that there are problems. If we could get that right, and one is, I am not so naive as to think we could get a hundred percent, but if we can get a bigger percentage of that up, if that is in fact the number, then we have made a significant improvement on behalf of all Manitobans.

* (15:50)

There is no doubt that health care has, and will be, a fundamental issue for all Manitobans. After all, it is one of the major activities that the people of Manitoba look to the Government of Manitoba to be involved in. And from a straight funding viewpoint it is the single biggest expenditure item in the entire province. This year, of course, is no exception. This year, in fact, \$2.4 billion, it is the largest budgetary item, and in fact, is probably the largest budgetary item in the history of Manitoba. So there is no doubt that health care has and will remain a major issue of discussion for all citizens of Manitoba.

It was clear to me, as the Health critic for the past eight years, that there were some issues of management of the health care system, with which we disagreed, and there were some issues of priorities, with which we disagreed, and we had some very strong criticism of the previous government's handling of health care. I have to admit, and I mentioned this afternoon in Question Period, I think in my eight years as critic, I only asked for a ministerial resignation. and that is in eight years, only two or three occasions maximum, and those were major issues because I always felt that one only resorted to that rather significant statement on a very significant event.

I was just dumbfounded, astounded at the comments by the Member for Lac du Bonnet (Mr. Praznik) over the weekend who asked for more resignations over the weekend than I did in eight years. It just strikes me as totally over the top, over the wall and totally out of proportion. It is an interesting phenomenal, although I understand some of the dynamics that are going on with respect to that process.

Returning to health care, I can indicate that it was very clear when we assumed office that there were five major areas that required our immediate attention. The first of those was the hallway medicine initiative.

It is interesting, Mr. Chairperson, that it was a significant issue. We, within the first month and a half of assuming office, outlined a number of initiatives with respect to dealing with the hallway crisis. It is interesting, I have heard various interpretations from members on the opposite side of the House from, well, we were doing all that anyway to, oh, you are doing nothing. I mean I have heard diametrically opposed viewpoints forwarded.

In point of fact, the statistics clearly indicate that not us as a government, I do not want to—but the people that are involved in the system did a tremendous job over traditionally what is called the flu season and up to the present at incredibly lowering, for the first time in a decade, the rates of people being in the hallways.

This was from a variety of initiatives. Now it is interesting that members opposite say, well, you promised to open a hundred beds, you did not open a hundred beds, therefore, you are a failure, a very, very interesting interpretation. I mean if the issue was patient care and if the point is to try to put in place initiatives to deal with hallways, then clearly there have been major significant improvements. Is it 100 per cent? No. I have said that over and over again. I said that on the six-month anniversary. Is it a significant improvement? Yes. Are we going to do more? Yes.

What did we do? Let me lay out a few of the initiatives. We offered to open a hundred beds. We offered the resources to open a hundred beds on the advice of people in the system. Could we open a hundred beds? No, because there was not enough staff to do all those beds. We opened a significant number of beds, but do you know what, Mr. Chairperson? What a stark contrast to the past several years when the only bed option was the closure of beds, so we put more beds in the system. We not only put more beds in the system, but we did something very interesting. We funded beds that the previous government had announced and did not fund—extraordinary. I

suspect we will get into a bed argument with the members opposite because I would just love to discuss that issue because of some of the interesting dynamics concerning that.

The second thing we did is we funded five geriatric assessment teams. The previous government had announced geriatric assessment teams but had not funded them. There were memos going back between the old WHA and the former ministers of Health about how come the Government was not funding those teams.

We put in fast-tracking in the emergency rooms. We expanded the community home IV program, particularly significant because it allowed people to either be discharged earlier and receive intravenous IVs or to remain in the community to receive IVs and not be in a hospital.

* (16:00)

We also funded home care, and indeed we expanded the funding to home care which was a stark contrast to the year preceding when the home care referral was closed during the holiday season, and we wondered why there were problems in the hallways. Again, the previous government underfunded home care, underfunded the demand, and consequently home care was not available to keep people out of the hospitals. We also funded physician bed managers across the system, something announced but not implemented nor funded by the previous administration.

So, Mr. Chairperson, when we came and approached the hallways issue, it was even worse than I expected. Not only was there a continuing problem, but there were not resources in place to deal with it. We funded those resources. I have cited the stats of what the hallway situation looked like and how we decreased it dramatically, and I cited reports that indicated what a significant difference it was this year. I might add, that this process is not over, that we are working on it. I might suggest, and I will suggest there are going to be further improvements and further programs that are going to be offered to deal with the situation.

The second issue that we dealt with was the whole question of the merger of the health

authorities. Now again, members opposite like to have it both ways. They criticized us for doing it, but then they said well, we were going to do it anyway. It depends which program they were on or which issue they had to deal with, because they made both points. But we made an election commitment to deal with bureaucracy and merge the two authorities.

You know, Mr. Chairperson, what has happened is not only have we been able to save actual administrative dollars, but we have seen an improvement in programming, an improvement that allowed for the first time in Manitoba history to put together a program like PACT that provides benefits to the community. The community talks to the acute care side now in Manitoba, and the result is that we have programs like PACT.

Now why do I emphasize PACT? I emphasize PACT for a number of reasons; firstly, because it is so proven effective; secondly, because the previous government examined it year after year after year and did nothing. I would sit on the other side and think how many people are falling through the cracks that would be helped by a PACT program, and it is not happening. So the melding together of the two authorities, aside from a whole series of benefits across the system, has resulted in improvements in the delivery of programs.

The third area was the debacle with frozen food. Now it is interesting reading to read the comments of the former former Minister of Health when it comes to frozen food. I will not read into the record the comments of the former former minister, but it should be compulsory reading as to what the former former Minister of Health had to say about the frozen food experience. But with respect to the frozen food, we have set up something that should have been done in the first place. We put together a group of people that provide the food, nutritionists, dieticians, people who are actually involved in food to make recommendations to us, which are forthcoming. We are waiting as to how the system can be configured.

Now, members opposite who left us with this debacle, left us with a contract we could not even make public, Mr. Chairperson. Can you

believe it? They left us with a contract that did not permit us to even go public with the contract and a contract that we were unable to amend without the approval of the mortgage holder in Toronto, unbelievable, an unbelievably complex and poor-thought-out process. I know that the Auditor is reviewing this whole issue, and we will await what the Auditor has to say, but as a government, we inherited this mess. We took action, and we are taking action to right it. We did something that the economic geniuses on the other side, the financial gurus on the other side, never thought of. We bought back the contract. We bought back the contract at a discount. What did that mean? It meant, not only do we save money, but we finally got control over the contract. We bought back the mortgage. It did not cost the Province any more money; in fact, it saved the Province money. It allowed us to have some financial and administrative and managerial control over a bad deal. So that is where we are at.

There will be announcements with respect to the frozen food issue. We will do the best that we can for Manitobans on a process that has seen investments of tens of millions of dollars and on a process that I do not think we want to repeat in this province. I could say a lot more about this, Mr. Chairperson, and I hope we will have an opportunity to discuss it during the course of these Estimates.

The fourth area is the SmartHealth contract, another financial bonanza entered into by the former government. Members of the public will remember this one. This one was going to save \$200 million over five years on an investment of \$100 million. This was going to be the project to end all projects. It was the Cadillac of all computer deals. Of course, quietly, very quietly, I might add, Mr. Chairperson, the previous government started winding down the deal. Very quietly, they were trying to salvage something from that deal. I could point to literally hours and hours that I spent in this Committee looking at the details of that deal, and I could point to hours and hours of comments from previous ministers justifying that deal, but in the end, members opposite quietly tried to remove it off the public stage. The real tragedy of it, of course, aside from the financial loss, is that we have fallen very far behind in the information tech-

nology side right across the province. In some areas, we are woefully inadequate and woefully ill equipped to deal with health care. When you go around the system and ask people, why did we not do this or why have we not done that, the reply comes back, well, SmartHealth was supposed to do that; SmartHealth was supposed to do this. The legacy of SmartHealth is more than just a deal, but it has severely put Manitoba years behind information technology.

The next area, Mr. Chairperson, is the area of human resources, human resources that were woefully, woefully dealt with over the past decade. I do not now how many times I have stood up in this House and advised members opposite of the numerous occasions under which I asked the previous government to do something about the nursing and other professional shortages, and the replies were: what shortage? What problem? Lo and behold, last spring, when we were anticipating an election call, the Government created the Nurses Recruitment and Retention strategy.

* (16:10)

The first time in 11 years that there had been any kind of a strategy or even a supposed strategy to deal with nurses, and I might indicate other professionals have to be dealt with as well. As somebody said in this Chamber, it was a deathbed conversion. It was a recognition finally that there was a major problem in Manitoba and the Government announced its plan, its fund, in the waning hours of that regime to do something about nursing.

Mr. Chairperson, though we have kept the Nurses Recruitment and Retention Fund, we have changed the emphasis. Unfortunately, one major component was lacking and that was training, and I might add this applies to all professions. But I am going to confine my comments at this point to nurses, the training of nurses, the educating of nurses.

The Government threw all of its cards into the RN program, and unfortunately we were not educating nearly enough RNs to meet our needs so we responded. We put in place and have put in place a diploma RN program, something that 90 percent of working nurses will tell you was

and is necessary. We are hopeful that it will start to deal with some of the shortage needs that we face, and it will. In fact, at this point it is fully subscribed to, and I might add, there has been an interesting and not unexpected development since we brought in our program. Of course, the BN program has all of a sudden started to attract and retain more nurses, and that is good. That is what we had hoped for and it has actually worked. *[interjection]*

Well, the Member says it is not because of that. If the Member looked at the statistics, if the Member for Charleswood (Mrs. Driedger) looked at the statistics of the number of nurses trained, the Member would see a trend that was going another way, and the fact is, we have been able and we will be able to train and educate many more nurses that will meet the needs of Manitobans.

What I find surprising is the fact that virtually everyone in the province is supportive of this program, save a few members opposite and a few isolated groups, and frankly, this is what is best for Manitobans. This is what people have been telling us to do, and that is the reason we did it but we are not stopping there.

When I say there was woeful lack of training, we are talking about a lack of lab technicians; they cancelled the course. We are talking about radiotechnologists, radiation therapists, nurses' aides, not to mention doctors and nurses. The wells have dried up. They stopped programs. They did not encourage it. So we came to office facing a severe shortage of human beings to carry out the activities of caregiving in the health care field, an area that has been identified as probably the biggest growth area in the next decade and bereft of programming and bereft of support.

So we were starting from square one, ground zero, when we came to office to try to deal with this deficit. So I find it amusing—I should not say amusing, I find it strange that members opposite will stand up and say, what are you doing about the nursing crisis, when we have taken the first concrete steps in a decade, when the only response from members opposite was two-fold, to get rid of nurses and other professionals—

An Honourable Member: Hire Connie Curran.

Mr. Chomiak: That is actually threefold: hire Connie Curran. And that was the plan, and secondly try to justify it somehow and blame everyone else. I mean, the fact was there is a severe shortage. And yes, there is a severe shortage right across the country, but members opposite did not do anything to try to address it, and we came into office and we put in place programs and systems to address that. And there will be more. There will be more initiatives and more announcements.

The final area I wanted to touch on with respect to our initial observations and actions in offices were waiting lists. I used to stand up day after day in this House and ask questions about waiting lists. Do you know how the former ministers would respond? There is no waiting list. There is no problem. You see, that caught them in the end. In the end they did not recognize there was a problem. In the end they did not deal with the problem, and in the end Manitobans said, we do not believe you.

Of course there were waiting list problems, and of course there are waiting list problems, but at least we are taking initiatives to deal with those waiting list problems. I found it very interesting that members opposite would stand up and talk about the radiation therapy waiting list lines because one of the first briefing notes, and the Member opposite has the briefing notes, good heavens, she tabled it in the House last week, read the briefing note that talks about radiation therapy waiting lists.

I was stunned to see that prostate and breast cancer waiting lists were at the dangerous level. So we made a decision, and we continued to send people to the United States to receive that treatment. We have not got the list down to where we want. We have got the general lists half of what they were, and it is not a final solution, of course not, as we rebuild capacity. But we took action, and members opposite, I noted when I announced the program, were in favour of it even though they rejected it when they were government. And now they are critical of it?

We will do it, and we will continue to do it because it is not politics. It is straight common

sense. Other areas of waiting lists we took action on. Are the waiting lists down in some areas? Significantly. Are they low enough in other areas? No. Are we taking action? Yes, and there will be continued action on every single area. But we are not hiding our head in the sand and saying, what waiting lists? Because that was the response I got as critic for eight years. What waiting lists? The public knew it was there. But if you do not acknowledge it, you are not going to do anything about it. The people acknowledged it on April 26, and we are doing something about it.

Mr. Chairperson, in general, those were the five areas, initially, and there were many others we identified as having major problems, and upon which we took action when we formed government. There are numerous other areas and, I should add, the applicability to these Estimates and these Supplementary Estimates are that we are continuing our initiatives in these areas into a full year where we have had our opportunity now to do our first budget.

* (16:20)

I did not like the fact that we really had only a half year period in which to make the first budget, and I would have preferred a full year to make some observations and to make some decisions. But we did with what we were provided and put together this particular budget, a budget which I think generally addresses in the first year of a full budget mandate a number of areas. I should say, Mr. Chairperson, that when we approached this budget in health care, we simply did not approach it from a one-year or even a six-month target. We, in fact, looked at this immediate year, the mid term and the long term in terms of ramifications and in terms of our observations.

Another area that has preoccupied a fair amount of time since we have assumed government has been the federal-provincial area. By rotation, the Minister of Health in Manitoba is the Chair of the federal-provincial Health ministers. It has occupied far more time than I actually anticipated. There have been more meetings, probably, on federal-provincial health matters this year than in the last three or four years, and there probably will be more meetings

in the next period of time as we move toward some kind of resolution of the funding issue—which is, frankly, fundamental to much of what we do in Manitoba.

It is very clear, and the federal government has acknowledged that there has been a significant reduction in funding to all the jurisdictions. There has been an acknowledgement, on the part of the federal government, that more funding has to go back into the base of the CHST. In fact, that position has been advocated by the provinces unanimously at the series of meetings, and it has been a co-ordinated and a unanimous position of all of the provincial and territorial governments, regardless of political affiliation. Political affiliation certainly crosses the gamut, but it has been a co-ordinated and a unanimous approach.

Obviously the timing is more significant this year because we are facing a federal election than it might have been for the past few years in terms of resolving this issue. We, as a provincial government, have worked closely with all of the jurisdictions to try to move this forward. I anticipate there will be several meetings through the summer and am hopeful this will culminate in an agreement of some sort in the fall for some permanent funding restoration from the federal government to all jurisdictions.

I am also hoping that within the context of this we can put in place some kind of an initiative and model that will deal with the severe pressures that all jurisdictions are going to face in the next decade. That was made very clear by the report that was put out with respect to federal-provincial funding by the provinces and territories, led by Manitoba and Ontario, dealing with cost pressures facing all jurisdictions.

It is very clear that what we have to do is provide for funding arrangements that take medicare to the natural extension of where medicare should be, and that is into the community and into the whole area of prevention, rehabilitation, et cetera. That has been foremost in our minds during all these discussions. It is something that crosses all political boundaries and all political jurisdictions.

So we have been working very diligently on this matter. We are hopeful that we could make some kind of significant change.

When I was in opposition and I had these discussions with the ministers of Health here, I always felt, and I would suggest many times, if we could only get a national home care program and a national pharmacare program, that would have a significant impact on a province like Manitoba that has the best home care program and one of the better pharmacare programs.

I have suggested on many occasions to fellow ministers and the federal government, and it is not for lack of trying that we have not seen it, but I am still convinced that programs like that on a national basis would have significant impacts on a province like Manitoba. We have tried various strategies and approaches with the federal government and other provinces to try to move that and other variations on that theme on the agenda to try to move forward.

Discussions continue. I am hopeful that there will be some resolution in the fall. It may not be entirely the way that we would prefer.

Mr. Stan Struthers, Acting Chairperson, in the Chair

But in the end, clearly we have to get into a situation where every year the province is not sitting and waiting to see what the federal budget will bring to them to permit them to fund programs that are needed across the system.

Mr. Chairperson, clearly in health care on a daily basis there are dozens and dozens of issues that are significant to Manitobans. One of the things we tried to do this budget was one of the lessons we learned from last year's experience, that the previous administration and in fact the past three years had lowballed Health Estimates then come in at the end and brought in the funding.

What we have tried to do in this budget—keeping in mind that we only had a half a year on which to base our analysis and there were quite a number of transition issues—was we tried to realistically fund the budgets across the regions based on actual needs. We tried not to go

in and say, you know, this is your deficit. We are not picking it up. You are going to have to cut programs or cut services. The pattern was very apparent for the past few years as to what happened.

Now keeping in mind it was the first six months and this is the first attempt at it, I think we did not badly. Was it perfect? No. Can it get better? Yes. Will it get better? Yes. We tried to realistically deal with the budget expectations of the regions. We also did something that was I think the No. 1 recommendation in the Webster report and that is give the budget information to the regions ahead of time, or as far in advance as possible, as opposed to giving them the budgetary decisions six or eight months down the road which was the practice in the past.

We think we were largely successful, not 100 percent, but at least the intent was there and the initiative was there. We tried, to the best of our ability, to deliver the information to the various regions and institutions to allow them to do practical, realistic budgeting ahead of time and to try to avoid a situation where the money would run out and then the region would have to come back to government and then there would be a dispute, et cetera. It was a common pattern that I saw year after year after year. I do not believe we have totally been able to achieve that goal, but I am very pleased that we moved along in that direction and that we got fairly good recognition from outside agencies that what we had done was attempt to do the right thing and to put the information forward ahead of time.

* (16:30)

These Supplementary Estimates, Mr. Chairperson, have seen an increase in funding in almost all areas. It has been based on a realistic need and a realistic assessment. It is an increase significantly over last year's budgetary Estimates, I think something like 15 percent, and an increase over actual expenditures in the area of 6 percent to 7 percent. We were able to change and to put in some significant increases to some areas that have been neglected, overlooked or cut back over previous years. We put in place a number of initiatives and programs that have not taken place in Manitoba before.

We attempted in the six-month period leading up to the Budget to realistically assess a situation where virtually everything was in deficit because of the previous government's way of funding and tried to be realistic in terms of our supports to the various programs and the various initiatives. In some areas we would have liked to have done more, but we were unable to. In some areas, I think we have made significant changes that largely have been well received out in the communities.

I also should indicate that we came into office inheriting a regionalization process that had been put in place two and three years ago by the previous government and which we largely accepted as it existed on the program assumption, Mr. Chairperson, that there had been so much disruption and chaos in the health care system for a long time, that we were not going to come in and dramatically alter a system that was already pre-existing. So we came in and we are basically dealing with the current structures and the current players in the health care system.

Now, the good news about that is that it causes a lot less disruption in a system, as I indicated, that has been under constant chaos for some time. The bad news is that the system really has not evolved to where a regionalized system should have evolved to. So, on the one hand, we have adopted a system; on the other hand, it has not completely and totally evolved. So there is some work that has to take place with respect to the way the system is governed and how the system functions. Some of the systems do not work as well as they should. Some of them require a fair amount of work.

But the basic administrative approach that we took, and management approach, was that the system had **suffered enough** disruption, and it would not be **appropriate to come in and to** disrupt it further. Rather, we are functioning within the present structure that was set up by the former government. I might say that in a lot of areas for administrative and other reasons that is what we have chosen to do right across the board, and for better or for worse in terms of the results.

So I find it curious, for example, that members opposite who created a particular sys-

tem or a particular process would now stand up and criticize the process. Intellectually, I have trouble understanding that, but perhaps members opposite will enlighten me as we go through the process, as we go through the system. But I find it curious indeed.

The best example is the minimum standards study that was put in place by the previous government to look at the minimum standards regarding hospital size, and the functioning of hospitals in smaller communities, put in place by the previous government, operated by the previous government. Then members opposite cite the report as NDP policy about closing small hospitals. The most curious, the most curious and not very intellectually consistent thinking in that regard. I find it very curious. But I suppose that is—anyway, I point that out as indication. I think that there is a winnowing process, a process to be gone through in this Chamber as well as people transform themselves into different roles and responsibilities. But I find some of those issues curious.

We have introduced legislation to deal with people in care, requiring protection. We have started some initiatives to deal with the issue of personal care homes, something that we as opposition were very insistent on doing. We have taken initiatives, and there will be more initiatives, in the mental health area. At least during my tenure, one of the non-partisan areas in this Chamber was mental health. My view of this situation, generally, is still consistent with what I said in Opposition, that the initiatives launched, initially in mental health, reformed by the previous government, were good initiatives. For some reason, the wheels fell off of it in the mid-'90s, and the wheels never got back on the mental health reform. We are going to try very hard to put the wheels back on that and try to get mental health reform back on its feet. I have my own analysis as to why that happened, but I am not going to discuss it unless members opposite wish to discuss in details what my analysis is. I am prepared to do that.

But what we are going to do is that we are going to launch initiatives, and we are going to try to get the mental health reform back on the road and working again for a number of reasons: firstly, I think, because it is the right the thing to

do, and it is a continuation of something that was the right thing to do; secondly, because it is quite clearly and unfortunately a growth area in health care. It is incumbent upon us at the Department of Health to undertake initiatives to deal with this issue. If you want to talk about an area that requires prevention and if you want to talk about an area that health care should be involved in, indeed this is one of them. It has not gotten the proper attention. We are making a beginning, and I am hopeful that through the course of the next few years there will be changes that will see improvements in this area for all Manitobans.

* (16:40)

The other areas, in fact, Mr. Chairperson, I could choose to go through each of the line items and deal with some of the significant changes and some of the significant issues that we are dealing with, but I am sure those will come up as we examine Supplementary Estimates. But I wanted to in my opening comments outline some of the initiatives and some of the highlights of some of the activities we have been involved in and some of the areas we will be proceeding with. Members opposite noted today that there was a newspaper article concerning cardiac care. I have indicated that tomorrow we will be making announcements with respect to cardiac care in Manitoba, I think very positive announcements. I indicated today in the House that I think they are the kind of changes and they are the kind of improvements that will be welcome by all Manitobans. Those announcements will take place.

I had the pleasure and the honour of being up at Garden Hill on Friday to work with that community, together with the federal government, to try to deal with some of the horrendous, horrendous health deficiencies that exist in that and other northern and some rural communities. There is a lot of work that has to be done. Like so many areas, I wish that we could do everything this year, but unfortunately we cannot. But we are going to make a start, and we have made a significant start. We are going to work on improvements, and this is another area where the federal government will play a part. We are not going to be fighting over jurisdiction. We just want to do things. We just want to improve the health conditions, and we have tried to establish

with the federal government vis-à-vis these issues that jurisdictional issues can be debated ad nauseam and in perpetuity, but the health conditions deteriorate on a day-by-day basis. So we are going to undertake some new initiatives, some different initiatives. I am not so naïve to think we will get it all or we will get it all right, but like so many other areas in health in Manitoba, we are going to take action and do the best we can because in the end it is better to do something than to do nothing when it comes to chronic or debilitating or deteriorating health conditions. So I look forward to the opportunity of discussing these and other issues as we proceed through the Estimates process.

Mr. Chairperson in the Chair

I should add—it is interesting—I would not mind to have changed some of the approaches in the Estimates book, things that I found not as consistent and not that logical in terms of the way the Estimates book was prepared. I would like to have changed them, but unfortunately I did not have the opportunity to actually delve into the details of it. But I am hopeful that we will have the ability or I will have the ability to change some of the ways the Estimates are presented, not in order to obscure information but to provide it in a more meaningful sense and a more meaningful way so that it could be more useful to all members of the Legislature and be able to be utilized more effectively because, frankly, the more information that is provided probably in this regard, as it deals with the Estimates book, more informed provides for more useful information. But I am not entirely pleased—this is no reflection on the Department or anyone—I would do things differently, and the only reason I say that is because I spent eight years spending a lot of time on the Estimates book, and now I find myself on the other end reiterating items from the Estimates book in a manner and a fashion that I perhaps would have done differently.

Let me give another example, before I close, Mr. Chairperson, of some of the interesting issues we faced. Ambulance funding in this province has been wholly inadequate for a number of years, and previous and previous ministers studied it and studied it and studied it, but did nothing. So we came to office and we

were presented with a report that was another study of ambulance services and it plopped on our desk. Now I did not do what had been done by previous, previous ministers. I did not deep-six the report. In fact there are still a couple that are deep-sixed in the files. We made the report public. We distributed it, and we said we are going to work on it. The commitment funding and financially, because we are so far behind, was horrific—I should not say that, horrific is the wrong word—was an incredible expense.

You know, it is interesting, because Members opposite stood and asked questions about ambulance funding. They take exception to the fact that I talk about the last eight years when I say how could you have starved the funding for eight years, then in our first year in office, when we significantly, in fact we doubled the funding to rural ambulance services and we almost doubled the money to the City of Winnipeg, the biggest increase ever, members opposite had stood up and somehow were critical of that. I just find that perplexing and intellectually dishonest and logically inconsistent.

I cannot say much more about that other than that we were faced with significant deficiencies in a whole number of areas. We attempted to the best of our ability to address those deficiencies and to try to provide under the circumstances an improved health care system. The first nine months have seen some significant changes. There will be more changes. We have attempted to work with the pre-existing agencies. It has been largely a useful experience. I look forward to continuing to work and to determine how we can better improve the health care system, better provide for the health care system and ensure that Manitobans receive the appropriate care and treatment where we can provide it. With those few comments, Mr. Chairperson, I guess I will turn the discussion over to the members opposite.

Mr. Chairperson: We thank the Minister for those comments. Does the Official Opposition critic, the Honourable Member for Charleswood (Mrs. Driedger), have any opening comments?

Mrs. Myrna Driedger (Charleswood): Yes, I do, Mr. Chairman. As the very new critic for Health, I would like to welcome the Minister to

his first session of Estimates and congratulate him on becoming the Minister of Health. It is an extremely challenging portfolio to have and one that I am sure is going to tax him to the limit on many occasions. I do wish him well in facing the challenges that are before him.

* (16:50)

Although I must take issue with some of his comments that he made during his opening remarks, I have chosen to do that as we ask questions through the Estimates process. Right now, what I would like to do is to put some of my own comments on the record.

Because it was only two weeks ago that I assumed the critic responsibility for this important portfolio, it has not given me as much time as I would have liked to get into all of the areas. But I have certainly had an opportunity to do some delving. I appreciate very much the challenge I have been handed by our interim leader.

Health care is one of the single most important services Manitobans receive from their government. As such, I would like to take a couple of moments to review some of the significant strides our government did make in health care.

As the Minister has just indicated today and publicly before, 90 percent of what we did was right. I think it is important to always remember that too and recognize that as he said, he has not yet achieved the 100 percent that he wants to achieve in getting right. I guess with the challenges of health care, that is always going to be a difficult thing to do, but I certainly do appreciate that when the Minister does give credit where credit is due, unfortunately that credit is sometimes forgotten.

Our government did have a strong commitment to reduce waiting lists, despite what he said. As a nurse coming into this government, at the very beginning I had an opportunity to sit in on a number of meetings with the health issue and with the ministers of Health, both previous ones. For the Minister now to say we did nothing to reduce waiting lists is a bit offensive.

We more than tripled knee replacement surgery. We increased coronary artery surgeries by 40 percent. We doubled bone density scans. We decreased waits for bone density scans from 34 to 8 weeks. MRI waits decreased from 32 to 22 weeks. Ultrasound waits went from 15 to 11 weeks. CT scans went from 6 to 4 weeks. We added a second ICU course for nurses. Inpatient surgery dropped by 30 percent compared to outpatient surgery, which went up 43 percent.

We also reduced the list of long-term care patients waiting for personal care home beds in Winnipeg. We are responsible for adding 901 more personal care home beds since 1988 to the system, such as those at Misericordia Place, which has 100 beds; Lions Manor, which has 74 beds; and at Concordia Personal Care Centre, which has 140 beds.

We reduced the number of long-term care patients waiting in Winnipeg hospitals to move into personal care homes to 50 in May of 1999. Having been a nurse in the system, I truly appreciate the significance of being able to do that. If we had not put those beds in place, the new government would be very hard pressed to be able to open any of the new acute care beds they promised, let alone the interim swing beds they have promised.

We also added 200 more supportive housing spaces and enhanced the companion care program. I think our financial commitment to health care also deserves recognition despite consistent federal cutbacks since 1994. We ensured that funding to health care remained constant in Manitoba.

Members opposite were critical of additional spending commitments we made in health care in 1999-2000, yet they chose to include that spending into their base funding before calculating their own increase. I accept that action as their tacit agreement with our health spending practices.

I do agree that throwing money at health care is not the way to make the system sustainable in the long term. We have to work to increase efficiencies. Money alone is not the solution. Informed, solid spending decisions need to be made. Some of those decisions we

made from which Manitobans are benefiting were included in the 1999-2000 health budget. That budget showed spending, \$2.1 billion budgeted, which was a 60% increase over 1988; \$5 million more for medical equipment; \$1.3 million more to cancer care; \$20.5 million more to expand home care; \$10.3 million more to Pharmacare; \$15-million increase to personal care homes; and \$3 million to expand palliative care.

In 1997 we established the regional health authorities to provide a greater input for communities into the health care services they deliver. Our government committed important resources to increasing doctor recruitment, especially in rural Manitoba. Specifically we recruited 40 doctors from South Africa to set up practice throughout Manitoba. We know that the number of doctors in Manitoba has been growing faster than the provincial population since 1988.

In government for over one decade, our commitment to wellness and keeping people healthy was paramount. Most recently this commitment was realized through the creation of the Misericordia Urgent Care Centre, an increase in the flu immunization program, and \$1.2 million in hepatitis B immunization for newborns. We also increased our commitment to community care by increasing the role of public health nurses.

Along with wellness, our government placed a significant focus on disease prevention. These initiatives include but are not limited to diabetes prevention, increased immunization programs in personal care homes, increased awareness about the dangers associated with smoking, the children's asthma education project, and increased epidemiology research.

Hand in hand with disease prevention is the emphasis we placed on furthering research in health related areas such as those at CancerCare Manitoba, the St. Boniface Research Centre, the Health Sciences Research Foundation, Children's Hospital Research Foundation, and the University of Manitoba. We also implemented the prostate program at CancerCare Manitoba and provided \$3 million for disease research.

I am quite proud of our government's commitment to children's health. Our approach to children was very much interdepartmental, and initiatives undertaken by the Children and Youth Secretariat often encompassed health issues for children. We emphasized our Healthy Choices program and increased awareness programs targeting ending FAS and FAE. BabyFirst and ChildrenFirst also have a strong emphasis on the importance of raising healthy children and how health issues have a strong impact on a child's overall development.

Specific to health, we increased services for pediatric speech and hearing services, children's outreach and prevention of solvent abuse among children. I hope that the NDP will consider maintaining all of these very valuable programs.

Our government made significant strides in women's health issues. We established a new women's health unit within Manitoba Health and a new women's health advisory council. Breast screening numbers increased tremendously through our government's initiatives such as the Mobile Breast Screening Program. Women and their families now have access to the services of midwives thanks to legislation our government introduced.

Just last year under a Progressive Conservative government, Phase 1 of the comprehensive Breast Health Program was launched. It included the opening of the Breast Health Centre, a diagnostic and assessment centre which includes genetic testing services, a commitment of funding for the Hope Breast Cancer Information and Resource Centre, designation of three hospitals in Winnipeg which will be the sites for breast surgery, information system linkages to the Manitoba CancerCare network, a commitment of program management resources to ensure co-ordination of quality integration and consistent access to services.

* (17:00)

Prior to this in 1995, the government began funding a public breast cancer screening program for women. In 1998, the government introduced two mobile mammography units and mammography technologists to rural Manitoba to take the screening program on the road.

It is imperative that we now press forward to address the next phase of a comprehensive program. We now need to focus on prevention and early detection components of the program, as well as to provide support to women and their families in the community. It is important to work within communities to link women and men to existing services and to address the special needs of each community. With this approach there will be community involvement, not only in identifying local needs but also in the delivery of services. This is a significant next step because delivering prevention and early detection services will lead to a reduction in morbidity and mortality associated with breast cancer.

As someone who has personally had a serious breast cancer care, I was hugely disappointed to see the NDP not support a breast cancer resolution we recently put forward, particularly when the above-mentioned components were part of that resolution. I hope it is something that they are going to be considering in the future. I think it is something that is critically important, and I hope the only reason that they did not pass the resolution was to score some political points for themselves and had nothing to do with what really needs to happen in the area of breast cancer.

Under our direction, the Department of Health increased attention to Aboriginal health issues through the Aboriginal health unit and the Aboriginal Health and Wellness Centre. We also invested in Aboriginal healing initiatives at the Health Sciences Centre. I was pleased, too, to see our commitment to addictions treatment in Manitoba and certainly look forward to seeing more initiatives in that area.

Other innovations and accomplishments included integrated and co-ordinated approach to manage waiting lists, central bed management, enhancement of weekend discharges, a commitment to keep Manitobans informed about their health care system, introduction of community care access centres, development of new standards and regulations for long-term care facilities, expansion of mental health services, introduction of a cervical screening program and additional funding for pediatric speech and hearing services.

So to hear the Minister's introductory speech, it almost sounded like we have done nothing in 10 years when, in fact, I think our track record is good. As he said, 90 percent of what we did was good. I think it is important to remember that it is a complicated and complex system, and all achievements are certainly worthy.

Finally, the nursing shortage in Manitoba has increased by 450, according to the Manitoba Nurses' Union, since this government took office. Our government put a \$7-million recruitment and retention plan in place to retain and attract nurses. We also more than doubled LPN enrolment from 90 to 190 and, judging by the enrolment in that course, there is room for the Government to further review.

We also co-operated with the University of Manitoba to fast-track their baccalaureate program to offer students an accelerated degree program and graduate in three years. I note that, although the Minister was very critical of us with regard to nursing, he has maintained the recruitment and retention program. Nonetheless, he has allowed the nursing shortage in Manitoba to balloon by 40 percent.

Members opposite made substantial promises to nurses throughout the 1999 election campaign, promises they have yet to fulfil. For instance, they promised to convert part-time positions to full-time positions, where applicable. Here, again, the NDP is making promises without first having the information they require. I would suggest that a lot of nurses do not want to work full time. New grads certainly do, and a number of others do, but, in fact, in my time in nursing, especially in the last five years, where I was actively nursing, a huge percentage of nurses were quite happy working part time. So I think, had the Minister done more consultation with nursing, he might have found that actually was the state, and it might have made him think a little bit more about the huge commitment he made to change the number of part-time to full-time nurses. It is a noble idea, but I have to wonder how far his consultations went.

The Government has to stop scapegoating us and take real action to solve the nursing shortage. The Minister likes to talk about the 1000

nurses that were laid off. He neglects to mention that more than 80 percent of them, or 830 of those nurses, were rehired almost immediately after. He also, for purely political reasons, neglects to say that the reason they were laid off was because the unions had clauses in their contracts which prevented mobility, so the only way that staff could be moved where the new jobs were to be was through layoff. Perhaps, had he encouraged the nursing union to be more cooperative, this would not have happened. But I have not seen anything, in my couple of years that I have been here, to show that he made any initiative to encourage the union to be more flexible in terms of the clauses in the contracts which dealt with mobility agreements. So did we lose 1000 nurses from the province? No, we did not, for 830 of them were almost immediately rehired into other jobs, whether it was in long-term care settings or in the community, because the focus in health care was changing from hospital-based to community-based.

He talked a couple of minutes ago about the value of community, you know, having a strong health care system within the community. Well, that is right. That is absolutely critical, but you are not going to get that unless you are bold enough to make some changes within the acute-care system and have some of those nurses that were working within that acute-care system move into the community. That is what happened. It was unfortunate that the MNU were not as supportive of this at the time. That certainly has given the NDP a lot of fodder to play with, in terms of throwing out the number of 1000 nurses. I think the Minister should stop painting an inaccurate picture of this for Manitobans, because it is shameful, to say the least.

As I said, I believe this government has to work harder to hire more nurses. Instead of ranting and raving about our shortcomings, the Minister of Health (Mr. Chomiak) needs to take control of this growing problem in his department. Being at best optimistic, their two-year RN program may bring as many as 90 nurses to our system. However, I also understand, from a special MARN meeting that was held not long ago, his assistant deputy minister indicated that he expects a 30% attrition rate,

because the program, I guess, I am assuming, is one that has significant challenges to it. So if we are expecting a 30% attrition rate out of 90 nurses. We are looking at needing perhaps, according to his figures, 1500 nurses in the next three years. I have to wonder how far his less than 90 nurses with the 30% drop-off are really going to impact this. It is a serious situation that we are facing, and I am going to have certainly a lot more questions about this as we proceed. I guess, at this point, I would like to make another point on the nursing issue, too, because the Minister has over and over again laid the whole shortage at our government's feet when in fact, if he was to look at the issue, it is a world-wide nursing shortage. All of Canada is hugely challenged. The United States is challenged. It is a worldwide challenge. He loses credibility with me and particularly because I am a nurse, every time he just rants and raves about it being an issue that is only in Manitoba.

He also mentioned today that the \$7-million fund was started just before the election. Well, in fact it was started a year ago and was well on its way to looking at a number of initiatives. In 1998, a provincial nursing task force was also set up to address nursing retention and recruitment. So, when he says we did nothing, the Department of Health started to look at this issue several years ago. I was quite fortunate to be privileged to sit on the provincial nursing task force to look at nursing recruitment and retention. Up until December of last year, because I was a member of that committee, I still was getting information on it. So I am going to certainly have more questions for the Minister in that area.

* (17:10)

I would like to touch only briefly on some of the issues the Minister can expect me to raise throughout the Estimates process. Naturally, I will want to discuss all staffing levels, including nurses, doctors and technicians, in greater detail. I am also going to want to talk about the work of all of the RHAs with the focus on the effects of staff shortages and their current budgets. There will be specific programs about which I will be requesting further information. I also want to follow up on a number of the campaign promises made by the NDP.

With all of that said, I am ready to proceed with this section of the Estimates. I just want to add that overall I am incredibly pleased with the strides that we did make in health care during our tenure in government. Health is a very demanding department, which, I am sure, will push the Minister to find new solutions to emerging shortages and growing waiting lists. It certainly is a huge challenge, and my intent in Estimates is to focus my attention on how we can improve health care for Manitobans.

The system does face many challenges but actually has since I was a neophyte nurse. I remember the hard work of my early days as a neuro-sciences nurse. The good health of our health care system means a lot to me. I personally identify very, very strongly as a nurse because that is who I am. After spending 23 years in that system, it is a system that I understand very well. I may not know all that there is to know about health care, but I have a huge understanding of the system from the inside. I have walked the walk, and I know what the challenges are out there. My stethoscope hangs in my office and has since the day I started this job to always remind me about what is really important: to remember to always put the patient first. Sometimes there certainly is a desire, I think, to let politics get involved. Personally, I hope that that does not happen because health care is one of those areas where we have to be very, very cautious about what we do. In fact, the Minister, during his opening statements, made some remarks saying that we were against some things like the rural hospital template report or the two-year diploma program.

We have never said we were against those. We as an accountable opposition are expected to ask questions about them. I have never said to this Minister whether I think the two-year diploma program is good or bad. My job as an accountable opposition member is to ask questions about it, to be sure that he has thought of all of the steps that need to be taken to address the nursing shortage. I think the Minister is going to be faced with having to make a lot of decisions about the nursing shortage. He is the one that has to be accountable for his decisions. It is my job to ask the questions. Just because I ask the questions, he should not assume that I am negative about something.

We have to have reports about rural hospitals. Just because a report comes in and we ask questions about it does not mean we support or approve of the report. All we are doing is asking questions to have some accountability.

It makes me a little bit leery as we head into all these questions that I am going to ask him over the next couple of weeks how he may spin some of them. I would just like to tell the Minister if he needs verification about my position, he should just ask me, because I will be asking a number of questions. It does not mean I am for or against. My job here is seeking accountability.

It is very difficult to manage a health care system without adequate funding. That we all know. Since 1994, when we have seen a decrease in the federal funds, it has led to some very serious decisions that have had to be made. When our government in 1988 took over, we had inherited a debt and a deficit from the previous NDP government that has led to years of belt tightening by Manitobans to get to a point in about 1995 where Manitoba was more fiscally stable. A serious recession in the early '90s impacted significantly on revenues within governments.

I have some serious concerns myself now with the NDP's first budget. I mean, for my two years here, all I heard from the Minister when he was the opposition critic was, put more money into health care, you are not spending enough. So as the challenges came before us, we put more money into the system. Then the NDP came into power and accused us of reckless spending. So what did they do? They built that so-called reckless spending into the budget and increased it by 6 percent.

We do need to have a strong economy, because it is a strong economy, it is strong economic initiatives which in turn allow for the adequate funding of health care. I must say that I think it is questionable how Manitoba will do now under this new government, especially now that we have the highest taxes in the country for middle-income earners.

Having said all of that and having spent a considerable amount of time in my two years

being involved in some of the health issues, I would like to recognize the work of the front line workers in health care. I think those front line workers are the ones who deserve a lot of credit for a lot of the good things happening in health care. I think nurses are the glue that holds the system together. I think the RHAs, had we not had them, we would not have had the kind of information we now have. I think that all of those people deserve a huge, huge compliment from us and a lot of our gratitude for what is happening out there.

In conclusion, Mr. Chair, this is the first budget that the NDP is presenting to us and that we have an opportunity to ask questions about. I certainly look forward to that so we can see how this new NDP government has assessed, diagnosed as major issues and priorities, planned for and set up evaluation mechanisms for dealing with issues of importance to Manitobans. I think what I will certainly be using as I look at all of these issues is what I learned so very well in nursing, and that is the nursing process.

So, with that, Mr. Chairman, I end my remarks and I look forward to the opportunity to find out more about health care.

Mr. Chairperson: I would remind the members of the Committee that debate on the Minister's Salary, item 1.(a), is deferred until all other items in the Estimates of this department are passed. At this time, we would invite the Minister's staff to take their places in the Chamber. The Minister may introduce the staff member if he wishes.

Mr. Chomiak: I thank the Member for those comments. We are joined by Mr. Dwight Barna, who is our Acting Assistant Deputy Minister of Finance.

Mr. Chairperson: The item before the Committee is item 1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$558,100.

Mrs. Driedger: I wonder before we proceed if we could just have a little bit of discussion in terms of how to proceed with this, as this is my first go-around at asking the questions. I do not know how much latitude the Minister is willing

to give me. I am quite prepared to go line by line for a huge part of it. What I would ask is, when my colleagues come in, because people are coming and going in different committees, I am wondering if he would be agreeable to reverting to global questions when they do come in. If I happen to forget to ask something in a line because of my inexperience at this, I would hope that the Minister might allow me to go back to a line.

* (17:20)

I will start out with some global questions, as I understand under this particular line it is an opportunity to ask questions on policy. I anticipate that several days of questions in that area will be forthcoming. Then I would be prepared to look at moving forward on a line-by-line basis if this is acceptable to the Minister.

Mr. Chomiak: I appreciate those comments from the Member. I adopted a similar strategy and previous ministers were always amenable to me, so clearly there is no reason why I would not be amenable to that course of action. It makes a lot of sense. The Member will have to appreciate as well, that this is my first time answering questions so I may not have access to some of the specific details. That might necessarily be the case, but I will endeavour to do my best. But I think that course of action is fine and I have no problem with dealing with that at all.

Mr. Chairperson: So this is on the record now that generally speaking the proceeding will be item by item except in those cases that the honourable opposition critic had specified and the Minister had agreed to, namely when some question had been omitted and it is a matter of policy and no special specifications or details need be produced. When other members of the Opposition panel may come and they may not know what is going on, they may ask questions that are already taken by the Opposition critic and the Honourable Minister. Is that understood?

Mr. Chomiak: I think generally that is no problem. The only constraint I would put on it is in terms of staffing, and sometimes we are not able to have the appropriate staff here to meet those accommodations, but we will try the best we can.

Mr. Chairperson: Is that agreed to?

Mrs. Driedger: Just for clarification, to add into that, the first several days will be questions of a global nature as it fits under this particular line.

Mr. Chairperson: Let us then proceed.

The item before this Committee is item 21.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$558,100.

Mrs. Driedger: My first question will deal with gathering some information about our new deputy minister of Health. I understand that we have one in place, and I am curious to know a little bit more about what his background is?

Mr. Chomiak: I will undertake to provide a resume to the Member hopefully when next we meet.

Mrs. Driedger: I would also like to ask the Minister if it is appropriate to ask for the new deputy's contract and how long it might be in place for.

Mr. Chomiak: I will take that question as notice.

Mrs. Driedger: I am wondering if the Minister could tell me if the new deputy minister maintains a residency in Ontario and if he plans to move here.

Mr. Chomiak: I am not sure about that particular line of questioning. I do not understand perhaps what the Member is getting at, but with respect to that, I will endeavour to review that matter.

Mrs. Driedger: I guess I would like to say, Mr. Chairman, what my line of questioning is getting at is that, being in health care, his portfolio and your portfolio are probably a 24-hour-a-day job. There are a lot of critical issues that come up on weekends. I guess my concern would be, and I am trying to look at it from the perspective of the concerns of the health care system and when we need to have a quick response or some supports on a weekend, I understood that the new deputy minister does not live in Manitoba.

So I was wondering how one would reach him if he was gone on the weekend. I certainly know that the former deputy minister was called all hours of the day and night, all days of the week. My questions that would follow from that would be in terms of who pays for all of his travel back and forth to home and who would be bearing the costs of what I would assume might be an awful lot of long-distance phone calls.

Mr. Chomiak: It certainly is true, Mr. Chairperson, that with respect to health, it is a 24-hour-a-day job, and I do not think that anyone who has had any contact with the system could say otherwise indeed as it relates to health care. I watched through one, two, three, four ministers the impact and the stress that it had on those individuals, as well as through one, two, three, four or five deputy ministers during my tenure as critic. I certainly saw the impact and the effect it had on various individuals. It is clear it is a 24-hour-a-day job.

I might add that it is incredibly time-consuming with respect to the number of out-of-province meetings and particularly this year because Manitoba, by rotation, as I said in my opening comments, is the chair of the federal-provincial health ministers, and the Deputy Minister is the chair of the federal-provincial deputy ministers, which means that there is a lot of travel and there is a lot of communication that goes back and forth between here and various points on a regular basis. Indeed, it is sometimes hard to get together at ministerial meetings and not be constantly in communication across the board.

One of the changes, I think, that we have seen is the fact that communication follows us 24 hours a day with cell phones and with e-mail and with various forms of communication. We have the ability to be in contact, literally, with each other on a 24-hour basis, regardless, for the most part, of where we are with the exception, of course, of some spots where access is not available, unfortunately. But, for the most part, we are in constant communication across the board, across the way, in all areas. That is, as I understand it, one of the manifestations of the new technological changes.

So the issue of constant communication and contact between the Minister and Deputy

Minister, or the Minister and other ministers, or the Minister and the Department, or department officials and the Minister, is largely one of communications. There is virtually no time or there is literally no time when we are not in contact on a regular basis, subject to occasions, I suppose, when one is out of cell-phone range and when one is perhaps on a flight, and even then on the flights we have access to communications.

So the issue as to whether or not there is contact between various officials in the Department of Health, at least in my experience, has not been a major issue. I can assure the Member that we are in constant communication, sometimes to our personal chagrin, on a regular basis, throughout the system. So I can assure the Member that communications and contact is a constant and that we are constantly in contact across the board.

* (17:30)

I just might add, Mr. Chairperson, we have been joined by Mr. Rick Dedi, who is Associate Deputy Minister of the Department and the Assistant Deputy Minister of Insured Benefits, Pharmacare and Labour Market Services, I might add.

But the issue of contact has not been one that I have experienced with any degree of difficulty at all. There are arrangements, on a regular basis, that Health officials are always available and do an excellent job of keeping in contact on a regular basis. There have been many occasions in the past several months when at various hours late at night there has been contact and communication. That certainly is not a problem, and I do not anticipate will be a problem as we proceed.

So I want to assure the Member opposite that that issue is not a major difficulty and is not a problem. Indeed the Deputy Minister was recently up in Yellowknife attending a ministerial meeting, deputy ministerial meeting, with respect to a number of the issues that I referenced, some of them which I referenced in my earlier comments. Indeed, the Assistant Deputy Minister is right now in the North attending a meeting; the Associate Deputy

Minister is in the North attending a meeting. Of course, there is ongoing, continuous contact. So I just want the Member to be assured that that is not a problem and that the contact of communications continues on a regular basis. I can assure her that health officials are available for the services that they require and are required and are in constant contact with all of us as I indicated earlier, sometimes to the chagrin of the individuals on a personal basis, because it can be trying, but that is simply not an issue or a difficulty or a problem that we have encountered. So, in that regard, I can assure the Member that there is no problem in constant contact and communication and having decision making made and ensuring that officials are available and can deal with issues.

Mrs. Driedger: Well, I have to agree with the Minister that cell phones are a wonderful invention, but what I would like to ask the Minister is: Is the primary residency of his deputy minister in Ontario?

Mr. Chomiak: Mr. Chairperson, I will endeavour to determine the reference and the question that the Member has put.

Mrs. Driedger: I am sorry if I missed this in part of that extended answer on the residency. Did the Minister say that the Deputy was away at a conference in the North?

Mr. Chomiak: No, in the course of my comments, with respect to the fact that people are often travelling a lot with respect to the roles and functions they fulfill, in fact, there has been considerably more meetings on the federal-provincial front. I indicated the Associate Deputy Minister was attending a meeting today, a previously scheduled meeting, in the North as illustrative of the fact that this is a large province and what we are trying to do is be representative of all the province and that people are constantly involved in activities around the province. In fact, as recently as last Friday, I too was travelling in the North with respect to a number of issues that I made reference to earlier, and I had occasion to be in the North on Friday much longer than I had anticipated, which is often common and often the case and was up in the North on Friday because, Mr. Chairperson, there is a whole variety of activities and functions that

we have to do with respect to the North. It has been an area that has been neglected previously. There are a number of activities and endeavours that we have to do just to catch up with respect to developments. So the reference earlier to the Associate Deputy Minister being in the North was that too, the Associate Deputy Minister being in the North today.

Mrs. Driedger: I wonder if the Minister could tell me whether his deputy works here in Manitoba, in this building, Monday to Friday, and if that is the case, I am wondering if the Minister is prepared to indicate why the deputy is not here today on the first day of Estimates.

Mr. Chomiak: What an interesting question from the Member. I think it goes without saying that that is the case. It is hard to imagine the genesis of that, the fact that the Deputy Minister is not here today. I do not know how relevant that is to the actual line of questioning that the Member is doing. As I was critic for a number of years, when the deputy was available or was sitting at the table, the deputy was sitting at the table, and the many, many, many occasions when the deputy was not sitting at the table, the deputy was not sitting at the table. I never saw any reason to question whether or not in fact the deputy should or should not be at the table.

The Member might know or may not know that there are all kinds of activities that go on in this building and around this building and there are a number of issues. So the fact that the deputy is not sitting here at this time and tying that in with a Monday to Friday question, I do not know what the Member is querying.

The determination I always understood of who is to be here is generally at the discretion of the Minister. In this particular case, Estimates, I simply advised the department that we are going into Estimates today and to send the appropriate officials without any particular directions with who should or who should not be here.

We are joined by Mr. Barna, and now we have been joined by Mr. Dedi. They are here to assist me in terms of analyzing questions. I do not entirely know what the Member is getting at with respect to that question. That was always my understanding of the process. The process

was generally that whoever was available was available.

Generally the availability of staff was determined by the line item that was particularly been dealt with. Generally that was the course of action that I understood the process to follow. The process is following basically the same process that had followed for the many years that I was the opposition critic.

* (17:40)

In fact, it changed about two or three years ago with a change in deputy minister. There were periods of time when the Deputy Minister was in attendance at all of the sessions. Subsequent to that, when the Deputy Minister changed, the most recent deputy minister attended only small portions of the Estimates process and left most of the answering of the questions to other officials.

In fact, we even had a more interesting scenario which occurred two ministers ago when the Member for Lac du Bonnet (Mr. Praznik) started the process of having the officials answer questions directly to me in the process, which by way of process to me made some sense, because it meant that there was not a translation that had to take place between the officials and the Minister, although in terms of parliamentary procedures and processes, it probably was not the best, and it is probably not something that we as a Legislature should probably do. The fact is that the answer should come generally from the Minister and translated on that basis.

So there has been through my experience as the critic a variety of methodologies that have been approached to this. The assumption that I made coming in today was to advise. I was not entirely certain that we were going to be going to Estimates today. I heard two versions, but I did advise the office when the House Leader for the Opposition party indicated to me that we probably were going into Estimates. I immediately went up to my office and indicated that we were going into Estimates and that we should have officials available.

So that was the course of action. I do not think that the Member should reflect anything

untoward or should read anything into the fact of who is here and who is not here for this particular session. The particular facts were, as I indicated, that I went up to the Department and said we are in Estimates today. Now we have the Assistant Deputy Minister who is here, as well as the Acting Assistant Deputy Minister for Internal Programs and Operations who are attending, and that is the genesis of the particular circumstances that we are facing this afternoon.

Mrs. Driedger: If the answer had been very straightforward, Mr. Chairman, I would not have followed along with these lines of questions. But now I am finding the answers very convoluted, very evasive. This Minister seems extremely reluctant to answer my question, and I am wondering what he is hiding. I am curious, do we have a Deputy Minister—and, by the way, we are on his line of the Budget, so it is very appropriate for me to be asking this particular question today.

I am wondering: Does he have a contract that indicates that he is a deputy minister? Is he here Monday to Friday as most deputy ministers are? Is he here today, and how active will the Minister be in attempting to get the contract for me?

Mr. Chomiak: I answered that question. I indicated an answer to that question. If the Member does not like the answer, the response, that is fine. That is the way the Member should deal with it. I just think it is trite for the Member to make the suggestions that the Member is suggesting.

As I sat with the Deputy Minister in my office yesterday, as we had a major policy meeting from 10 until 1:30, this issue did not even come up because we did not know we were going into Estimates. As I sat with the Deputy Minister in my office this morning at our 8:30 meeting until 10:30 this morning, the item did not come up with respect to Estimates. As I was briefed by my Deputy Minister at about 12:30, prior to coming to Question Period, Mr. Chairperson, this item did not come up.

I might add that there are a number of very significant issues going on in health care at this very moment that affect the lives and the health

care of Manitobans. The fact is, as I indicated to the Member, the Deputy Minister is undertaking those duties. As I indicated to the Member, I went up to my office today and simply asked that individuals be made available for the process, and I presume that if the Member has specific questions, we will answer them. If the Deputy Minister is here to answer them, he will answer them. If the Deputy Minister is not here, we will answer them to the best of our ability.

I do not recall a process in here where a member could demand this particular individual be made available to this committee. If the questions can be answered, they will be answered to the best of our ability, but if we are starting off on that kind of a basis—the Member can ask the questions. I provided the answers. I provided a response to the Member, and if the Member wishes to pursue it or suggest something otherwise, that is certainly the Member's prerogative.

For the third time, I will indicate to the Member that when I found out we were in Estimates, I went up to my office and asked that staff be made available, and I happened to be aware tangentially that the Deputy Minister was attending a very significant meeting this afternoon that is of significant impact. The question as to whether or not the Deputy Minister is here, I do not think, is particularly relevant to this line of questioning. I will take all the questions that we can answer. We have the appropriate officials here. So that is the extent of the question as far as I can see it.

Mrs. Driedger: If the Minister had listened to me carefully, I did not demand that the Deputy be here. In fact, I quite appreciate that he probably has some important meeting to be at. My question was, was he in Winnipeg? That was my one concern and, had the Minister answered that in the first place, we would not have gone down this path. But he tended to be evasive and very long-winded in his answer, and made it look like he was hiding something. So, had we had a straightforward answer, I would not have been down this path.

Having said all that, I would ask the Minister if it is feasible to bring forward the

contract so that we could see it. That would be very much appreciated.

I understand we have had other changes in the organizational structure. By the way, I guess, as the new critic for Health, I guess I also wanted to meet the Deputy Minister because I have not had that opportunity yet. We have had also a new assistant deputy minister, I see, as a change, and that is Mr. Rick Dedi, and I guess I would wonder and ask the Minister if he could give me a little bit of background information about Mr. Dedi.

* (17:50)

Mr. Chomiak: As I indicated to the Member in my previous response, I dealt with the issue with respect to the contract. With respect to Mr. Dedi, I can indicate that Mr. Dedi was a director and is a long-time civil servant in Manitoba and was a senior official with the Department of Education and was brought over to the Department of Health, largely because of his experience with matters of training and education and those related matters. That is the extent, largely, with his background. I believe Mr. Dedi has been a civil servant with the Province of Manitoba for how many years? *[interjection]* Since 1985, and I can actually recall being an opposition critic, and Mr. Dedi was here on behalf of the previous government dealing with issues of governorship respecting the changeover of Red River College, et cetera, as I recall.

As the Member might know, we have been joined by the Deputy Minister, Mr. Hikel, this afternoon. He has now joined us, and we now have the Deputy Minister, the Assistant Deputy Minister, and the Acting Assistant Deputy Minister who have joined us.

Mrs. Driedger: I notice that in the organizational chart the area of health labour relations has moved over. It used to be in one section, and it now comes under the portfolio for Mr. Dedi. I wondered what his experience was in the particular area of health labour relations.

Mr. Chomiak: I always enjoyed the organization chart and its various manifestations as it relates to Health, as it dealt with changes and reporting responsibilities. Formerly, the chart,

when one looks back on the organizational chart that was submitted in the last supplementary Estimates book on April 1, 1999, I noted that the Health and Labour Relations was an offset under an executive director position off of the organization chart, and we have now moved it into being a responsibility under the direct auspices of Labour Market services.

With respect to the experience of Mr. Dedi in Labour Market Services and related labour relations, the Member is probably familiar with the fact that at the Department of Health there is a significant amount of labour relations and labour negotiations and labour-related matters that go on at any one time. In fact, it is a significant area dealing with insofar as one considers the fact that the Department of Health is really the provision of services through people, and at any one time there is a constant array of negotiations that are ongoing. In fact, as we speak, there are numerous negotiations, and there are numerous collective agreements that are being negotiated on. I dare say, as we speak, there are some collective arrangements, some collective contracts that are in fact being voted on as we speak.

So we combined the labour relations under an assistant deputy minister for purposes of our organization with respect to the question of the particular individual's experience in that particular area. I will endeavour to get back some specifics to the Member outlining those particular issues and those particular services that are offered.

Mrs. Driedger: The final assistant deputy minister shows a vacancy. I am sorry, I did not catch the acting ADM's name, and I wonder if the Minister could provide that to me again and just fill me in a little bit in terms of whether you are in a job search to fill this on a permanent basis.

Mr. Chairperson in the Chair

Mr. Chomiak: Mr. Chairperson, the former assistant deputy minister of internal programs and operations was Susan Murphy. The Acting Assistant Deputy Minister in this area is Mr. Dwight Barna. Mr. Barna is an acting capacity in that particular area, and there is a competition

underway with regard to the filling of that position as I understand it.

Mrs. Driedger: I would like to ask the Minister how long that position was vacant before Mr. Barna came in.

Mr. Chomiak: Mr. Chairperson, I will get back with the specific details on that. As I recall, from memory, the former assistant deputy minister took a position in another jurisdiction and left approximately, if memory serves me correctly, in January, at which time Mr. Barna was appointed as the acting to fill that position. So I believe, in memory, and I will confirm the details of that, but if memory serves me correctly, it was in January of this year. It was an interesting transformation because Mr. Barna had to become one of the lead figures with respect to budget preparation at a time when we were quite behind the eight ball. It was very much of a challenge with respect to filling that very difficult and very essential position in the Department of Health, particularly since that position had been filled by Susan Murphy for some time who had acquired a fair amount of expertise.

So Mr. Barna filled that position quite ably, I might add, and did an excellent job over the period of time as we went through budget preparations, through that process. If memory serves me correctly, he is acting in that capacity at this point.

Mrs. Driedger: I guess Mr. Barna and I face something quite similar. We are both new to our roles and come in at quite a challenging time. I wonder if the Minister could just tell me a little about Mr. Barna's background.

Mr. Chomiak: Mr. Barna was with the Department in a previous position. Mr. Barna was a director of Finance and Administration in the Department, and I do know that he had a previous life as a member of the Royal Canadian Mounted Police, if I understand that correctly. I will endeavour to find out additional background for the Member.

Mrs. Driedger: I have to admit when I saw vacant there I was a little bit worried that maybe

Mr. Eugene Kostyra had his fingers in some of this, and that did have some concern for me.

I am wondering if the Minister could confirm the number of FTEs. I may end up calling it EFTs from time to time, because that is certainly what I am used to from my nursing career. But I am wondering if the number 1094.69 is the accurate number to say, that those are the numbers of employees in the Department of Health?

Mr. Chomiak: I just want to assure the Member opposite that unlike the previous administration, when Mr. Jules Benson took a direct hand in running the Department and, in fact, would sit down and draft the Health budget himself, unlike that previous practice where Mr. Jules Benson undertook to virtually run the government—and members opposite know that. A reference of that kind from the Member I think is ill-advised and inappropriate because there are stories that I could tell that I have heard about actions and activities by that above-named individual over the past few years that I think ought to be aired, and I am quite happy to air them, the activities undertaken by Mr. Jules Benson when he ran the previous administration.

So comments of that kind by the Member opposite I do not think are appropriate and open up, as far as I am concerned, fair game for me to wax eloquent during the Estimates process about what I have learned in the Department of Health with respect to Mr. Jules Benson and his involvement over the past period of time.

It is noteworthy that when I sat there in opposition, had I known some of the involvement of Mr. Jules Benson in the Department of Health, it would have changed some of my approaches quite significantly.

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

IN SESSION

Mr. Speaker: The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 26, 2000

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