



First Session - Thirty-Seventh Legislature

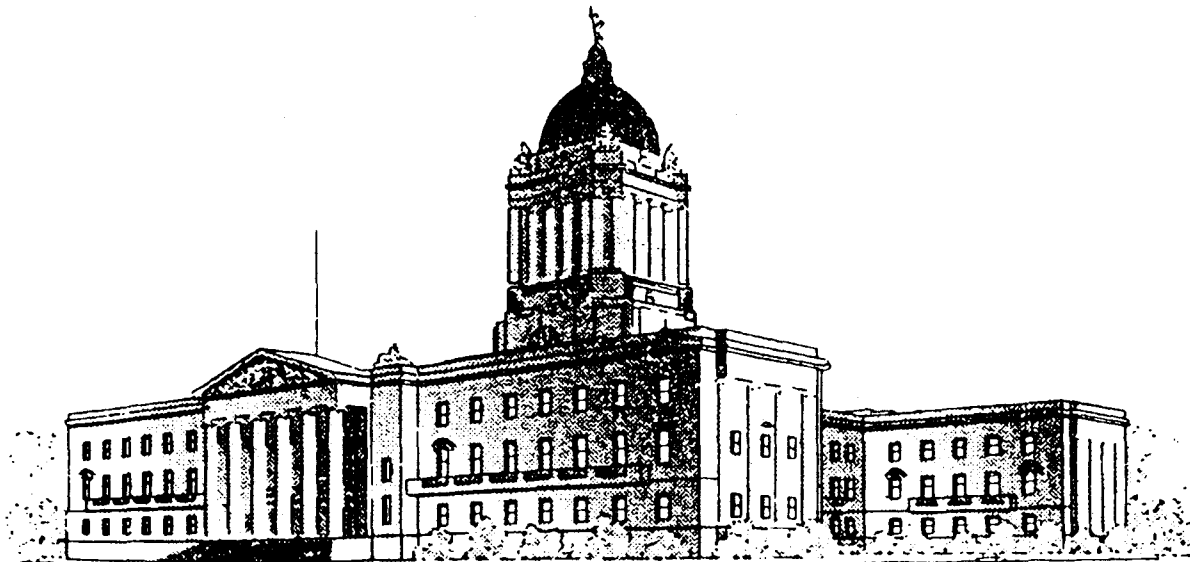
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 27, 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

**Mr. Speaker:** I am pleased to table in the House the reports of members' expenses for the year ended March 31, 2000, in compliance with Section 38(1) of the Indemnities, Allowances and Retirement Benefits Regulations.

#### 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 the Hahirgaan Traditional Music Group from Orkney, Scotland. This group is under the direction of Mr. Douglas Montgomery. 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.

Yesterday, after the First Minister, I assume, had the opportunity to read the Ombudsman's report, which it did not appear he had done during Question Period, he indicated to the media, in fact he admitted, that his office had, in fact, broken the freedom of information laws. He indicated as well that he would be making reforms to ensure that there would be no interference in the future. Could the First Minister today inform the House what these reforms are that he will be taking to ensure that his staff no longer break the law?

**Hon. Gary Doer (Premier):** Mr. Speaker, I believe the requests were two or three days over the period of time allowed. All the information was provided as requested. In fact, as I understand it, all the information that we have been requested to provide has been provided, albeit in this case a couple of days over the limit. We accept responsibility for the fact that they were late, and I accept responsibility for that myself. Unlike situations in the past where applications had to be made in the courts like the members opposite in government, we have acted to release the information. Consistent with the spirit of the Act, the information must be provided.

**Mr. Praznik:** I would like to ask the First Minister why he persists in trying to leave the impression that they were only two or three days being late, when the Ombudsman has indicated clearly that the 30-day extension that his staff requested was illegal, and that some of the information was available within a week of being requested, when it took his government over 60 days to provide it. Why does he persist in not coming clean with the people of Manitoba?

**Mr. Doer:** As the Member opposite may know, Mr. Speaker, it allows for a head of a public body to extend the time for an additional 30 days, wherein section 11 would interfere unreasonably with the operations of the public body.

Mr. Speaker, we were a new government. Some of the records had not even been submitted. Some of the expense accounts had not even been submitted. We did not have the tour co-ordinators and other staff in place that would be necessary to implement this properly. We accept responsibility for being over the 60 days, unlike situations opposite, where members opposite withheld information about the fact that the VLT information was available in every machine in Manitoba, and we had to go to the courts.

We released it without going to the courts.

\* (13:35)

**Mr. Praznik:** Mr. Speaker, I ask the First Minister why he insists on trying to say something which the Ombudsman has clearly indicated he is wrong, that the information, I ask him, will he not confirm, will he not appreciate that the Ombudsman has ruled the reason for the 30-day extension was illegal, it did not meet the purposes of the Act, was illegal and that his government did not meet the conditions of The Freedom of Information Act because it extended it for a political reason and not to ascertain whether or not the information should have been released or not, which was the only reason?

Can he confirm that the Ombudsman has in fact chastised his government for being inappropriate in its withholding of that information?

**Mr. Doer:** Mr. Speaker, an example of withholding information for political reasons is to say that the information by VLTs, by community is not available before the election and only going to court after the election did we find that it is not only available but it is available every hour on the hour at every hotel all across Manitoba, something the members opposite know. That is a political withholding of information.

Mr. Speaker, we were late and we have acknowledged that, and certainly the records should be made available. They were made available and members opposite did not have to go to court to get those records.

**Mr. Speaker:** The Honourable Member for Lac du Bonnet, on a question.

**Mr. Praznik:** On a new question, Mr. Speaker. I would say to the Premier, an example of political interference is the one that the Ombudsman has said in his judgment on the actions of the Premier's Office, that the information could have been made available, was not made available because his government was not going to put out the expenses of its ministers until they had a chance to go back and dig back into past years, because they wanted to put it in a context that was illegal.

I ask the First Minister again: Will he not acknowledge that his staff and his office acted illegally? And I ask him again: Will he tell us what reforms he is putting in place to ensure that this will not happen again?

**Mr. Doer:** Under The Freedom of Information and Protection of Privacy Act—and we are still awaiting some decisions I suspect on the rights of patients for records with chiropractors, members opposite might want to recall some 12 months later, under that act, Mr. Speaker, the first course of action is to request the information properly from the Government. The Government then must deal with it. The Ombudsman can deal with it thereafter. The next step after that is the courts.

Mr. Speaker, we did release the information. We have released the information. We have acknowledged that it was two or three days after the second extension date, and in the future we think now that the transition has taken place in government that condition will easily be met, as indicated by the report.

### Breach—Staff Discipline

**Mr. Darren Praznik (Lac du Bonnet):** Mr. Speaker, given that the First Minister yesterday promised the media reforms and today has backed away from them, it sounds like this First Minister is not really in charge of his government.

Mr. Speaker, my supplementary question to the First Minister: Will the First Minister tell us what steps he has taken to discipline his staff who have said that it is okay to break the law because we do not like the law?

**Hon. Gary Doer (Premier):** Mr. Speaker, I have said before in the House that we accept responsibility for the implementation of this law. What steps we have taken—like members opposite, the transition has taken place. Where there were credit cards in place before to keep accurate records, rather than require manual filling out of expense accounts that were not always completed in the first 60 days of office, we have done that. We feel we can, obviously, meet the time limits of the Act as it is designed.

\* (13:40)

**Mr. Praznik:** Mr. Speaker, the Premier has not answered the simple question.

I ask him again: What steps has he taken to discipline the staff under his charge who have come up with this new Doer defence that "I can break the law if I do not like the law."? What steps has he undertaken to discipline his own press secretary and his Clerk of the Executive Council who have publicly flaunted the law and said they do not have to obey it if they do not like it?

**Mr. Doer:** Mr. Speaker, it is certainly a lot better than the style of the members opposite who said they did not know the law was being broken. They did not know the vote rigging was going on. They did not know things were going on in the Interlake. Hear no evil, see no evil, accept no evil.

We accept our responsibilities, and that is the difference between members opposite and this side of the House.

**Minister Responsible for  
The Gaming Control Act  
Conflict of Interest**

**Mr. Jack Reimer (Southdale):** Mr. Speaker, it is passing strange how we hear the Premier being so sanctimonious about knowing about breaking the law when now we have a minister responsible for gambling here in Manitoba who says that—

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

**Mr. Speaker:** Order. I made a ruling yesterday that all members would be addressed by their

constituencies and all ministers by their titles. The Honourable Minister for Consumer and Corporate Affairs (Mr. Lemieux) will be addressed as the Honourable Minister for Consumer and Corporate Affairs or the Honourable Minister of Gaming or the Honourable Minister responsible for The Gaming Act.

I would ask the co-operation of all honourable members, please.

The Honourable Official Opposition House Leader, on a point of order.

**Point of Order**

**Mr. Marcel Laurendeau (Opposition House Leader):** On a point of order, Mr. Speaker. The other day you ruled that we could not call the Minister for gambling or the Minister for gaming. The Member clearly stated "the Minister responsible for gambling," and that is clearly within the rules of this House to refer to anyone on that side responsible for an area within their department. This minister is responsible for gambling. He is also responsible for gaming. He is also responsible for Consumer and Corporate Affairs. So he is responsible for gambling, and this member has the right to say so.

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

**Hon. Gord Mackintosh (Government House Leader):** On the same point of order. I am afraid, Mr. Speaker, the Opposition House Leader is reflecting on you, your role and your ruling. Your ruling made it very clear that the Minister of Consumer and Corporate Affairs has other certain titles. They are set out in an Order-in-Council.

If the Opposition House Leader is challenging your ruling, he has a way to do that within the confines of the rules of this House. I ask that he show respect for the rules.

**Mr. Speaker:** On the point of order raised by the Honourable Official Opposition House Leader, yesterday I made a ruling and I will stick by that ruling. I will ask the co-operation of all honourable members, and if honourable mem-

bers do not agree with my ruling, there is an avenue. Members can choose that avenue if they wish.

But I made a ruling and I have to stay by my ruling. I have no choice, because I am not going to be flip-flopping back and forth on rulings that I make. I am sorry, but that is my ruling, and I will stand by that ruling.

**Mr. Laurendeau:** Mr. Speaker, with all humble respects, I challenge your ruling.

**Mr. Speaker:** The ruling of the Chair has been challenged.

#### Voice Vote

**Mr. Speaker:** All those in favour of supporting the ruling of the Chair, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

\* (13:45)

#### Formal Vote

**Mr. Laurendeau:** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** Yeas and Nays have been called for. Call in the members.

**Mr. Speaker:** The question before the House is shall the ruling of the Chair be sustained.

#### Division

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

#### Yeas

*Aglugub, Allan, Ashton, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg,*

*Selinger, Smith (Brandon West), Struthers, Wowchuk.*

#### Nays

*Cummings, Driedger, Dyck, Enns, Faurschou, Gerrard, Gilleshammer, Helwer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Schuler, Smith (Fort Garry), Stefanson, Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 27, Nays 21.

**Mr. Speaker:** The ruling of the Chair has been sustained.

\* \* \*

**Mr. Reimer:** Mr. Speaker, just a little while ago, the First Minister (Mr. Doer) was up and he was talking about the perception and the indication of the law of the land in the sense of the compliance of it. In yesterday's Estimates, we were talking to the Minister of Consumer and Corporate Affairs (Mr. Lemieux) about the perceived perception of a conflict of interest in his handling and his wife's handling of the First Nations up in Thompson for the establishment of the casino. At that time, we asked the Minister of Consumer and Corporate Affairs whether he will ask for a legal opinion as to whether there is a conflict of interest in regard to his dealings with the First Nations casino proposals.

**Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act):** Well, No. 1, a perceived perception is not against the law, Mr. Speaker. But, secondly, with regard to any kind of conflict or perceived conflict let me unequivocally state that there is no conflict of interest in this matter. Mr. Martin Freedman and Mr. Nadeau, with regard to recommendations to the Government on the casino proposals, were an independent selection committee which all Manitobans agree that to depoliticize the process was the way to go, instead of treating casinos like beads and blankets and handing them out, base it on a sound business plan, on business principles, which Mr. Nadeau and Mr. Freedman have done,

and this I think all Manitobans would agree is the way to go.

Certainly I just want to say that members opposite are raising questions about perceptions and so on, and I know the perceptions that many Manitobans have of the way they handled gaming in Manitoba and it was not good.

**Mr. Reimer:** Mr. Speaker, the Minister seems to be clouding the question. The question is very, very simple. Is there a perception of conflict of interest in regard to his wife working for one of the proponents in Thompson, Manitoba? Will he seek a legal opinion to see whether there is, in the performance of his responsibilities as minister, a conflict of interest? The guidelines for a minister are very, very specific. Just get the opinion.

**Mr. Lemieux:** Mr. Speaker, I thank the Member for Southdale for the question. My wife, as a lawyer in Manitoba, certainly has an excellent reputation, as her law firm does, and neither my wife nor her law firm had anything to do with any First Nation, in particular the Nelson House proposal with regard to casinos. Once again I want to state that unequivocally there is no conflict or perceived conflict in this matter.

**Mr. Reimer:** Mr. Speaker, we are not saying that his wife is incompetent or anything. What we are saying is the Minister is placed in the position—

**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, Mr. Speaker. I am wondering if you could direct the Member's attention to *Beauchesne's* Citations 409 and 410. He is well aware, I am sure, that supplementary questions require no preamble. Would you ask the Honourable Member if he came here with a question formulated?

**Mr. Speaker:** On the point of order raised, the Honourable Government House Leader does have a point of order. *Beauchesne's* Citation

409(2) advises that a supplementary question should not require a preamble.

\* \* \*

**Mr. Speaker:** I would ask the Honourable Member for Southdale to please put your question.

**Mr. Reimer:** Thank you, Mr. Speaker. My question then to the Minister responsible for Gaming: Will the Minister advise Manitobans why he did not avoid the potential conflict of interest entirely by seeking an outside legal opinion?

**Mr. Lemieux:** Mr. Speaker, I am having trouble following the logic with regard to conflict. There is no conflict, period, Mr. Speaker, at all.

\* (14:40)

#### Minister Responsible for The Gaming Control Act Conflict of Interest

**Mr. Darren Praznik (Lac du Bonnet):** I would like to table now—since members opposite appear not to ever want to consult it—a copy of The Legislative Assembly and Executive Council Conflict of Interest Act. I would like the First Minister to look at section 8 and I would like him to look at section 3.1. It is very, very clear that the Act presumes a conflict of interest where the Minister or his/her dependant, a spouse, is employed by someone who has a direct pecuniary interest. Nelson House First Nation is negotiating with that minister for a casino licence. His spouse is employed by that band as a lawyer, albeit in another capacity. All we are asking is if the First Minister will commit today to have this matter referred to the outside lawyer that the Government provides to ascertain whether there is a conflict of interest. It is a very simple caution. Will he commit to have that forwarded for an opinion today? It would clear up the matter totally.

**Hon. Gary Doer (Premier):** After the questions yesterday and the impressions that were left, I went back and inquired and not only is the Minister's spouse not the lawyer for the casino

proposal, the firm is not representing the band for the casino proposal.

I think the Minister has shown proper judgment in disclosing properly under the Act following the conflict of interest guidelines and act. I mentioned yesterday and I will mention again that when a matter, in a general way, was dealing with hydro-electric policy, there was disclosure and withdrawal from Cabinet before this issue was raised by members opposite. We believe the selections by Mr. Nadeau and Mr. Freedman were independent of the Minister.

**Mr. Praznik:** We know that the Doer defence is: We do not like the law so we ignore it. I ask the First Minister if he would just look at the tabled copy of the Act that I provided—

**Mr. Speaker:** Order. I would just like to remind all honourable members I made a ruling earlier that all members would be addressed by their titles or their constituency. So I would ask the Honourable Member for Lac du Bonnet to please rephrase his question.

**Mr. Praznik:** Mr. Speaker, on your point of order, I was not addressing the member by his name.

**Mr. Speaker:** Doer?

**Mr. Praznik:** I was referring to a new defence in law called the Doer defence. I was not addressing that to the First Minister. I have always addressed him in this House as the First Minister or the Premier.

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** On the point of order, we are seeing an unfortunate pattern in the House today. You have provided a ruling. It is the second ruling today. This is a long-standing series of rulings from the Speakers of this province.

The Member opposite referred to the Premier by his surname, which is not in accordance with the rules of this House. You made a ruling, and the Opposition member—and I guess I hesitate to raise this, he will call for my resignation, I am sure. But he knows that if he is

to reflect on you, that is a contempt of this House, and he has ways under the rules to deal with the ruling that you made. It was a clear ruling. I ask that you remind the Member of the proprieties of the House, and we on this side support your ruling. We respect your ruling, Mr. Speaker.

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

**Mr. Marcel Laurendeau (Opposition House Leader):** On the same point of order. If you peruse Hansard, you will find clearly that the Honourable Member for Lac du Bonnet was using the word "Doer" as an adjective, not a noun. And if you peruse Hansard a little further into the past five or six years, you will find that members on that side of the House, on a lot more than one occasion, used "the Filmon government," "the Filmon policies" and "the Filmon issues." That was ruled many times in order.

So, if the members on that side of the House have a problem with using the word "Doer" as an adjective instead of a noun, we will leave it up to you to rule, but I do believe you should take it under advisement.

**Mr. Speaker:** Order. On the point of order raised, I would like to let the Member know that "Doer defence" is, in my opinion, totally "defence" and "Howard Pawley government," or "Doer government" or "Gary Filmon government," where you need to identify which era the Government was in, and I would ask the Honourable Member to rephrase his question and please leave out "the Doer defence." I would ask the Honourable Member to please rephrase his question.

\* \* \*

**Mr. Praznik:** Mr. Speaker, I would ask the First Minister if, in reading section 3.1 of The Conflict of Interest Act that clearly states that there does not have to be an involvement in this file, that the spouse just has to be employed by the proponent of the project, will he not just be an honourable person and look at the Act and have it referred to the legal counsel to clear the matter, or will he let this continue to drag his own minister down? Will he not just take that



advice and refer it to the lawyer that his government makes available?

**Mr. Doer:** We need no lectures from members opposite, in all the scandals they have been involved in, about being honourable. We conduct our democracy and elections, and we follow the rules and traditions of democracy. We need no lecture from the Member opposite.

**Mr. Praznik:** I would remind that Premier that today he admitted his own government broke the law, that his office broke the law, that he broke the law, and I would ask this First Minister to refer this matter—

**Mr. Speaker:** Order.

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** The phrase "over the top" comes to mind once again. I ask, Mr. Speaker, that you refer the Honourable Member to *Beauchesne's* Citations 409 and 410: Supplementary questions require no preamble. The Member knows that full well, and I ask that you call him to order and ask him to put his question, a simple question. It is a supplementary.

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

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, the Honourable Government House Leader refers to "over the top." He should be referring to honourable members as honourable members. If the Premier had not already admitted to breaking the law, we would not have to continue in this line of questioning.

**Mr. Speaker:** Order. 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:** I ask the Honourable Member for Lac du Bonnet to please put his question.

**Mr. Praznik:** Mr. Speaker, I ask the First Minister, who admitted today his own department broke The Freedom of Information Act, how does he expect any Manitoban to believe that there is no conflict here when he is afraid to put it to his own government lawyers responsible for this? How does he believe Manitobans will have respect for this process if he is hiding behind some sort of defence when he will not put it to his own lawyer?

**Mr. Doer:** Mr. Speaker, members that go over the top should recall that, in 1994, members opposite failed to follow the law in providing a report by March 31, 1994, under The Freedom of Information Act. We then called on the members to remedy that. We did not go over the top day after day with absolute hyperbole.

We accept the fact the time lines were broken by members opposite in the past. We have accepted by three days that we failed to deal properly in a timely basis, but we have also committed ourselves to dealing and improving the situation in the future with the procedures we are taking.

Having said that, Mr. Speaker, if the Member opposite feels that section 20 is in order, I challenge him to use it.

\* (14:50)

#### Crop Insurance Wheat Coverage Levels

**Mr. Jack Penner (Emerson):** Mr. Speaker, because of the many areas that have experienced extremely heavy rains over the last couple of weeks, as we all know up to 13 inches in some areas, and because of the severe damage that has been caused in many of the areas, some municipalities having declared themselves disaster areas, the only recourse that farmers have is crop insurance because this government has clearly stated that they will not be involved in any kind of disaster assistance.

Will the Minister of Agriculture explain why the coverage levels for wheat are almost a third less in Manitoba than they are in Ontario and our

premium rates are higher by about 25 percent than Ontario? Why is that? Can she explain that?

**Hon. Rosann Wowchuk (Minister of Agriculture and Food):** Mr. Speaker, the Member raises an issue that we had a discussion on in Estimates, where the coverage in Ontario is much better than in Manitoba. In fact, I wonder why the Member did not ask this question of his government when they were in power. Nothing has changed. This is the same level of coverage that we had under the previous government, that we have now, and the Member knows that these are negotiations that take place between the federal and provincial governments.

I have to tell the Member that that is one of the reasons that we were very concerned with the negotiations that we had on safety nets, because the formula we have now will result in other provinces, which are wealthier, being able to even provide better crop insurance than we have here in Manitoba.

**Mr. Jack Penner:** Mr. Speaker, why is it then that this minister has promised farmers in this province better safety nets under her government than we had previously? She said she would go to Ottawa during the election campaign, and after the election campaign she said she would go to Ottawa and she would see to it that there would be better safety nets for this province.

Why has this minister then signed an agreement that indicates we will receive 25 percent less in funding under safety nets than Ontario will?

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** On a point of order. You would think the rule book had never been distributed in this House today. I ask, Mr. Speaker, that you draw the Member's attention to *Beauchesne's*. He clearly knows that supplementary questions require no preamble. He is going on and on and asking I think a mouthful of questions.

**Mr. Speaker:** The Member for Emerson, on the same point of order?

**Mr. Jack Penner:** On the same point of order. If the Honourable Government House Leader

would peruse the records tomorrow, he will find that I asked a question right up front.

**Mr. Speaker:** I would just like to take this opportunity to remind all members that *Beauchesne's* 409 advises that a supplementary question should not require a preamble. I heard the Member ask his question, so I would like to remind all members about the preamble for supplementary questions.

\* \* \*

**Ms. Wowchuk:** Mr. Speaker, we were in Agriculture Estimates for over 50 hours. It is unfortunate that the Member still does not understand the fact that we have a framework agreement that has been signed, and in fact we do not have less money. We are going to be maintained at the same level of funding. Other provinces are going to have more money in safety net programs.

Mr. Speaker, the Member also knows that this is a follow-up of many of the things that his government did, particularly in the negotiations of the Crow and in all of those issues. They should have been negotiating a much better deal for Manitobans, and we would not be caught in the situation that we are right now.

**Mr. Jack Penner:** I wonder if the Minister could explain why she keeps blaming the previous administration for the lack of ability that she has demonstrated in negotiations. She and her government have clearly indicated—but I want to ask you why it is that this government has not been able to offer assistance to people who suffered during the 1999 flood, and why she is not today going to offer assistance to those municipalities that are suffering disasters today under all the heavy rains that we have had.

**Hon. Steve Ashton (Minister of Highways and Government Services):** I believe the Member is now moving into questions in regard to the state of emergency. I can assure the Member opposite that we do take the emergency situation very seriously. I know Manitoba Emergency Measures has been involved in the R.M. of Ste. Anne where a local state of emergency was declared. In fact, EMO staff have been working very closely with the affected municipalities. We

take it very seriously and certainly would appreciate perhaps if the Member would raise the concerns that are in that area rather than trying to take leaps into the political unknown, as we have seen in this case. because we take it very seriously, and EMO has been there right from the start of the emergency.

### Health Care System Physiotherapy

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question is for the Minister of Health. One of the goals of Manitoba's health care system surely must be that provincial coverage is provided in a rational and fair manner rather than on an ad hoc basis. Two weeks ago I wrote to the Minister about Stephanie Shuper, who is here today, and she is still awaiting the Minister's response. Under Mr. Chomiak's watch, provincial medical coverage is provided for physiotherapy under the watch—

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

### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, one would think your microphone was not on, but we heard you loud and clear. You clearly admonished the House and gave direction that members in this House are to be called by their constituencies and ministers are to be referred to by their titles.

Mr. Speaker, would you please draw the Member's attention to that ruling of today.

**Mr. Speaker:** The Honourable Member for River Heights, on the same point of order.

**Mr. Gerrard:** I will withdraw that comment.

**Mr. Speaker:** I thank the Honourable Member.

\* \* \*

**Mr. Speaker:** Would you please conclude your question.

**Mr. Gerrard:** Under the Minister of Health, someone with lymphedema of the arm due to

breast cancer is covered for physiotherapy treatment but somebody with lymphedema of the leg, such as Mrs. Shuper, is not covered, in spite of the fact that the physiotherapy has been demonstrated to be effective.

My question is: Will the Minister change the provincial coverage to make it more fair and equitable so that Mrs. Shuper can get the treatment that she so badly needs?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, as is the case in all situations of this kind, I will certainly look into it and provide a response to the Member on this.

**Mr. Gerrard:** Ma question supplémentaire au ministre: Parce que la condition médicale de Madame Shuper est progressive sans thérapie, à quelle date le ministre prendra-t-il une décision d'inclure le traitement de physiothérapie pour Madame Shuper dans le programme médical de notre province?

*[Translation]*

My supplementary question to the Minister: Because Mrs. Shuper's medical condition is progressive without therapy, at what date will the Minister make a decision to include physiotherapy treatment for Mrs. Shuper within the medical program of our province?

**Mr. Chomiak:** Je voudrais dire, tout de suite.

*[Translation]*

I mean, right away.

\* (15:00)

**Mr. Gerrard:** My second supplementary to the Minister of Health: Why does the Minister have a more expensive medicare system in Manitoba than is necessary, being ready to pay for the expensive hospital treatment that will result when you are not providing the cost-effective preventive support for the physiotherapy that would prevent Mrs. Shuper having to end up in hospital?

**Mr. Chomiak:** Mr. Speaker, there are a variety of services that are provided both within

institutions and outside of institutions. We have made no secret of the fact, but the way the medicare system has grown up over the past decade is problematic.

For example, we pay for drugs in the hospital, but in the community we do not. We are taking a look at that. There are some forms of physiotherapy that are provided to institutions and some forms that are not. We are taking a look at that. There are a variety of services, a variety of issues, that have to be dealt with across the entire system. We are geared towards a more community-based program. We have already announced the PACT program. We have already announced the comprehensive cardiac program for this province which is rehabilitative, which is preventative. There are a number of initiatives that we will be announcing. We will take that issue and we will address that issue.

#### **Health Care System Cardiac Care Program**

**Ms. Nancy Allan (St. Vital):** My question is for the Minister of Health. Cardiovascular disease is the leading cause of death and disability in adults and is responsible for more hospital days and costs than any other health problem. Could the Minister of Health inform members of the House what impact the reorganization of the cardiovascular care program in Winnipeg will have on patient care in Manitoba?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, I am sure all members of the House are happy to hear today that we were able to make an announcement to finally put a comprehensive cardiac program in place for all Manitobans. This \$20-million announcement today will see primarily—we were able to accomplish two things in the first year, and that is, we have to stabilize the loss in the number of specialists, cardiologists, heart specialists and others in this province—and this starts the process—and, secondly, the woeful state of much of the equipment and much of the capital equipment in the province can be started to be dealt with this year. It is a comprehensive program that not only provides for cardiac surgery but for cardiac rehab, for a cardiac program, for congestive heart failure, something that is offered in other

provinces that we are going to be able to offer comprehensively.

It is the first time the province has an overall approach to cardiac surgery, one program, two sites. I was happy to say I was at the table today with the President of the Health Sciences Centre, the President of the St. Boniface Hospital and the President of WRHA to make this announcement.

#### **CancerCare Manitoba Staffing**

**Mrs. Myrna Driedger (Charleswood):** After only six months on the job, the senior director of radiation therapy at CancerCare Manitoba has resigned her job. As a woman who has personally had a breast cancer scare, this is of particular concern to me. I wonder what the Minister of Health is going to do to ensure that more senior CancerCare officials do not leave given that doctors at CancerCare Manitoba have warned that patient care is being compromised.

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, I would prefer not to deal with personal issues in this Chamber. I can assure the Member that we are aware of this situation over at CancerCare Manitoba. I might say that CancerCare Manitoba has the same board members that were in existence when the Member opposite was government, the same management team that was in place when the members opposite were government and the same basic policies and procedures when the members opposite were in government. We are concerned and we will be taking action.

**Mrs. Driedger:** Again, this minister did not answer my question. I am wondering what is his plan to ensure that we do not lose more officials from CancerCare Manitoba? What is he planning to do?

**Mr. Chomiak:** Mr. Speaker, one of our first initiatives when we came into office was to deal with the serious state of waiting lists with respect to cancer care, something that members opposite refused to do. We took action to deal with that treatment and to deal with the programs. With respect to reorganization, with respect to organizational administrative matters, I can advise the Member that we are reviewing this situation.

**Mrs. Driedger:** Mr. Speaker, I would like to ask the Minister of Health how he is planning to make CancerCare Manitoba competitive and fill the 10 radiation therapists and 10 physicist positions that are empty.

**Mr. Chomiak:** Mr. Speaker, I am happy to inform the Member opposite that since they left office, we have hired 10 additional radio-therapists at CancerCare Manitoba. I am also happy to report that the waiting lists are half of what they were when the Member left office. Having said that, there are difficulties and problems that we are going to address, but we are not going to put our heads into the sand as members opposite did and ignore them. We will take action as we have demonstrated, and we will continue to take action.

#### **First Nations Casinos Community Support**

**Mr. Peter Dyck (Pembina):** This government has tried to avoid the issue of community support regarding the placement of five additional casinos. The Premier has stated in this House that his government would not proceed in communities opposed to having a casino in their jurisdiction. However, like most things, he has failed to explain what constitutes community support. Mr. Speaker, can the Minister responsible for gaming tell this House what his government means when it talks about ensuring local support exists in communities such as Brandon and Headingley?

**Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act):** Certainly, as we have pointed out on numerous occasions, this government will not force any community in Manitoba to have a casino if they do not want one.

**Mr. Dyck:** I am not sure about that answer, but anyway, can the Minister responsible for gaming, given that he has stated that the final decision will be made by Cabinet, indicate who will be taking the lead on determining community support—the implementation committee, the Government or the Minister himself?

**Mr. Lemieux:** Certainly, Mr. Speaker, the people in Manitoba will have a say. I just want to

state that this process that we talk about is certainly a lengthy one. The implementation team has to go out and meet with First Nations communities. They have to look at the different issues, which are, in some cases, going to be a real hurdle for many First Nations communities to be able to clear, but the implementation team will certainly be dealing with the First Nations communities on those issues. We wish the First Nations communities a lot of luck in this and wish them well because they certainly have a challenge ahead of them to meet those issues and those conditions for success. Having said that, I know that we are wanting to look at all the benefits with regard to First Nations casinos, whether they be employment or all kinds of opportunities which they may pass on to First Nations communities as a whole. So, members on this side—

**Mr. Speaker:** Order.

**Mr. Dyck:** There is not really an answer in that one.

How will this minister ensure that a consistent measurement of community support occurs for all proposals so that one community does not hold a referendum while another simply has a vote by council?

**Mr. Lemieux:** Mr. Speaker, I will thank the Member for the question, first of all. I am not going to go down the path in talking about McPhillips and Regent. Certainly I think Manitobans have heard enough of that.

**An Honourable Member:** But you could.

**Mr. Lemieux:** I could, but I am not going to go that route.

I am just going to say that we have duly elected governments, municipal governments, that can determine from their constituents what they feel is the community input into the process. Some communities have looked at a plebiscite; other communities would look at petitions; other communities would look at having town hall meetings. There are numerous ways. I, as the Minister, and I am sure our government, do not want to dictate to a municipality how they will receive input from their community. They are

duly elected and have the responsibility of a government to do that.

\* (15:10)

### **First Nations Casinos Economic Impact**

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, on many occasions we on this side of the House have asked the Minister responsible for Lotteries and the Minister responsible for Finance (Mr. Selinger) what the loss of government revenue will be as a result of the massive expansion of gambling that they have undertaken. Both ministers have admitted that there will be some loss, but they have not admitted the amount.

My question to the Minister responsible for Lotteries: Will she be able to advise Manitobans how much Crown gambling revenue is expected to decline as a result of this massive expansion of gambling in Manitoba?

**Hon. Diane McGifford (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** This question is an old question. It has been asked several times, and it has been answered several times. So let me, first of all, say we do not see it as a loss, we see it as a sharing with Aboriginal people in this province. As I was saying, we do not see the possible aboriginal casinos as a financial drain, we see it as a way of sharing with Aboriginal people in the province, which I have already said.

Secondly, let me say that it is very difficult for Lotteries to come to terms with any changes in revenues, because we simply do not know how many aboriginal casinos will be created. This is a process. As the Minister for Gaming has said time after time after time, the selection process is step one in a lengthy process.

You know, Mr. Speaker, I simply cannot predict the future.

**Mr. Loewen:** This has obviously not been well thought out. We have a minister who tells us she is willing to share revenue, has no idea where it is coming from.

So I am going to ask the Minister of Finance. Maybe he has the answer. Will this minister confirm that his department is expecting that the loss in gambling revenue to the Crown is going to be in the neighbourhood of \$30 million as a result of the expansion of gambling in Manitoba?

**Hon. Greg Selinger (Minister of Finance):** The Minister of Lotteries has just explained that we are in the middle of a process. The final number of casinos to be established has not been finalized yet.

But I can tell the Member opposite that the greatest financial pressure we are experiencing in the Lotteries area right now is the huge overexpenditure and the fact that the borrowing for that was done off the books and was not planned for. We have to bring that under control in order to control the revenues of Lotteries.

**Mr. Speaker:** Time for Oral Questions has expired.

## **MEMBERS' STATEMENTS**

### **Pembina Valley Park**

**Mr. Peter Dyck (Pembina):** One of Manitoba's greatest assets is its beautiful parklands. Each one of our provincial parks is home to numerous species of plants and animals and host to breathtaking natural scenery. Every year thousands of Manitobans flock to these preserved areas to enjoy outdoors and celebrate nature.

The Pembina region will soon be the sight of a new provincial park. Manitoba Conservation and the Nature Conservancy of Canada are working together to establish a park in the Pembina Valley. The 410-acre park will preserve areas that are representative of the Pembina Hills portion of the Pembina Tiger Hills natural region and accommodate nature-oriented recreational activities. Parts of the glacial spillway and the river valley ecosystem including deciduous forest and river habitats will be protected in the new park.

An open house was held on June 22 at the Conservation district office in Manitou to discuss the proposed park. It was well attended and a lot of great ideas came out of the discussions. Thank you to everyone who attended. It was a wonderful time. We had an opportunity to meet with many people. I urge all members to offer their support to the Pembina Valley provincial park initiative. I hope we will all be able to enjoy a new park in the very near future.

### **Jarino Timmerman**

**Mr. Jim Rondeau (Assiniboia):** Mr. Speaker, I am pleased to bring the entire House's attention to a remarkable man. His name is Jarino Timmerman of 3200 Portage Avenue. This man was born in 1909 in Rotterdam, and right now he swims for Assiniboia and trains at the Centennial Pool in sunny St. James. He moved to Assiniboia in 1992 and took up competitive national swimming at 78, about 20 years ago. He has represented Manitoba and Canada at the senior swim competitions since. He holds 12 national records.

In 1989 he started with the World's Masters and won the 400 gold and the 100- and 200-metre freestyle and came second in those. In 1990, he won gold in the 50, 200 and 400. In 1991, he won in the 50, 100, 200 and all those in the freestyle. In 1993, he went to the U.S. Nationals and came first in the 800 metres, first in the 200 metres, second in the 150 metres. I will now skip to the present, and he has a lot of other records.

In 1998, he went to the Nationals in Québec where he won the 100, 200 and 400 gold medals in the freestyle. This year he will travel to Munich to represent Manitoba and Canada in the World's, and at 91, he figures that he has the best chances for a world championship.

I wish him and all the people in the competition well, and I wish him a great trip and much success. Thank you.

### **Fort Whyte Centre**

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, in April of 1999, the Fort Whyte Centre announced their Reaching New Horizons pro-

ject, a project focussed on obtaining and preserving natural land from commercial and industrial activities.

Over the past year, the Fort Whyte Centre has undergone many changes. Staff and volunteers at the centre have been busy building watering holes, fencing, building an observation mound, a family tree house and seven new kilometres of walking trails. The centre also recently opened their new visitor reception and satellite interpretative facilities.

Another new addition to the Fort Whyte Centre was the creation of a 70-acre bison prairie which boasts the largest urban-based herd of bison in North America all right there in Fort Whyte. The 35 bison that were released to roam the bison prairie this past weekend are the first on this stretch of land in over 125 years.

I would like to commend the staff and the volunteers of the Fort Whyte Centre. Their continued hard work and dedication is quite evident as their facility continues to grow and lead our community in terms of conservation, education and ecotourism.

### **Victims' Rights**

**Ms. Nancy Allan (St. Vital):** Mr. Speaker, I am proud to be part of a government that has been making legislative strides on all fronts, and particularly in the area of justice. I would like to congratulate the Minister of Justice (Mr. Mackintosh) and his staff for introducing the innovative and much-needed victims' bill of rights. When passed into legislation, the Bill will make us the first province ever in Canada to have a comprehensive and enforceable victims' rights law. It will be a historic moment in the Canadian justice system.

For too long, the rights of victims have been passed over, even while the rights of offenders have been entrenched by Canada's Charter of Rights. Our bill will rebalance the justice system by requiring justice officials to inform and consult victims as their cases proceed through the system. Families of homicide victims will be entitled to free counselling services. It is not just a matter of restoring faith in the justice system but investing in the health of families, as well. It

has been most heartwarming to see the favourable responses to the proposed bill from victims and their families.

\* (15:20)

The victims' bill of rights follows on the heels of the Child Victim Support Initiative introduced by the Minister of Justice (Mr. Mackintosh) in April, which restructures the justice system to meet the needs of children. This initiative, too, is a first for Manitoba, one that puts us at the forefront in Canada in terms of measures for dealing respectfully and effectively with child victims.

#### **Natural Resources Officers**

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, I rise today to remind all members of this House that we recently saw the Manitoba Natural Resources officers come to the Legislature to indicate that they would like some attention given to their demands and their salary concerns. I want to put on the record that indeed these resource officers have proven themselves to be some of the most loyal and dedicated employees of government, that they have in fact deported themselves very well on occasions when they were called upon to provide service above and beyond the requirements of normal duty. I only need to point to the flood of 1997 when the Natural Resource officers behind the scenes probably carried the major portion of the workload in fighting that flood and directing the efforts that were put forward on behalf of Manitobans. Their dedication in the areas of resource management, enforcement, fire control, flood response has led them to a high level of credibility in the public, and yet, because they work with resources, because they often work by themselves in rural settings, very often we do not appreciate the efforts and the personal sacrifice that they and their families often make. So I would encourage all members of this House to think carefully about the issues that they raise and respond accordingly.

#### **ORDERS OF THE DAY**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you please call the second readings of Bills 4, 17 and 30.

#### **SECOND READINGS**

##### **Bill 4—The Elections Finances Amendment Act**

**Hon. Gary Doer (Premier):** I move, seconded by the Honourable Attorney General (Mr. Mackintosh), that Bill 4, The Elections Finances Amendment Act (Loi modifiant la Loi sur le financement des campagnes électorales), be now read a second time and be referred to a committee of this House.

##### *Motion presented.*

**Mr. Doer:** Mr. Speaker, members of the Chamber, this election, along with Bill 17, is a step towards, we believe, strengthening democracy in the electoral process in Manitoba. It proposes to amend The Elections Finances Act in a number of ways which were promised during the election campaign and are now being introduced to this Chamber as consistent with the election promises. The Bill proposes a number of changes that would limit the source and the amount of contribution to political parties. It would rectify the problem of union and corporate donations by prohibiting corporations and unions and other organizations, including federal political parties, from making political contributions, and it will limit the contributions from individuals.

This bill proposes a level playing field so that all political parties will be more dependent on individuals, and to ensure democracy, only residents of Manitoba will be able to contribute. In order to ensure individuals do not have an undue influence on the political process, a \$3,000 limit has been placed on individual donations.

As in the current act, a source of contributions must be disclosed and transparent. Donations directly must be contributed, not through, and I must repeat, not through intermediaries. The reaffirmation of this process and provision will help prevent attempts to circumvent the individual restrictions. The Bill makes a number of changes to the limits of contributions and requires that full disclosure of names and records be maintained and filed with the Chief Electoral Officer. There are a number



of other technical changes dealing with references to organizations and trust funds.

The Bill also proposes election advertising limits and non-election period advertising limits as recommended by the Chief Electoral Officer a couple of years ago. There are limits on elections advertising for both the parties and the candidates. In the 1983 Elections Act in Manitoba, we were the first province to employ election advertising limits. Those limits were repealed, not with the advice of the Chief Electoral Officer in 1998, and we are reinstating those principles in the law. That means of course that there will be a balance between media advertising and the old-fashioned political campaigning that we feel is important to have as part of the fundamental elements of an election campaign.

We are proposing the same CPI adjustment as in the Act of 1998, and it has been reinstated from the 1983 provisions. We are proposing an annual limit of \$50,000 in advertising for each political party. So again it is consistent with the principle of political fund limitations, reasonable limits in a democratic society that this measure is in place. We would note that Saskatchewan has an advertising limit and so does New Brunswick. We will adjust that also, accordingly. Our proposal is to adjust that also by an annual CPI.

The Chief Electoral Officer has recommended that we deal with reasonable limits for third-party spending of organizations. This bill deals with third-party advertising, both in terms of the direct partisan advertising and the non-partisan advertising which is allowed. The provisions allow for the registration of third parties, the maintenance of rules to make sure there are no "front groups" for organizations and political parties. This act, of course, to ensure there is a little teeth in the Act, will increase the fines for offences under this act, and we will ensure the polling and related costs will now be considered an election expense and not outside of The Elections Act.

Mr. Speaker, we believe that in this act are steps in the traditions of Manitoba, where people, ideas, policies and the exercise of those ideas and people are the fundamental tenets of democracy, and I would recommend that all

members of this Chamber take the historic step forward and help us ban union-corporate donations here in Manitoba as this step.

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, I move, seconded by the Member for Minnedosa (Mr. Gilleshammer), that debate be adjourned.

*Motion agreed to.*

#### **Bill 17—The Elections Amendment Act**

**Hon. Gary Doer (Premier):** Mr. Speaker, I move, seconded by the Honourable Attorney General (Mr. Mackintosh), that Bill 17, The Elections Amendment Act; Loi modifiant la Loi électorale, be now read a second time and referred to a committee of this House.

*Motion presented.*

**Mr. Doer:** Again, members of the Chamber, this act is consistent and works as a companion piece to Bill 4 and, we believe, steps in a positive direction for the people of this province.

The first important change to this act is fulfilling a long-term recommendation of the Chief Electoral Officer to take the Cabinet out of appointing returning officers and to delegate that function from this Legislature and from Cabinet to the Chief Electoral Officer. I think that this is a clause that is long overdue. We are delegating our legislative authority and properly placing it with the Chief Electoral Officer, Mr. Speaker. This is a long-standing recommendation of the Chief Electoral Officer.

This bill also provides that, in the case of a tie, this bill will remove partisanship from the role of the returning officers so that, in the case of a tie, a by-election will be called so the tie will be broken by the people and not by a person appointed by Cabinet, again, a very positive change.

\* (15:30)

Mr. Speaker, we are shortening the election period by a modest amount. We looked at the idea of British Columbia, Alberta, Saskatchewan, Ontario, and a number of other

provinces that are now at 28 days. We thought the idea that most people have the weekends off, most people, not all people, of course, that we could have five weekends in an election campaign with still having the vote on a Tuesday. I would exclude farmers from that, of course, who work seven days a week, 24 hours a day.

So this act will still maintain Manitoba as one of the longest election periods for a provincial election, but we think it is a good measure, a positive measure forward. For most people, it will mean you have a couple of days to get a campaign headquarters and you can rent it for 30 days instead of for 60 days because of the 35-day provision. So it might take away some of the high expense. I know members opposite are not concerned about that, but for those of us of modest means, this is not a bad measure forward, in keeping with democracy.

The revision will be changed accordingly, the advanced polls changed accordingly. But because of that, there will be the ability to have separate registration desks at the polling station to ensure that Manitoba's unique qualities of allowing democracy at the polling station will not unduly congest and restrict the right of people to vote with long lineups.

We are also proposing some leave provisions similar to jury duty. The rights of citizens, subject to operational considerations of a company, to participate (a) as candidates once nominated; (b) to participate as staff or officials of Elections Manitoba; and (c) a limited number of people to participate in each constituency and with each registered political party as unpaid volunteers in a campaign every four years.

We feel that, subject to operational requirements, this is a positive step forward in civic opportunities. It is consistent with the view that jury duty is an important responsibility in a democracy and so are elections. These provisions provide for that kind of duty, subject to a number of rules and regulations and subject to an independent process that would evaluate these leave provisions. In other words, we have to have a situation where there is somebody that could adjudicate any dispute between an employer and an employee on leave.

I think that this, over time, will be perceived as a very positive step forward and very much in keeping with the kind of unpaid leaves that we have in United Way campaigns and other campaigns, jury duties and other things. For people that so choose, Mr. Speaker, this is a voluntary arrangement for unpaid leave in a campaign.

We are clarifying the rights to campaign and canvass during a campaign of multiple residences and ensuring the rights of those hospitals and personal care homes are protected in terms of reasonable access. We are also allowing for the ability to display signs in multiple-dwelling residences. That is again part of democracy.

There has been a lot of confusion on behalf of tenants and landlords. I am sure members opposite would like to clarify the ambiguity of that situation and make it clear that residents and the landlords of a building have equal rights to display their political choices in this campaign, Mr. Speaker, a novel idea, I am sure, for the members opposite, but I do believe it is a non-partisan idea and will be generally supported by members opposite.

We believe, Mr. Speaker, that the fact that this bill proposes to have the ability to have the rules similar to jury duty for elections and to have the Chief Electoral Officer hire the returning officers rather than a partisan Cabinet is worthy of support from all members of this Chamber

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** I move, seconded by the Member for Ste. Rose (Mr. Cummings), that debate be adjourned.

*Motion agreed to.*

#### **Bill 30—The Social Services Administration Amendment Act**

**Hon. Tim Sale (Minister of Family Services and Housing):** I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 30, The Social Services Administration Amendment Act; Loi modifiant la Loi sur les services sociaux, now be read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Sale:** Bill 30 is an act that primarily intends to strengthen provincial licensing provisions for residential care facilities. It also contains a number of minor wording amendments to bring the underlying act up to date in regard to issues like gender neutrality and so forth. Under The Social Services Administration Act, the Department of Family Services and Housing is responsible for licensing several hundred residential facilities that provide care to adults with a mental disability, a mental disorder, or an infirmity of aging.

There are two classes of licensing, one for residents with four or more adult residents. They are issued licences. Smaller facilities, including foster care arrangements, are issued letters of approval. The intent of the Act is to ensure a safe residential environment for adults who reside in these facilities and the Act and its accompanying regulations are quite old now. They were introduced in the early 1980s and have not been amended or updated. So this is also an appropriate time to take a look at the Act from the point of a view of its current relevance and to bring it up to date.

In the past 20 years, as members know, there has been a huge expansion of community-based care for vulnerable adults. In fact there are over 3400 adults with mental retardation living in our communities across Manitoba today, and this act, in an important way, safeguards the quality of their lives and gives them protections. The Act will provide a more effective framework for ensuring that quality care is being provided throughout the province.

I should add that, once the Bill is passed, extensive consultations will be undertaken with service providers, facility residents and their families about the revisions to licensing regulations. We did consult with the care-providing community prior to completing the amendments as well, Mr. Speaker. The major amendments under this bill relate to appeal provisions and procedures, the appointment and powers of inspectors, the right to issue compliance orders, the appointment in rare circumstances of provisional administrators, and of course, the establishment of regulations.

I want to just deal briefly with each of these headings. Under The Social Services Administration Act, a person can appeal a decision by a licensing authority to refuse to issue a licence or to suspend or to cancel a licence, and appeals are heard by the Social Services Advisory Committee. Currently, decisions made by that committee can be appealed to the Court of Queen's Bench, in which case all evidence presented to the Committee is disregarded and a new appeal, a hearing de novo, takes place.

Bill 30 would amend the Act to change the appeal process to become the Court of Appeal and the grounds for appeal would be limited to questions of law or jurisdiction, which reinforce the role of the Social Services Advisory Committee as the primary appeal body for licensing decisions. These changes are also being made to make the appeal process consistent with other pieces of legislation such as The Employment and Income Assistance Act, The Child and Family Services Act and the Employment Standards Code.

In addition, the time allowed for an appeal to be launched is being lengthened to give more fairness to residential care providers. The current appeal time in the Act is 10 days; it is being lengthened to 30 days. The appointment and power of inspectors is also changed under this set of amendments. The current regulations provide the Minister with the power to appoint inspectors, and the powers of the inspectors in carrying out their duties are listed in both the Act and the regulations. The proposed amendments will bring both the authority to appoint inspectors and the powers into the Act. In other words, they will remove the discretionary capacity of regulations so that the process of regulating appointment and duties of inspectors is in the legislation itself, and the powers have been updated to include the inspection of information kept in electronic format.

\* (15:40)

On the matter of compliance orders, there are no provisions in the current act or regulations to issue written compliance orders. So, when an inspector finds a facility is in non-compliance, he or she is required to give 60 days' notice from that point forward, before notice of suspension or cancellation.

Further to this, the licensing authority must give a reasonable time period to rectify the situation. Now, I am sure, as members can appreciate, when you have vulnerable adults living in a residential care facility, you do not want substantial non-compliance to continue for two or three months while an order is complied with, an order of safety for example or a staff order, an order in regard to the handling of drugs or medication. So the proposed amendments will provide inspectors with the authority to issue written compliance orders that set reasonable periods for compliance at the point of the inspection. These changes will provide the inspectors and service providers with more flexibility in directly addressing licensing deficiencies or problems.

On the matter of the appointment of a provisional administrator, there are currently no provisions in the Act that provide for the appointment of a provisional administrator. Other pieces of legislation that have similar function covering services to vulnerable people, for example, contain such provisions. Provisions can be found in The Child and Family Services Act, The Community Child Day Care Standards Act and The Regional Health Authorities Act, which is applicable to personal care homes. As with these other pieces of legislation, the appointment of a provisional administrator is clearly a last-resort measure where the residents of a care facility have their safety or well-being threatened, and cannot be accommodated quickly or adequately in an alternative facility.

The proposed amendments provide that a provisional administrator can be appointed by written order of the Minister of Family Services and Housing, and appointments can only be made for a licensed facility, that is, for the larger facilities, four beds or more. The provisional administrator would have the same rights and powers as the licensee in order to maintain operation of the facility until alternative arrangements can be made for the residents. So there is a time limitation on the appointment, the administrative appointment for a provisional administrator.

The proposed amendments limit the duration that the facility can be operated by such an administrator. If the licensee's appeal is upheld by the Social Services Advisory Committee, the

operation is immediately returned to the licensee. If the licensee is not successful in the appeal or does not appeal, the provisional administrator only maintains operation of the facility until alternative arrangements for the residents are made.

Finally, there are powers in regard to making of regulations. The regulatory-making powers pertaining to residential care licensing are being repealed and replaced with more extensive regulatory-making powers under the Act. These changes will ensure that adequate authority for developing and implementing licensing standards exists. So once this bill is passed, we will then consult extensively with the stakeholders before we actually amend the regulations so that there is lots of time for them to understand the new act and to take whatever actions they need to take to be in compliance. We are not going to move and put people in a situation where they are at risk by virtue of implementation that is overly hasty.

We believe these amendments will modernize and strengthen licensing provisions for residential care facilities, and more importantly, for those who live in them. More effective licensing will help to ensure safe, quality care is being provided. Thank you very much, Mr. Speaker.

**Mr. Glen Cummings (Ste. Rose):** I move, seconded by the Member for Minnedosa (Mr. Gilleshammer), that debate be adjourned.

*Motion agreed to.*

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Finance (Mr. Selinger), 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.*

#### COMMITTEE OF SUPPLY (Concurrent Sections)

#### CONSUMER AND CORPORATE AFFAIRS

\* (15:50)

**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 1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$323,700. Shall the item pass?

**Mr. Jack Reimer (Southdale):** I know yesterday we were just into a few other discussions and comments both by the questions that were asked and also the Minister, the question was asked. I do not know whether the Minister was wanting to finish the answer that he was just getting into when the bell rang—I guess it was six o'clock when the bell rang—or new questions can be posed, or whether he still had to finish his answer.

**Hon. Ron Lemieux (Minister of Consumer and Corporate Affairs):** I just want to conclude my answer from last night by stating that there is no conflict, there is no perceived conflict. Certainly, as I mentioned, I noted the recommendation from the members from the Opposition with regard to their suggestions. I certainly have not ruled anything out, but I certainly appreciate their input. I know that we have discussed this issue quite a bit with regard to conflict and with regard to direct conflict, and I certainly want to state that I believe that the taxpayers of Manitoba want us to go through the Estimates and want us to proceed and take a look at Consumer and Corporate Affairs and take a look at the Department and look at what the Department has with regard to its goals, its objectives and how the money is spent on behalf of the taxpayers in Manitoba.

So I would just state, in conclusion, that I believe that they have raised their points. Granted, I disagree with them totally, and we will have to agree to disagree. Thank you, Mr. Chair.

**Mr. Reimer:** I guess the reason for the persistence in the line of questioning in regard to the perceived conflict of interest is because of the fact that the set of rules, in a sense, that ministers, Cabinet ministers, have to comply by in regard to the optics of where they are presented and where they are positioned in their relationships with dealings with the Government or in dealings with duties of their departments. As has been pointed out, one of the things that is always the perception is that there may be a conflict of interest and the fact that the avenues that are available to the Minister and to MLAs in regard to getting a legal opinion as to the perception that there may be something of speculation in regard to what the public talks. As one of the members said, there is the possibility of speculation, and those are some of the things, and rumours, that we feel should be put to rest because there is the knowledge there that the Minister's wife does work for a firm. In no way are we trying to imply wrongdoing by her. It is the fact that the firm itself will be of direct benefit by any type of arrangement that could come about because of the impact of a casino by the Nelson First Nation proposed casino in Thompson. The fact that there is a possibility that the public out there, whether it is in the general public or the proponents that were involved with the casino or the casino people that were not selected, they may look at it in a different perspective.

The fact that the ability to have an opinion put forth, which is available to the Minister, it is available to all MLAs so that we as elected officials do not have the appearance of a conflict. I guess the reason for the persistence on this is there is an avenue available, and the avenue available can be availed upon and the matter, in a sense, can be resolved. If the ruling or the condition comes down that the Minister indeed has no conflict of interest in regard to this, that is fine. It is not as if we are saying that the situation cannot be resolved. There is an avenue, and we are asking that minister to take that responsibility.

So I guess what I am trying to ask the Minister is: Has he had any types of discussions—I know that he has said there is a possibility that he may avail himself of the opportunity to talk to

the legal counsel. I was wondering whether that matter has been further pursued for resolution.

\* (16:00)

**Mr. Lemieux:** As I mentioned, there is no conflict—no conflict, no perceived conflict, no direct conflict, no conflict with the law firm, no conflict with my wife. There is no conflict, and I guess I can only state it so many times.

I just want to state, Mr. Chair, with regard to this issue, I understand that the members opposite raised the question and they certainly have the right to raise questions. Also, I mentioned that certainly my point of view is that because there is no conflict, I have just felt that we should certainly move on to more important issues with regard to Consumer and Corporate Affairs, not that this is an issue of not being important nor am I trying to trivialize the issue that they brought forward.

But I am just saying that members opposite have brought their points forward. They have made their points, some very articulate. I certainly disagree with their points, and certainly I have tried to be articulate as well, but after a while, you start to wonder. It gets past the point of just raising a question, and people in my community have said, you know, Mr. Lemieux, is this just a smoke screen to cover up what is going on in the Interlake, and I said, well, I hope it is not.

I mentioned it in committee that—

**Mr. Chairperson:** Order please. I am having great difficulty hearing the speaker. Could I ask all honourable members wishing to carry on a private conversation to do so away from the Committee table? Thank you.

**Mr. Lemieux:** Thank you, Mr. Chair. I know that I have certainly tried to defend—I know they do not need me to defend them, but I tried to state to members of my constituency that, no, I do not believe that they would raise this just to create a smoke screen to divert away from the scandal in the Interlake. I said: No, I do not believe they are doing that; I think they are sincere about it.

But I disagree with them. I totally disagree. There is no conflict. There is no conflict whatsoever, and I think the members would be well advised to move on with regard to the other Estimates within Consumer and Corporate Affairs. We have not really touched on any issues with regard to Consumer and Corporate Affairs within the Department, and, at this moment, I would just state and thank members for their question and I thank them for their advice. I would just suggest that we move on and start going line by line within the Department. Thank you, Mr. Chair.

**Mr. Jim Penner (Steinbach):** I will just ask a little question here that results from my receiving documents from the Anglican Church of Canada on gaming and the United Church of Canada on gaming.

It is in consideration of statements like this: In Canada, they have argued that a decision to open gambling in the U.S. rested on the argument of the state safety net and that poor communities, especially Aboriginal communities, would benefit. Similar arguments have been made in Canada, especially for rural, low-income and Aboriginal communities. Although some communities have benefited through jobs, many individuals have paid an extremely high price. Studies done in Alberta document that Aboriginal communities have been especially hard hit. It says that the prevalence of a problem in compulsive gambling among Natives may be twice that of the general population, and that is documented by a book that is listed on the bottom here.

A similar study by Native Americans in North Dakota—*[interjection]* It is not really funny. A similar study by Native Americans in North Dakota found there were four times as many people suffering from problem and compulsive gambling as there were in the general population. The Alberta study also compared the amounts of money that Aboriginal gamblers lost against the losses of non-Aboriginal gamblers.

So, with the pursuit of Aboriginal casinos, the Honourable Minister and I have agreed that we want the best for the people in our province, for all the people in our province. *[interjection]*

**Mr. Chairperson:** Order, please. Please do not interrupt the speaker when the person has the floor. It is difficult to hear the speaker speak. Thank you.

**Mr. Jim Penner:** So I would like to ask the Honourable Minister along that line, how they are going to handle some of these concerns, how to establish the long-term balance of costs and benefits of a project for the total economy of the area, including non-gambling business, traditional gambling business, labour force and charities.

How are we going to balance the costs and balance the outcome between long-term effects of the casinos on non-gambling business and traditional business?

**Mr. Lemieux:** Certainly I have mentioned many, many times and numerous times within the Legislature that gaming in many ways is a real dilemma I believe for governments in Canada, and I think we certainly on our side of the House agree that there are some concerns related to gaming. All of us would readily admit that certainly there are people who have problems with gambling and gambling addictions and so on.

It is something that, Mr. Chairperson, all members of the House are certainly concerned about, and I am sure members opposite were certainly concerned with this when they were the government. I know that the Manitoba Gaming Control Commission through other sources are certainly, as well, concerned about it, but I know that the Addictions Foundation of Manitoba currently is very, very involved and certainly—

**Mr. Chairperson:** Order, please. I have difficulty hearing the speaker. Please keep the conversation down so we can hear the speaker.

**Mr. Lemieux:** Thank you, Mr. Chair. I thank the Member also for the question. I believe it comes with sincerity, and I take it as that.

One of the first questions that I raised within my own department when I received this portfolio, I asked of people in the Gaming Commission with regard to statistics: do we have any kind of stats that show what kind of

concerns there are with regard to gaming, and, you know, if there are any at all with regard to problem gaming, and so on? I know the number of clients, both problem gamblers and affected others such as family members using the AFM's problem gambling services, has remained steady. It certainly is not increasing by any significant amount over the past several years.

I know members opposite probably have those statistics. They were the government, but I know that the Addictions Foundation of Manitoba, their problem gambling initiatives provide a comprehensive approach that includes education, prevention programs in addition to treatment and rehabilitation services that reach problem gamblers, certainly, as well as affected individuals, family members, and so on.

So I firmly believe that all Manitobans have a real concern with regard to problem gaming. They have a concern that they understand the genie is out of the bottle, that gaming has been brought into Manitoba, not only the Crystal Casino when it was around but also McPhillips and Regent. Also you take a look at the VLTs that have been put throughout the province of Manitoba in a lot of hotels and so on. Hoteliers are certainly good business people. They have taken advantage of it. I realize hoteliers who have VLTs, certainly many of them, if they did not have the VLTs, their hotels may be on the verge of closing. So it creates a real concern for rural Manitoba.

\* (16:10)

But, as I pointed out earlier, with regard to problem gambling, or problem gaming, we certainly on our side of the House and I believe all members agree that it is something that has to be monitored. We certainly have to look at the province of Manitoba as a whole and take a look at how it is affecting our family members, not only those individuals who have a problem with gaming. I believe the position of the AFM or the Manitoba Gaming Control Commission or the Lotteries Corporation is that a lot of the processes and the programs that are in place have been viewed as an effective way of approaching issues related to problem gambling in Manitoba.

Now, there are no easy answers, and I have talked to many, many people throughout Canada

with regard to this issue. It does not matter whether you are in Nova Scotia or whether you are in British Columbia, it is a concern for all governments. It is a concern because, on the one hand, you have the moral issue of potential problems with regard to gaming. Then you have the financial dilemma, which large amounts of money come into the province to assist in health care and education and family services and other programs, sport and things like that. So it truly is a moral and a financial dilemma for all governments.

I think that what we are going to have to do is take a close look at problem gaming. I know there are numerous conferences throughout Canada that deal with this issue specifically. There are some very legitimate conferences in Las Vegas and throughout Canada. The conferences are very, very worthwhile attending. Having said that, I understand that sometimes there are people who go down to these conferences who might spend a little bit too much money, and they do not go down there to attend what the intention was. That should not take away from the important programs that take place in communities and cities like Las Vegas that deal with problem gaming.

I just want to say that as well as the education, prevention and treatment services offered by the AFM, problem gaming services, the data and the information obtained through consistent research and program evaluation is instrumental in program planning and development. Because once you have some types of statistics that you are able to go by, not only reasonable but accurate statistics, I think that is really what I have found as a new minister coming into the portfolio is trying to get your hand on research and statistics that are accurate. I think that is one area that I am not sure how we necessarily improve that, but I do believe that all governments across Canada are going to have to address this, because gambling is not going to go away. We know that and all governments recognize that. Certainly any concerns related to problem gambling and gaming, we are going to have to address and we are going to have to hit that head-on.

As I mentioned before, the Member for Steinbach (Mr. Jim Penner) certainly raised this

question about problem gaming and its effects. We do know that, but I just mention that the statistics shown over the last three years certainly have not increased. They have stayed primarily the same and they have not increased with regard to, let us say, the number of people coming into the AFM and so on as clients for treatment. They remained fairly steady.

I know that I would certainly welcome any suggestions, if the members of the Opposition and members opposite have any suggestions with regard to a way to obtain more accurate statistics, if there is a way that they feel that as a government something that could be very proactive and not being negative, that it could be proactive how to address a concern I think that all people have, I would be certainly more than interested in hearing from members on how to address problem gaming.

**Mr. Darren Praznik (Lac du Bonnet):** I want to return to I think what has become an issue when perhaps none had to arise. That is this interest of whether or not the Minister is in violation of The Legislative Assembly and Executive Council Conflict of Interest Act.

You know, it is an interesting way this has been unfolding. We raised concerns; they were raised publicly by the media. We raised them in the House, that given the wording of that act where it requires Cabinet ministers, where either they or their spouses have a direct or indirect pecuniary interest, where it defines an indirect pecuniary interest as one where that spouse is in the employ of someone who does, which clearly the Minister has admitted is the case, that the Minister should excuse himself.

Now, the Minister may not think he fits within the wording of the Act, he may have some defence to it, et cetera, but the Minister at least has to admit that it is worthy of a check, it is worthy to ensure that in fact he is in compliance. If I were in his shoes as minister, I simply, when it was brought to my attention—because remember, no one has accused the Minister or his spouse of doing anything untoward in influencing this. All anyone has said from our side of the House is that given the wording of this act the Minister may not be in



compliance. We believe he is not, but he may not be in compliance.

Having said that, if I were in his shoes I would have said, okay, we know we have a lawyer, that the Government retains an outside counsel that is available to all of us as MLAs and Cabinet ministers. Let us refer to that lawyer, seek his opinion. He will give us an interpretation of the Act. You know what? I will table that and that will just end the matter. If he says that I may be in conflict, there is some doubt, well, then I will just say to the Premier (Mr. Doer): Mr. Premier, the Act requires that another minister head up this file.

You know, we have not even asked for his resignation as a minister. We have not done anything that is going to destroy his career. We have just asked him to check that he is in compliance. And you know what? If I had been this minister I would have said, it is worth a check. We would have done the check and if it came back that I was clear, that is the end of it. If there was an issue then I would have taken the appropriate action, and you know, that is all we have asked this minister to do.

And what is even more troubling, and we saw it today in the House, was that we asked the Premier, who is the chief minister who is responsible for the Government, who sets the tone of a government—we asked that First Minister if he would commit to have this check done with the outside counsel that the Government has retained for years now to do this. It is not as if there is not a process in place to do it. It is not as if there is not a precedent.

We put in place years ago, and I do not remember if it was done under a Conservative or a New Democratic administration, because it has just been there so long, we put in a place where the Government has an outside lawyer on retainer that is available on a confidential basis to any MLA and Cabinet minister at any time to go and call them. All you have to do is call Shirley Strutt. We all know Shirley Strutt.

You call Shirley Strutt, and she gives you the lawyer's name and telephone number. You call up the lawyer, you say: Hey, my spouse is working for Nelson House. She is a lawyer. She

is in their employ. She is doing legal work. It is not related to casinos. They have now been recommended by Mr. Nadeau and Mr. Freedman. I am the Minister in charge of negotiating these contracts. Here are the facts. Give me an opinion whether or not I am in violation of the Act.

You know, the lawyer would look at it. He would look at the Act. He would look at the sections. He might have a few more questions. He would give an opinion.

You know what? The issue would be resolved. There would be no issue. There would be no headlines. There would be no questions. There would be no public rebuke.

But what we now have is a government—this issue has gone beyond a conflict. This issue has come down to what this government is made of. It has come down to whether or not this government believes it can never be in error. You know something? This is the most disturbing thing for Manitobans. We saw it on The Freedom of Information Act. We saw where the First Minister's political staff directed the—I do not know if he directed or the Premier directed, but we had the Clerk of the Executive Council and the Premier's principal media person both saying they broke the law but it did not matter because the problem was not that they broke the law but that the law was wrong.

So now we have this new defence in Manitoba law. I can break the law because I do not like the law. At the same time we have an issue, at least on a prima facie case, that the Minister in charge of negotiating and putting into place five additional casinos in this province may be in violation of the Act.

Do you think that the Premier would set the right tone and say, oh, wait a minute, I do not want my government or my ministers, there to be any suspicion about conflict of interest? We will go and call up the lawyer that we have available with the process that has been in place; we will get an opinion; we will put it on the table. If there is a conflict, I will put another minister in charge of this. I am sure this minister would accommodate that, or there is no problem.

You know what their response is? Their response as the Premier of this province, who is to set an example and a tone, he sits there on his high haunches in the House and says I do not have to check the law. I am Gary Doer, Premier of Manitoba. You challenge it, voter. You challenge it, citizen of Manitoba, because I am above the law. I am above the law. I, as Premier, as the chief minister of this province, do not have to check anything out. I do not have to get a legal opinion. All I have to do is say we are not in conflict, and it is the case. *[interjection]*

\* (16:20)

The Member for Dauphin (Mr. Struthers) is there perpetuating the same arrogance of a new government. We do not; you go and check. Well, you know something? The Premier of this province knows there is a process in place. Does every citizen of Manitoba now have to be on the vanguard of checking out the honesty of this administration because it will not do it themselves? *[interjection]*

**Mr. Chairperson:** Order, please. Could we just allow the speaker to speak? Order, please. If you want to discuss something, please move off to the side of the chairs. Do not interrupt the speaker, so I can hear him. Thank you. The Member for Lac du Bonnet.

**Mr. Praznik:** Thank you, Mr. Chair. The comments by the Member for Dauphin are just indicative of an attitude. We saw it on The Freedom of Information, where the Premier out in the hall, when the cameras were in front of him and he is in the media and he has to come up with a quick explanation. Well, I admit there was a mistake. I will put reforms in place. But the next day in the House: Mr. Premier, can you tell us what those reforms are? I do not have to tell you anything. I have no reforms. Why, we were just busy.

There were no reforms. It was contempt of the media and ultimately contempt of the people of this province. We are seeing it again here on this question. If we were coming here saying we know absolutely there is a conflict here, and it is terrible, the Minister is corrupt, yes, the Minister would have a right to be defensive. Yes, the

Premier would have a right to defend his Minister. Yes, members of his caucus could defend them, but that is not what anyone said. No one has accused the Minister or his spouse of going out there and deliberately trying to influence this casino selection. But that is not what the issue is about. The issue is about an act of this Legislature that says very clearly that, if the spouse of a Cabinet minister is in the employ of someone who that minister is dealing with, the Minister must remove himself. You know why it is there? It is there to deal with perception. It is there to deal with any perception that that proponent might, through that employment relationship, say, if we do not get what we want, we are not hiring you as our lawyer anymore, that if we do not get what we want, we are not going to pay you, and your family will not have that income. That is the potential problem here. So we as legislators in past legislatures decided that we would not allow ministers to act in situations where their spouse was in the employ of a principal that they were dealing with. It makes sense.

This is exactly what we have on the facts. Has the government come back and offered a defence? Have they said it does not fit within the statute? No, they have not. Have they even said we have got a legal opinion to the contrary and they provided it? No. They have done none of that. All they say is we are the Doer government. We can do what we want, and the people of Manitoba be damned.

**An Honourable Member:** Nonsense.

**Mr. Praznik:** The Member says nonsense. Then why will they not simply take the advice that is being offered and let the Minister refer this to the legal counsel that is available to all of us in just such circumstances? The Minister of Finance nods no; everyone nods no. You know why I think it is? I think it is because this group of people—not all. I think there are members on the other side who recognize what is happening here. I think these people, including the Premier, regrettably, have lost perspective. I think they have lost it early in their mandate. They have lost the perspective of what is right and wrong, and they are struggling so hard to look perfect that they forget that they are just mere human beings who sometimes may be in error.

Believe me, I know I made mistakes when I was in government, and I know that we are not always perfect. I can remember times when our member was accused of an issue or a conflict, and we all said, oh, it is just the opposition. You look into it and say, oh, boy, there might be something here. Maybe we should get the legal opinion, and let us take the corrective measure.

You know what? What are the corrective measures here? What are we really talking about? We are talking about this minister who actually we like—he is a nice guy—who is new in his career. What is the repercussion? Are we asking him to give up Cabinet office? No. Are we asking him to go to jail? No. Are we asking him to pay a fine? No. All we are asking him is, if he is in violation of this act, that he simply give up this file and the Premier assign it to another minister. Is that such a huge penalty that this government would lose its credibility on? Is this an issue over which the Premier of Manitoba would demonstrate that he has lost his perspective of right and wrong?

I tell you that this is beyond just the politics of this House. This is where this administration and this premier demonstrates what he is made of. It demonstrates whether he has a sense of right and wrong. It demonstrates whether he is prepared to ensure that his government complies with the law, that it wants to act in a fair and mannered way and appear to be. It is really what this issue is about. Mr. Chair, we on this side are going to give this House—I just want to come back to what the Member for Dauphin said. You should go and challenge the Act. You know why he is saying that? He is saying that because this premier will not do what any other reasonable premier would do and simply have the matter referred to the lawyer that is available and get an opinion.

\* (16:30)

Well, the procedure is there. Any minister who is accused of or suspects he may be in conflict has the choice of going to an outside counsel that the Government has available to make a determination. This government is choosing not to even do that. That is what this issue has now become. It is their credibility, about how they will handle these issues in the future. I tell them now that this will come back

to haunt them each and every day and month and year. Today they are sowing the seeds of their own demise as a government because this attitude is what makes arrogant governments. This attitude is what will tell the people of Manitoba that they cannot trust this premier to ever do the right thing, that they always have to be suspicious that he is spinning them a line or he really believes in what he is saying. This issue is now about Gary Doer and his credibility. We are going to give you one more chance to do the right thing.

Therefore, Mr. Chair, I would move, seconded by the Member for Southdale (Mr. Reimer), that

WHEREAS The Legislative Assembly and Executive Council Conflict of Interest Act states in section 8: "Where, during the exercise of any official power or the performance of any official duty or function by a minister, there arises (a) a matter in which the minister or any of his dependants has a direct or indirect pecuniary interest . . . 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

WHEREAS section 3(1) of the same statutes defines an indirect pecuniary interest as "for purposes of this Act, but subject to this section, a person shall be presumed to have an indirect pecuniary interest in a matter where . . . (b) the person is (i) a partner of or employed by . . . a person, corporation, partnership, or organization who or which . . . has a direct pecuniary interest in the matter"; and

WHEREAS the Minister of Consumer and Corporate Affairs is currently responsible for the negotiation of agreements with First Nations proponents for five casino projects in our province which his own selection committee described in their report as a unique and valuable privilege; and

WHEREAS the Minister's spouse and the law firm of which she is a partner is currently in the employ of one of the First Nations with respect to their dealings with Manitoba Hydro; and

WHEREAS the Minister of Consumer and Corporate Affairs has admitted that he has not sought any legal advice nor has he availed himself of the outside legal counsel which is available to all ministers and MLAs to determine if he is in compliance or will be in compliance with The Legislative Assembly and Executive Council Conflict of Interest Act; and

WHEREAS it is in the public interest and the interests of all First Nations casino proponents that the Minister ensures that he is in full compliance with the law.

IT IS THEREFORE RESOLVED by this committee that the Minister of Consumer and Corporate Affairs be immediately required to refer this matter to the outside legal counsel provided to all MLAs and ministers for this purpose and that this legal opinion be provided to this committee as soon as it is completed.

A simple request, Mr. Chair, it gives the Government one last chance to set the tone of how they intend to govern Manitobans.

***Motion presented.***

**Mr. Praznik:** Mr. Chair, if I might make one more comment on this motion.

**Mr. Chairperson:** I would like to inform the Member for Lac du Bonnet we have to rule on this first.

The motion is in order, and the debate may proceed.

**Mr. Lemieux:** I would like to speak to this. May I ask a question, first of all, of how long do I have?

**Mr. Chairperson:** The Member has 30 minutes.

**Mr. Lemieux:** First of all, let us look through the evidence. The Member from Lac du Bonnet (Mr. Praznik) mentioned that certainly there are no accusations of anything untoward, that my wife's law firm has done nothing wrong, that my spouse has done nothing wrong or illegal of any kind.

What I am starting to feel is that this has nothing to do with Ron Lemieux, Minister of

Consumer and Corporate Affairs, but this has a lot to do with the Premier (Mr. Doer) of the province. This attack and using this way to attack the Premier and somehow to besmirch his reputation, because somehow he is arrogant and so on, I believe, is totally wrong, and I think it is misplaced.

Our attitude all along has always been to do the right thing, and when I have had the occasion in Cabinet where I felt that there was a conflict, I would excuse myself. I have made that known, and I have done the right thing. Certainly, as a Cabinet minister, I continue to want to act in such a fashion, and I will continue to do so. This comes directly from our premier, and our premier will ensure that the public of Manitoba knows that he has all of his Cabinet ministers acting appropriately. Certainly he is the person of the best example that we could use as a role model with this regard. The Premier of Manitoba has always made sure that we are not only aware of the conflict-of-interest guidelines, but that we are more than just aware of the importance of abiding by such.

The more I look at this issue, I really am beginning to think it is a red herring. At one time I thought this might have been a red herring to kind of deflect away from the Interlake and be a kind of smoke screen, but now I am really starting to get the feeling that this an attack on the Premier of Manitoba. We are not trying to be arrogant by saying there is no need for a legal opinion. I have not ruled that out. I am just saying thank you very much for your advice and your suggestions, but I really believe and I am starting to feel that this is an attack on the Premier somehow. I really do take exception to that, because he is one that has been very, very forthright towards his ministers on certainly wanting them to be not only law abiding, but to make sure that they are conducting themselves in the appropriate manner.

As I mentioned before, I have certainly taken into consideration that I am not ruling out the fact about legal opinion, but I noted that. I have asked that members opposite move on. Let us look at Consumer and Corporate Affairs and certainly look at the issues with regard to my department and the good things that we are doing. If they have suggestions on some things

that we may be doing different to improve Consumer and Corporate Affairs, I accept that, but to start taking a look and using this argument somehow to go after the Premier of Manitoba, that I truly take exception with. I certainly am not going to be bullied into getting some kind of a legal opinion because somehow it is going to look bad or use this to look bad on the Premier of Manitoba. I am certainly not going to be forced down that path. I said, I accept, thank you very much for your suggestions, thank you, I have noted that.

\* (16:40)

But now I am beginning to feel that this more than just taking a look at whether or not there is a potential conflict or perceived or indirect or direct. I really think that this is going down the path of looking at the Premier of Manitoba on how the Premier of Manitoba acts. The Premier of Manitoba has always acted in good faith with regard to all issues and certainly has not been arrogant in any way, shape or form.

Obviously, I have a biased opinion on this, but my constituents and members of the public have certainly looked upon him in high regard with regard to all kinds of issues. I do take exception with regard to pointing the finger at the Premier of Manitoba somehow not acting properly, or he is being arrogant, which he is absolutely not. By saying take a look at section 20, if you think that there is a conflict of interest there, go ahead and use it, you have that at your disposal. That is not being arrogant. That is being confident that nothing has been done wrong. Members opposite continually have said, oh, your wife has done nothing wrong. You have done nothing wrong. The law firm has done nothing wrong. Well, what is it then? If no one has done anything wrong, let us drop it, let us move on with other lines within the Department.

You know, the Premier (Mr. Doer) of Manitoba in the House has certainly been—and I certainly appreciate his support. He has been very supportive of all his ministers. I know that members opposite have certainly raised some questions with regard to gaming and not only is it their legal right, but I believe it is their duty. As opposition members, the public would expect them to do so. That is fair ball. Ask me anything

you wish on gaming, and I will certainly attempt to answer it. If I do not have the answer, I will find it out and try to give you that answer.

But to use a conflict of interest where no conflict of interest is apparent in any way, shape or form, it is non-existent—there is no conflict whatsoever, and I repeat that over and over, no conflict, no conflict, no conflict, and I am very confident in that, absolutely confident. There is no conflict.

Now to be dragging this on—and I know members opposite have not taken shots at me personally and had made comments, you know, the Minister seems to be a nice enough person and so on. I did not fall off the cabbage truck yesterday. I understand. I take that, and I take those comments sincerely when they make those comments and say, you know, the Minister is new and he is attempting to do his job and so on. I am not going to be derogatory about those comments because I take them sincerely.

But, after a while, I do not like to be used as a pawn either, and I really feel that this whole issue with regard to conflict, the Minister of Consumer and Corporate Affairs and responsible for Gaming, is being used as a pawn somehow to get at the Premier. Because there is not a conflict whatsoever, I am asking why drag this on. Why are people continually bringing this up and bringing the Premier's name into this? The Premier is just saying: Look, we stand on solid ground on this. There is no conflict whatsoever, and even members opposite have agreed there is nothing illegal or untoward. The Minister has done nothing illegal. The Minister's spouse has done nothing illegal. The law firm has done nothing illegal. Nelson House has done nothing illegal. Well, if there is nothing illegal and there is no conflict, let us move on.

It certainly does beg the question after a while, you know, what is the goal of pursuing something like this when it is quite evident and obvious that there is no conflict? I speak to my constituents, and they are the ones that raise questions like, Ron, could you explain to me, did you select the casino sites? No, I did not. Are you going to make any money from the casino sites? No. What is this conflict about? You have nothing to gain from this in any way, shape, or

form. Why are people pursuing this? Why was the article in the paper? Why are people using this? I am trying to say with a straight face to my constituents that members opposite are raising this because they feel there is something legitimate with this. I am stating today that there is nothing legitimate at all. I believe that it has reached the point where now it is time to move on because there is no conflict whatsoever. We have tried to show that and explain it and state it over and over, and I really believe it is time to move on to the Department of Consumer and Corporate Affairs, or if members opposite wish to continue to ask questions with regard to gaming, that is fair enough.

The Member for Steinbach (Mr. Jim Penner) asked a sincere question with regard to gaming and with regard to First Nations people and the problems that it could create. Now that, to me, is a question that—it is a difficult question. It is. It is a difficult question because once you start to go down a path with regard to gaming, it is not just easy. It is like a 747 or the Queen Mary. It is not easy to turn around, and it is not easy to change. So when questions are like that, I appreciate them very much because you are dealing with a substantive issue. You are dealing with a concern there that I believe is heartfelt from the Member for Steinbach, and I certainly attempted to answer it in my own way. I am not sure if I did answer it totally, but again, it is a difficult question to answer with regard to gaming problems and concerns.

No one wants to be responsible for the turmoil that this creates within a family, and I have known people—not my relatives—but people I know very close to my family that have had problems that have had a spouse or family member that has been involved in gaming and has become addicted and so on. So I do take those questions absolutely seriously, and I do appreciate the question because what it does is it gives a person an opportunity to think now what are you going to do about it. You are now the Government, what are you going to do to try to address this? It gets to the point where one cannot continually point the finger at the Opposition and say like what did you do during your term. It is now we are the Government, and we have to address this.

You know, it is a problem, and being a schoolteacher, I have looked at this issue, and I think of young people. You have young people who are in high school that are going out and playing VLTs or 18 years of age and go to a local bar and play VLTs, and those concerns related to addictions and so on are very serious questions. Those are questions that we are going to have to deal with.

As a new minister, people ask, well, as a new minister, Ron, you are going into Estimates for your first time, what is it like? What is the experience like? Well, I mean, what can I answer? What can I say—that there are really good questions coming up, good questions on your department, good questions that challenge you, good questions that the taxpayers of Manitoba want to hear. No, but what do I hear is a conflict of interest, and I say where. Well, your wife is not really in conflict. You are not really in conflict. Nelson House is not in conflict. There is no conflict.

Yesterday, I thought we thoroughly hashed this out. I thought we hashed this item out, and we dealt with it thoroughly. You know the recommendations were absolutely legitimate. People recommended to go and do something about it. I said, fine, I will note that, and I will certainly consider it. I am not ruling it out.

But, when the Member for Lac du Bonnet (Mr. Praznik) today, on at least three occasions that I counted, and then I stopped counting, started bringing up the Premier's (Mr. Doer) name in connection with this, then I started to get the real feeling that what this is all about is not conflict. This is somehow besmirching his reputation, his good reputation, and one he has worked awfully hard at for close to 30 years of public life. You know, to say that he is arrogant, and so on; he is not.

When you take a look—I do not want to use the analogy of people in sport—they look at people like Wayne Gretzky, Mario Lemieux, all those hockey players, they say, well, it is not an arrogance, it is a confidence that they have, and a confidence of which they speak, and with which they play. So when the Premier says: Go use section 20 if you want; go ahead. You do not have a leg to stand on. You have nothing. There

is no conflict whatsoever. It is not being arrogant. It is stating a fact.

\* (16:50)

Well, I am extremely proud of the work that the independent selection committee has done. I really feel that when issues like this are brought forward, it really is somehow attacking the whole process. Now, if you do not like First Nations casinos, say it. If you do not like First Nations people, say it. But do not say Mr. Nadeau and Mr. Freedman, somehow, this selection committee, you know, they could have done better, or what were they doing when they recommended these casinos, and so on. I think the Member for Dauphin (Mr. Struthers) mentioned to the Member for Lac du Bonnet, come on out from behind the bush and let us see your—you know.

Well, anyway, I have to certainly check myself, because I am going in a direction I do not want to go in. I know members opposite are truly respected in their communities and I want to show that respect for them now. I really do. I do not want to go down that path and I do not want to be finger-pointing at all, because I do take the recommendations you made to me with regard to legal advice. I have not ruled that out, and I certainly noted that.

But it is the red herrings, when people are starting to use this issue. As I said, if people are truly respectful of me, and they have said that on numerous occasions, they would, I would hope, think Minister Lemieux would excuse himself or know to excuse himself. I have done so in Cabinet already on a few occasions where I felt that there was a potential conflict or that there was a conflict.

So I have to ask myself: Why am I being used as a pawn? If there is no issue, what is this all about? This is about slamming the Premier (Mr. Doer), and I do not appreciate it one bit. I do not believe the people of Manitoba appreciate spending time on an issue where there is none to try to get at a premier that has a very good reputation, not arrogant, confident, and has a very good reputation.

I, for one, have supported him when he ran for the leadership of my particular party, many, many years ago, and I continue to support him today. He is not arrogant; he is confident, and it is a confidence that I believe a lot of our members certainly exhibit and exude. There is nothing wrong with that. There are members opposite, as well, have that. I do not believe it is an arrogance; I believe they feel quite sure of what they speak and how they say it.

So, just to conclude, Mr. Chair, I just want to state there is no conflict. I thank the people for the suggestions and the recommendations, I do, and I am sincere about that. There is no direct or indirect conflict. My spouse has done nothing illegally or untoward, as was mentioned by the Member for Lac du Bonnet (Mr. Praznik). The Member for Lac du Bonnet said I have done nothing wrong, as the Minister, I am speaking. The law firm has done nothing wrong. Nelson House has done nothing wrong.

So what I am asking members of the opposition to do is to **state that they understand this, and certainly that there is no conflict.** I would ask that we move on. Maybe there are other speakers who wish to speak to this, but I would **state that the taxpayers of Manitoba wish us to move on.** If members opposite do not want to, I am sure the public of Manitoba will certainly look upon that and say, well, is this the way to spend tax dollars? Thank you, Mr. Chair.

**Mr. Chairperson:** Order, please. The Clerk has advised, following consultation with other procedural authorities, the motion before the Committee is out of order. A committee can recommend but cannot order a minister to do something. Therefore, I must rule the motion out of order on the above grounds.

**Mr. Praznik:** With all due respect, we will challenge the ruling of the Chair.

Mr. Chair, before I do that, is there a willingness on the Government side that would allow an amendment of that motion to change the word to "recommend" to bring it in order? If there is a willingness to do that, we will do that now, and then we can move on with the vote.

**Mr. Chairperson:** Is there a will to amend the resolution?

**Hon. Steve Ashton (Deputy Government House Leader):** The normal procedure would be just to withdraw the motion and re-move it with that section, but to save time I think we could probably do that.

**Mr. Praznik:** If there is a willingness of the Committee, I would so amend that resolution to make the recommendation of this committee—or the motion to "recommend" the Minister do this, as opposed to require him to do it, to so bring the motion into order. I think the intent is clear, and should that be the recommendation of the Committee, that I am sure the Minister would comply.

**Mr. Chairperson:** The Member for Lac du Bonnet, it would be appropriate if you withdraw the motion and make the necessary corrections.

**Mr. Praznik:** Mr. Chair, it has been the practice of this House and in committees that if there is unanimous consent to make that amendment to the resolution that it can be done. So I am asking if there is unanimous consent of this committee to allow the motion to be amended to change the offending word to "recommend," and thereby bring it into order, so that we can proceed with the vote. It would just save time. I am asking if he would canvass the Committee to see if there is unanimous agreement.

**Mr. Chairperson:** Is there leave? *[Agreed]*

We need it in writing.

The motion has been amended, and I will read the last clause as amended.

IT IS THEREFORE RESOLVED by this committee that the Committee recommend to the Minister of Consumer and Corporate Affairs that he immediately refer this matter to the outside legal counsel provided to all MLAs and ministers for this purpose; and it is further recommended that this legal opinion be provided to this committee as soon as it is completed.

The motion is in order now.

**Mr. Ashton:** Mr. Chairperson, I want to put a few comments on the record because I have had

the opportunity of obviously hearing the line of questioning from the members opposite and some of the comments in the Committee the last number of days. I want to address two points, which, I think, are fairly important.

\* (17:00)

First of all, I think it is unfortunate that members opposite have I think engaged in some of the line of questioning they have. I say this as someone that represents, in this particular case, Nelson House and Nisichawayasihk Cree Nation, someone who has a great deal of respect for the Chief and council and the members of the community, and someone that represents the city of Thompson, the Mayor and council, who have all, I think, been very responsible in their dealings with the casino issue. I have never lobbied, by the way, for the community.

I really want to give credit to the Minister for being part of a process, along with our Minister of Aboriginal Affairs (Mr. Robinson), in putting in place a process that clearly stated that there was no room for political interference. Because, quite frankly, my hope, and I have been a supporter of First Nations casinos for some time, is that the process is going to lead to selecting the best sites and not because Nelson House was selected. I believe that the process did work.

I think that is important to note because there are two elements here. One is sort of some direct suggestions towards the Minister; and the second is trying to sort of indirectly cast doubt on the process. What surprises me is some of the analysis that members opposite have been using, and I am very disappointed that they have moved from questions about the process, which was fair comment. I do not question that. Obviously, oppositions do have a role to play in terms of that, but I have heard questions in the House sort of suggesting, oh, there are only 15 000 people that would be served by this casino, sort of actually getting into the question of the analysis of the proposal itself. Well, first of all, I can say on the record that the trading area in Thompson is closer to 45 000 people. It is not 15 000 people. I am sure the Committee would have looked at factors like that. Second of all, I would point to communities like Prince Albert in



Saskatchewan which are in a similar geographic position. I would just point to the fact that I am sure the Committee would have looked at all these sorts of factors.

I am disappointed that members opposite would now get into some armchair analysis about some of the proposals. I wanted to put that on the record because I have had a very long association with both Nelson House and Thompson, and I trust the Committee, by the way, to make those kinds of decisions. The Mayor of Thompson has already indicated there will be a vote in Thompson. That is the decision of the City of Thompson. Other communities will obviously look at how that is dealt with, and that is part of the process. I think that is important to note, and I commend the Minister for doing that. So I wanted to put that on the record first because I think it is very unfortunate that some very hard work on behalf of Nisichawayashihk Cree Nation is now being put into question in terms of that.

Second of all, I want to address the issue involving the Minister. I really want to put the focus here on what has happened the last period of time. The Minister has been under a lot of scrutiny, as we all are. In this particular case, we have a minister who is a new member of the Legislature, so you have got the double level of not only scrutiny but being sort of new to the House. This minister has always been open to members of the opposition in terms of their questions in the House. He stated very clearly he was not involved in the site selection process. He had no role, and I can testify to that. You cannot get into Cabinet discussions or caucus discussions, but this is a minister who has not been involved in the site selection process whatsoever. The process we are at now has come about through an independent selection process. It has no connection to the Minister or the Minister's spouse, and I think that is important to put on the record.

If the members opposite will bear with me for a few minutes, I think they will see why I do have concerns about where this leads. So the Minister was not the one that selected the five sites. So let us deal with that. Now I want to deal with that. Now the members opposite said, uh-huh, the Member's spouse has done legal work

for—and I will use NCN for short here for Nelson House Nisichawayashihk Cree Nation. Where anything has arisen, as the Premier has indicated, related to the work of the Minister's spouse, that minister has withdrawn.

So this is a minister who does not brush off conflict of interest lightly because you have a clear indication in that case that there would be a potential conflict because if there was a matter involving Hydro, in this particular case, that would clearly be the case. But this is to do with a casino proposal. NCN has not engaged with the Minister's spouse for any legal work or the Minister's spouse's law firm regarding the application. I just want to put this together because you have now—and I say to the Member for Lac du Bonnet (Mr. Praznik) here—a site selection process which was done independently in which the Minister did not have any role. Then you have this accusation of a conflict involving the Minister's spouse where the Minister's spouse is not involved in any way, shape or form with the casino proposal.

Now I say to members opposite that I take conflict of interest, I think, very seriously, but there is another thing I also take very seriously, as well, as someone whose partner is a very active member in my community and certainly has her own profession. I, like the Minister, have a very clear idea of when you cross the line in terms of conflict of interest. But I can say to members opposite that what I think is unfortunate here is at a time when many members of Cabinet—and this is not the 1950s when perhaps members' spouses, ministers' spouses were not engaged in other kinds of activity. We are living now in the 21st century. Many of us have partners who are significant in their own careers in this province, and I think that is important to note. I say we all understand where there is a clear conflict of interest.

But I really want to note on the record what members opposite here would like us to have happen is to take, in this case, a minister who had no role in terms of the site selection process, a minister's spouse who had no role in the site selection process, and then suggest that somehow we should have a motion of this committee urging the Minister to seek legal advice. You know, I think when you take

conflict of interest seriously, one thing you do is you have to know when the threshold is reached.

I know this minister well enough to know—and I have seen this minister in action—that this is a minister who immediately without question on issues where there might have been a potential, not a real, but a potential conflict of interest, immediately withdrew. The Minister's spouse's relations in terms of the NCN are part of public knowledge. Of course, part of the element of, I think, conflict of interest that people have to understand, quite frankly, is that one of the elements is not simply the withdrawal, but it is also that the public should be aware of circumstances. But you know, once again, there are no circumstances directly or indirectly tied into the casino.

I understand members opposite doing due diligence. I really do. But I was very careful when I was an opposition member, and I look to members here in this committee who were also very careful when we made accusations. I can say that I probably, maybe in the 11 years we were in opposition I think we called for a minister to be removed once, I think once in my case. You know, I agonized over that, because I think it is part of politics. I think it was the Member opposite who talked about perceived perception. When you start getting to perceived perception, what is perceived perception? Imagined perception? I mean, perception is enough of a once-removed test here.

But if you get into perceived perception, I say to the members opposite I think in this and other issues—and I note I think there were sort of several calls for a resignation over the weekend from the Member for Lac du Bonnet (Mr. Praznik). I realize members opposite are new to being back in opposition, but you do need a balance. You need some thresholds, I think. You need to be very careful when you go past those thresholds when you are in opposition in terms of making accusations. You also, I think, need to be very careful about calling for the removal of the Minister, and the Opposition called for the removal of the Minister from this file. *[interjection]* Oh, no, the Member for Lac du Bonnet says, no, they did not. Check Hansard, because I sat there in the Legislature and I saw it. I saw the members opposite get up and say—

*[interjection]* The Member for Lac du Bonnet says removal from the file. Well, that is removing the Minister. That is asking the Minister to be removed.

I say to members opposite that a little bit of balance is really important even when you are in opposition. I have—and we all have actually I think in this case—some experience, just looking at those of us at the table right now in opposition, and once again, if there had been any connection it might be different. But quite frankly—and by the way, I say to the Member for Lac du Bonnet I am quite aware of the Act. But one of the concerns I have here is I do not want to see a situation in the 21st century where we take a situation where there is no—and let us get into the legal terms—prima facie evidence of any conflict of interest here. I am not a lawyer, so I just want to caution that my knowledge of the law may be somewhat—I am not a qualified lawyer, so I will not go farther than that. But there is no prima facie case. There is a minister who did not have a role in the site selection process and a minister's partner who was not involved in the site selection process.

\* (17:10)

I say to members opposite, again, you know, it is interesting, because we do have some interesting situations with conflict of interest. I never once questioned the conflict of interest of members opposite who are farmers and yet collect benefits from farm programs.

**An Honourable Member:** Read the Act.

**Mr. Ashton:** Well, read the Act, because if someone wanted to be a little bit creative in terms of conflict of interest, one might suggest there is a conflict of interest in that particular case. *[interjection]* Well, provided for in the Act, the Member says. This minister and this minister's partner will not receive a cent's worth of pecuniary benefit for anything that transpires as a result of it.

One of the real issues here, and I say this to members opposite, too, because conflict of interest, I think, is strongest when the public is aware of it and the public can make the judgment, particularly in a world in which many

of us have partners who have involvements in society that are extensive. My own spouse is very active in our community, very active in her professional life. I disclose it every time, every session. When an issue comes up, I always think of whether there is a conflict involved.

But, you know, we should not get into sort of an immediate situation where we are all going to be going through each others' files and, with no prima facie evidence, not even close, trying to create a situation in which we call into question the Minister's integrity or, in this particular case, put a chill, and I say a chill, on the ability of our spouses to be able to earn a living, participate in public life in a way in which I think any of us would expect. No one is suggesting that ministers' partners should ever be in a position of gaining from their connection to the Minister.

But we also, I think, have to be careful we do not go to the opposite end of the scale. Because in this particular case—I just want to finish off on this—I really think that members opposite, they made their point, but to call through a motion of this committee on the Minister, a fairly extensive motion too, which I think goes far beyond anything that is established here, for the Minister—to suggest even that there is a prima facie case here I think is going far too far. So that is why I would urge members of this committee to vote down the motion.

I think members opposite have made whatever point they want to make. I do not believe there is any conflict of interest, any perceived conflict of interest, or any "perceived perception," to quote the Member opposite. There may be an imagined conflict of interest, but we do not use the Act for imagined or alleged conflicts. We use it for real or perceived, and I will leave it that, Mr. Chairperson.

**Mr. Chairperson:** Is the Committee ready for the question?

**Some Honourable Members:** Yes.

**Mr. Chairperson:** The question is as follows: It is moved by the Member for Lac du Bonnet (Mr. Praznik) and seconded by the Member for Southdale (Mr. Reimer), that—

**An Honourable Member:** Dispense.

**Mr. Chairperson:** Dispense.

*WHEREAS The Legislative Assembly and Executive Council Conflict of Interest Act states in section 8: "Where, during the exercise of any official power or the performance of any official duty or function by a minister, there arises (a) a matter in which the minister or any of his dependants has a direct or indirect pecuniary interest . . . 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*

*WHEREAS section 3(1) of the same statutes defines an indirect pecuniary interest as "for purposes of this Act, but subject to this section, a person shall be presumed to have an indirect pecuniary interest in a matter where . . . (b) the person is (i) a partner of or employed by . . . a person, corporation, partnership, or organization who or which . . . has a direct pecuniary interest in the matter"; and*

*WHEREAS the Minister of Consumer and Corporate Affairs is currently responsible for the negotiation of agreements with First Nations proponents for five casino projects in our province which his own selection committee described in their report as a unique and valuable privilege; and*

*WHEREAS the Minister's spouse and the law firm of which she is a partner is currently in the employ of one of the First Nations with respect to their dealings with Manitoba Hydro; and*

*WHEREAS the Minister of Consumer and Corporate Affairs has admitted that he has not sought any legal advice nor has he availed himself of the outside legal counsel which is available to all ministers and MLAs to determine if he is in compliance or will be in compliance with The Legislative Assembly and Executive Council Conflict of Interest Act; and*

*WHEREAS it is in the public interest and the interests of all First Nations casino proponents that the Minister ensures that he is in full compliance with the law.*

*IT IS THEREFORE RESOLVED by this committee that the Committee recommend to the Minister of Consumer and Corporate Affairs that he immediately refer this matter to the outside legal counsel provided to all MLAs and ministers for this purpose; and it is further recommended that this legal opinion be provided to this committee as soon as it is completed.*

### Voice Vote

**Mr. Chairperson:** Is it the will of the Committee to adopt the motion, as amended?

All those in favour of the motion, as amended, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

### Formal Vote

**Mr. Praznik:** Mr. Chair, the Member for Southdale (Mr. Reimer) and I request a recorded vote.

**Mr. Chairperson:** Two members have requested a recorded vote. The members will now go to the Chamber for a recorded vote. The Committee is recessed.

*The Committee recessed at 5:15 p.m.*

*The Committee resumed at 5:52 p.m.*

**Mr. Chairperson:** The Committee will come to order.

**Mr. Praznik:** Mr. Chair, being there is only a moment or two before six o'clock, on behalf of my colleague the Member for Steinbach (Mr. Jim Penner), I would like to just advise the

Minister he may in fact want to have some of his staff here with him tomorrow to entertain questions. There still may be some questions about the casino issue, but there may be other questions as well. So I would just like to put him on notice that the staff should be available at least. We will not guarantee necessarily we will have questions in that area but we may, and then I would suggest that perhaps we call it six o'clock.

**Mr. Lemieux:** Just a quick question. Because we are looking at global issues, I am just wondering if there are any questions related to Consumer and Corporate Affairs. Instead of having eight people show up for Consumer and Corporate Affairs, I am wondering if there is a specific area, if that is okay. I am not sure if that is.

**Mr. Praznik:** Mr. Chair, I would suggest that the Honourable Minister speak tomorrow with the Member for Steinbach who is the critic to make that arrangement, but I would indicate that we may in fact have more questions in the casino area, but there may also be others coming. So I would just ask him to have that conversation in the morning so that staff can be accommodated.

**Mr. Chairperson:** Is it the will of the Committee to call it six o'clock? *[Agreed]*

Committee rise.

### EDUCATION AND TRAINING

\* (16:00)

**Madam Chairperson (Bonnie Korzeniowski):** Good afternoon. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply, meeting in room 255, will resume consideration of the Estimates for the Department of Education and Training. Consideration of these Estimates left off on page 57 of the Estimates book, resolution 16.1. Administration and Finance. The floor is now open for questions.

**Mrs. Joy Smith (Fort Garry):** We were going to deal with 16.1.(d) Human Resource Services today starting off; 16.1., we have some on that part as well. So perhaps we will start with 16.1.

then Administration and Finance. I notice Gerald is here.

**Hon. Drew Caldwell (Minister of Education and Training):** Madam Chairperson, I would just like to acknowledge Claude Fortier, Butch Berube again, Gerald Farthing, Tom Thompson and Ben Levin from the Department of Education's staff and thank them for attending here today. Thank you.

**Mrs. Smith:** Madam Chair, could the Minister advise this committee—I note under 16.1.(b) Executive Support (1) Salaries and Employee Benefits, there is a significant change in the line Other Costs and Benefits. This has gone from \$10,000 last year to \$18,400 this year. Would the Minister kindly explain the increase and what it will cover?

**Mr. Caldwell:** Madam Chairperson, if I could get the page number, we are uncertain if it is 16.1.(b) or (d) Other Costs and Benefits in 1999-2000 being a figure of \$10,000, in 2000-2001, being a figure of \$18,000, is that what the Member is referring to?

**Mrs. Smith:** Madam Chair, 16.1.(b), just to make sure we are on the same, there is a significant change in the line Other Costs and Benefits. This has gone from \$10,000 last year to \$18,400 this year. Would the Minister explain the increase and what it would cover?

**Mr. Caldwell:** Madam Chairperson, as we reviewed some of this material yesterday, while the staff is looking for the specific line item, I note that the total expenditures for this particular subappropriation have declined by \$2,000 from \$604,300 last year to \$602,400 this year. The main change in provisions in 1999-2000 versus 2000-2001 was a decrease of \$10,000 in the Deputy Minister's salary reflecting the departure of the previous existing deputy, Mr. Carlyle, and the arrival of the existing deputy, Dr. Levin.

The main provision for Other Costs and Benefits, the \$6,000 provision in the Estimates for this year reflects staff overtime, and thanks, staff, for that too. Thank you.

**Mrs. Smith:** Madam Chair, in 16.1.(c), Native Education Directorate, I just want to go back,

just to tidy up some things that I was noting from yesterday. There is a significant increase in salaries from 32.4 to 63.9, although the chart only shows one additional FTE. Will the Minister please explain that jump?

**Mr. Caldwell:** That particular line item reflects the addition of one person at a cost of \$30,000 for his salary.

**Mrs. Smith:** I believe we covered that yesterday. Now I am just trying to tidy up some of the things that I had questions about last night after we went over.

**Madam Chairperson:** Mr. Minister. I thought you—

**Mr. Caldwell:** No, no, I was waving to a colleague.

**Mrs. Smith:** Madam Chair, I think waving to colleagues is dangerous in this room.

**Mr. Caldwell:** This room and auctions.

**Mrs. Smith:** And auctions. There are also significant increases under the section titled Supplies and Services which has gone from 22.3. I think we talked about that yesterday, although this was picked up in some of the questions, 36 to 36.3. It appears expenditures are being incurred in repairs and maintenance, rentals and professional services. Just to reiterate, I think that is what we talked about yesterday in terms of what it was.

**Mr. Caldwell:** The Member is right. We did cover this yesterday. The cost is primarily related to additional occupancy cost.

**Mrs. Smith:** Madam Chair, to back up for just a minute. There is a reduction in the line Grants and Transfers from 5.0 to 1.0. What has changed? Are there fewer grants? Could the Minister please advise this committee: Are fewer grants being made available, or what has been cut there?

**Mr. Caldwell:** Madam Chairperson, the main expenditure saving in that particular item was a recipient, the Province of Alberta in fact was the recipient, ironically enough, given our relative

fiscal situations, but the Province of Manitoba provided \$5,000 to the Province of Alberta for an Aboriginal languages framework as part of the memorandum of understanding, I assume under the Western Canadian Protocol—yes, the nod is correct. That amount filled obligations that had been taken on. I guess 1996-97 was the initial year, of \$8,200; and 1999-2000 was a \$5,000 increment there. So that is the primary reason for that.

**Mrs. Smith:** Madam Chair, could this minister please advise the Committee in 16.1.(d), one change I note is an area titled Amalgamated Human Resource Services under Director Jack Gillespie. What was the reasoning for amalgamating the consolidated cluster of departments, including Education and Training, Consumer and Corporate Affairs, Labour, the Manitoba Gaming Control Commission, and seven special operating agencies?

**Mr. Caldwell:** I have been given advice that it was done under the previous government. It was essentially an efficiency measure.

**Mrs. Smith:** I note one additional FTE and a corresponding increase in the budget. Was a full-time position established in this section?

**Mr. Caldwell:** Madam Chair, yes, in fact, a full-time position was established in the Amalgamated Human Resource Services. If I might review just briefly the global employment in the Department of Education and Training, we this year have reduced the FTEs in the Department as a whole by some 60 positions. We spoke about this a little bit yesterday in terms of secondments and term expiries and vacancies not being filled with a view to creating a more efficient department with cleaner lines of authority as well as a desire to free up some resources from within the civil service or the bureaucracy and use those resources in the classrooms of the province of Manitoba.

I think an added position in Human Resource Services, on the face of it, I am trying to put it in context. Because of the human resource management issues that confront the Department with our decision to streamline in a very forceful way the bureaucracy, there has

been some additional workload, as the Member may appreciate, in that particular branch.

**Mrs. Smith:** Where did this person come from? Could the Minister please advise the Committee where this person came from? Did he or she come from within government or outside of government?

**Mr. Caldwell:** I have been advised that the individual who took that job came from within government, came from Housing. So it was a civil service transfer.

**Mrs. Smith:** Referring to 16.1.(c) under Administration and Finance, how many people are on the—I think this will be covered, but how many people are on the redeployment list now compared with last fall, Madam Chair, if the Minister could advise this committee in terms of numbers.

**Mr. Caldwell:** I have been advised that the redeployment list is a central government list. There is not a specific list for the Department of Education and Training.

**Mrs. Smith:** So basically this minister does not have the information in terms of Manitoba Education and Training because of the bigger list.

**Mr. Caldwell:** I have been advised that it is a Civil Service Commission list. It can be made available through the Civil Service Commission.

**Mrs. Smith:** I notice under 16.1.(e), Financial and Administrative Services, there is a significant reduction in managerial salaries, although it appears just one person has been cut from this section. Could the Minister please advise the Committee what position is no longer with the section.

\* (16:10)

**Mr. Caldwell:** This again is one of the efficiency measures that we took upon assuming office. There was an ADM position that was eliminated in this particular branch for a cost saving to the Department in terms of bureaucratic spending of just under \$100,000; as I outlined yesterday and earlier. When we as-

sumed office, the Department did a review of its staffing levels, a review of secondments, a review of term positions within staff and unfilled positions as well as a review of senior management.

That review was undertaken with a desire to gain greater efficiencies in terms of the decision-making lines and also greater efficiencies in terms of resources. Our desire was to free up as many resources as possible from within the bureaucracy of the Department of Education and Training and, in turn, move those resources into the front lines of the public and post-secondary school system. So this particular managerial change reflects the elimination of an assistant deputy minister position at a rate of pay of approximately \$100,000. Those resources, of course, will be utilized in terms of our global budget for classrooms and universities and colleges.

**Mrs. Smith:** Could the Minister describe the departments that are Financial and Administrative Services 16.1(e)? Could the Minister describe the Department's controllership function?

**Mr. Caldwell:** The objective of the Financial and Administrative Services Branch, of course, is to provide leadership in all areas of the Department's financial and administrative functions, primarily "to ensure the Department's controllership function is appropriately maintained to meet the needs of the Department for financial control"—of course—"accountability, reporting and the safeguarding and protection of financial and physical assets."

The Branch also provides "a comprehensive support services in assessing resource requirements and allocations to programs and branches including direction and support in financial and business planning, reporting, monitoring and control policies, processes and procedures."

The Director of Finance and Administration, consistent with the role and mission of the Department, is accountable for maintaining an active controllership function by providing leadership, direction, integrity for planning, design implementation and evaluation of corporate financial and administrative support services and systems and for the provision of

counsel and advice to the departmental officials on all budgetary, financial and certain administrative matters.

The Director is the executive financial officer for the Department, supports the role of the Deputy Minister of Education and Training, Dr. Levin, and has the overall responsibility for appropriate and effective financial management control and accountability systems, including protection of assets for a wide variety of education and training programming. This branch co-ordinates the Department's annual Estimates process, cash flows, year end and other variance analysis reports, and is the central liaison between the Treasury Board and other central agencies.

The Department's programs and services are budgeted under eight main appropriations overseen by the administration of finance branch. These appropriations support Administration and Finance, School Programs, le Bureau de l'éducation française, Support to Schools, Training and Continuing Education, Support for Post-Secondary Education, Capital Grants, and the Amortization of Capital Assets.

Manitoba's commitment to education and training, of course, includes funding to elementary and secondary schools, three community colleges throughout the province, École technique et professionnelle, three universities—Brandon University, University of Manitoba, and University of Winnipeg—Collège universitaire de Saint Boniface, and skills development and training initiatives across departments and within the department.

The programs and services of Manitoba Education and Training are grouped in four main categories: department-wide initiatives; elementary and secondary schools; post-secondary education and skills training. In addition, Manitoba Education and Training has the responsibility for a great many statutory responsibilities. In effect, the administration of The Apprenticeship and Trades Qualifications Act, this is a controllership aspect; The Blind and Deaf Person's Maintenance and Education Act; The Brandon University Act; The Colleges Act; The Council on Post-Secondary Education Act; The Education Administration Act; The

Department of Labour Act, as it applies to certain training programs; The Public Schools Act; The Public Schools Finance Board Act; The Teachers' Pension Act; The Teachers' Society Act; The Universities Establishment Act; The University of Manitoba Act; and The Private Vocational Schools Act.

In terms of organization and structure, the Branch has four positions reporting directly to the Director. These are the Assistant Director, the Senior Financial Analyst, the Access and Privacy Co-ordinator, and the Accounting and Administrative Services Supervisor. The emphasis toward corporate financial administration, including financial accounting, financial planning and review, budgeting, administrative services have precipitated the restructuring of the finance and administration branch.

The Branch includes the business practices review unit, the financial management and reporting unit, and the accounting and administrative services unit. Within the Branch, the Member will be interested to know that there are 16 staff, four positions reporting directly to the Director. These positions, as I indicated briefly earlier, are the Assistant Director responsible for the Business Practices Review, Access and Privacy Co-ordinator, the Senior Financial Analyst of Financial Management Reporting, and the Accounting and Administrative Services Supervisor.

The Director of Finance Administration reports directly to the Deputy Minister of Education and Training, Dr. Levin. The Department has in excess of 30 different units offering a wide variety of programming, ranging from funding of schools, universities and colleges, the operation of the Manitoba School for the Deaf, the Student Financial Assistance Branch, Employment and Training, Workforce 2000, Stevenson Aviation Centre, the Distance Delivery unit, MERLIN, the Manitoba Textbook Bureau, the Teachers' Retirement Allowances Fund, and services including curricula development, implementation, assessment and evaluation, libraries, labour market support, apprenticeship, et cetera.

The Director of the Branch must provide leadership within this organizational framework

to support senior departmental staff in the management, control, and accountability of departmental resources. If I might just put a point on the record, Madam Chairperson, the Department does extraordinarily good work in accounting for the fiscal resources of the Department of Education and Training. I certainly do appreciate the work that the Administration and Finance branch does on behalf of the people of the Province of Manitoba.

The Director has functional authority throughout the Department respecting matters of financial control consistent with the delegation of responsibility for payment authority to the Departmental executive financial officer. The Branch has a lead role in the Departmental controllership function in that it provides advice and direction concerning the design and organization of departmental accounting and financial management activities.

The introduction of the Service First Initiative, Better Methods and Manitoba Measures has changed the way that government conducts its business. As I did yesterday a number of times, I think that I have to acknowledge the work that the previous government did in that regard. Certainly that work continues with the new administration. So I wish to acknowledge that for the Member, Madam Chairperson.

New systems and processes have resulted in shifting many payroll and voucher payment activities to the program level with corresponding efficiencies. Financial management information requirements have not changed. However, there has been a significant shift in the traditional centralized pre-auditive request to disburse monies from the consolidated fund to post-payment reviews, financial controls in place at the program level. The primary focus of the role of the Branch is now on maintaining internal standards for systems and processes by program managers for monitoring, controlling and reporting on their areas of responsibility. This includes providing advice, information, training, workshops and conducting reviews of departmental financial systems and processes.

I just want to review three particular units in terms of their controllership function, because I



think it is salient to the matter under question here. The role of the business practices review unit, the first of the three units that I will just briefly outline, is to conduct reviews of various expenditure and revenue streams categorized by risk throughout the Department. This unit provides a more logical and efficient approach to obtain assurance of the integrity of financial systems and processes used within the programs and branches.

\* (16:20)

The second unit is the financial management and reporting unit, which oversees the development and reporting of departmental estimates, cash-flow projections and financial year-end reports. I would like to thank most of those people for being here right now, frankly.

The third unit is the accounting administrative unit, which continues to be responsible for revenue and expenditure transactions and central billings. Under the decentralized SAP system, implemented April 1, 1999, by, again, the previous administration, the requirement for providing assistance information, direction and training to program and other branch staff now involved in the day-to-day payable activities has increased dramatically.

The three units interact on a team basis, Madam Chairperson. While each unit has distinct roles, certain members within each unit may have a division or major program area assigned to them. For the area assigned, the member works with and provides counsel and advice to divisional or program staff on a wide variety of budgetary financial and administrative issues. This, of course, allows for good communications throughout the Branch and quick responses in an integrated fashion to issues that arise within the Department.

At this point, I think it is important to note that, in the main, the business of the Branch and the way that they conduct their business is very much consistent with the way the business of the Branch was conducted under the guidance of the previous administration. There was the change that we noted earlier in terms of the Assistant Deputy Minister's position being removed in this particular Estimates year, budget year for the

main purpose of freeing up resources for other areas of the Department's activities.

We have not found that that change has made any appreciable difference whatsoever in the function of the Branch; in fact, I know that, from my own perspective, I far prefer, in terms of lines of communications and direct flowthrough of information, having the Deputy Minister being reported to directly from the director and then, in turn, advising the Minister. It has, if anything, cut some red tape in the bureaucracy in the Department as a whole.

So there is very little change—in fact, there is negligible change—in the operation of this particular branch from the previous administration to this one.

**Mrs. Smith:** I thank you for that thorough answer, Minister.

My next question is: Could the Minister please supply this Committee, Madam Chair, with a listing of the staff in Financial and Administrative Services, specifically under the business practices and the financial management and the accounting administration and anyone else that is involved in this particular department, with an overview of what their actual job description is? I know it would be difficult to supply today. If they have a listing by the end of the week or tomorrow, you know, by Thursday would be fine.

**Mr. Caldwell:** Madam Chairperson, I do have that information with me right now; thank you to the good work of the staff. I am a little reticent of giving specific names, but, if it is agreeable—and these are all long-standing civil servants, at any rate—we can give their title and their civil service level. So that gives an indication of where they fit into the structure. I can give their job descriptions, if that is agreeable. I do not mind giving names, but I know that sometimes people do not like it. If that is agreeable, Madam Chairperson.

**Mrs. Smith:** That would be fine.

**Mr. Caldwell:** I have been advised that they are public. They are in the phone book. But I know that some people do not like it, that is fine. I will

do so anyway, because at the top of the list is Dr. Ben Levin, Deputy Minister of Education and Training. Under Dr. Levin is Tom Thompson who is here with me today, too, the Director of Finance and Administration. Assisting Mr. Thompson in his role as Director of Finance and Administration is Jody MacDonald, Secretary, and Donna Harasymec, Access and Privacy Co-ordinator.

There are three branches directly under Mr. Thompson: the accounting and administrative services unit, the business practices review unit, the financial management reporting unit, as the Member indicated.

The accounting and administrative services unit provides advice, information and training related to SAP and other accounting systems for the Department and general accounting services to the Administration and Finance Division. In addition, the accounting and administrative services unit provides a wide range of administrative and accounting services to the Department including central billings, parking, co-ordination of procurements, travel cards, et cetera.

In that unit, the accounting and administrative services unit, the accounting and administrative services supervisor is Therese Dandeneau. Working for Therese are five staff: Barb Campbell is acting revenue and expenditures audit clerk; Rosa Martinez, payment clerk; Ruth Taylor, senior clerk; Brenda Scharikow, timekeeper payment clerk; and Liane Murphy, receptionist for that unit.

The second unit under that particular branch, the business practices review unit, conducts reviews of the design and application of financial systems, processes for financial management, control and accountability of departmental resources, provides advice, information and training on SAP reports. The assistant director under the business practices review unit is Claude Fortier. Working under Claude is Claire Breul, financial analyst; Linda Hobson, financial analyst; and Judy McKee, acting financial assistant.

For the third unit, the financial management reporting unit, its responsibilities include the

preparation and analysis of estimates, cash flow, year-end reports, including the design and development of integrated program and financial systems, providing advice and information related to the preparation of contracts, Treasury Board submissions, and so forth. The senior financial analyst under the financial management and reporting unit is Gilles Richard. Working under Gilles are two other employees: Donna McCarthy, a budget officer, and Manvinder Dangell, financial analyst. That rounds out the Branch.

**Mrs. Smith:** Madam Chair, I want to thank the Minister and the wonderful bureaucratic system, and the bureaucrats, I compliment you. You are amazing, absolutely amazing.

I would like to ask the Minister to inform this committee: How is the implementation of the SAP program and the Better Methods program progressing in Manitoba Education and Training? I know the Better Methods program encompasses a number of disciplines across government, in terms of dealing with financial matters. I understand there are also some problems that need to be worked out with the SAP program, and this does take time. I would just like to have an overview of how that is progressing.

**Mr. Caldwell:** Madam Chairperson, the SAP finance system is being used by the Department, by Government generally, and there seems to be some degree of satisfaction with SAP. Better Methods, again, is used across government, but it is under review. The proper jurisdiction for it in terms of detail information would be Finance, but I know that in the Department as a whole, I am advised that it is under review system-wide.

**Mrs. Smith:** Could the Minister please clarify who is the contact person for Manitoba Education and Training that works with the staff using the Better Methods philosophy and business practices outline?

\* (16:30)

**Mr. Caldwell:** The individual that the Department utilizes in this regard is Therese Dandeneau, and whom I had mentioned earlier

under one of the branch units, Accounting and Administration Services Unit.

**Mrs. Smith:** More succinctly, could the Minister advise this Committee as to the outside help, outside of Manitoba Education and Training, because I am aware that the consultation is done in an intergovernment way. Better Methods is set up globally within the Government, and I am wondering what part of the Better Methods outside of Manitoba Education and Training gives advice and gives recommendations to the Manitoba Education and Training person?

**Mr. Caldwell:** The Department of Finance is truly the lead department in this regard, and I am not certain frankly how the Minister and his department operate, but I know that during the Estimates process, I encouraged the Member and her party to inquire of the Minister of Finance.

**Mrs. Smith:** As the Minister has indicated, Better Methods is now under review. Could the Minister please advise this Committee in the event that the Better Methods program was not deemed suitable, is there some other program or some other methodology that this Minister is currently looking at to accommodate the needs of Manitoba Education and Training?

**Mr. Caldwell:** Madam Chairperson, part of the responsibility of Mr. Thompson as the Director of the Administration and Finance branch is to constantly work with different areas within the Department to make sure that business planning, financial accountability and, in fact, best practices are carried out in that regard.

In terms of the best practices in the Government as a whole, the lead department is the Department of Finance, and really the questions likely should go there. I am not aware of the details which the Member wishes to have on the record. The Minister of Finance (Mr. Selinger) would be more in a position to apprise members on that issue as the lead minister in this.

**Mrs. Smith:** Could the Minister please advise this committee what support services have been put forward for financial and business planning in Manitoba Education and Training?

**Mr. Caldwell:** The business planning process is one that has not changed between this adminis-

tration and the previous administration. Proposals are put forward where they require fiscal resources through the Treasury Board process. That is the same process that has been in operation, probably for decades.

**Mrs. Smith:** I would assume then that the reporting and monitoring would be the same as well, that there has been no change there. Could the Minister please advise this committee on that?

**Mr. Caldwell:** Well, the SAP program that was begun last year under the previous administration, other than the natural evolution of the program as it rolled out, there has not been any change made by this administration in that function.

**Mrs. Smith:** I understand that as part of a new program being implemented, I know some of the staff had some concerns at one point about the implementation and trying to get the professional development training on a new program. Could the Minister please advise what professional development training is being provided for Manitoba Education and Training staff?

**Mr. Caldwell:** I have been advised that staff from the Financial and Administrative Services have been conducting workshops this year as the first year of this SAP program throughout the Department as well as individuals from Finance assisting the staff in having workshops throughout the Department of Education and Training.

**Mrs. Smith:** Thank you for that information. I know that is something that was needed at Manitoba Education and Training for the staff.

Madam Chair, could the Minister advise this committee if there are any new initiatives to organize the Department's accounting? Are there any new initiatives that are being developed at this time?

**Mr. Caldwell:** No. There are no new initiatives being planned at this time. The major alteration between this time last year and today was the elimination of the ADM position. Other than that, it is essentially the same operation, the same scrutiny, the same programs that have been used in the Branch for the past years.

**Mrs. Smith:** Madam Chair, could the Minister outline emerging financial and program management within the financial management of the Department? Are there any emerging financial and program management that has been different other than previous years?

**Mr. Caldwell:** The SAP protocol that is in place, the Financial and Administrative Services are working with other branches to have accounting functions take place as completely as possible at the branch level as opposed to centralizing every financial decision. Of course, there is an oversee role, a professional development role, and a role of scrutinizing the entire operations of the department, but more responsibility is being taken by local branch directors, and that is a subtle shift.

\* (16:40)

**Mrs. Smith:** Could the Minister advise this committee what staff will be handling the new department program on financial proposals on ongoing departmental operations?

**Mr. Caldwell:** For clarification, we are uncertain about the new proposals.

**Mrs. Smith:** For clarification in terms of the development of SAP and the other financial concerns—thank you. Ah, a sugar fix. Those are good candies that I appreciate you sharing. I diverge.

What I am getting at, Madam Chair, is I know that there are some concerns within Manitoba Education and Training in terms of the implementation part. It is an ongoing process that I think every minister has had challenges with. What I am interested in is, I know we had past concerns about that when the former government was in place. I am encouraging the Minister to continue on with that, which obviously I believe he is. What I am trying to say is, specifically what are the ongoing plans to ensure there are smooth operations with the new initiatives that are there?

I can take SAP as an example. I know there were quite a few glitches. I do believe that a plan needs to be in place to assist the staff, the secretaries, the Manitoba Education personnel

that work with it every day. What I am trying to get at is has the Minister put a plan together with the staff to ensure that in time this will be corrected.

**Mr. Caldwell:** Two points. The first one is that we have just completed one full cycle, the first year of the SAP. The utility of SAP is, I think, one that the Department, the Government recognizes as being valuable. The previous administration did likewise in establishing it. The first cycle is complete now, and there is an anticipation it will be smoother the second year, although it has been fairly smooth.

It is important to note that it is more than just an Education and Training issue. It truly is a cross-departmental issue, a cross-governmental issue, the SAP at its essence, so there is going to be continued training of staff both within the Branch and in advancing SAP across branches and across departments but also within departments, those who are responsive to SAP. We expect there will be system improvements to SAP based upon this first year's cycle. Some new report options will probably emerge as we head into the second year and have more experience with SAP.

**Mrs. Smith:** Could this minister please advise what other departmental government agencies or organizations is the Minister in liaison with regarding other financial matters of the Department?

**Mr. Caldwell:** I know offhand, in terms of the Healthy Child Initiative, we are involved in interdepartmental initiatives with the Department of Health. If this is what the Member is looking for, there are the Department of Health, the Department of Family Services and Housing, the Department of Justice, the Department of Aboriginal and Northern Affairs, and with Treasury Board obviously and the Provincial Auditor obviously, although those are not departments, but they are arms of government, the Healthy Child Initiative and the Neighbourhoods Alive! initiative in terms of the Lighthouse schools. I think that would be a complete listing. There is the Department of Labour, frankly, in terms of formulating legislation that involves labour relations. I think that would be it.

**Mrs. Smith:** To capulate this, basically what this minister is indicating is there is not a great change between what has happened last year. So my questions in terms of new initiatives and new controllership, I understand that there is no new emphasis, or is there something else that the Minister can elaborate on, please?

**Mr. Caldwell:** The main difference, of course, is we had two departments and one or two branches at one point and they have been consolidated, so you have one controller reporting to the Deputy. But in terms of the function, the overall daily function, they are essentially the same.

**Mrs. Smith:** Could this minister advise the Committee whether the amalgamation of these two areas is proving to be smooth and prudent?

**Mr. Caldwell:** All the responsible parties are right beside me right now, and they say it is working fine.

**Mrs. Smith:** Madam Chair, there is no bias there?

**Mr. Caldwell:** In its essence, there is no particular change in the function or the results or how business is carried out between this administration and the previous one.

**Mrs. Smith:** Madam Chair, I would like to ask some questions under 16.1.(d) that I need to go back to. If you will bear with me for a minute, I will get my notes.

Madam Chair, under Amalgamated Human Resource Services, could the Minister explain this classification unit, please?

\* (16:50)

**Mr. Caldwell:** The objective of the Amalgamated Human Resource Services is to provide a comprehensive human resource service to a consolidated cluster of departments including Education and Training, Consumer and Corporate Affairs, Labour and the Manitoba Gaming Control Commission, as well as to a number of special operating agencies.

The activities of the Amalgamated Human Resource Services is to provide services in the

area of recruitment and selection, in the area of classification, the area of employee relations, the area of staff development, the area of personnel documentation, the area of employment equity, the area of pay administration, the area of performance management, as well as workplace health and safety. The Amalgamated Human Resource Services also ensures the placement of employees who are on the redeployment list as per government policy.

Madam Chairperson, the Amalgamated Human Resource Services' activities also include the provision of training, advice, direction and co-ordination of information to departments, programs, branches and special operating agencies working within an integrated human resource system consistent with government initiatives.

The Amalgamated Human Resource Services also as part of its activities promotes the skills and knowledge required to include in-depth conceptual grasp of the Government's direction, departmental roles and mission statements, critical success factors and objectives.

It is expected that the Amalgamated Human Resource Services will provide a comprehensive human resource plan and ongoing planning process that links each department's goals and objectives to a foundation of human resource core competencies. It is also expected, as a result, that the Amalgamated Human Resource Services will ensure that each department staffing requirements are met in a timely and efficient manner in compliance with The Civil Service Act and all other relevant acts, other relevant government policies, other relevant procedures and priorities in the government employees' master agreement.

Expected results also include managerial effectiveness being enhanced through planned consistent staff training and leadership development. As well, the Amalgamated Human Resource Services is expected to review, anticipate, and implement strategic human resource plans to meet the conditions and directives of government's internal reform initiatives. It is also expected that areas of conflict and/or potential conflict between management and staff will be identified and

resolved in a timely manner consistent with the operation requirements of the Department in the provision of collective agreements entered into by the Department. Finally, the Amalgamated Human Resource Services is expected as a result to ensure the objectives of the government's personnel programs, including employment equity programs, continue to be implemented in an effective manner.

I think that essentially sums up the purview of the service.

**Mrs. Smith:** Thank you for that answer, Minister. Could the Minister outline the internal reform initiatives that are currently in place right now?

**Mr. Caldwell:** One of the major items, in response to the Member's question, is to ensure that human resource transactions follow SAP protocols, for example, as one of the major reforms. That would be the major one.

**Mrs. Smith:** Could the Minister advise this committee who is on the redeployment list in this area? Is there anyone on a redeployment list other than what you have already outlined?

**Mr. Caldwell:** There are no redeployments from this unit.

**Mrs. Smith:** Could this minister advise the Committee whether there have been any other people brought in from other government constituencies?

**Mr. Caldwell:** There has been one person brought in to support payroll.

**Mrs. Smith:** Could this minister please outline the human resource plan that has been put in place since this government took office?

**Mr. Caldwell:** There is no difference between the human resource plan of this administration and the previous administration in terms of the utilization of civil service protocols in staffing, and we are carrying on business in that same fashion.

**Mrs. Smith:** Could the Minister outline the staffing requirements currently needed at Manitoba Education and Training? Have the

staffing requirements been met, or are there other things? I understand that in Research and Planning there will be quite an addition to the staffing at that point. If the Minister could speak to that, and maybe outline those requirements?

**Mr. Caldwell:** As I outlined yesterday, there was a reduction of 60 FTEs in the Department this year. There is a sense in the Department that we are lean and mean, as it were. It is a pretty efficient department, I believe, from a bureaucratic perspective. The elimination of 60 full-time equivalents was a very substantial reduction in terms of the overall operations of the Department, but we felt very strongly that, if we could make those reductions, free up resources to be used outside of government operations, we would be doing a good service for the schools, and colleges, and universities in the province of Manitoba.

There has not been, to date, any appreciable sense within the bureaucracy, although I may hear about them after the Estimates process that staff are overworked or somehow stressed. So thus far it has been working quite satisfactorily. I think that we are very content in the Department at this stage with the reductions that were made and very content with the fact that there are no full-time civil servants in a position of losing employment. Particularly, the changes were made primarily out of secondments and term positions and unfilled positions. As I also indicated yesterday, life is dynamic, and the Department is dynamic, and what passed for good practices in 1920 did not pass for good practices in 1940, and what passed for good practices in 1940 did not pass as good practices in 1960, and on it goes. Education is a very dynamic field as most fields are, frankly, today. So I will not speculate on future years, but in terms of this year, 2000-2001 budget year, the Department feels fairly comfortable with the staffing levels as they are. We do not anticipate at this time any dramatic shifts in numbers of employees. That is not to preclude future initiatives, but certainly with the operations of the Department today, we feel comfortable with the staffing levels.

\* (17:00)

**Mrs. Smith:** Could the Minister please be a little bit more detailed, if possible, at this time in

terms of the Research and Planning section? I understand that there will be more additions there. There has been quite a budget set aside in Research and Planning. Could the Minister please outline the plans that are in place to support this particular department?

**Mr. Caldwell:** We recognized, I think, in assuming office, particularly in Education, although other areas of government having a research and planning function are equally appropriate. In fact, there are departments that do have a research and planning function. When this government came to office, there was not such a capacity in the Department of Education and Training. We felt it was very important given the fact that this government views the Department of Education and Training and, in fact, educational excellence in the province of Manitoba, as being a foundation for economic development in the province, a foundation for the amelioration of poverty, a function that promotes healthy communities.

Given that we view education as a foundation for many of the positive aspects of development in the province of Manitoba, it was important to have a research and planning function within the Department so that the best possible policies could be developed given the best possible research capacity and best possible data-gathering capacity from within the Department. That is a focussed Research and Planning Branch that would advise on policy matters using the highest quality of data, the best expertise available to education and training specifically and at a modest means, as it is a very small branch, will help the Department of Education and Training build capacity and programs for the future. There is a growing importance of research and evidence that research and development capacities within government departments, in fact within business and within other sectors of society, are invaluable in creating best practices and valuable in creating the soundest policies based upon empirical research and, frankly, diligent scrutiny of data.

As I mentioned yesterday, the Department is in the process of hiring a director which will be internal to government through the Civil Service process that is well established in the Province of

Manitoba. We expect that we will be transferring in to the Branch some other existing staff from various parts of the Department who already do such related work in whichever branches that they are performing their work. But the key thing in this area is that we want to have a concentrated unit to address, in a very systematic way, research and planning initiatives prior to the implementation of policy and prior to the development of policy and support of that policy development using a very focussed approach to data analysis and a very focussed approach to advice that is provided on the best practices of education and training in the world.

**Mrs. Smith:** I thank the Minister for that clarification. Madam Chair, could this minister outline some of the policies that will be plugged in or of the kind of policies that this minister is looking at that will be utilized in the research and training aspect?

**Mr. Caldwell:** I think the Research and Planning Branch I fully expect to be a very busy branch of government because it is our desire to have the Branch comprehensively be involved in policy development at all levels. Of course there are a number of key priorities that we will be placing before the Branch, but I fully expect that the Branch will have an important function in undertaking analysis of assessment in the province of Manitoba.

There is, throughout the world, a considerable body of information on assessment protocols, standardized testing protocols that other jurisdictions, other countries, can provide to the Research and Planning Branch in terms of developing a policy which best suits the needs of the province of Manitoba. I think that we want to have, in terms of all areas of government, a very clear understanding of what best practices are, where they exist in the world so that in Manitoba we can have an education and planning policy that does reflect the best that exists in broader societies than just the province of Manitoba. So in terms of what areas will the Research And Planning Branch be involved with, they will be involved with all initiatives in the Department, all branches of the Department. I fully expect that they will be a very busy unit, as I said earlier.

Another area that I would like to have the research and development branch have very strong efforts directed towards is the area of professional development and training. I think there is a very strong need for enhanced training of teachers in the public education system. We see the training capacity and professional development capacity of government to be very important in terms of constantly developing teachers' skills and skill sets so that there is freshness in the classrooms of Manitoba, that teachers and educators have an opportunity to become familiar with the latest innovations in curriculum development, in classroom methodology and so forth.

So I fully expect the Research And Planning Branch will have a considerable impact and import in developing professional development initiatives for the province of Manitoba in helping our educators around the province improve and enhance their skills for the benefit of classroom contacts with the students, Madam Chairperson.

I expect that the Research And Planning Branch will be quite involved with another key priority of this government. That is the development of early literacy programs, both preschool and in early years. I think that is a very important function of this branch. Dr. Fraser Mustard, noted early childhood expert, was in the province about a month ago. I had the opportunity to discuss early childhood issues with Dr. Mustard. I know that the government of Ontario, in fact, has worked with Dr. Mustard in providing very innovative early childhood proposals for Ontario. I cannot say I agree with a lot of educational issues with my colleagues in Ontario, but I must say that I do very much appreciate the work that they have done through Dr. Mustard in advancing early childhood issues in that province.

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

So I fully expect that the Research And Planning Branch will have a very vital role to play in the development of early literacy initiatives in the province of Manitoba as we move through the mandate of this particular government.

\* (17:10)

I also expect, Mr. Acting Chairperson, child development within the school context, within the context of our public school system, that there should be some considerable work done on childhood development research by this branch to enhance classrooms of Manitoba in terms of making those classrooms more accommodating, more focussed on childhood development issues. So I expect that that branch will have a critical role in helping government formulate policy and practices around child development in the schools of Manitoba.

Another area I expect this branch to be very busy in—it is going to be a very busy branch. Certainly when I prefaced my remarks earlier I think that there is an important capacity for research and planning in the Department of Education and Training. I know that there are a number of other branches in government that do have research and planning capacities. I thought that it was an oversight that the Department did not have a research and planning branch given the importance that education has for our society, for our province, for economic development in our province, for literacy, for health and other issues that impact upon all Manitobans.

As I mentioned, assessment will be an area that they will have an interest in providing advice and conducting research. Professional development and enhancing outcomes will be an area where I am sure the Research and Planning Branch will have important advice to offer Government as it devises a policy around professional development of our teaching workforce. Early literacy and childhood development, I think the Branch will be very busy in those two areas. I, myself, I know, will be calling on the Branch quite regularly to give me advice on early literacy and child development policies for the Province of Manitoba reflective of some of the work that Doctor Mustard has done in Manitoba and reflective of some of the suggestions he made when he came to Manitoba early last month.

Another area that I think the Branch can offer particular insight is in enhancing parental involvement in the public school system and then in the development of policy for the public



school system. I know that the Member was very involved previous to her election in the Manitoba Association of Parent Councils. I know the Member will agree with me when I say that the role of parents is very important in the public education system. Perhaps even the crucial role in the public system in terms of voicing the very real expectations that parents have for excellence in the public school system and the very real contributions that parents can make to policy development in the public school system. I do expect that the Branch will also be involved fairly deeply in research around facilitating and enhancing parental involvement in the public school system.

I also believe that the Branch will be busy with other areas. I know that we have had in the province some concern expressed about the development of lifelong learning strategies, looking at education as not something that only exists in the public school system, in the post-secondary system, but rather that it is something that exists from cradle to the grave. We have talked a little bit about the early literacy and child development function that I expect the Branch to play a role in, but I think there is also a role to be played in providing advice about how to better stimulate lifelong learning. That is, the opportunities available to Manitobans outside of the school context, whether that is in a workplace context, in a community context, in a retirement context, but we think it is very important that lifelong learning be recognized in a very formal way in the province of Manitoba as valuable in and of itself. I expect the Branch will have some advice to offer on how to best facilitate that viewpoint and that ethos being made part of what it is to be a Manitoban, frankly.

I know that the other important function is, perhaps, we have been talking a lot about the public school side of this, but as a government and as a province, we have to make better connections to the research done in universities. There is a tremendous research capacity in the universities of the province of Manitoba, indeed, in the research capacity of universities throughout the country. There has not been, traditionally, a good connection between the practices of the Department of Education and Training and the research capacity of the

Department of Education and Training and the Research—

**The Acting Chairperson (Mr. Rondeau):** Order, please. A recorded vote has been requested in another section of the Committee of Supply.

As the hour is now 5:17 p.m., is it the will of the Committee to rise for the day before the members proceed to the Chamber for a formal vote? *[Agreed]*

Committee rise.

## HEALTH

\* (15:50)

**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 Health. Would the Minister's staff please enter the Chamber now. Would the Minister like to introduce the staff.

**Hon. Dave Chomiak (Minister of Health):** Yes, Mr. Chairperson. In addition to Mr. Barna and Mr. Dedi who joined us yesterday, we are also joined by Sue Hicks, who is the Associate Deputy Minister.

**Mr. Chairperson:** We are on page 87 of the Estimates book, Resolution 21.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$558,100.

**Mr. Chomiak:** Mr. Chairperson, I was just completing my response yesterday, I believe, when the gavel fell or when the hour became six o'clock, and just to complete my response to the Member opposite with respect to her reference, as I indicated yesterday, I think Estimates can be a very useful exchange of information and I look forward to a very useful exchange of information.

The Member did allude to a gratuitous comment with respect to a particular individual, and I countered by indicating if the Member does wish to pursue that issue, I am happy to pursue the issue of Mr. Jules Benson and his

involvement for some time in the Department of Health. I could go on at length with respect to that particular issue, because I think it is something that surprised me when I became the Minister of Health. It surprised me in terms of the way the departmental functioning worked.

If the Member wishes to pursue that line of questioning, I am quite happy to go down that road and discuss it at length with the Member opposite. We can continue this discussion or the Member could go on with other lines of questioning.

**Mrs. Myrna Driedger (Charleswood):** Mr. Chairperson, I would like to go back to one issue from yesterday to find out if the Minister has had an opportunity to see whether he would be able to table the contract for his deputy minister?

**Mr. Chomiak:** Mr. Chairperson, I can advise the Member that I am not certain exactly what past practice has been with respect to this kind of a matter, and I have not had a chance to research it insofar as the committee meeting was yesterday.

I can advise the Member that Mr. Hikel is an interim acting deputy minister. The salary levels will, of course, be reported as they are as a matter of course with respect to the salaries that become public record, and the details surrounding Mr. Hikel's involvement with the Department are that he is carrying out certain activities as the Deputy Minister and that the arrangements in terms of payment are commensurate with past practice.

**Mrs. Driedger:** I guess I was not aware until now that he was an interim acting deputy minister. That is new to me. I perhaps have missed something along the way here. The Minister indicates he is only acting on certain activities. I am wondering if the Minister could expound on both of those.

**Mr. Chomiak:** The press release indicated he was an acting deputy minister. The use of the word "interim" was my adjective that I added to that particular phrase. He is acting as the Deputy Minister of Health.

**Mrs. Driedger:** Just for further clarification because the Minister did say he was acting on certain activities, my question I guess would be is he fulfilling the full role of a deputy minister or, as the Minister just said, only doing certain activities?

**Mr. Chomiak:** The full role.

**Mrs. Driedger:** If we can go back to another question from yesterday, too, then. I am wondering if the Minister is prepared today to indicate where his prime residency is.

**Mr. Chomiak:** My prime residency is in the city of Winnipeg.

**Mrs. Driedger:** We were talking about the Deputy Minister in this particular conversation, in this particular line of questioning, so I would refer to that particular residency for the Deputy Minister, where his prime residency is. My understanding is there is a prime residency in Ontario and I was looking for clarification on that.

**Mr. Chomiak:** Correct.

**Mrs. Driedger:** So that I am fully knowledgeable about what this means, does the Minister mean that Mr. Hikel's prime residency is in Ontario?

**Mr. Chomiak:** Correct.

**Mrs. Driedger:** Would the Minister be prepared to indicate whether or not travel back and forth and the phone bills back and forth would be borne by the Department of Health?

**Mr. Chomiak:** Travel is covered; work-related phone calls are; personal phone calls are not.

**Mrs. Driedger:** The Minister was not speaking very loudly and I wonder if he could repeat that answer.

**Mr. Chomiak:** Travel, yes; phone calls related to work, yes; personal phone calls, no.

**Mrs. Driedger:** I wonder if the Minister could confirm for me the number of employees in the

Department of Health. The number I have is 1094.69 FTEs.

**Mr. Chomiak:** The information provided me by staff is that that is their conclusion as well.

**Mrs. Driedger:** I wonder if the Minister would be able to provide for me the names of branch managers.

**Mr. Chomiak:** Could the Member be more specific just what the Member is referring to?

**Mrs. Driedger:** Under each of the deputy ministers, the Associate Deputy Minister and assistant deputy ministers, I perhaps have used the wrong word, but in all of the little boxes underneath the larger box for the associate or assistant deputy ministers in the organizational chart, there are boxes for Chief Provincial Psychiatrist, Public Health, Health Programs, Primary Health Care—I am just giving you a brief overview—Pharmacare Information Services, Finance and Administration.

I guess I am wondering is there a manager or a head of each of those small boxes, and if it is possible, if there are actual heads of those—perhaps branch is not the proper name, quite likely is not, but I am wondering if I could get a copy of the names of those people.

**Mr. Chomiak:** Yes, there are people who are in various capacities who fill those positions, and, yes, we will undertake to provide those names to the Member opposite.

**Mrs. Driedger:** I would like to now move on and look at some of the promises that came up in the election, and I am interested in some of the progress that is being made in some of those areas.

Of course, the major issue within health care certainly at the time of the election was hallway medicine, and during the election it was very, very clear that the NDP Government promised to end hallway medicine within six months. The six months have come and gone, and I know we still have patients waiting in the hallways. I am wondering how the Minister feels progress is coming in terms of addressing that issue.

**Mr. Chomiak:** I thank the Member for that question, Mr. Chairperson, because it was a significant issue during the last campaign. I might add it was a significant issue leading up to the provincial election, where for a number of years initiatives did not take place and we went to a situation in Manitoba where hallways became chronically clogged, and the former administration simply threw up their hands and said nothing and pretended it did not exist.

\* (16:00)

There was newspaper article after newspaper article, story after story. There were implorations from many individuals to do something about the situation, and alas, Mr. Chairperson, the situation continued and it worsened. I can recall asking two years ago during a Christmas period whether or not the Government would consider opening interim beds prior to the Christmas period. In fact, the Government did open interim beds after the hallways had jammed up and after people had been clogged in the hallways day after day after day, week after week after week, month after month after month, and it was a severe difficulty.

The genesis of this problem was the fact the former government had closed 1400 acute care beds in the province and had laid off—I know the Member opposite blames the union for the layoffs, but it laid off 1000 nurses. I just might add that it was not the union who laid off those people, even though the Member opposite tries to deal with that. The genesis of the situation was that there was a severe backup and a system that used to have flexibility lost complete flexibility. As a result, we had a chronic hallway situation in the province of Manitoba. One of the solutions proposed was the opening of personal care home beds to take pressure off of the hallway situation. That was proposed as early as the mid-'90s. In fact, there was a government report that recommended the opening of somewhere in the neighbourhood of 1600 personal care home beds to take the pressure off of the long-term care situation.

What happened just prior to the 1995 election, the provincial government announced they would be opening a number of personal care home beds. Unfortunately, as soon as the

election was completed, it reneged on that promise. That is significant. That is a significant issue because what happened is even the flexibility with respect to those long-term care beds was lost because those beds were not opened. Some of them are still waiting to be opened. It had a significant factor in terms of the hallway situation and, in fact, was a significant factor in the defeat of the former administration as it was very obvious that one of the decisions, and that was only one of them, not to open those beds earlier did have an impact on the hallway situation.

I might add that was not the only factor. That is only one of the factors contributing to the hallway situation. When we came to office in September, we reviewed past practice, and we reviewed a number of initiatives. We put in place, as the members opposite know, November 22, a comprehensive initiative, an initiative that had not been undertaken before in the province. It looked at a whole variety of areas to deal with the hallway situation. Sadly, a number of these initiatives were announced by the former government but, not surprisingly, were unfunded, literally unfunded. Consequently, it was a very difficult process for us to engage. It is one of the reasons that members opposite seem to want to have it both ways insofar as they indicate that they put in place initiatives. In point of fact, the difficulty was that while these initiatives were announced and some of them were initiated, in fact a number of them were not funded.

I think notably about 37, for example, acute care beds were not totally funded. I note, for example, physician bed managers that were not funded. I note, for example, geriatric assessment teams, Mr. Chairperson. So, when we came to office in September, we recognized this was a serious problem, a serious difficulty. As a consequence, we announced our initiative to deal with the hallway situation. We undertook a number of measures. We put in place five geriatric program assessment teams at St. Boniface, Seven Oaks, Health Sciences Centre, Riverview and Deer Lodge that had a significant factor and significant impact. In fact, there is a total of 221 total cases open as a result of the putting place of the geriatric assessment teams. We expanded psychiatric nurse coverage.

The Member opposite often talks about nursing vacancies. One of the reasons that there are more nursing positions available now today is because we have expanded the number of programs available. Perhaps we could not have expanded programs and then we would not have had the results. But we thought that we would undertake program expansion, and one of those, as part of our hallway medicine piece, was the psychiatric nurse coverage which expanded to 16 hours seven days a week at Health Sciences Centre, Concordia and St. Boniface in order to deal with issues relating to that.

In addition, Mr. Chairperson, we put in place an expanded oncology day program. Why was that significant? It was significant because it expanded the number of treatments available for oncology. Why is that significant? It is significant because people are getting the care, but more related to hallway medicine, it does help keep people out of institutions and out of the hospitals as a result of this expanded treatment. The over 1000 additional treatments in the first eight weeks of operation have had a significant factor in terms of dealing most importantly with people's illnesses but secondarily in dealing with the hallway situation.

We also expanded the adult day cares. We expanded to include 121 additional spaces. I want to point out at this point—and this is something that is often missed in our hallway medicine initiatives that continue into this year and are being continued to develop—that at least half of the funding went to community-based initiatives. Members opposite, I think, should recognize the fact that one of the things that did not happen in health care previous was the actual movement to programming and to services in the community, part of the difficulty that was experienced in the past with the closure of acute care facilities, and the closure of acute care functions was the lack of programming and the lack of services provided in the community. So, at least, half of our measures in terms of costing were for community-based initiatives which we put in place and implemented. So I just wanted to make that point very clear.

In addition, we expanded the home IV program which expanded the slots to provide for home IV. Why is that significant? It is significant

because if a person just needs an IV rather than having to attend at a hospital to get that IV or if the person is recovering from surgery and requires post surgical IV, we certainly have the opportunity to provide that service in the community. That has also served to take pressure off of the health care sector.

We also, of course, put in place and funded—I add "funded" because the previous government announced it but did not fund it and that is kind of significant, Mr. Chairperson—physician bed managers across the system that would help move patients through the system. We also put in place a fast-tracking program to deal with the hallway situations. In addition, we put in place a system of dealing with the fast-tracks in the hospitals, as well as, the issue of opening additional beds. What we did on November 22 is we discussed with all of the institutions whether or not we could open 100 beds permanently. The institutions indicated it would be a stretch, but they would do everything they could and they thought that they could. So we announced as well the opening of 100 beds, and we provided the funding. We provided the funding, something that was unheard of in this jurisdiction for a long period of time, the funding for additional beds to provide the service. We did not achieve that total goal partially because of the nurse situation. Frankly, as I indicated, that was something that we could not achieve 100 percent. Fortunately we did open beds, and fortunately it took a lot of the pressure off the system.

\* (16:10)

In addition, we funded home care. Again, we were faced with the situation where the funding to home care was not meeting the actual need. The previous government had additional funding for home care but was nowhere near the actual level of home care delivery. In fact, the year before, the government shut down the operation of home care over the holiday period which contributed to hallway medicine. They shut it down, and I did not know that until I came into office. I wondered why there were so many problems the previous year. We provided funding to home care to keep it in operation and expanded dramatically to provide for additional home care services.

In addition, we expanded dramatically the vaccination program to do what is, in fact, one of the main purposes of the health care system and that is to put into place preventative programs and to provide for keeping people from becoming sick in the first place, and just as important for those who had the vaccination, if they do get sick, hopefully their symptoms would be less severe. The most important issue is that they would be better and healthier and tangentially, of course, it also kept them out of the emergency rooms.

So, Mr. Chairperson, what we saw in the first six months was a dramatic decrease in the number of people who were in the hallways compared to the year previous. We saw, in week one, a reduction from an average, '98-99, of 30 people in the hallway down to 7. In week two of December, it was from 35 to 11. In week three, it was from 36 to 16. In week four, it was from 49 to 17. In January, week one, it was 48 to 19; January, week two, 31 to 11; January, week four, 17 to 1. Week one in February, 12 down to 4; week two in February, 20 down to 5; week four in February, 18 down to 3. Week one in March, 19 down to 5; week two in March, 13 down to 2; week three in March, 18 down to 1; week four in March, 22 down to 6; week five in March, 17 down to 3.

Mr. Chairperson, we decreased the number of people in the hallways 60 percent in December, 71 percent in January, 75 percent in February and 83 percent in March.

Those, Mr. Chairperson, were initiatives that were put together within the first few months in office and were initiatives that were largely unprecedented. I say that because I have discussed this with other Health ministers across the country who are grappling with this difficulty, and many are looking at what Manitoba did. In fact, there is a conference going on right now where Manitoba is presenting the initiatives that they undertook with respect to the hallway situation, because it has been recognized across the country that the aggressive action taken is a significant factor with respect to hallways.

One of the other significant factors that has occurred as a result of getting these numbers down so dramatically is that we are able to deal

with individual cases, individual situations, to try to remedy the situation.

Now, on the sixth-month anniversary of the hallway initiative, we had a major public discussion in this regard, and we indicated that we were not done yet. We were not done yet. There are more initiatives that are going to be engaged in. There are more initiatives that are going to be announced. There are more activities that are going to take place to deal with this issue.

Are we perfect, Mr. Chairperson? No. Have we made an impact? I suggest that the data shows that there has been a significant impact with a significant effect from the initiatives that we introduced. There will be more initiatives. We funded initiatives in this budgetary year. I hope the members opposite who voted against the Budget and voted against these initiatives recognize that one of the things that they voted against were these hallway medicine initiatives. It is unfortunate that they are taking that particular stand, but these are initiatives that were undertaken to deal with the situation.

Are there still problems in the hallways? There are problems. We indicated at the time that there are some difficulties with respect to some particular facilities and some of the flowthroughs and some of the care, and we are endeavouring to deal with that. One of the issues that we reviewed very early on was the situation at Victoria Hospital, which seems to have a chronic difficulty, and they have advocated for the expansion of beds at that particular facility. What we have undertaken to do is a bed map review of the entire city, which we hope to have back by the fall, which will try to ascertain the particular circumstances and how best to match up the bed situation. There seems to be, certainly, a recognition of probably a need for additional beds at Victoria Hospital, and we want to be certain about the mix and the kind and the type. We are undertaking a review of that particular situation.

There are difficulties in each particular facility, but we are very pleased that the chronic nature of the hallway situation and the fact that the previous government threw up its hands and could not or would not do anything in that regard

has been eliminated, that we have taken aggressive steps. I think it has been recognized that we have undertaken some aggressive initiatives to deal with the hallway situation, and that we are continuing to deal with that particular situation. Hallway medicine, in my view, was always a manifestation of larger problems in the system, which we are trying to deal with. In fact, there are initiatives, as I have indicated, that will be continued and some new initiatives that will be undertaken to deal with this situation.

So, Mr. Chairperson, we are also very pleased that we were able as well to do something very significant during the hallway initiative that had not been done before by the previous government. One of the things that the front-line staff were telling us was that they did not have equipment. We put \$1.5 million into the purchase of equipment used in the hospital system by front-line staff, basics such as wheelchairs, intravenous pumps, monitors, walkers, which had all not been provided for, and which we thought helped to provide the care that is necessary with respect to the treatment and to provide better quality treatment to our patients. This was one of the initiatives, if the Member opposite had occasion to visit and to talk to nurses, and to talk to health care aides, and talk to other professionals in the system, that they all indicated were required and necessary. So we put \$1.5 million of funding into shoring up those initiatives and providing them with the supports that they need to do their job, to do their job better.

Now, one of the fundamental issues was: Were we able to open all of the beds that we had hoped to? No. We funded them. We provided the support, something that was unheard of for the past decade, but we did not have the human resources to staff those particular beds, and that caused us, that made it unable for us to open as many beds as we liked. That is one of the reasons for another very aggressive and a very, I think, significant activity, and that was our nurses' human resource plan that we announced. That is the first time again in a decade that there has been an aggressive and comprehensive look at nurses. There is more to come on other human resource issues, because we recognize that there is a problem and we recognize that for 10 years the province went one way and that had to stop.

We had to recognize the value of nursing, the value of other health care professionals, and we had to provide for that.

\* (16:20)

I wish that members opposite had not taken the steps that they had taken three years ago with respect to nursing, and we probably would have been able to man, pardon me, staff all of the positions necessary, but, unfortunately they took that course of action and we are now faced with the consequences, the consequences of poor planning, the consequences of a former government that did not recognize the pending nursing crisis, the nursing shortage and, in fact, refused to say the words "nursing shortage" until after the election.

Mr. Chairperson, we had to undertake to put in place measures and initiatives in order to deal with the nursing situation. Unfortunately, 10 years of neglect cannot be overcome overnight. It will take us some time to build up our staffing levels and try to get back to a comprehensive plan where we have nurses and other professionals retrained, re-educated, retained and more importantly, I think, having faith and confidence again in a system where they are not overworked and they are not overstressed.

Our five-point plan, of course, was to increase the supply of nurses, improve access to staff development in continuing education, improve the utilization of available nurses, improve working conditions of nurses and the establishment of a nursing advisory council. I might add, it is not just a question of nursing shortages, there are other professionals where we are woefully short in this province. We have said it. There is virtually no area you can address in Manitoba that is not requiring additional human resources. Unfortunately, for the past decade that situation has been allowed and permitted, and when we came to office we realized we had to take action in that regard and to the best of our ability and with the support and advice of people in the system have undertaken a number of measures and a number of initiatives to deal with the situation.

So, in summation, Mr. Chairperson, the hallway initiatives and the measures undertaken

by the Government were aggressive, were comprehensive, some work better than others. We have the ability to assess the effect of some of those initiatives. We are going to be doing that. We are doing that. We will be putting in place additional initiatives. You know, I just have to say anecdotally that it is interesting that members opposite should note the hallways situation now, because they never noted it for the last three years when they were in government. I am glad that it has taken an election for them to realize that there is a problem, and I welcome the fact that they understand and recognize that there has been a problem for the past few years.

I note that they now are monitoring the situation, and that is good. That is one of the reasons that on a weekly basis we put the statistics out. We did not pretend the situation was not there. We put the statistics out on a regular basis. We outlined what the situation is. We provided for all people to assess. We did that publicly and we did that very openly, because we wanted the public to work with us to deal with the situation.

As I have said on many occasions, is it perfect? No. Have we made major improvements? Yes. Are we there yet? Well, we are still working on it, but it is quite clear that there has been a significant change, and it is down significantly than it was in the past. We are continuing to work at it and will continue to work at it amongst a whole series of other measures that we have undertaken to improve the quality of health and ultimately to prove the confidence that people have in the health care system.

**Mrs. Driedger:** Mr. Chairman, it is interesting that on the one hand the Minister says we did 90 percent of everything right, and then he stands now and says that we did not do anything. Well, there is a credibility issue then here if he is talking out of both sides of his mouth.

The Minister might be very interested to know, he likes to talk about the home IV program and their expansion of it. Well, that expansion was underway when we were still in government. It might have come to fruition—*[interjection]* The planning was there and the money would have been there. The Minister

might be interested to know that I was one of the first nurses in Manitoba to help design that program from St. Boniface Hospital, so I am very well aware of it.

When the Minister says it is unfortunate that we did not do anything, I will tell you what I also think is unfortunate, that the NDP voted against a breast cancer resolution that was put forward. They voted against it because it came from one of our members, and it was a good resolution. It had good components about community prevention issues and getting communities more involved, and for me, having had personally a breast cancer scare, I was devastated that that resolution would not have passed because to me that resolution should have been non-partisan. It was a good, good resolution, and it was there for women in Manitoba to address the issue of how we can prevent breast cancer.

Until a woman has a scare like I had you have no idea what somebody goes through. I was blessed, and I hope that this government, despite the fact that they voted against our resolution, will still continue to follow forward with some of the future work that the breast health program wants to see happen in Manitoba, because I am certainly very, very supportive of that.

The Minister keeps saying: Are we perfect? His promise was for perfection. He did not say we are maybe going to end hallway medicine, or we are going to end it by 50 percent, or maybe this week it will be a little bit better and next week it will not be so good. He promised perfection. He cannot continue saying: Are we perfect? Well, we did not promise to be perfect.

Well, you did promise to be perfect. The Minister promised to be perfect. He promised to end hallway medicine within six months, period. There were no caveats attached to that. That was an unequivocal we promised to end hallway medicine. So I have to wonder what the Minister's definition of a promise is, and we are certainly seeing how some of those things are playing out.

When the Minister, when the NDP were campaigning they promised to end hallway medicine based on \$14 million. That is what they

led the public to believe, \$14 million. That is all it was going to take. If I were to add a price tag to everything he just mentioned, I think what we have seen is hallway medicine attempting to be ended on a huge, huge budget, far more than \$14 million which was promised.

We know hallway medicine has not ended, and we know that for the last couple of weeks—the numbers were higher the last few weeks than they were a year ago at this same time. I know that on Friday evening there were 10 patients in St. Boniface Hospital Emergency. That one I find a little bit surprising because I would have expected maybe Victoria, maybe the Grace, and I know the Concordia has been having some trouble, and I know that the Victoria certainly is struggling, but St. B, I did not expect to hear that they had 10 patients in the hallway on Friday evening, especially when the Minister likes to talk about how much improved the numbers are. If one looks at the number of patients actually visiting the emergency departments, those numbers are down, in some cases significantly, so that we are really having to look at this a little bit more closely because we are having patients in the hallways despite the fact there are less number of patients visiting the hospital. So that does certainly raise some questions.

The Minister in his last comments talked a bit about poor planning. I would indicate to him that there was probably poor planning when he indicated that he could open 100 beds. I think there was probably poor planning when he indicated that he would make all these part-time nurses work full-time. I think that is poor planning. I could have told him there is not going to be 100 beds he could find because if we needed them and they were in the system we would have put them into action. What I would like to ask the Minister is in relationship to St. Boniface Hospital and why, in that particular hospital, we would see 10 patients in the hallway on Friday evening.

My question to the Minister is in regard to why we might be seeing 10 patients in that hallway, considering there are fewer patients visiting the emergency, but we have got a significant number of patients in the hallway. My question, I guess, he could probably put it all together around, are there medical beds closed at



St. B? I understand that back in April there were 10 medical beds closed. That is unusual. I would like to know if there are surgical beds closed, if we are into summer bed closures; and, if we are into summer bed closures, is this a little bit earlier than normal? If I could ask the Minister to address those.

\* (16:30)

**Mr. Chomiak:** Mr. Chairperson, I notice the reference to the Breast Health Program, and I, too, was chagrined, because for two years in this Legislature, we virtually begged the Government to put in place a breast-screening program, and they refused. They refused to put it in place, and finally, when it was put in place, then we asked for the mobile breast unit screening to be put in place, and they refused. It took a number of years for us to convince the former government to, in fact, put it in place.

I, too, was frustrated by the pace with which the program was put in place, and I am happy that this government is funding the existing program, and is continuing the existing program, because it was a long time coming, and a long time overdue with respect to the situation.

The reference to the hallway situation, Mr. Chairperson, is—the statistics are fairly clear. I do not have the exact statistics with regard to number of visits, but I do recall from the briefing that, in fact, certainly during the peak flu season period there were more visits to the ERs, not less. More visits to the ERs, not less. In fact, there were more visits, not less, and the number of patients in the hallway was down by 60, 70 and 80 percent.

So the Member can be selective and the Member can pull out various statistics. I have said that the situation is a continuing one. We will continue to work at it, and we are not throwing up our hands, as was the case in the past. We are attempting to deal with this situation on an ongoing basis.

The real difficulty we are facing is in respect to the Tory nursing shortage that we are faced with. But for the fact that we did not have a Tory nursing shortage, Mr. Chairperson, we would be able to staff those beds. If the Member has any

doubt as to what the situation is, let me read from one of the documents that was provided by members opposite just prior to the last election at an expense of \$700,000 to the people of Manitoba in terms of an advertising campaign. What was the former government's promise to deal with the situation with respect to beds? Let me quote: Increasing staff. All partners in the Manitoba health care system will continue to work together to address shortages of nursing and allied health professionals, such as occupational therapists and lab technicians.

That was it. One sentence. I think that was the first acknowledgement I ever saw of a recognition of a shortage. It came out in August of 1999. It was a publication sent to all Manitobans, part of the \$700,000 advertising campaign. It said, let me quote again: All partners in the Manitoba health care system will continue to work together to address shortages of nursing and allied health professionals, such as occupational therapists and lab technicians. One sentence said they are going to continue to work to address an issue. That was the plan.

You wonder why we have a shortage, a Tory shortage of nursing, a Tory shortage of health care aides, a Tory shortage of doctors, a Tory shortage of radiologists, a Tory shortage of lab technicians, a Tory shortage of all of the health care professionals. Because they were going to continue to work together. That was the plan.

So we put in place a specific nursing plan which has been opposed, and opposed, and opposed by members opposite at every opportunity. It is unfortunate because we think it is a plan that is good for all Manitobans, and we think it is a plan that is supported by Manitobans. We think it is a plan that is recognized by Manitobans with respect to the health care initiatives.

*Mr. Cris Aglugub, Acting Chairperson, in the Chair*

The Member is correct. Every summer there are a number of bed closures. They occur as a result of the summer slow-down. I am advised that there are 35 temporary bed closures this year in medicine. I might add that last year there were 41.

**Mrs. Driedger:** Prior to getting into a few more questions, because the Minister did not answer all of those, I would like to comment that breast cancer has been around for a very long time. With the Minister's passion, thinking something should be done early, you have to wonder why the NDP in the 1980's did not do it. In fact, it was at the time of an NDP government that I went through my scare in about 1988. So he should just take note that women have been suffering from breast cancer for an awfully long time and the NDP certainly had a lot of opportunity to fix it back then and did not.

It was a Tory government that took the whole program, and I have to say as somebody who has had a breast cancer scare, the comprehensiveness of this program that we now have in Manitoba is actually excellent. I have spent a considerable amount of time being involved in it and am currently working with a number of breast cancer advocates in my community to look at what we can do to make our community a little bit more aware of the issue.

It is interesting too that the Minister talks about a Tory nursing shortage. I wonder if he wants to blame the Manitoba Tories for the nursing shortage all across Canada, because with his passion when he gets up and speaks about it, you would think we were responsible for every nursing shortage throughout the provinces and Canada and through the United States. He may want to have a look at some of the other provinces like B.C., like Saskatchewan. It is across Canada. Thank you, Mr. Minister, and the Minister is right. This is a national nursing shortage. It is easy to sit back and it is a great political opportunity to take shots at the Manitoba Tories for the shortage. The shortage is there for a lot of reasons, a lot of reasons. He chooses to look at one piece of it, but he also does not want to acknowledge the fact that when 1000 nurses were laid off throughout the 1990s, a lot of that had to do with a clause in union contracts that prevented mobility, that prevented nurses from easily moving. So every nurse had to quit her job and turns out as a statistic. That was sad.

*Mr. Chairperson in the Chair*

Through union contract clauses, I also saw something I would never want to live through again, and that is a bumping process, because as a nursing supervisor, to have to work through a bumping process, I have never seen anything so destructive in my life. As a nursing supervisor, I held nurses in my arms as they cried. That is something that is very, very harmful to nurses that are working so hard on the front lines.

\* (16:40)

Then to have this minister so flippantly toss out that we have a Tory nursing shortage I think really disadvantages the whole ability to address this situation, because it has to be addressed nationally. All of the etiologies for why the shortages are there have to be addressed, because if you only look at one etiology you are certainly never, never going to get to the resolution. I am glad to see that nurses across Canada are becoming much more involved in the whole issue of addressing this issue. I think we are going to be hearing more and more from nurses on a national scale. I think that is what needs to happen.

I had asked the Minister, and I can understand his reluctance a little bit perhaps to answer, how many beds are closed right now in terms of summer bed closures. But beyond that I am wondering if those bed closures are coming a little bit earlier than usual. I know it is a normal phenomenon so that people can have holidays. We have been doing that for 23 years that I was in nursing. This is not a new thing, so I know that it is done. I wonder if the Minister would indicate whether we are into summer bed closures, how many those are in the hospitals, and which hospitals they might be in. If the Minister could address that particular aspect, particularly, too, at St. B because St. B does not normally have 10 patients in their emergency hallway. So, if he would care to start with St. B, that would be very helpful.

**Mr. Chomiak:** I am not going to continue this debate with the Member about the nursing shortage. I only point out that the Member sat for government for two years, maybe three years, did not acknowledge there was a nursing shortage and the first issue—[interjection] Well, she personally did not, but I wish she would

have had more impact on her colleagues because the first way to deal with the problem is to acknowledge it. Now we cannot deal with the problem if you do not acknowledge it. Years of not acknowledging the problem have resulted in no programming and no initiatives in order to deal with the problem, and that was the difficulty that we experienced in Manitoba. I can recall standing up three years ago in this Chamber and imploring the Minister of Health to do something about the nursing, and the response was: There is no nursing shortage. There is no problem. There is no difficulty. Unfortunately, there was no programming to deal with it. That compounded with the fact that the diploma programs were eliminated and the fact that until the last year of Tory regime, the last two Tory regimes, the government's intention to eliminate the LPNs was a severe blow.

So the Member cannot totally rely on a national nursing shortage and not have a place where responsibility lay. That was a lack of action and a negative action undertaken by the previous administration with respect to the nursing situation, a lack of acknowledgment, an attempt to get rid of LPNs, a closure of the diploma programming, a poorer than expected uptake in terms of the BN-RN program, a lack of recognition of the role and function of nurses, a removal of positions, the closure of beds. It kind of had a negative impact in this province, notwithstanding the Member's view that this was a national problem only. You have to acknowledge that the Member indicates in her comments that she was aware that there was a shortage. I was aware there was a shortage. The nurses were aware there was a shortage. Unfortunately, the former government did not and we fell years behind. We fell years behind, and we are paying the consequences of falling behind the years and not having programs in place.

I am advised by staff that summer closures are taking effect and they are the same pattern with respect to the timing as other years. If there is anything in addition that we are not aware of, I will—but staff is of the view that the timing is the same as in past years and past practice.

**Mrs. Driedger:** Because I am new to this and I do not have access to that kind of information, I am wondering if the Minister would be willing

to table a listing of where those summer bed closures are, which hospitals, how many beds and to include also the medical beds that are involved in those closures as well.

**Mr. Chomiak:** Mr. Chairperson, I am not certain if I can table that type of information. I will get back to the Member on that. I should advise the Member that this was always a huge, huge debate between myself and the members opposite. I will determine the situation and get back to the Member.

**Mrs. Driedger:** I would hope the Minister would be able to do that. I mean, I could just make some phone calls to all the contacts I have in the hospitals if he is unwilling to do it. To me this is an issue I would have thought would have been readily available to be tabled. We are talking about taxpayer-funded health care, and, if we are looking at maintaining accountability in this system, I would think that that should be readily accessible. All the nurses in the hospitals know what the numbers are, where the beds are. It is no national secret. I am hoping the Minister would be willing to table it.

**Mr. Chomiak:** I would like to table and provide as much information as has been past practice in this Chamber.

**Mrs. Driedger:** Hopefully, the Minister will be able to table that, and perhaps I will start my homework anyway. I just want to touch a little bit back on a few comments the Minister made in regard to the nursing shortage and his statements that we did nothing to deal with it. The moment I came here, we set up a provincial nursing resource task force, a recruitment and retention task force. If he truly believes nothing was done, all he needs to do is get a briefing by his staff who would tell him that there were a lot of initiatives that were under way. I am surprised if his staff have not briefed him on that, because a lot of the Department of Health staff were around the table with me working on this. So for him to say we did nothing certainly discredits the work that was going on within the Department. There were a lot of initiatives that happened and a lot of the initiatives and great ideas came from the Department.

Did we make huge inroads? No, but we were starting to. The BN program was fast-tracked so that we ended up with some students looking at three years and graduating in three years. Yesterday, the Minister took credit for full enrolment at the university's fall startup of nursing. Had he listened to probably one of his first briefings at the very beginning, Dean Gregory from the university has been saying that right from last year. That is why the Dean was, I guess, amazed that the Minister was moving so fast with putting another program into place when the dean was predicting we were going to have a waiting list come this fall.

So for him to stand up and say that this new diploma program is the one that is responsible for the full university program is quite amazing, because that has been the prediction all along. A second ICU course was set up in order to address the nursing shortage, particularly in the ICU areas, and I do want to get into that one in a minute. We doubled the LPN program. I am a great supporter of LPNs, always have been. In fact, some of the best nurses I have worked with have been LPNs. I was one of the ones behind the move to do that. I think it was a very logical step to take and something I encouraged my colleagues to look at.

\* (16:50)

We established a \$7-million fund. We started a process of data collection because not a lot of handle was available on this whole issue of what this nursing shortage was actually meaning. The Minister talks about—and I could probably go on here—us doing nothing. I really have to wonder. We have an opportunity right now to really enhance the nursing profession by passing their legislation. In that legislation, it enhances the role of the nurses. By enhancing the role of the nurses, I cannot help but think it is going to make our health care system function a little bit better and meet some of the challenges of that health care system.

So, you know, on the one hand, he is saying we did nothing, when we did a lot of things. His staff were involved. I would encourage him to have a briefing by his staff if he thinks that nothing has happened in terms of the nursing shortage in the last few years. Perhaps he would

like to get some dates attached to that, so that when he makes future commentary on the issue, he is actually putting forward fact.

I would also encourage him to look at passing this legislation. Sharon Tschikota, the President of MARN, has worked very hard for two years. She was so hopeful that this legislation would have been passed in June before her term was up, and, unfortunately, that has not happened.

While we are on that subject, maybe the Minister would like to tell me when he is going to pass that legislation.

**Mr. Chomiak:** Just dealing with some of the issues raised by the Member with respect to nursing, as I indicated in my opening comments yesterday, in fact there was the \$7-million fund that was set up, and I called it a death-bed conversion. It was in the final days of a government. They plucked money out of the previous year's expenditures to put into that fund. *[interjection]*

They took the money from the year prior and plucked it into a fund that they announced in the spring of 1999, Mr. Chairperson. I attended the press conference where it was announced and at that time said it was great that they did it. It seemed to me that it was a helpful initiative, but it was in the dying days of a government that was out of ideas. A lot of these initiatives should have been started earlier.

I am glad the Member encouraged her fellow colleagues to not get rid of the LPNs. We fought that fight for years in this Chamber and outside of this Chamber. I am glad that she was supportive. I am glad that she was supportive of those efforts. Maybe she should take some credit for it, for convincing members on the front bench with respect to the support to LPNs that came again in the last year or year and a half of the previous government. It was an about-face, something we acknowledged and recognized and were supportive of. It was an about-face from the attempt to eliminate LPNs to go back to having and training LPNs. We encouraged that and we supported the government at that time when they announced those initiatives. We also supported the \$7-million fund, but, as I indicated, it was in

the last period of a government when it was brought in with a number of initiatives to deal with the nursing situation.

The Member has confused a number of issues, I suggest, with respect to the BN program. The difficulty that we experienced was our conversations with Dean Gregory indicating that the putting in place of the fast-tracking program would eliminate, net, the total number of nurses available. That was unfortunate. It was very unfortunate—in fact, that was the comment and advice given to us by the dean, and it necessitated action on other fronts to increase the supply of nurses.

Again, the Member does not seem to support the diploma program, and I think that is unfortunate. If the Member does support it, I would hope that she would stand up, as members of her party have not been willing to do, and admit, yes, she supports our efforts on the diploma program. I think that would be welcome. That would be welcome in Manitoba to see that, in fact, members recognize that there is a shortage and there is a need to address the particular shortage.

But I have not heard a single member on that side of the House support the diploma program. In fact, every comment I have heard has been negative, and they have gone out of their way to criticize the effectiveness and the program itself. I think that is unfortunate, because the Member should know that the vast majority of nurses support the program entirely. The legislation that the Member referred to is already passed.

**Mrs. Driedger:** I wonder if the Minister could tell me when he will proclaim it.

**Mr. Chomiak:** I am glad the Member raised that issue, because the Member again raised the question prior in Question Period and had indicated that she knew all of the regulatory matters were resolved with respect to that particular matter.

The Member ought to recognize that there are three particular acts that are pending proclamation. As I have indicated both in the House and publicly, there are matters with that respect that we are dealing with. The intention is

to deal with those matters prior to the proclamation of the legislation. The legislation itself was passed prior in this House and there were regulatory matters that had to be dealt with. We are dealing with those issues. We are going to continue to deal with those issues as best we can for the interests of all Manitobans.

I am not sure if she is aware of the three different acts that require proclamation. There are three separate acts: The Registered Psychiatric Nurses Act; The LPN Act; as well as The Registered Nurses Act that all require proclamation. The bills have already been passed in this Chamber. The Member is correct. They are awaiting proclamation and we are dealing with those issues on a regular basis. I indicated that to the Member when she asked her question in the House. I can indicate that to the Member today.

**Mrs. Driedger:** I certainly am well aware that there are three acts. I am also well aware that the regulations have been submitted some time ago. I never in Question Period said that the regulations were resolved. I said in Question Period that they were submitted. We know that they were all submitted. The LPN's was submitted pretty much a year ago. MARN's was submitted in the fall and the Psych Nurses was shortly thereafter. All three I have been in discussion with and all three are quite surprised that these have not been moved forward, especially that the Minister had made a commitment early on that fast passage was something that he supported. We know that with an enhanced ability for the nurses do their jobs in an enhanced way that the passage of these acts would be good.

Apparently two of the associations have been making a lot of phone calls this way and are having trouble reaching people or having their calls returned. They are really very, very curious as to why these acts have not been proclaimed. There is a lot of speculation out there. I am not saying this, I am saying this is what I am hearing. There is a lot of speculation that the Minister might be waiting for approval of the two-year program to happen and he is going to sit on these acts until that happens. That is the kind of rumour that is abounding out there, that is coming from the grassroots nurses.

I know we cannot force it to happen. I know that the nurses are getting extremely discouraged. They are hoping that their phone calls would be returned. They are wondering why there continue to be further small questions regarding their education program, continuing competence program.

\* (17:00)

Some of these questions are coming up. They have provided all the information, and they do not know why it is not moving forward. I would hope that the Minister would make some effort to move this forward. I think this is going to be good for the challenges that we are facing right now in the health care system, if the nurses had an opportunity here to have this happen.

The Minister has indicated that, at some point, 90 percent of working nurses say that the diploma program is good, and my guess right now is, too, that nurses are going to take whatever is out there. Many of them feel that they will take a nurse, no matter what program they come from, and I think it is up to the Government to be sure that what we put forward is indeed a program that is going to meet the needs of the profession in the long run.

I would like to ask the Minister if he would be able to provide me with the information on how many ICU beds are currently closed in the city.

**Mr. Chomiak:** Mr. Chairperson, I asked the Member if she supported the diploma program, and I did not hear a response other than criticism, as I take it, of the diploma program. I would be curious if she would be prepared to outline what perhaps her position is and that of the Opposition in this regard, because I think it would be helpful to know what their position is in that regard.

With respect to the ICU beds, I will look at that information and determine what we can provide in that regard.

**Mrs. Driedger:** Mr. Chairman, again this should be no big secret, I would not think. I know that the Grace had closed 2 beds in April, Concordia only had 3 beds on a particular weekend in April, the Victoria was closing beds. Again, I am

going back to April. I have not done any survey since then. Seven Oaks only had 2 ICU beds, and some of the hospitals have had no 9-9 beds for years.

I know we have some challenges in ICUs. There is no doubt about that. We had it back when we were in government, and that is why we put in place a second ICU course, so that we could have more nurses so that, in fact, those challenges could be addressed. If the Minister would be able to table those numbers, I would appreciate it.

I would also like to ask the Minister how many panelled patients there currently are in the hospitals, if he has a number on that?

**Mr. Chomiak:** Mr. Chairperson, yes, I can provide that number. I was trying to reflect, and I checked with the staff in terms of the Nurses Recruitment and Retention Fund. It was established in April, 1999. That is April, 1999 that it was established. I can remember full well the establishment of that fund. It was met with a good deal of—an interesting response from the assembled media with respect. We were anticipating an election call, actually, shortly thereafter. In fact, I suspect there would have been but for certain developments, and then there subsequently was an election call in August.

So I just submit to the Member opposite with respect to that particular initiative, and I supported that particular initiative—April, May, June, July, August—five months before an election was called in the eleventh year of a government. After eleven budgets, after many calls from members and from many people to establish and do something with respect to a nursing shortage, five months before the election was called and, in fact, the election we know was probably originally to be called in May or June, there was the establishment of the Nurses Recruitment and Retention Fund. Yes, there was, and, yes, we supported it. And yes, we called for it. I remember my specific comments that April day that it is about time, and we had called for that for years, and, yes, it was established.

The issue of the number of panelled patients, I will provide to the Member.

**Mrs. Driedger:** I would like to ask the Minister in a news release that came out during the campaign, under the nurses first item, they said the NDP indicated that they were going to set standards in consultation with the profession to ensure that adequate nursing staff is on duty in our health facilities. I wonder if the Minister could explain what these standards are, if they have been set, and whether he would be willing to table them.

**Mr. Chomiak:** I am glad that we are dealing with some of these substantive issues, because it has been something that has been an issue of contention and a need. The Member might know that we have set up a working group of nurses to review working conditions and to try to get back to us as quickly as possible with respect to the issue of working conditions so we can improve the conditions for nursing. It is something that we had advocated for some time. We are very pleased to have the opportunity of putting it as part of our nursing initiative.

The Member might be aware that we have provided, on a preliminary basis to personal care homes, the first phase of standards with respect to the personal care home sector. Those have been communicated to personal care homes, and we are working with them with respect to the implementation and the roll-out of those particular standards, obtaining feedback and trying to deal with this issue, something that has been long advocated and long forthcoming in Manitoba.

**Mrs. Driedger:** I am aware of those standards. I understand in all of that, in looking at personal care homes, part of the issue there certainly is staffing. But during the election, under nurses first, the NDP talked about setting standards in consultation with the profession, I am not sure which component of the profession, to ensure that adequate nursing staff is on duty in our health facilities.

So I am assuming that this is all encompassing in terms of hospitals, personal care homes, and it covers both of those. It was a commitment to setting standards and it would be done in consultation with the profession. The profession I know is represented by the regulatory bodies. I am wondering if the Minister has

proceeded on this. Certainly being critical of our initiatives, this, nine months ago, was something that they indicated that they would do, and I wonder if the Minister has moved forward on this.

**Mr. Chomiak:** Mr. Chairperson, we are still working on that.

**Mrs. Driedger:** I am wondering if the Minister could expound on that in terms of what exactly has happened to date.

\* (17:10)

**Mr. Chomiak:** To date, Mr. Chairperson, we have initiated the most aggressive nursing initiative, I think, that has been undertaken certainly in the last decade and perhaps ever in the province with respect to our nursing situation. I just want to add that there are a whole series of measures and initiatives that we have undertaken and will undertake with respect to other professionals as well, because I do not want to disregard the situation with respect to other professionals. I think it is something that we have to recognize and that we have to deal with.

As the Member knows, our major nursing initiative and announcement that took place provided for the diploma training program that we are putting in place. I wish we had the support of members opposite but it appears not to be forthcoming. That is part of the process. The members oppose it, that is fine. We are undertaking this initiative in consultation with nurses, and we will be delivering on that particular commitment to increase the supply of nurses.

We have also changed some of the focus of the Nursing Recruitment and Retention Fund to provide for the ongoing training, something that had not been done before actual initiatives in each of the regions with respect to the ongoing training and upgrading and continuing training of nurses. One of the things that we discovered was that nurses felt that they were not provided with the ability to upgrade and to train and to receive further education, Mr. Chairperson, and other professionals were. We put in \$3 million

into the regions in order to provide for the upgrading and training.

We also endeavoured to improve the working conditions of nurses by virtue of putting in place the program of the group of nurses that are working with us to make recommendations and advice to us in that particular area. There are still efforts to deal with the nursing advisory council, and there will be announcements forthcoming in that regard. We are also fast-tracking. We are dealing with the fast-tracking of foreign-trained Canadian nurses as well as an aggressive recruitment campaign.

In addition, the initiatives that were undertaken as part of the \$7-million Nursing Recruitment Retention Fund that was launched five months before the last provincial campaign provided a number of initiatives, as the Member indicated, to deal with the situation which we have continued and worked on and expanded in a number of areas.

In this regard, there has been initiatives of relocation of over 100 nurses back to Manitoba, financial support for refresher courses which have assisted 90 nurses, funding for, of course, the intensive care nursing courses, and 20 more students will complete the program this May. As well, there will be additional initiatives in that regard as well as funding for the delivery of a neo-natal pediatric critical care course. There has been initiatives for intensive care nursing in Brandon, funding for pre-operative nursing, assistance of primary care skills, funding to the University of Manitoba and to Brandon University to facilitate licensed practical nursing, bridging, funding University of Manitoba and Brandon for forgivable loans, support.

We are looking at details of an emergency nursing certification program as well as, of course, a \$3-million program that we are providing for continuing education. The initiative has been extensive, has covered a number of areas. We are very hopeful, unfortunately, the Tory nursing shortage has compounded it and made it very difficult to deal with the situation, but we have probably undertaken the most comprehensive approach to this issue, as I say, than at any time in the past decade. There are

more initiatives that we will continue to expand and to upgrade in this regard.

**Mrs. Driedger:** I might caution the Minister when he wants to talk about a Tory nursing shortage, he may be choking a little bit on some of these words down the road, because when this shortage continues, because it is going to continue, he knows he cannot fix it. It is not readily fixable, and it sure will not be in a year or maybe two years.

### Report

**Mr. Harry Schellenberg (Chairperson of the section of the Committee of Supply meeting in Room 254):** In the section of the Committee of Supply meeting in Room 254 considering the Estimates of Consumer and Corporate Affairs, the Honourable Member for Lac du Bonnet (Mr. Praznik) moved a motion as amended to recommend the Minister of Consumer and Corporate Affairs (Mr. Lemieux) refer this matter to outside legal counsel, and, further, to provide the legal opinion to the Committee as soon as complete.

Mr. Chairperson, this motion was defeated on a voice vote, and, subsequently, two members requested that a formal vote on this matter be taken.

### Formal Vote

**Mr. Chairperson:** Call in the members.

*All sections in Chamber for formal vote.*

**Mr. Chairperson:** In the section of the Committee of Supply meeting in Room 254 considering the Estimates of Consumer and Corporate Affairs, the Honourable Member for Lac du Bonnet (Mr. Praznik) moved a motion as amended to recommend that the Minister of Consumer and Corporate Affairs (Mr. Lemieux) refer this matter to outside legal counsel and, further, to provide the legal opinion to the Committee as soon as complete.

This motion was defeated on a voice vote, and, subsequently, two members requested that a formal vote on this matter be taken.



The question before the Committee is on the motion of the Honourable Member for Lac du Bonnet.

*A COUNT-OUT VOTE was taken, the result being as follows: Yeas 16, Nays 29.*

**Mr. Chairperson:** The motion is accordingly defeated.

The sections of the Committee of Supply will now continue with the consideration of the departmental Estimates.

**Hon. Gord Mackintosh (Government House Leader):** Given the time, is it the will for the Committee to rise?

**Mr. Chairperson:** What is the pleasure of the Committee? *[interjection]* We shall continue.

### HEALTH (Continued)

**Mrs. Myrna Driedger (Charleswood):** I have a question that I would like to pose to the Minister of Health. I missed posing it earlier on in my line of questions today. I wonder if the Minister could tell me, in terms of the Deputy Minister's contract here in Manitoba, I am wondering if his hotel bills or his rent is paid during his stay in Winnipeg, as I understand his prime residency is in Ontario.

**Hon. Dave Chomiak (Minister of Health):** Mr. Chairperson, there is a precedent in Manitoba with respect to this. The former government employed a Mr. Cal Rubrick, who regularly flew in, who had his primary residence in Ontario. Mr. Rubrick had his residence in Ontario and received considerable expenses with respect to that. Mr. Rubrick was hired by the former government and regularly commuted back and forth from Ontario with respect to this particular duties.

He was hired, I believe, as the Deputy Minister of Information Systems by the former government and received a considerable salary with respect to that. The Deputy Minister, Mr. Cal Rubrick, was the chief information officer for the provincial government, hired by the former government, who had as his principal residence I believe it was Toronto, Ontario, and he flew in regularly with respect to his activities in the province of Manitoba. The contract with Mr. Rubrick that was entered into by the former government, Mr. Chairperson, provided a number of conditions with respect to travel to and from, as well as, various other amenities with respect to that. Mr. Rubrick, I believe, was employed for several years by the former government to undertake these particular duties.

With respect to Mr. Hikel, I am very pleased to note that he is very familiar with members opposite insofar as they employed Mr. Hikel for considerable periods of time. In fact, starting in 1988, the former government employed Mr. Hikel and employed him for a variety of purposes on a full-time basis, I might add, Mr. Chairperson. *[interjection]*

Yes, actually, prior to that and, in fact, the former government were very familiar with Mr. Hikel and, in fact, had employed him for considerable periods of time. *[interjection]* Yes, as Deputy Minister for Community Services, as well, under the former government and, in fact, responsible for MTS and full-time employment in that—

**Mr. Chairperson:** The time 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 (Wednesday).

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, June 27, 2000**

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