

First Session - Fortieth Legislature
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Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 11, 2012

*The House met at 10 a.m.***ORDERS OF THE DAY***(Continued)***GOVERNMENT BUSINESS****COMMITTEE OF SUPPLY
(Concurrent Sections)****CONSERVATION AND WATER
STEWARDSHIP**

Mr. Chairperson (Mohinder Saran): Order. Will the Committee of Supply please come to order. This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Conservation and Water Stewardship.

As previously agreed, questions for this department will proceed in a global manner. The floor is now open for questions.

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): I just wanted to table the answers to the questions about increased fees or changes in fees, and it's actually set out in the supplementary Estimates of Finance. So there's a photocopy here for the members. In other words, it's public information already, but—

Mr. Chairperson: Member for Arthur-Virden.

Mr. Larry Maguire (Arthur-Virden): I thank the minister for that then.

Yesterday we were looking at the number of charges laid in regards to the 2011-12 area on, you know, illegal commercial traffic in fish and wildlife, and I just wondered if he could update me. I don't know if we got an answer on the number of charges that were laid or not. If I did, I apologize, but I didn't write it down.

Mr. Mackintosh: Yes, I'm told that the numbers are set out in the annual report of the department, and so the report of '10-11, those numbers are out, and the '11-12 report is in the works now, and we expect that—it's usually by early fall. I think it's usually around September, October, November—something like that, in that range, where those numbers are finally crunched.

So the members will see on page 27, that's the last information that we have available for the public of the violations that occurred in that year, and it's

broken down by the different legislation. The members will see there, the total offences was 2,840.

Mr. Maguire: Just for clarification, that's in the annual report, not the Estimates book.

Mr. Mackintosh: Yes, that's set out at page 27 of the annual report, '10-11.

Mr. Maguire: I believe there was a—caught a reference there to the supplementaries, but we'll check that annual report. Thank you.

Compliance levels, I guess, Mr. Chairperson, in some of those areas, you know, there's—I just wondered if the targets are being met in regards to some of the special investigative units and those areas. Supplementaries here indicate that there's compliance levels in excess of 95 per cent with resource legislation, conviction rates greater than 80 per cent on average for all prosecutions, and I just wondered if these are targets that are being met and if the minister could just elaborate on that a little bit.

Mr. Mackintosh: So the conviction—we're just looking at page 51 there, the compliance levels and the conviction rates. That is a number then that will be provided through the annual report. But I wanted to make something clear on the record is—the SIU does not have a target in terms of the number of charges that they are to lay, neither do the natural resource officers. In other words, there isn't an arbitrary number for any purpose. It is simply a directive and an expectation that they're to enforce the law whenever the law and the evidence combine to lead to charges. So I wanted to make that clear. That's how it operates and there's no intention to change any of that.

Second of all, I'm advised that in '10-11 the SIU filed 65 charges, and many of these investigations, of course, were covert, and some were about the illegal sale and importation of fish, for example. We had some illegal export of wildlife. That goes actually back to an investigation started in '08. There was a covert investigation started in 2010 relating to illegal guiding and outfitting for migratory game birds, and that resulted in 46 provincial charges and 22 federal charges against two Manitobans and four Americans. That was a joint investigation with Environment Canada and the US Fish and Wildlife Service. That case is still before the courts, I'm advised.

The SIU in '11-12, and this is more recent information then, was involved in 17 new investigations involving illegal marketing of fish and wildlife and illegal outfitting. They were also working on about 17 investigations that carried over from the previous year.

* (10:10)

I'll just add as a footnote, I've had a very good, productive meeting with the natural resource officers and have been canvassing ideas in terms of how we can better assist them to do the job protecting Mother Earth, and we are looking at some options around that, and we're looking to see how we can better ensure successful prosecutions and that, you know, all the evidence in the law is rallied appropriately.

So we haven't made any conclusions yet, but we'll continue some discussions to see how we can better back them up, at least in terms of the law, and as well, if there's anything else that we can do to ensure that they know that the people of Manitoba and the department are behind their efforts there on the front line.

Mr. Maguire: I wonder, are there—you know, you've got the hunter-killed livestock compensation program. I wonder if you could just update us on that. How many claims have been filed in an average year, and what's the average annual claim costs?

Mr. Mackintosh: The Manitoba Agricultural Services Corporation compensates livestock producers for the livestock losses from coyotes, bears or wolves to a maximum of 90 per cent for the loss, and private property owners who are—experience conflicts can kill them on their own property without a licence or permit at any time in defence of their property, of course.

The numbers I have here are second-hand. They're from Ag, and so, you know, if you wanted to dig deeper, I think I'd advise the member that it may be more appropriately directed there. But I have information here that the corporation paid out 1,755 predator claims on livestock as of February 29th for a total of \$804,502. With one month left in '11-12, then, it was at that time expected that the claims would be very close to the '10-11 level, which was a total of 1,800.

Mr. Maguire: And the area of the forest fire and wildlife—wildfire suppression and monitoring system activities that you've got, does the minister feel then—I know they've just brought in new water bombers in some of those areas, but, in regards to an

update on the monitoring activities, what resources does the department currently have at its disposal in regards to that area and how many contracts does the department let to third parties to provide these types of services?

* (10:20)

Mr. Mackintosh: I had a visit to the fire centre that the Province operates on Saulteaux Crescent recently, and I found quite an amazing operation there.

Manitoba, I understand, has state-of-the-art prediction and detection capabilities. They have real-time technology that's available in terms of finding where the risk of lighting is mostly in the province and, as well, amazing weather information. We have, outside of that, of course, reliance on about 48 weather stations throughout the province to collect fire-weather indices, and they're, of course, built and maintained by our Fire Program staff.

The information is then disseminated by way of mapping technology, and so if members ever would like to see that operation, you know, perhaps we could talk, at some point, about arranging that. I think they should feel entitled to have a presentation done. I know the people there are very proud of the work they do, and I think that it would be assuring for people's representatives here to see what the investment in fire suppression has resulted in in terms of our capacity.

The province has 22 full-time staff in the Fire Program. We have 39 initial-attack crews with about 195 firefighters, give or take. I understand that there's over a thousand local emergency firefighters on standby and trained, and 100 support staff for fire operations, six helicopters, six planes, and six water bombers. I don't know if I have to go over, again, the water bomber—I think we actually had talked about that earlier, the new water bombers—a very significant investment, eh?

I'm advised that last year's initial-attack success rate was 97 per cent. The objective is to detect fires at less than .5 hectares, and contain five hectares or less at a total cost of less than \$30,000. We get about 554 fires a year that the Province would be engaged in. And, of course, that's not including municipal fires where the municipalities are first responder, and where the Province is not called in by the Office of the Fire Commissioner.

In terms of the specific questions, then, in addition to the overview of the resources, I would

say that Manitoba's never been as prepared as it is now because of the new capacity of the two water bombers that are available to be deployed. The capacity for dropping water bombs are almost double.

The resources are, of course, supplemented by contracts. As the member asked, I—we don't have at our fingertips all of the contracts that may be let, but there are two that I'll put on the record that may be where—what he might be most interested in. And, first of all, we contract for six helicopters, and there's a three-year contract for that; the contract amount is \$976,000, I'm advised, plus a variable hourly rate that is applied to that.

The other contract is for what are called single-engine air tankers. They are more like crop dusters, if you will, and they distribute fire retardant. Those are deployed as needed, and that's in addition to, of course, our core air fleet.

So if the member has any further questions—well, I suppose, just, you know, if he wants further—you, know, we can drill down and see if there are any further contracts that the Fire Program lets—that are rather standard contracts, but there, certainly, you know, could be contracts relating to certain fires and so on, and so those contracts can be very extensive.

So I don't know if that's what he's interested in, but if he needs further information, perhaps he could just put that on the record and we could drill down.

Mr. Maguire: Yes, thank you. No, that's satisfactory. I think the only, maybe, other information he could provide me is that—how many contracts does the—or did the department let to third-party types directly last year? With that—if he could supply me with that, as the minister has indicated.

I'd like to move to the area of the Clean Environment Commission. And they're, you know, this is a—maybe a big area with a few questions in this area. And there's a lot of responsibilities in the Clean Environment Commission. We were very well aware of that, and I've just got some questions in regards to the resources, I guess, in that area.

Of course, one of the areas that the Clean Environment Commission will be looking at is holding public hearings on the Bipole III transmission line. And I wonder if the minister can just provide me with some answers in regards to

whether or not, because of the size of this, how soon it will begin. Is there any additional funding that the government's going to make available to the CEC should they require those resources for such a large undertaking, and is there funding being allocated through the participation assistance program for the Bipole III hearings?

* (10:30)

Mr. Mackintosh: The minister made a decision to have public hearings on the bipole environmental licence—environmental act licence application, and it's expected that hearings will begin this fall. The funding for participants follows placement of ads and a call for applications and then a consideration by the CEC of who should be entitled to intervenor or public participation funding, and a decision should be announced by this CEC very soon on that.

Mr. Maguire: I assume then that it'd be the same type of a process for public—or for participation in assistance programming for the Manitoba Hydro's Lake Winnipeg regulation final licence requests and that sort of thing, as well as the City of Winnipeg developing the plan on how to meet its nutrient removal requirements. Will there be public hearings on both of those? When will they be? And I'm just wondering about the—I'm assuming that the process for participation assistance programming would be the same, although if there's any deviation perhaps the minister could just supply me with that.

Mr. Mackintosh: In regard to public hearings, first of all, on the request of Manitoba Hydro for a final licence under The Water Power Act, the public hearings have been committed to so that the public can participate in that review.

And on September 1st of '11 the Province provided the CEC with terms of reference to conduct the review and that—those terms of reference and the related letters are available on the CEC website, www.cecmanitoba.ca. My understanding is the dates for hearings have not yet been published by the CEC.

In terms of the North End Winnipeg plant and the application that—or the plan that is to be submitted by June 16th, a decision will be made once the plan is reviewed for its appropriateness, for its effectiveness, before there's any decision on whether there would be CEC hearings on that.

Mr. Maguire: So the minister's indicated that there is a process for the licensing on the nutrient removal.

Does he know when that would begin, the hearings, the CEC hearings on that, or will it not go before the CEC?

Mr. Mackintosh: If the plan is submitted in accordance with the requirements that are set out in the act, in The Save Lake Winnipeg Act and in The Environment Act, and it addresses the objectives that have to be pursued, then it may well be that there is no hearings required. For example, in the South End plant, there wasn't a determination that hearings were required.

So, if there is a decision to proceed with hearings, then there would have to be a decision made as to whether there would be participant funding or not, but that's premature at this point.

Mr. Maguire: Finally, I'd just like to say, you know, there's a number of these types of areas that are ongoing. They're fairly important, and I just wondered if the minister feels that there will be any extra resources required. I see in the budget that there's no increase in the funding to the CEC this year, no new staffing, a little bit of a—there's a \$10,000 increase, and so just wondered if he sees any additional or foresees any additional requirements being made there from a staffing or a financial program, mainly because of the participation program, I guess.

Mr. Mackintosh: Any of the financial requirements of conducting a hearing and funding participant allocations is done by way of a chargeback to the proponent of the project, in other words, Manitoba Hydro. So it's not a—it's an off-budget expenditure because it's the proponent's duty to carry that cost, so that's why it wouldn't show up in the base budget for the CEC.

Mr. Maguire: Yes. Just wanted to ask a few questions here on the Parks and Natural Areas.

You know, I'd asked the minister earlier, in question period, I guess, about the provincial park permits, vehicle permits from '09. There was a cost there, that 53,000, ones that weren't used, and I just wondered if they were destroyed or if the minister can just indicate to me what has become of those '09 permits.

* (10:40)

Mr. Mackintosh: It's my understanding, from the record, that the former minister had certainly expressed a hope or a—turned his mind to the question as to whether these park entry permits could

be reused. The department looked at the cost, the amount of human resources required, the stickers, storage, and there actually is extensive bundling, too, rather small bundling of those permits. And, you know, it's really because of the change in the fee and the year, there had to be—there would have to be two stickers put on each and every permit. And so it was made—a decision was made on a cost-benefit basis that it would be best to move ahead with new permits.

Mr. Maguire: And so the old permits have been destroyed or let go and—I'm assuming.

Mr. Mackintosh: Yes, my understanding is they're—they were destroyed, so they could not be used. Well, I guess they'd be shredded. I think that would be the usual—yes, I'm advised that that was what happened.

Mr. Maguire: Can you just apprise me as to what the '11-12 permits, then, would've cost—or the permits for the 2012 vehicle permits?

Mr. Mackintosh: Yes, we can—we don't have the number here, but we can certainly obtain the '12-13 cost. I think that's what he asks, is '12-13. Yes, we can obtain that, yes.

Mr. Maguire: Yes, okay, if they want to continue to look for that—provide that before the end of Estimates, perhaps, or we can get it from the minister.

Just in the camp reservation program that you've got, you know, there's always a lot of signup, and I just wondered if there's—but we continue to hear concerns from individuals that, you know, don't get in or don't get the programming that they want of—when they want it, and I just wondered if the minister could provide me with who's running the present program and if they contemplate any changes to the system.

Mr. Mackintosh: Yes, the Province now, itself, runs the park reservation system. We, of course, every year, have some issues that are raised from time to time by people eager to get their favourite spot booked, and that largely is a result of the huge and sudden demand on the site. So we continue to look to see if there are any improvements that can be made, learning from experiences of the year before. So the department will look to see if there's anything that can be done, in terms of any other staging of reservations. But the system—and that's the challenge, but—there—the great news is this has become a very, very popular way for Manitobans to book their sites now, and far, far exceeds the accessibility and

usefulness of the old system where the delays and the inability to get through on the phone were notorious.

So, even with the current challenges that are inherent in a high-demand site like this, we certainly have moved to a new generation of reservation service that I think much better serves the needs of Manitobans. The use of the online system as well, has increased over the years and, in fact, this year there were more reservations on that first day of the automated system than ever before. We were up this year by 2,274 reservations or 16.2 per cent.

So, at the same time, yes, we are sensitive to any concerns, and we'll look to see if that can be addressed, but, as I said, a lot of the concerns are really based on just the inherent challenge of a huge volume and a popularity of the system. But, you know, we're not going to let up on looking for ways to ensure that everyone can be as satisfied as technology will possibly allow. But 2,274 of those certainly attest to the fact that more people have been served than ever before, right off the bat.

Mr. Maguire: So that has changed then. The department has taken internally and—because in 2010-11, I think, we were asking in Estimates about a—there was a consultant hired to do a review of the parks fee structures. And I just wondered, you know, for cottagers and other stakeholders, I wonder if the minister could supply me with an update on—if that consultant's report, you know, I'm assuming it was tabled or that he has it, and just what he could say has been unveiled from that report and if there's going to be any, sort of, other stakeholder consultations, I guess, in regards to park fees and structures.

Mr. Mackintosh: It—I'm advised that that there's been actually three, or four, or five years since the department has internally been doing the park reservation system. And I welcome that continuing because, I think then, it's much easier for us to make changes as needed and be sensitive to the interests of the users of the system.

In terms of the park service fees, my understanding is that there was some review done with—was it Deloitte?—and that that helped serve the basis of some discussions or consultation with those that live in the park or may conduct business in the parks. And so that—those considerations are ongoing.

Mr. Maguire: Yes, the area of Duck Mountains, I know, the minister has had persons contact him in regards to the provincial park there, Blue lakes—East

Blue lake. I wonder if, you know, we continue to hear of these concerns, a lot of it was from the flooding last year and that sort of thing, as well, over the last few years. And I just wondered if, you know, the concerns there around the access to public telephones, apparently the washrooms and the beach, you know, the gazebo at the beach, have been, basically, taken away. And there's a hike in fees in the seasonal camping area, when, really, there isn't any services left to camp in that particular one. And I wonder if he could just update me on what steps are being taken to address these concerns in that area.

Mr. Mackintosh: I was kicking myself for minute, because in my blotter folder this morning was a letter sent to—being sent to the member in response to a written request for some information. So—and I said to myself, maybe I should bring this with me to Estimates this morning, it might come up. But, you know, I'm learning that the staff is right here with a copy of it. So I can provide the information that's in that letter, but the member can look forward to getting it very soon because I'll sign it this afternoon.

But the beach playground, washroom and a portion of the picnic shelter were removed due to the damages sustained as a result of the high levels that the member knows occurred at the—in the lake. All items were removed from the park before road restrictions were in place. Once these restrictions are removed, staff can then begin the redevelopment of the beach area and complete the removal of the picnic shelter.

* (10:50)

Now, temporary washrooms, I understand, have been set up at the beach since last July. The telephone question that the member raises, we have, at the resort and the campground office, satellite phone communications. The department continues to explore options with regard to communication services and, as technology improves, then we'll have better services on a priority basis there. But right now the fees that MTS would charge are just cost prohibitive given the very short operating season, and that's a big—that's really the main barrier in addition to, you know, the lack of alternative technological options.

Just I have the—Childs Lake and Wellman Lake have received new play structures. The member was asking about that. A new play structure at Blue Lake will be part of the redevelopment plan.

There's other information here maybe I could put down on the record. All camping fees, of course, are set by the rules. The fees reflect the services and amenities directly associated with the activity of camping in that particular campground. Things like the provision of firewood, the provision of modern washrooms and showers are built into the camping fee structure. For example, Whiteshell campers have to buy their own firewood and pay for their showers—it's a loonie—*[interjection]* Yes, it's a loonie, while Blue Lake campers they're—not have to pay for their showers and apparently don't have to pay for their firewood.

So, therefore, there are price differences between the campgrounds and, you know, but, of course, on first blush appear to offer the same camping services—basic electrical full service and are open for the same season length. Ancillary services such as beach access, playground structures, availability of concessions, whether or not the road in the park is paved or not are not reflected in the camping fee. So, as such, there's no mechanism to adjust the fees charged.

Mr. Maguire: Yes, I thank the minister for that. The concern there, I think, is as well with the residents and that sort of thing in the area, and I'm wondering if the minister of the department has looked into the beaver problems in that area. It seems to be that—the—that this isn't a natural catchment area for some water. The information that I've received is that there—there's a feeling there that because of some of the beaver structures, I guess, that have been put in place by them naturally that there's been some backing of water into this area that's caused this flooding, and it's very difficult to get it out because there's not much other way than pumping it out. And I wonder if the minister can just update me on what the intentions are in regards to that, and if we can get the water back down so that it's not even—not like underneath the business that's located there in their home.

Mr. Mackintosh: Yes, I think just in the last week or so I received an update on the considerations about this issue, and I've been assured that there's been some conversations with the affected resort owners. I think there's a man and a wife that have a resort there. But in '11 staff assisted that owner in setting up the temporary dike and water pumps to protect the lodge and the park infrastructure, and allowing him to tie into the park's drinking water system, installing culverts to help offset some of the high groundwater. In the winter, the water pumps

were winterized and the dike was reinforced to protect the resort and park infrastructure until surface water and natural springs froze.

To date, the department spent \$20,000 to help the owner and park and infrastructure, and also \$30,000 has been spent so far on an engineering assessment to determine the cause and possible solutions to high-water levels of Blue lakes. That, of course doesn't include the significant staff time I understand that's been invested in this by the department. So the challenge of beavers is only one aspect of this one. There are some hydrological challenges that are being assessed. So I think just in the last couple of weeks or so the report was shared with the resort owner, and they've gone through that and they're exploring now the next steps.

Mr. Maguire: There's a number of water treatment facilities and lagoon systems in provincial parks around the province, and I wonder if the minister can provide us with the status of upgrades to those facilities in provincial parks. I know we've had a good discussion on the Spruce Woods Park, but a number of other parks and locations in the province—if he could just give us an update on the status of the upgrades on those water treatment facilities and lagoon systems.

Mr. Mackintosh: There's a new water-treatment plant at Winnipeg Beach campground. That was completed last year—last fiscal year. There's four system upgrades planned for this year: at Brereton Lake, William Lake, Rainbow Beach and Moose Lake. As well, there's an upgrade to the Grand Beach pump house, and that's under way currently.

In terms of lagoons, where the member was going, there are two waste-water assessments at Grass River and new South Whiteshell truck-haul facility done in '11-12, and that will lead then to the work plans. Province-wide, waste-water assessment program, with two assessments are planned for this year at Stephenfield and Brereton Lake.

The North Whiteshell truck-haul facility was completed in '11-12. Two waste-water upgrades are currently under way, I'm advised, at West Hawk and Couprouis *[phonetic]*. Have to go there. Don't know that one.

Also completed in spring 2011 were assessments for existing lagoons at Dorothy, Opapiskaw, Nutimik and Otter Falls.

Mr. Maguire: There's a number of—minister raised a number of these—the Whiteshell Provincial

Campground, can you just—I know there's washrooms and shower upgrades being done there. Can you provide me with the cost of those?

Mr. Mackintosh: There's quite a number of campgrounds in Whiteshell Park. Is there a certain campground area the member would like information about?

Mr. Maguire: Just in regards to the park in total, I guess—the Whiteshell itself—and if he wants to get back to me with that number, he can.

Mr. Mackintosh: We have some numbers here, but they are broken down by campground, and I'm not sure that we have all the information that would give a total number for the member. So I've asked the department to go back and compile a Whiteshell Provincial Park number.

Mr. Maguire: Thank the minister for that. We look forward to receiving that.

There's a cost, as well, to the Winnipeg Beach Provincial Park that he mentioned, and the final cost of that project—campground upgrades, that sort of thing. I wonder if he couldn't provide me with the—what the original cost estimate was of those upgrades for the Winnipeg Beach Provincial Park. Yes, and the final cost, I guess, of the project, now that it's complete.

Mr. Mackintosh: The department is hesitant to give an estimate. We'd have to go back and look at it, and I understand that it might go actually over more than one fiscal year. So we'll get the original and final cost for the member.

* (11:00)

Mr. Maguire: The Upper Fort Garry Heritage Provincial Park Act was brought through the Legislature. Can the minister provide me with a time frame for the proclamation of that act, and just what's the estimated time frame for the completion of the project? If he could just give me an update on the—on how much provincial funding might have flowed toward that provincial project and—or the—for the Upper Fort Garry Heritage Provincial Park.

Mr. Mackintosh: There haven't been any provincial dollars flowing for operating costs, although I should have a—put a caveat on the record that there was approximately, give or take, \$400,000 invested in a cleanup of the Petro-Canada site.

In terms of the act's proclamation, we are just awaiting the Friends advice—or request to proclaim

that. My understanding is that the Friends are not 'priorizing' the proclamation of the act, because they're concerned that there may be perception that if it's proclaimed as a provincial park their fundraising efforts may be impaired; where there—you know, there may be a wrong assumption that if it's a provincial park, well, then it's simply funded through the department. And that's not the model that was agreed to here, so we're—we'll just await their advice and then do the proclamation when it best fits their financial—or their fundraising needs.

Mr. Maguire: Has the minister been apprised of how the private funding is going? Can he share that with us?

Mr. Mackintosh: We're just a little hesitant about making an announcement that is theirs to make. They're independent; they have a separate organization there, and the fundraising effort is independent from the Province. But my understanding is they have raised millions, that they have had some great successes, but they have a very active ongoing campaign. So the number is surely going to change as that campaign progresses.

Mr. Maguire: Yes, I understand that; I wasn't looking for a specific number. I thank the minister for that reply.

The area of Hecla provincial park, Hecla Island provincial park, can you just provide me with an update on the Hecla Resort and golf course, specifically, I guess, more this year? Is the hotel still closed, or—and will the golf course be open?

Mr. Mackintosh: The hotel is closed, of course, and that's the subject of the receivership, and in the meantime the golf course will be open. They're expecting it to open, I think, by next weekend if it's not open today. So I think the member would welcome that, that we maintain that investment, that anchor, if you will, until such time as there's a long-term determination about the future of the facility, of the old hotel. But that hotel, of course, is, I think, a concern to everybody. It's really unfortunate. It's my understanding, as a result of information passed on to me, that the receiver does have a call out for expressions of interest. So let's hope that there'll be a fit and that the golf course will then have some long-term role to play. I understand it's one of the most respected golf courses in Manitoba, and I was told that if we didn't continue to keep it going, you just can't recover a golf course after even one summer.

So, and just to conclude, the department was just giving me some information that last year there was 8,000 rounds played on that golf course. So it's not only a matter of maintaining an investment, but, obviously, it's a great recreational option for Manitobans and as well, it's a regional employer.

Mr. Maguire: So I'm assuming any long-term strategy with respect to the operations there and the park itself and the island would revolve around that and it is necessary to keep it going or it would deteriorate to the point where probably you couldn't bring it back, from the discussions that I've had in regards to golf courses.

But I just—is there a long-term strategy then that the province is looking at or will—looking at—you mentioned the receivership, the opportunities there, expressions of interest?

Mr. Mackintosh: I'm venturing a bit into ETT jurisdiction. Of course, that department is the one responsible for the facility and is working with the receiver, or at least getting information from the receiver and asking questions and getting answers. If there are proposals that come that do require decision making about park use itself, and we certainly will become engaged and we'll make diligent efforts to ensure that we can be part of a solution as long as any uses are compatible with park use.

And I should just put on the record, actually, that the golf clubhouse burnt recently and—which was very unfortunate. So temporary facilities, I understand, have been put in place or are being put in place for the golf season so that we can continue the operation of the golf course.

Mr. Maguire: Just a final question in this area. The Tim Hortons Youth Leadership camp, can he provide me with the current financial contribution to this project from the province and is there any more funding planned?

* (11:10)

Mr. Mackintosh: The department doesn't have the investments at hand. We can get that to the member, but just to outline what those investments are, the Province has committed to funding the road, hydro, and MTS to the site.

Mr. Wayne Ewasko (Lac du Bonnet): There's been a decrease of 5.56 seasonal departmental positions. What were these staff doing and how is this going to be affecting the forestry programs?

Mr. Mackintosh: With the downturn in the forest sector, in particular with the closure of Tembec, the demand on the department for such services as survey services and block layout, for example, is not at the level that it was, so that is why there is that adjustment.

And I'm also advised, though, that if there are needs that have to be addressed, then the regional services staff can be deployed to help out, but that's not particularly anticipated.

Mr. Ewasko: Thank you, Mr. Minister, for that question—or for that answer.

What is the status of the provincial funding to the Manitoba Model Forest?

Mr. Mackintosh: I had the pleasure of meeting with Mr. Kotak on a couple of occasions, and we had a good presentation in my office about the great work they do. I'm particularly heartened with many of the efforts that they have undertaken with youth in the area. But, as well, we've worked with them in a very good partnership when it comes to caribou and moose habitats and populations.

And I also learned the really unfortunate news about the financial pressures that they are under because of the closure of Tembec and the more recent withdrawal of the federal government from their funding patterns of the past. But, no, I'm advised in this budget there is no change to the funding for the Manitoba Model Forest.

Mr. Ewasko: So, when you say that there's been no change to the funding for the Manitoba Model Forest, are we talking, you know, funds that are separate from grants that have been received through the Sustainable Development Innovations Fund? What type of funds are we talking about?

Mr. Mackintosh: The department advises that whether it's base funding or project funding or fee for service, there's no anticipated change in that at this time.

Mr. Ewasko: Well that's great to hear, Mr. Minister, that there's been no change in funding from the provincial government.

Can you just quickly just tell me, on an annual basis, how much that funding is?

Mr. Mackintosh: I'm advised that it will have to be identified because it's in several different places because there are some contracts for certain purposes, and so we can provide that to the member.

The department is attempting right now to look, but I think we best hold off and do the right job and go through the lines and determine the total amount.

Mr. Ewasko: Thank you for that answer.

Mr. Ian Wishart (Portage la Prairie): I just wanted to clarify: There's been notice through the Department of Agriculture that they're terminating their woodlot program, and I know the Manitoba Forestry Association has a related program. Is it continuing, and how is it funded?

* (11:20)

Mr. Mackintosh: There's continuing funding by way of an annual grant to the Manitoba Forestry Association of \$170,000, and that shows up in our estimate for '12-13, the same as '11-12 for the Sustainable Development Innovations Fund. That's the source.

Mr. Wishart: I want to touch briefly on and ask for an update on the chronic wasting disease situation. It's been well-known for a while that there appears to have been some escaped elk in northwestern Manitoba with probable origins somewhere in Saskatchewan where CWD is quite rampant. That's a substantial risk to not only the wild elk but any elk farming situations in the province. Wondered—there was a—supposed to be a rapid response related to trying to corral or remove these. I wonder what the update would be on that.

Mr. Mackintosh: Well, on becoming minister and reviewing the briefing materials on this, I became very, very concerned that we have to be as vigilant as if—as possible on this because we are particularly at risk given that our neighbours are experiencing chronic wasting disease in their jurisdictions, and there's no fence at the borders, as the member knows. So I asked the department to look to see what better prevention efforts could be undertaken here in Manitoba.

One of the first things we did was we deployed surveillance flights in the area where there had been some reports of elk, and these were anecdotal, but it raised enough questions that we thought the investment was important. So the surveillance flights took place. Unfortunately, it happened the exact same week as the extreme and unexpected melt, and that impaired or cut short, if you will, the ability to rely on those flights because the melt of the snow had an impact both on the ability to locate, but also the snow does provide a grouping, or the elk will congregate in deeper snow and makes it easier, of

course, to do the job. So, as a result of the flights, there was one elk identified, and it was—it tested negative.

The other benefit, though, was, I think, a very enhanced local awareness of the issue again. And that was a positive that we thought we should now build on. So there's a number of other initiatives that are being launched and are under way. First of all, the—we've asked for increased patrols in the areas where there have been sightings to more proactively look.

We're going to be enhancing the local awareness in a more formal way by a number of ads. And, in fact, I—before December, we hope to place ads on three occasions, starting on July 30th when the elk are—become more active at that time of year.

We are going to be asking the NROs to 'prioritize' their response to any sightings so that we have a rapid response protocol to tips. Of course, there'll be no charges if anyone does shoot a tagged elk, and we'll remind hunters of that.

I've also written to the Saskatchewan minister. I'm just concerned that we ensure that some efforts on the local level to develop better protocols as between Manitoba and Saskatchewan are supported at the political levels. I haven't heard back from the minister. I haven't met him yet, and I was kind of reluctant to send him a letter when I haven't sat and, you know, had a chat, because I've always prided myself on establishing good relations with Saskatchewan because we have so much in common on, you know, this is in different departmental portfolios. So I do look forward to meeting him. So I wrote at the bottom, I look forward to meeting you.

But I did ask that he give his blessing to the development of a regional protocol as between Manitoba and Saskatchewan. And I look forward to a positive response there because, certainly, I think the local officials are keen to move in that regard.

I think we just have to have a better risk reduction strategy. We have to make sure that we are notified when elk escape from Saskatchewan.

Now, having just said all that, at a time when we're trying to move ahead a couple of steps, unfortunately the federal government is making a decision to move back a step. And I didn't see *The Co-operator*, because I know they were working on a story this week that the federal Department of Agriculture is changing its approach to CWD. They're basically, I think, are giving up. They are not

going to cull herds of elk that—where chronic wasting disease is identified, and simply prohibit the movement of elk. But that doesn't help Manitoba, because if they escape and they come here, then it's even a higher risk.

So it's very unfortunate, and I'm trying to be diplomatic about it, but we have to have some discussions with our federal counterparts in that regard. And I've had, as well, discussions with our Agriculture Minister about that looming challenge. I think that is really unfortunate.

I think, though, the most important thing I can say right now is that we—there are still no confirmed cases of CWD in Manitoba, but we want to keep it that way. So if the members have any advice on this one, I will give it due consideration, because we have to go to the wall and see what efforts can be made to ensure that we are rightly diligent on this challenge.

Mr. Wishart: I thank the minister for his report. And there are some other alternatives, depending on what our federal counterparts have decided to do, to complete destruction of herds, which has been their approach up until now. So, yes, I'd be happy to sit down and talk over some of those things with you. They've been used in Europe for similar type diseases without complete destruction and have controlled the infection rate at least to some degree. So we'll follow up on that afterwards.

My colleague has a couple quick questions or two.

Mr. Maguire: Just in relation to the fisheries area, the Dauphin Lake Fishery, that sort of thing, in regards to the West Region Tribal Council, any development of co-management plans that they may have there.

And also in regards to the opportunities that the minister has had in discussions with the fisheries co-operative limited on Lake Manitoba, Lake Winnipeg, in those areas of expression of interests in relation to the local fishing industry to find new markets for the rough fish and, in turn, increase the economic opportunities for their members in the co-operative.

And also when he's had, you know, discussions on the export dealer licences there and cultivating new markets, and any discussions that he's had with the Freshwater Fish Marketing Corporation in regards to how to handle the choice of selling fish in some of those areas as well.

* (11:30)

Mr. Mackintosh: With the spawning season over now on the Dauphin Lake tributaries, I think we can look back and recognize that, I think, we've made some progress moving towards a conclusion of an agreement that, I think, has been in the works for some time and now needs to be executed.

I thank the member for the area for his ongoing advice, and, as well, the insights offered, as well as the MLA for the—for Dauphin and Swan River. I had a very good meeting with the regional chiefs, and what I'll be attending to now is determining how we can move ahead with our process for eco management in that area as intended.

On the issue of the FFMC, it's my understanding that there are, certainly, some different opinions about the need for flexibility, or the role and the future of FFMC. I've attended meetings, and, indeed, I've met with the chair of FFMC and I've met with fishers at Lake Winnipeg. And note that, as members know, there's a very different set of opinions across the province, but our view has remained that we want to encourage the FFMC to be flexible in their export-dealer licensing and the exploration of new markets. And so the—we're working with FFMC to help move in that direction.

We've, also, provided some fund to the University of Winnipeg for research on—is it Winnipeg? Yes, research on alternative ways of handling rough fish, which can encourage new markets as well.

Mr. Dennis Smook (La Verendrye): Mr. Minister, does Conservation have a policy regarding buffer zones around communities when permits are given for cutting timber near a community?

Mr. Mackintosh: There—if that's what happening along No. 12, some thinning is going on in there. But I understand that the member may be speaking about concerns—particularly it will come to our attention from Woodridge residents, and the member is nodding affirmatively.

There are forest practice guidelines that do regulate the operation of forest harvesting and we know that, in any event, the—there are some residents that were concerned about the proximity of the cut blocks to the community. So our regional forester has spoken with the company and they've agreed to move their operations for the time being while we can have some consultations with the community and attempt to help reconcile the approach there.

So my understanding is that over the next couple of months there will be meetings both with the community and the company. And so it's our hope and expectation that there will be a satisfactory resolution of this because we want to encourage the sustainable development of our forest resources while respecting the importance of having those buffer zones for communities like Woodridge.

* (11:40)

Mr. Wishart: I was looking for an update. There was a well-publicized spill from south end Winnipeg last fall—sewage—not only as to the volumes, now that they've had a chance to estimate how long it went on for and what the volumes were, but any downstream results, whether any charges will be laid as a result of it and if they've actually been able to identify the cause of the spill?

Mr. Mackintosh: It's my understanding that the plant is currently in compliance, and since the incident there hasn't been a recurrent problem. But in terms of identifying what the problem was to guard against it ever happening again, an independent engineering consultant has been put in place for a review, and we understand that we're waiting for a finalized document any time now. In terms of the incidents—the incident and any consequences, the prosecution branch has the management of that issue, of course.

Mr. Wishart: Thank you, Mr. Minister, for a response on that. Will you be in a position to share the consultant's report on what has happened or what went wrong? Is that something you paid for or the City of Winnipeg paid for?

Mr. Mackintosh: The Province has paid for that review, and in terms of whether it'll be released publicly, I've asked the department to look at the pros and cons of that and what the historical pattern has been with the review of that. Public knowledge is always positive, but if there are any proprietary concerns on information, then it's a consideration as to whether it can be released in whole or in part. So I've asked the department to provide advice on that, which would be forthcoming after they got the report and looked at it.

Mr. Wishart: So you'll get back to us on whether that will be available for release once it's tabled with you, I assume.

Mr. Mackintosh: Yes.

Mr. Wishart: Was looking for a bit of an update on the discussions with North Dakota regarding Devils Lake and its status, and whether expansion of the outlets in Devils Lake is still in the cards or whether limitations will be kept in place, and particularly the filter situation.

Mr. Mackintosh: The existing West End outlet that's been in place since 2005 was increased to 250 cubic feet per second several years ago. It's equipped with the sand-gravel screen filter. And we understand that there was a pump or intake failure that hindered the operation or prevented the outlet from operating at its full capacity for part of the summer. So pumping began in March 2012 after ice out.

There's some news, though, on this file, some late-breaking news. But on April 25th North Dakota Governor Dalrymple signed an executive order creating a Devils Lake Outlet Advisory Committee, and Manitoba is represented on that. The committee consists of upstream and downstream reps, and Minnesota as well is on there. And the first meeting is scheduled for May 22nd.

Mr. Maguire: Yes, I thank the minister for that update in regards to the Devils Lake as well—make sure we're here too.

And we have, you know, the number of areas, this is a large department in regards to the types of issues that are there. But, I think, at this point we would move to close the Estimates on Conservation and Water Stewardship.

Mr. Chairperson: Hearing no further questions, we will now proceed to consideration of the resolutions relevant to this department.

I will now call:

Resolution 12.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$68,730,000 for Conservation and Water Stewardship, Regional Services and Parks, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

Resolution 12.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$28,153,000 for Conservation and Water Stewardship, Conservation Programs, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

Resolution 12.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$11,571,000 for Conservation and Water Stewardship, Climate Change and Environmental Protection, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

Resolution 12.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$23,049,000 for Conservation and Water Stewardship, Water Stewardship, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

Resolution 12.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$11,525,000 for Conservation and Water Stewardship, Costs Related to Capital Assets, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

Resolution 12.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$51,332,000 for Conservation and Water Stewardship, Capital Assets, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

* (11:50)

The last item to be considered for the Estimates of this department is item 12.1.(a) the Minister's Salary, contained in resolution 12.1.

At this point we request that the minister's staff leave this table for the consideration of this last item.

The floor is open for questions.

Mr. Maguire: I just wanted to say thank you, again, to the staff of this department for their work over the past year and in the coming year—certainly, appreciate your time here at Estimates. And thank you for all of the diligent work that you've put in with the minister here in regards to answering our questions and—look forward to dealing with these issues throughout the next year.

And thanks to the minister for his time and diligence in these—answering these questions as well. We will probably want to meet with him more one-on-one in regards to some of the other issues that we weren't able to get to, but I look forward to moving forward, Mr. Chair.

Mr. Chairperson: Resolution 12.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$13,009,000 for Conservation and Water Stewardship, Administration and Finance, for the fiscal year ending March 31st, 2013.

Resolution agreed to.

This completes the Estimates of the Department of Conservation and Water Stewardship.

The next set of Estimates to be considered by this section of the Committee Supply is for the Department of Infrastructure and Transportation.

The hour being 11, what's the will of the committee? Shall we briefly recess to allow the minister, critic, and their staff the opportunity to get organized for this department?

An Honourable Member: We're ready to go.

An Honourable Member: Ready to go.

Mr. Ralph Eichler (Lakeside): I believe we're ready to go, Mr. Chairman.

INFRASTRUCTURE AND TRANSPORTATION

Mr. Chairperson (Mohinder Saran): Will the Committee of Supply please come to order. This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Infrastructure and Transportation.

As previously agreed, questioning for the department will proceed in a global manner. The floor is now open for questions.

Mr. Stuart Briese (Agassiz): It's my understanding that today we're going to move into more of the EMO issues, and I have quite a few fairly technical questions that I'm not sure you've got enough staff here to answer them at the moment. But we'll give her a shot, I guess.

Just to start in then: The 2011 flood—and most of my questionings, really, are going to revolve around that—the number of private-sector claims filed under—and the dollar value of those claims that was paid out to March the 31st of this year.

Hon. Steve Ashton (Minister of Infrastructure and Transportation): Yes, what I can do is I can get the member an updated breakdown. I can certainly do it to the end of March. I can probably do it to the end of April, actually. I can say, in a general sense, we're now over \$650 million in terms of floodfighting costs and claims, but I can give the

member a complete breakdown of DFA, in particular, which I have direct responsibility for—and, as the member knows, MASC does deliver a number of the programs, but I'm sure we can provide that information as well.

Mr. Briese: Yes, thanks, Mr. Minister. When you're talking about those claims—and I have a series of questions on them, but when we're talking about those claims, when you're using a \$650-million figure, or whatever the top figure is—going to a billion at some point, how much of that will be federal responsibility?

Mr. Ashton: Well, clearly the DFA portion, we would argue, is 90 per cent recoverable. Having said that, the question then becomes: What is eligible under DFA? And the member knows the DFA program very well; it's not as clear-cut as it appears.

I'll give you an example. On the outlet from Lake St. Martin, our argument is, clearly it's—was an emergency outlet—should be eligible for 90 per cent recovery. We don't have a commitment on that from the federal government, but we're continuing to raise it with them. So there's one example of a question mark.

In some of the other cases, as well, mitigation that was done, we would argue it was flood-related. But, as the member knows, part of the issue with DFA is not just whether there is a program, but when it starts, when it ends, you know, what is a single weather event. And we do have also various other categories of programs where we have no federal commitment whatsoever, probably most directly are the MASC-delivered programs, special programs, you know, for Lake Manitoba, Hoop and Holler, and others. So, you know, we're—it's hard to give an exact number right now.

I can indicate, too, by the way, that historically we often went many years before we got the final reconciliation of claims. So even if you have some sense in advance of what is the general claim amount, until the cheques are delivered, it's quite a different scenario. And we've had situations where—in the '97 flood, I think, our—we were receiving payments even up to the year 2008.

So I can certainly give an approximate number, but it is—it's an evolving amount, largely, too, because we are still working on claims. We still have claims that are being adjudicated. Those numbers will go up. So that's where the estimate—was as much as a billion dollars—I think, is fairly accurate. In a

general sense, I'd say we were—we are hundreds of millions of dollars, probably, in provincial exposure at a minimum.

Mr. Briese: What I'm specifically looking for, though, Mr. Minister, is the DFA costs. I presume they're streamed separately, the department of—MASC programs, which were provincial programs, specifically related to the flooding and certain other things that have happened in the province in the last year.

But, on the DFA, I'm sure they're—they would be streamed separately as—and beyond that, is the whole 2011 flood being considered as one event. I know there was always discussion and—at other times on—when DFA kicked in on major rainfalls and such things that—major disasters, that wasn't all one event, or was there a second event started here. There was major rain storms a month ago, and there were DFA claims, and there were major rain storms now, and there were DFA claims, and there were two separate events which changed the funding because you started back at No. 1 dollar again. Now, is this being all considered as one event on the 2011 flood? And I would really like separate—separation of the numbers on DFA from MASC.

Mr. Ashton: What I can also do, by the way, or maybe I'll start with this—I'm sure the member's going to ask this question as well, and it's when the 2009 event—and there is a letter that does document that in 2009, the DFA program had a total of 1,756 private claims, including First Nations, and all have been closed except one, which is in appeal; 94 public sector claims—that includes First Nations—that have been closed, the exception of, again, one municipal claim. In this case, an extension has been given.

There were \$67 million paid out under the DFA program in 2009, and that has been agreed to by the federal government in terms of a program. There was a question, I think, regarding provincial evacuation programs co-ordinated through Family Services and Consumer Affairs, ESS and these are eligible under DFA. And the rates include up to \$29.90 per day for food, as well as \$4.00 per day for per diems. All hotels were based on invoices.

*(12:00)

What I can indicate, certainly, we are anticipating that we have one event this year. In terms of some of the MASC costs, what will happen there is some of the costs, particularly Lake Manitoba, some of the costs in and around Lake

Manitoba will be DFA recoverable. Some won't. So there will—there's a bit of an intermixture there. But certainly, we're anticipating a significant amount of DFA recovery. In fact, I can get the current numbers for the member right now.

Mr. Briese: I do want to—when you talk about 2009, I do want to give a little credit where credit's due on the Eddystone DFA claim on the hay where I fought for two years on behalf of those people and finally you—they got the message across and got that program looked after, and it was certainly much appreciated by the people up in that area.

Mr. Ashton: I was going to give credit anyway for the member for lobbying, and we certainly did pursue it. It's important to note, by the way, that one of the key issues with DFA is not—it's not as clear-cut as people think, and I think the member knows some of the issues in Eddystone. I mean, the issue is, you know, is insurance available or not? You know, with that—insurable is the more general expression and that, but there's also various other issues that often come into play: how widespread it is, et cetera. And these are all issues we have to take into account before we can declare, certainly, a DFA claim. But we listened, and I think it was the appropriate thing to do.

Mr. Briese: I agree, it certainly was the right thing to do.

Once again—so we're considering this all one event. So the claims, I presume—and I have had some dealings with DFA over the years or with EMO—but the claims, I presume, are being filed separately, either a DFA claim or MASC claim.

Mr. Ashton: Now, what you may end up is with intermixture. You know, the key issue here is, you know, if you have some costs that are recoverable from DFA, obviously, we'll process it through DFA, you know, in terms of recovery from the federal government. So there is some intermixture.

In terms of DFA stand-alone claims right now, we're already at approximately \$300 million on DFA alone for this past year, in this year's flood event. So you can see the scale. And to put that into comparison, in 1997, DFA, I believe, was \$230 million. I think the total payout to—in 1997 was about \$280 million, including all program costs. We're significantly higher already than the 1997 flood.

Mr. Briese: Well, what I'm referring to, though, is, and I'm probably mixing myself up a little bit here,

but municipal claims, for instance. Pretty well all municipal claims would fall under DFA, I would think. And also, a rancher out there that has his private laneway taken out, which, of course, has no insurance coverage, if he has a claim on infrastructure that has no insurability, that would go under DFA. Now, he files a separate DFA claim, I would think, in those cases, or does he just file everything through that one claim form?

Mr. Ashton: Correct. And I think the key thing, as the member's identifying, is that outside of, you know, the public sector, you know, where you have damaged property, et cetera, which is DFA, when you're dealing with individuals, either producers or individual homeowners, you're into a situation where there can also be a combination of claims in those areas, you know, where we have special programming where something may—you know, one item may be eligible under DFA, other items aren't.

And that's why I want to stress that all the programming in and around Lake Manitoba, Lake St. Martin, and the Hoop and Holler has been significantly enhanced, not that DFA isn't, you know, a significant program. And I know this came up in the House in and maybe in a slightly less adversarial way. I stress again, you know, if you compare us to the US, the one thing—the advantage of DFA here, especially in Manitoba, is you're looking at recovery of \$200,000-plus. Actually, if you look—you know, take into account the deductible compared to the US where you have some flood insurance that can give you maybe \$35,000 per claim. So there's intermixture of claims. But the figure I did give the member, the \$300-million figure, is the DFA component alone that we've already paid out.

In fact, I can give the member some of the numbers now probably on DFA as well. Updated numbers for 2012, actually the latest figure is \$304,414,443. There's been a total of 4,405 private claims that we've received, and the payouts are \$56,586,467. So 895 of the private claims are First Nations, which we administer for the federal government under the rules; 3,510 of the private claims are non-First Nations; a total of 185 public claims have been received and \$98,156,048 have been paid; 30 of the public claims are First Nations and \$19,239,889 has been paid; 155 of the public claims are non-First Nations and \$78,916,159 has been paid.

There's—just to give you some idea of the impact, you know, provincially, a total of 15 provincial

departments' claims have been received and about \$149,671,928 has been paid. To date, a total of 2,424 people remain evacuated; of those 2,413 are First Nations, 11 of the evacuees are non-First Nations.

Mr. Briese: I may have missed it, but did—how many municipal claims were in that list? Are they on it? I may have missed it.

Mr. Ashton: [*inaudible*] things, but I'll give it back. You asked about public claims: 185 claims, and 30 of the public claims are First Nations, 155 non-First Nations. So the non-First Nations is 78,916,159 and the First Nations claims are 19,239,889.

Mr. Briese: What else is in public sector besides municipalities, or is it all municipal?

Mr. Ashton: There's 155 municipal claims. We've broken down municipal and First Nations.

Mr. Briese: What's the status of those municipal claims now? Where are we on—like, I heard a figure, but where are we on payouts, on percentage of payouts? Most of those claims, I know some of them are ongoing, but I also know that there's a fair bit of money still owed to municipalities out there. And I'm just wondering what stage they're at. Like, I've heard some say that they've got 60 per cent of the—their claims back, and that type of thing.

Mr. Ashton: Yes, and I think it's important to know, you know, we did do significant advances. But, as is the case in any flood situation, we're also waiting for material back from municipalities. In some cases, too, you know, you have municipalities that are only just now getting into belated—actually repair infrastructure, well, not only repair, but assess and repair because of the flood conditions, particularly around Lake Manitoba where lake levels have finally dropped to, you know, within a more normal range, although not quite there yet in terms of the former regulatory range.

So the member is quite correct to suggest there are other claims that will be forthcoming. So the 304-million figure is by no means the final figure.

*(12:10)

Mr. Briese: What I'm referring to is the submitted claims already. I know there's ongoing—there's going to be more yet, but I know a number of the municipalities, and several of them are in my constituency, actually had to go out and borrow money to continue their day-to-day business because of the money they had out on—they paid out to

contractors and stuff over DFA claims that—then the money has to flow back from the government.

And, in one case in particular, I've been told that the municipality submitted a bill for interest on that money and was turned down. So I'd like a comment on that.

Mr. Ashton: Well, we did move to provide advances, and if municipalities needed the cash flow, we—in fact, a number of municipalities, the hardest hit municipalities, we moved a number of times in terms of advances. So I'm not sure that the background—but, you know, when you're looking at a number of municipalities where we recognized fairly on, and I can talk about St. Laurent and many of the Lake Manitoba-affected municipalities, you know, that was one of the key issues early on there, Grahamdale and others, you know, lack of fiscal ability. We did move in terms of that. So basically, you know, we're—we were in a position to provide advances.

So I'm not sure of the background of it, but—yes, we can't—interest's not eligible, not an eligible cost. That's one of the reasons we did move on the advances.

Mr. Briese: Yes, there were advances and I was aware of that, but there—bills also outweighed the advances as they came in and so they fell behind somewhat.

Have there been any of the claims that came in—what these municipalities were told mostly was, keep up the fight, just keep fighting, we got to fight this flood. That was the message that went out there all along. And have there been any of those claims that they've submitted, have any of them been turned down, refused?

Mr. Ashton: No.

An Honourable Member: Not to this point?

Mr. Chairperson: Member for Agassiz.

Mr. Briese: Pardon me.

Mr. Ashton: No, and I think one of the reasons is because of the commitments that we made provincially to back up part of the municipal costs. It's something we've been doing, even the 2009 flood. I mean, we—2009, we were backing up municipal costs, you know, starting March 25, 2009, when we had the major ice damage north of Winnipeg.

And that communication has been critical, in a—both pre-flood, with awareness of the way the DFA program worked. And I do want to credit, by the way, our staff on that front, because, as the member knows, obviously, we had a new cohort of municipal leaders and officials, so we don't assume that just because we have a significant number of municipal leaders and municipal officials that everyone knows the rules. So we had significant preparation pre-flood, but during the flood there was very significant communication, I think, at all levels. I mean, whether it's the member in his role or certainly myself as minister, the Premier (Mr. Selinger), other ministers, and EMO officials were constantly meeting with municipalities, flood—you know, flood-affected First Nations as well. So I think the—you know, that speaks to why there's not been any rejection thus far. I think there's been a very clear communication of what the rules are and the rules aren't in terms of eligibility.

And I do want to put on the record too we have expanded it, I mean, some of the areas we used to run into problems. The member will know from his time as president of the AMM when we went to 65 per cent coverage, you know, 65 per cent of the heavy equipment rental rates for municipal equipment. These were traditionally some of the areas that created the greatest difficulty for municipalities, and we've now taken out any of the, kind of, previous disincentives for municipalities not to use their equipment because they weren't getting—are they getting, what, 16 per cent back, you know, which is ridiculous. I mean, it didn't cover—barely covered even operating costs, let alone any of the other impacts.

So I think that's another key element in the municipal claims. We're getting much—you know, we have significantly improved the municipal claims and, in fact, we have three claims now that have been totally closed. And we—I'm advised that our—we're usually getting less than a one-month turnaround on claims if we have all the information and there's no further information needed. So, if you look at that historically, going back to the '97 flood, for example, that's a very quick turnaround. So I think, generally speaking, we've had very good response on municipal claims.

Mr. Briese: Yes, that change in the percentage on municipal equipment, I, once again, I was one that lobbied long and hard at the Federation of Canadian Municipalities on that one, because that's across country when you're talking about DFA.

Mr. Ashton: Actually, we have 65 at the—nationally it's, what, 40, I believe. So we went ahead of where the national standard is and, again, I think 65 per cent is a totally legitimate recovery rate. So—but I do acknowledge the member, in his former life, and municipal leaders were very active in lobbying for that. And one of the key things, again, is to take out any of the second-guessing, I mean, you shouldn't have municipalities second-guessing whether they should put equipment out to fight a flood. They've got the equipment. They should know they should be able to put it out without making a conscious decision that—essentially to cannibalize the equipment, because that was what was happening before. But, yes, there's been an improvement nationally, but Manitoba's the leader at 65.

Mr. Briese: You sound like it was you lobbying me rather than me lobbying you at that time. But on the private claims, and I know the appeal committee has been sitting on some of those claims. How many appeals have there been?

Mr. Ashton: If—yes. If the member's talking about the MASC claims, I wouldn't have that information, and in terms of DFA it's a 124 appeals.

Mr. Briese: So—and I'm not absolutely clear and I maybe should know this, but on appeals under DFA, where do they go? Who do you appeal to? Where do you appeal?

Mr. Ashton: We have a standing appeal board which does actually include AMM representation. The—we do have an appeal commissioner on the MASC side, of course, former AMM President Ron Bell, and—but on DFA, yes, there's the Disaster Assistance Appeal Board.

Mr. Briese: So there's been 124 appeals to that board. How many have been dealt with, and what's the outcome? How many have been turned down? How many have been cleared?

Mr. Ashton: Well, I think it's important to note, by the way, the appeal process is a two-stage process, and I think it gives you some sense, too, by the information here, how it is a fair process. It's not a rubber stamp. It's not an assumption that claims are either legitimate or not legitimate. The first stage, under review, there's 67 claims. Of those that were reviewed, the AML initial position was upheld 61 per cent of the time, but the appellant was successful in 39 per cent of the cases. At the second stage there's 15 claims under review and currently the—all have been upheld at the second stage. So it

does show you the degree to which we are—we have a process, and it's arm's-length. It does include AMM representation, as well, that it is a very—it's a very fair process.

* (12:20)

Mr. Briese: Moving on a little here, the—does the minister have a current list of the number of evacuees? And I believe we have these figures up till March the 1st, so it would be the two months since that date, I guess, March and April, and a breakdown on First Nation and non-First Nation on the evacuees.

Mr. Ashton: Yes. I did read in, you know, in terms of DFA—and these are people, you know, registered, you know, as evacuees—that the total's 2,424, of which 2,413 are First Nations evacuees and 11 are non-First Nations.

There may be others. Again, you know, if people don't register, we wouldn't have a record, but these are, you know, people through the process of registration that we do have record of.

Mr. Briese: What's the date of that, please?

Mr. Ashton: May 11th.

Mr. Briese: Now, some of those evacuees are, I presume, covered under EMO and some are—the First Nations, I believe, their expenses would be covered by, in most cases, by the federal government.

How many are—of those are currently being administered by EMO?

Mr. Ashton: Well, the—there is a different—yes, the 11th—the 11 are through—directly with EMO.

Of course, in terms of First Nations, it's MANFF, Manitoba Association of Native FireFighters. That is the agency that deals with evacuations.

And they—you know, we are involved in EMO in terms of some of the administration for the federal government in terms of emergency services, but in terms of evacuation, we don't decide when First Nations evacuate. It's essentially a decision made by the First Nations themselves. It's basically an evacuation that's conducted and administered by MANFF. And that would be the remaining 2,413 evacuees would be through the MANFF system.

Mr. Briese: Is—so is that what's called the temporary accommodation program?

Mr. Ashton: Yes. The—there is a—MASC has a separate temporary evacuation system. I don't have access to those numbers. I'm sure the minister responsible for MASC would be able to provide that.

And, again, it's—I know it sounds a bit confusing, but there is a delineation here between the standard DFA evacuation, but there's a separate, as the member said, temporary evacuation program with MASC.

Mr. Briese: So I'm not entirely clear here, and maybe everybody else is, but I'm not.

Does EMO, then, pay any meal and accommodation needs on evacuees at all?

Mr. Ashton: It depends what stage they're at. You know, there's hotel accommodation, you know, temporary accommodation where there is meal eligibility. But we're now in a position where the 11 are essentially people that are in temporary living accommodation, so they would be paying their own food.

Mr. Briese: Are there any travel costs what are acceptable claims under EMO?

Mr. Ashton: Yes. It's—depending on if there, you know, if it's an incremental cost. Yes, and the general principle is to cover incremental costs. That's why, if you're in a hotel, you're not an equivalent situation at home, well, there's recognition in terms of meals. But, if you have temporary accommodation, you know, you're back to normal, with the exception, obviously, of the accommodation itself that's covered. And if there are any incremental costs on the transportation side, that is eligible.

Mr. Briese: I know of one specific incident in my own constituency, that an elderly—an older couple—I shouldn't say elderly because that might paint me into a corner too. But an older couple who are still in—they have a permanent residence on Lake Manitoba and they're still in other accommodation. And, they both have health problems, fairly serious health problems, looking to move back—their home was undamaged, by the way, but they're looking to move back to it. They were evacuated for other reasons; it was access reasons and things like that. And, in their case, to move back, their health situation and so on, are moving costs and things like that—like, can they get the help? Can they get it paid for? What's the situation when that arises?

Mr. Ashton: Yes, I'm hesitant to get into speculating directly here, you know, I don't know the exact background.

But one thing I was going to suggest and, again, I'm responsible more directly here today with the EMO side, a lot of this is in the MASC side. If the member's interested—or any other member of the opposition caucus—interested in a briefing on the general principle, it might be a useful thing. I could certainly offer EMO, you know, for the DFA.

I suspect the member's probably more aware, obviously, on the DFA side than the MASC side, because the MASC side has special programming. But, it might be useful, because, I know it's always difficult when we're dealing with individual cases, you know, I'm reluctant to get into individual cases without knowing the full background of it, and, certainly, my office, and EMO is available, in terms of that. But, of course, there are, you know, some confidentiality here. But I was going to suggest, if the member's interested, we could arrange a full briefing. We have regular briefings on the flood, you know, the actual flood itself, and it might be useful to have a briefing on the flood recovery if the member's interested, either as critic, or broadly, with his caucus.

Mr. Briese: Thank you, Mr. Minister.

What's causing some of the confusion is the fact that we do have the two streams going, basically, provincial programs and the DFA programs, and there's some overlaps that got to get pulled out of there afterwards. Like, Lake Manitoba inundation zone, has a number of a special programs in it. And, people go in and fill out an application and then they—it has to go in, and there's a DFA aspect that has to be pulled out of it, I take it, and dealt with separately. So it is creating a fair amount of confusion.

I remember a meeting that I was at at Langruth where the one—this was when all this was just breaking and all these programs were being announced. And the one lady saying, I'd like a process that's simple and seamless. And I'll never forget her words because I think as she went along, it turned out to be not quite as simple and seamless as she had hoped.

But, the—I know, I've heard you refer to, many times, the 30,000 claims as compared to 10,000 in the '97 flood, but I'm wondering how that figure even

actually gets arrived at, because some of these people have made multiple claims under various programs, where I think they had a thought that it was going to be one claim that they would fill out and things would proceed from there. So we're—one-claim form, so.

Mr. Ashton: Well, yes, I think the important thing to recognize here is we—the determination of eligibility under DFA we do at the departmental level, not the individual level. The member's quite correct; there are people with multiple claims. Of course, for the civil servants administrating those claims, it doesn't matter if it's the same person or not, a claim is a claim. And we also may acknowledge, because we brought in special programming, that it's different criteria. Some of it's—

Mr. Chairperson: Order. The hour being 12:30 p.m., committee rise.

AGRICULTURE, FOOD AND RURAL INITIATIVES

* (10:00)

Mr. Chairperson (Rob Altemeyer): Will the Committee of Supply please come to some semblance of order. This section of the Committee of Supply will now consider the Estimates of the Department of Agriculture, Food and Rural Initiatives.

Does the honourable minister have an opening statement?

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives): I would like to make an opening statement, Mr. Chair.

Mr. Chairperson: Honourable minister.

Mr. Kostyshyn: Well, let me tell you, it's a great honour, and a great pleasure to be here today. As you all know, this is, I guess, my first Estimates briefing, and I trust we'll have a very fruitful discussion and, I guess, to basically sum it up as trying to follow in the reins, if I can use that in the horse sense, reins, following previous Agriculture ministers who, I think we all have to admit are all here, or have been in the same focuses, providing the economic spinoff for the province of Manitoba, and agriculture being a big component of that. And I look forward to following in the footsteps of not only Honourable Mr. Stan Struthers, but also Rosann Wowchuk, who I know very personal and spent a lot of time with Rosann. And I think our friends across from me can

somewhat appreciate her dedication to the political field for the last 20 some-odd years.

And I had the privilege of being at a function last night where Mr. Doer spoke, and it was definitely a very sincere comments that Rosann made, and I'm sure—Mr. Derkach was also in attendance, and it's somewhat ironic that, you know, we're all here as elected officials, and irregardless of our political stripes, if I could use that context, at the end of the day we're all here to improve agriculture, and move forward for the betterment of all agriculture producers. Not only the producers directly, but the processors and innovative ideas and that is, I think, a key component of rural initiative. Commentary has been used numerous times that as we work together to improve our economy in agriculture, the province of Manitoba.

I would like to have a few comments. I'm very proud not only to be asked by Premier Selinger to be Ag Minister, but I also want to relate to the fact that I've always been very proud, first of all, to be a Manitoba resident, born and raised in—and if I could refer to God's country up in Ethelbert, Manitoba, area just north of Dauphin. I was blessed to be on a farm for a number of years until I graduated, and then the bright lights of Saskatoon called me, so my wife, Judy, and I decided to move to Saskatoon where we were employed for 10 years.

Unfortunately, in the family situation, my dad took quite ill and the calling was to decide to sell the farm or come back and try out the agriculture perspective, and as the wife and I decided, we'll come back to Ethelbert, work on the family farm, and I guess there's—the comment I'm trying to make—the moral of my story is that we tend to read about life, certain things we do, and until you personally experience it, I think that's when we make the valid decisions whether we made a right decision or a bad decision.

I honestly have to say that when my wife and I talked about coming back to the rural landscape, the decision was made that should we not, we would never know what we missed out in life. So we did, and with the ultimate statement being that should we not enjoy it, we'll just go back to Saskatoon or wherever else.

Well, I'm proud to say it's been 28 years—we're still there and I'm very proud that we have. As we all know that are involved in agriculture, sometimes we make financial sacrifices, but it's the fact of life—it's the lifestyle that we choose to live has a major value,

dollar value in our lives, and I'm very proud to say that we're still there. I'm very proud to have two daughters that attended a rural school, and there is no doubt in my mind, the social life skills in the rural landscape is somewhat unique.

As you may've heard numerous comments as being elected and also being asked to be Ag Minister, we need to really sometimes refocus and, hopefully, move forward. As I have said numerous times, I'm a strong believer in family farms. I'm a strong believer in young generations taking over as, I'm sure, are—as my critics who sit across from me will have to agree that we know the young generations have their challenges, and as Minister Ritz in the federal government also has indicated that, I think, we're all—in agriculture—are faced with providing incentives to the young generations to continue on the family farms.

But not only young family farms, but it's also to the rural economy. It's the small towns, whether it's Benitos of the world or it's Hamiotas of the world, as I think, as agriculture individuals, we really want to sustain that economic growth in the community, and I think revert back to the fact that we have young individuals growing up in the rural landscape. There is a very unique social benefit, educational curve that takes place in the rural landscape, and I'm very proud to compare that and—to my personal experience. I want to assure you that that is probably one of the benchmarks in my mental anguish to move forward in agriculture that we move forward in that continuous force.

I also want to make mention, too, is that when we move into certain rural landscapes, and whether it's volunteer work or it's being involved in the communities, I'm proud to say that my affiliation with the municipal government for 20 some-odd years was definitely a major learning curve.

*(10:10)

But I think the 'ultamine' line, on that being said, is that if the determination is there, and the will is there, whether you're a volunteer worker—and at times as municipal officials, theoretically, I think, you are volunteering your time, because there isn't—there is truly not—a major financial reward for the work that we do. So I have to compliment all the municipal officials that are out there who do, theoretically, the volunteer work is—it's a true, true benefit.

I enjoyed my five years as reeve and 14 years as councillor, and, I think, I'm very proud to say that we've made some accomplishments. But, also, probably one of the major changes that we as government—whether it's provincial, whether it's municipal, or federal government changes are happening. And I think that's where we, as provincial leaders, have to accept change and work together on developing a plan to move forward for the betterment of the economy of the province of Manitoba. And I'm very proud to say that I am, by all means.

As I've talked to Mr. Ritz in Ottawa last week, I think the template has been laid out. I was very, very comfortable to meet with all ag reps across the province of Manitoba—across Canada, pardon me. And I—it truly is a warm, comfortable feeling that we're all working together for the betterment of the agriculture, but there's a big window out there of international markets that, I think, as far as innovation goes, both—all provincial ag reps and the federal minister realize that we need to move forward on developing innovative ideas. And I think we have to accept the fact that the growing forward, you know, probably will create an appetite in those perspectives.

And in—with that being said, I've been told by the Chairperson here I've got, probably, about two minutes, or probably down to about 30 seconds as I talk. But I want to assure people here today that I am really honoured to be here today. I want to compliment my staff that has been working with me that we're off on a very positive note, and I know that the staff is very diligent and subconscious about—in the same mindset I am. And thank you for your time.

Mr. Chairperson: We thank the honourable minister for those comments. Does the official opposition critic have an opening statement?

Mr. Blaine Pedersen (Midland): I will keep my comments relatively short, but I, certainly, welcome the minister in his—although we call it a new position, I think it's six-months-plus counting now, so I don't know when it becomes in the position and not new anymore.

So I'm, certainly, sure that it's been steep learning curve, but I, also, want to pay tribute to the staff, both your staff within the Leg here and across Manitoba, the—all our MAFRI staff across the province. I know that last year, 2011, MAFRI was called on, in force, to help with the flood efforts and they did so very, very well.

And I also—the minister talked about the state of the industry and we know that the grains and oilseeds are strong. The livestock industry is strong right now in terms of prices and returns, and, certainly, we're seeing that in, also, strong prices in input costs too. So—but the state of the industry is evolving very quickly right now—and I see there was a report out by StatsCan yesterday on the size of farms and number of farms and that—and that's something that the—that MAFRI will have to take into account as they move forward too.

And just a—one final, quick note, Mr. Chair: I was talking to a MAFRI employee at an event here a couple weeks ago and we got talking, comparing jobs between MLAs and MAFRI staff. And I just want to relay that that employee was very happy, very proud of his job, and very proud of the work that he was doing, that his specialists—specialty was doing there. And so that's great when you—happy employees are always productive employees, and that's good to hear. And quite often in this business we hear of all the things that go wrong, and we tend to dwell, and as opposition we do depend on our—spend a great deal of time on the things that go wrong. But it's good to hear that there are employees out there that—who feel they are being rewarded for the work they're being—that's being done out there.

Just as also another note, through you, Mr. Chair, to the minister, MASC, we would like MASC—we understand we'll be in here, well, today, Monday, Tuesday, possibly into Wednesday, I think, just given the number of hours. So, through you to the minister, we would like to see MASC in on Tuesday, and depending on how Tuesday goes, keep their schedules open for Wednesday also. We'll just see how—we'll know by the end of Tuesday whether there's more for them. But if you could take that under advisement to let MASC know for Tuesday.

So, with that, Mr. Chair, I think we've got lots of questions and lots of business to cover.

Mr. Chairperson: Thanks very much to the opposition critic for those opening comments. Very quickly, under Manitoba practice, debate on the Minister's Salary is the last item considered for a department in the Committee of Supply. Accordingly, we shall now defer consideration of line 3.1.(a) contained in resolution 3.1.

And we can now invite the minister's staff to join us at the front table and, perhaps, after they're settled, Minister, you'd be kind enough to introduce them to the committee.

Mr. Kostyshyn: Yes, I think the majority of individuals sitting at the table beside me, you're probably quite familiar with, but I'll be very glad to introduce our deputy minister, Mr. Barry Todd; Leloni Scott, who is assistant deputy minister with ag, food and rural development. Ann Leibfried is executive financial officer, and Mike Lesiuk, who is director of policy.

Mr. Chairperson: One other item for the committee to deal with before we proceed to direct questioning is, do we wish to do Estimates for this section of the Committee of Supply chronologically or to have a global discussion?

Mr. Pedersen: Mr. Chair, I would prefer a global.

Mr. Chairperson: A global discussion has been proposed.

Mr. Kostyshyn: So agreed.

Mr. Chairperson: Excellent. Thank you very much to everyone. It's understood that the Estimates will proceed in a global manner for this section of Supply.

And the floor is now wide open for questions.

Mr. Pedersen: And we have some of the standard Estimates questions to start with, so we'll get into those and then we'll move on to some other topics as the morning progresses.

First of all, I would like—ask the minister for a list of all the Cabinet committees served by the minister—that the minister is currently on.

Mr. Kostyshyn: At the present time, no other than Ag Minister. That's the only position I hold.

Mr. Pedersen: Mr. Chair, would the minister please provide a list of all political staff, including name, position and whether they're full time, part time.

* (10:20)

Mr. Kostyshyn: All full time. Scheduling co-ordinator is Kristine McCallum; correspondent assistant is Gisele Hutchinson; correspondent assistant is Stephanie Bugera; special assistant is presently—was Kaila Wiebe. She's on maternity leave right now. We have an interim. And my executive assistant is Ken Munro.

Mr. Pedersen: Yes, Kaila Wiebe is on mat leave now, maternity leave now, so will you have a replacement in there?

An Honourable Member: We have a—

Mr. Chairperson: Honourable Minister.

Mr. Kostyshyn: I'm sorry. I'm being assisted by Dale Edmunds in the interim.

Mr. Pedersen: Through you, Mr. Chair, to the minister, when I had a meeting back with you in, I believe it would be January, February, Lonnie Patterson was in the room at that time. Is she a part of your staff, or part of the—within MAFRI political staff, or other type of staff within your department?

Mr. Kostyshyn: Sorry. Lonnie Patterson is with the policy group, Premier's policy group.

Mr. Pedersen: Mr. Chair, I just wanted to make sure I caught that. With the Premier's policy?

An Honourable Member: Central policy, sorry. Central policy group.

Mr. Pedersen: Did—we're having a little mix-up back and forth here, Mr. Chairperson. Did that—is that recorded on *Hansard*, what Lonnie Patterson's position is?

Mr. Kostyshyn: Forgive me, Blaine. I'll just get that in a second. Just for point of clarification, we'll get the true title to eliminate any speculation.

Mr. Pedersen: Mr. Chair, could I have a specific list of all staff in the minister's and deputy minister's office? I previously—I asked for political staff, but I need a list—specific list of all staff in the minister's and deputy minister's office.

Mr. Kostyshyn: In the staff—the staff that indicated—all full-time staff—is Kristine McCallum, right? Gisele Hutchinson, Stephanie Bugera and Kaila Wiebe. Okay.

Mr. Chairperson: Honourable member for—

An Honourable Member: And in—

Mr. Chairperson: Oh, honourable minister.

Mr. Kostyshyn: Sorry, Blaine. And in the deputy minister's deputy minister's office, the administrative officer is Kelly White, and secretary to the deputy minister is Sharon Seddon, and administrative assistant is Mavis Belzar—Marvin Belzar—Melvin Belzar—Maven Baltazar, sorry.

Mr. Pedersen: Just—I'm concerned that *Hansard* may have trouble picking up these names. Can these names be entered into *Hansard* so they get the correct spelling and so there's no confusion over that?

Mr. Kostyshyn: Yes. We will provide that.

Mr. Pedersen: Good. Thank you.

Could you give me an—a number for these—number of staff currently employed in the department?

Mr. Kostyshyn: Presently, the FTEs—we have 459.23.

Mr. Pedersen: Mr. Chairman, I would like to ask for the names of the staff that have been hired in 2011-12, including whether they were hired through competition or by appointment. And if it's a lengthy list, if they could just be submitted as written into the record would be fine with me rather than reading off a lot of names. If—I'll leave it up to the discretion of the minister.

Mr. Kostyshyn: By all means, we'll provide this information, and if you require any additional information, we'll provide it if need be.

Direct appointments, 21, and competition, 47.

Mr. Pedersen: Have there been any positions that have been reclassified in the past year?

Mr. Kostyshyn: Yes. There has been seven.

Mr. Pedersen: Can you provide details then, please, through you, Mr. Chair, through you to the minister?

* (10:30)

Mr. Kostyshyn: Just for a point of clarification, the reclassification—seven? Okay.

Out of the seven—and I'll list them off and some of them we'll have to spell them out to you. They're quite innovative spellings.

Barry Todd, being one; Monika Franz-Lien, that's—is another one in policy and analysts. I'm sorry, Barry Todd was executive support, if I can do that; policy analyst is Monika Franz-Lien in that. Nat Okwumabua, and I can give you a spelling on that, if you wish: it's O-k-w-u-m-a-b-u-a.

And in the livestock industry, one replacement. And, in the CVO food safety, innovation, Wayne Lees. And the other—as I indicated, in the COV food safety, Wayne Lees was one, and two other ones will be filled accordingly.

Mr. Pedersen: What is the current vacancy rate within the department?

Mr. Kostyshyn: As of March 31st, 2012, the vacancy rate is 15.3 per cent.

Mr. Pedersen: And could the minister provide a listing of all the vacant positions? And, again, if the minister is agreeable, if they could just submit it in

writing to *Hansard* so it will show up as written in *Hansard* rather than reading, because, if you have 15 per cent of 459, I think the list is rather long, so.

Mr. Kostyshyn: Yes, we'll be willing to forward that information to you in paper.

Mr. Pedersen: Just because, now I think of it, before I forget about it later on, one of those positions is a feedlot specialist.

Has that been—is it vacant, or is it—has it been—has there been personnel change in the feedlot specialist?

Mr. Kostyshyn: No, there is no change—status quo.

Mr. Pedersen: And I would just like to go back to this description of positions being reclassified. Did you say Barry Todd's position has been reclassified?

Could you explain that? I assumed he was deputy minister, but it just—what is the classification? What was it, and what is it changed to?

Mr. Kostyshyn: The previous position held by premier—or Deputy Minister Barry has been reclassified. Historically, he was classified as Deputy Minister 2, now he's moved up to DM3.

Mr. Pedersen: The minister—Mr. Chairman, could you—through you to the minister: Could you details of how many and what type of contracts that were awarded directly, if there were any contracts awarded directly?

Mr. Kostyshyn: Just a point of clarification, can you identify or re-verse in more detail what you're asking for?

Mr. Pedersen: Well I was—I will use a cut-off of \$25,000. So, in other words, has there been any contracts awarded directly in excess of \$25,000 in the past year?

Mr. Kostyshyn: Yes, there has been, and it—we'll be glad to provide that list to you in a later date, if that's all right with you?

Mr. Pedersen: That would be fine to provide the list later. Can—do you know how many contracts there are off the top—or you will provide the entire list after?

An Honourable Member: We'll—

Mr. Chairperson: Honourable Minister.

Mr. Kostyshyn: I'm sorry, yes. We'll provide the list later on, yes. The list is not super long and so we'll have it for you by Monday, if that's satisfactory?

Mr. Pedersen: Now, Mr. Chairman, how many positions have been relocated in 2011 and '12 fiscal year, relocated from rural or northern Manitoba into Winnipeg or vice versa within the province, whether it's from Winnipeg outside, or wherever? Any positions relocated within the province?

Mr. Kostyshyn: It's—it would be a fair comment to say is that they say they're 'basey' status quo as far as movement, and if there was any movement it would probably be in the rural—depending upon the integrity of the question, there's been some migration, but a temporary migration, because of the flood scenario. And so staff was moved around, but as far as permanent staff there, theoretically, has not been any great numbers in the rural versus the urban setting.

* (10:40)

Mr. Pedersen: Mr. Chairman, has there been—and realizing that this current minister's only been in there for six years, but we're talking about the entire fiscal year—any travel by the Premier (Mr. Selinger), or delegation led by the Premier that was paid for by the—your department in the past fiscal year?

Mr. Kostyshyn: No, would be the answer.

Mr. Pedersen: And, again, this question, because we're talking about two ministers over the fiscal year, how many out-of-province trips that the Minister of Agriculture has taken in the past year and pertinent details of these trips, such as purposes, dates, who went, who paid and what were the costs?

Mr. Kostyshyn: The last Agriculture minister had attended a meeting in St. Andrews, New Brunswick, which was in July of 2011. And what else? Do you need a cost or—yes, but according to—it was just the one trip.

Mr. Pedersen: I would like to know who went with the minister on that trip.

Mr. Kostyshyn: To answer your question, it was the minister, the deputy minister, the ADM, and policy director, and the minister's SA.

Mr. Pedersen: Could the minister supply a list—provide a list of staff who've retired from the department? And I am looking in particular fiscal years 2010-2011, and fiscal year 2011-2012.

Mr. Kostyshyn: We basically have, at this point in time, minister—or MLA from Midland, 11 retirements in 2011-2012. The 2010 to 2011 is not available, but if you wish, we could provide that to you in short order, if need be.

Mr. Pedersen: Yes, I would like to get that list. I realize you don't have it because it's not in this fiscal year at your fingertips, but I do want that list of staff of retirements there also.

And have there been individuals hired on a contract basis in this past fiscal year?

Mr. Kostyshyn: Sorry. To your question, the MLA from Midland, within the department—no. But when we were dealing with our flood scenario, we've had some contract individuals hired to assist in the flood as we had to deal with through MASC.

Mr. Pedersen: So when these individuals signed—did a contract. Was it then with MAFRI or was it with MIT?

Mr. Kostyshyn: No, there was no such thing as far as contract with the MASC or MAFRI individuals. *[interjection]* Sorry—a point of clarification—there were contracts with MASC, not with MAFRI.

Mr. Pedersen: Isn't MASC covered under MAFRI?

Mr. Kostyshyn: Because they're a Crown corporation, their numbers are not included in the MAFRI identification.

Mr. Pedersen: So, Mr. Chair, does the minister know where they would be accounted for then? A Crown corporation, is that through Finance then?

* (10:50)

Mr. Kostyshyn: The question brought forward, the numbers are part of the Estimates and I think we could, maybe, get clarification when MASC is here, if need be.

Mr. Pedersen: I—Mr. Chair, I would also like—yes, we're going to leave that MASC thing then until when MASC is here. But, it clearly, to me, under this organizational chart, it's under the department, so I'm a little unclear as to how this—the accounting is of this.

So we may come back to this. I know we're coming back to this in a couple of minutes but, first of all, I have one other question here to the minister: If he could provide a complete list of all fees charged by the department, and comparing the 2011 rates with the 2012 rates.

Mr. Kostyshyn: To the previous question, the minister of—or the MLA for Midlands, with respect to MASC, their responsibility does lie with the Ag Minister. I just—for point of clarification on that point. But I also want to ensure you that when we get

into discussions next week with the MASC people, I think some of those questions that you brought up will be able to be clarified. And, I think, as you can anticipate, you know, the flood, you know, it was definitely a challenge for the MASC individuals.

But, also, if I could refer to your last question, fees. No significant changes in that, but volumes have changed somewhat as far as they—the fees. So I guess if you request some form of identification, we'd be glad to provide you with that information.

Mr. Pedersen: Yes, I would like a list of those fees and a comparison. I guess it's a matter of what's significant, your definition of significant is, and also classification and that, too, of fees. So I would like to have that list. And I realize that it'll—if you can provide that to me before the end of Estimates that would be great.

Now, moving on, Mr. Chair, then, in—on page 10 of the Estimates book, we have the Minister of Agriculture across the top. There's a flow chart of the department. Underneath the minister's name there is 17 commissions, committees, boards, councils, tribunals, societies, advisory boards, certification agencies. I think I've pretty well covered them all. What I would like your department to do is to provide me with a list of all the directors or people who sit on these commissions, et cetera, such as, and I'll just—for example, the Farm Machinery Board. Who sits on that board? And again, just picking, you know, Farm Practices Protection Board. Who sits on each of those boards. If you could provide me with a list so that—I'm sure you have the written list there. If we can have that entered into *Hansard*, I would certainly appreciate that.

Mr. Kostyshyn: Yes, Mr. Chair, we have a majority of the individuals on here, but there's probably a few of them not quite—we have 10 of the boards right now; we still have seven to provide. If it would be satisfactory, can we provide that to—on Monday, possibly, with the requested information?

Mr. Pedersen: That would be great. And I'm—just a further question on that. MCEC, Manitoba Cattle Enhancement Council, is not part of this flow chart. Is—why is it not included under this flow chart?

* (11:00)

Mr. Kostyshyn: Your direct question was: Where does the MCEC fall under? It basically falls under the Manitoba Products Marketing Council, and can I give you some examples. A number of different organizations fall under that category: Dairy Farmers

of Manitoba, the Keystone Potato Producers' Association. There's a list of them in that category, yes. So that's where the MCEC falls into that category.

Mr. Pedersen: So, moving on down the flow chart, then, under Agri-Industry Development and Innovation Division, I see Tracy Gilson is the acting director, if that's the proper term for it. You can explain that.

Can you explain to me in a nutshell what the Agri-Industry Development and Innovation Division is responsible for?

Mr. Kostyshyn: Referring to Tracy Gilson, she is the acting deputy minister in that category and if—acting assistant deputy minister. And also, I guess, just to provide a little bit more definition as you may prefer to, it's—provides advice on the control and prevention of crop and livestock disease and also various laboratory programs in veterinarian or crop dialysis or diagnostic laboratory fees.

But it also is—fits into the category of animal welfare, veterinarian medicine, food safety, diversification, research and innovation and adaptation.

Mr. Pedersen: Moving on to Agri-Food and Rural Development Division—that's pretty self-explanatory. You've made some deep cuts in rural development this year.

Are there going to be staff changes within that department?

Mr. Kostyshyn: If I could rephrase the comment, we've refocused our investment, and at this point in time, there has been no changes in that, respective staff changes.

Mr. Pedersen: So moving on—the Food Development Centre, I know what that's about, and Policy and Agri-Environment Division—Dori Gingera-Beauchemin. Is that department, has—is there significant—is there any changes being made in that department this year?

Mr. Kostyshyn: I guess before I answer the question directly, I'd like to draw to your attention that there's the grand opening of the Food Development Centre in Portage on May the 25th, so if—I have an open invitation if you would be glad to attend that, I'd be very pleased. And, hopefully, by that time our Estimates will be done with. The wishes of the world.

An Honourable Member: You're hoping or me hoping?

Mr. Kostyshyn: We're all hoping, I'm hoping.

Mr. Chairperson: The Chair reserves comment.

An Honourable Member: May 25th?

Mr. Kostyshyn: May 25th, yes. But I guess to your original question, there has been two reductions in positions in that department.

Mr. Pedersen: Under Strategic Planning Directorate, M. Bouvier. Could you tell me who the five managers are? The names of the five managers within that department?

Mr. Kostyshyn: Yes, there's basically one manager and four professional individuals. And Maurice Bouvier is the executive director and the planning specialist is Alan Carson; project co-ordinator is presently vacant; Scott Struthers-Stothers, I think, strategic planning leader. Scott's last name is spelled S-t-o-t-h-e-r-s. And Peter Reimer is the other strategic project leader.

Mr. Pedersen: Mr. Chair, in the opening comments of the minister, you referenced Growing Forward 2, and I'm sure that all departments have—or all subdepartments within the department have input into Growing Forward 2, but who is leading the discussions within your department on Growing Forward 2 negotiations?

* (11:10)

Mr. Kostyshyn: Traditionally, and this is not only unique to the province of Manitoba, it's pretty well Canada wide. It's usually driven by a policy in Ag environment division individual in the—for the province of Manitoba is Dori Gingera-Beauchemin, is Beauchemin—is the—our lead in that.

And then, just for point of clarification, there is discussions that take place with the minister, and the deputy minister, on an ongoing basis of consultation. As you can imagine, as I alluded to my earlier comment to the MLA for Midland, it was a very fruitful discussion that we had in Ottawa. And there is a sense of comfortness with all Ag ministers when we would sit around the table and we move forward. It's—I have to repeat my comment, as I said earlier, it was a pleasure being there and being with my staff there to discuss it.

But, as you may be aware, with the Ag minister in from Saskatchewan, Bob is a super individual and has indicated that he has made a decision to lessen

the workload, and I think his comments to me was that he needs to spend more time with his grandchildren. So he's—they'll I think, very shortly, there'll may be a new Ag minister for the province of Saskatchewan. But we had a very fruitful discussions and I want to assure—one of the discussions we had was surface water management was kind of a discussion we had with the Ag minister from Saskatchewan.

Mr. Pedersen: So leading into surface water, and this is related to MASC, but because MASC is part of your department—and also many of your employees, many of your 450—some employees within your department were working on the floods, seconded so to speak, from their regular jobs into flood related work. Was there a—how did you account for those expenses, flood related, in terms of putting that—sending a bill? Was a bill sent to Finance to pay for non-Ag related flood-related-only expenses? How did your department account for flood-related expenses in terms of people working the flood?

Mr. Kostyshyn: Due to unusual circumstances, such as the flood, majority of the expenses that were reflected are recovered through a emergency fund within the department. Sorry, just a point of clarification: the majority of the expenses are recovered through emergency expenditures, right? Yes. Through emergency expenditures.

Mr. Pedersen: So just so I can try to understand this, there's an emergency fund within the Department of Agriculture? Where is this emergency fund?

Mr. Kostyshyn: What there is, is the department that's classified as emergency expenditure department within its own helm, okay, so that in a—in event of unusual circumstances, there is the accessibility for any department to access the funds through that individual department.

Mr. Pedersen: And what is the name of this department, this fund or whatever it is?

An Honourable Member: Emergency expenditures.

Mr. Chairperson: Honourable Minister.

Mr. Kostyshyn: I'm sorry. Emergency expenditures.

Mr. Pedersen: And which department oversees that? Or are you telling me this is a totally separate department?

* (11:20)

Mr. Kostyshyn: Basely, pertaining to vote 27, it's in that category. And, if you want additional information, we can provide that, as my staff is presently reviewing it.

Mr. Pedersen: All right. So it goes to vote 27 or appropriations 27 or whatever you want to call it, but MAFRI, through—whether it's MASC or whether it's MAFRI themselves, would have to put together a bill determining the overtime, the expenses, travel costs, whatever else was incurred by your department, by your staff, flood-related, and they would put a bill in then to vote 27, appropriation 27, whatever you want to call it. Is that correct?

Mr. Kostyshyn: Sorry for the delay. Just a point for clarification: All operating expenses for 2011 flood are incurred by emergency expenditures. But just to add to that, the department will work with the Minister of Finance (Mr. Struthers) is on record as saying more current information will be available in the next couple weeks.

Mr. Pedersen: So there is no—there has to be a bill submitted, and who, within your department, then, is verifying this bill?

* (11:30)

Mr. Kostyshyn: The bills are put forward, Mr. Chair, to Department of Finance with the support of MAFRI staff clarifying the bills brought forward.

Mr. Pedersen: I think that will do for now on this. There's a lot of questions on this, and I think what we'll do is we'll possibly leave this until Tuesday for MASC to come in because it was basically through their portfolio that they handled a lot of these. I know that they were handling the flood claims. So we'll give you a few days to get your story straight or get it figured out on this so that we can provide—there is a trail there for bills that should have been verified and done and staff overtime verification and that. And that's what—that's really what we want because it was staff that was seconded out of their Ag duties for flood, and we just want to know how that was verified.

So, moving on to a completely different subject because—just time for a change, I guess, Mr. Chairman. We want to go to Manitoba Cattle Enhancement Council. If the minister could give me an update as to what's happening on the Marion Street site.

Mr. Kostyshyn: Thank you for the question. As far as the Marion—ProNatur—Street, we're still continuing

to move forward on putting together a strong business plan to move forward in the developing markets, potential markets that will—Morden—and justify the movement of the processing plant. Obviously, we've had to deal with some unexpected challenges, such as the anticipated \$10 million that were, I guess, anticipated to go towards that project, so we've had to refocus our financial delivery of the project, or in partnership, I should say. But we definitely are in strong consultation with partners from all aspects of the industry.

Mr. Pedersen: And who would the partners be?

Mr. Kostyshyn: We would be talking to, potentially, financial institutes that may choose to be involved in the discussion stage, obviously, MCEC's staff, as far as developing the retail finished product, and also doing a plan through MCEC as far as producers that have a strong interest in the program going forward.

Mr. Pedersen: Mr. Chairman, can the minister give me an update as to who is on the board of directors—currently on the board of directors of the MCEC?

Mr. Kostyshyn: Yes, the board members that sit on the MCEC are: chair, Barry Todd; Gaylene Dutchyshen; Chuck Gall; David Wiens, who is with the dairy producers; and Albert Todosichuk.

Mr. Pedersen: And I'm assuming Kathleen Butler is still executive director, if you could confirm that.

And also how many staff are in the MCEC office in Winnipeg?

Mr. Kostyshyn: And I apologize for not mentioning Kathy Butler's name, but there is two additional staff there, as well.

Mr. Pedersen: And is the Province continuing to match dollar-for-dollar producers—for the producer levy is \$2, is the Province continuing to match that dollar-for-dollar today?

* (11:40)

Mr. Kostyshyn: Mr. Chair, as you're probably well aware, the Province had a three-year commitment to provide funding towards the MCEC as far as the producer matching funding contribution. We're presently reviewing going forward on the business plan, and the commitment will be considered in the business plan as we move forward to the development of the processing plant.

Mr. Pedersen: So producers, now, as they sell their cattle, are being deducted the \$2 levy for the MCEC, which goes into the—a fund maintained by MCEC.

However, government is not matching those funds, to date, and they will take it under advisement, then, whether they will match these if and when a business plan is developed?

Mr. Kostyshyn: The Province has made commitments that, you know, as we've moved forward in the development of different business ventures, that money would be accessible through loan programs and through the Province. And, you know, I think what we're—as a Province, we're prepared to have discussions moving forward on developments of business plans such as expansions of various processing plants in the province of Manitoba, through a loan program—is our commitment.

Mr. Pedersen: Mr. Chairman, I have a Manitoba Cattle Enhancement Council newsletter, winter 2012. In this newsletter, MCEC administers an investment fund that is fed by a refundable \$2-per-head levy on every head of cattle sold in the province. That money is then matched by the Province turning \$2 into \$4. But what you're telling me right now is that it's not matched. That you will—you're not matching it to put it into this fund that the producer money is going into, managed by the MCEC, and that you're now talking about loans at some time in the future. So that is not what your newsletter here has stated. That's directly contrary to what your newsletter has stated.

Mr. Kostyshyn: Just for a point of clarification, is that MCEC newsletter? It's not a government newsletter, correct, I'm assuming, as you read off?

An Honourable Member: Yes.

Mr. Kostyshyn: So, as we indicated that it was a three-year commitment that the provincial government would match the funding. Also, we provided loans to MCEC for the organization to be available. But I want to assure the MLA from Midlands that the funds have not been advanced at this stage of the game. But in consideration, there has been discussion around it.

Mr. Pedersen: So what is the date that the Province stopped matching the \$2 check-off into the MCEC stabilization fund, whatever you want to call it?

* (11:50)

Mr. Kostyshyn: The question being brought forward, the last anniversary time that the Province has contributed to the MCEC, was March 2011, as far as the provincial matched fund. I'm very proud to say that I've been a cattle producer for 25 years of

my life and I have yet to ever take any money out of it, and I think the general consensus out there is that the cattle producers believe in the moving forward of a potential processing plant in the province of Manitoba.

As we look at the reality of what the feedlot operators are faced with, of migrating animals from within our province to—which, working with the cattle producer organization, Ray Armbruster, I think there's an appetite to somewhat—to investigate the cost saving to the producers in the province of Manitoba. It wasn't that long ago when we met with some of the cattle producers within my area, and there definitely is a need when, I guess, when you theoretically look at the cost of migrating finished animals to the west or to the south.

And I think I wasn't far off from when I was hearing figures of approximately 130 to 140 dollars per animal to migrate them to the nearest slaughter facility. And I think those are key components when we talk about the viability of processing, not only in the beef commodity but all around in the agriculture society, and I do think that that has to be brought forward as we talk about the dollar value and the economic benefit for the province of Manitoba when we talk about processing plants down the road.

Mr. Pedersen: So I don't know whether the minister is psychic or he's looking at my notes because that's exactly where I was going the next question.

I have a advertisement out of the *Souris Plaindealer*, Souris, Manitoba, December 9th, 2011, and what it says, \$5 million-plus reasons why Manitoba needs its own beef plant. No question about this. My question—there's no question that we need a federally inspected beef plant in Manitoba, and I've talked to you about it—through you, Mr. Chair. I've talked to the minister; I've talked to the deputy minister about it. We've got some great things happening—on the verge of happening.

My question is, though, this advertisement—advertising campaign that was done by the Manitoba Cattle Enhancement Council, who paid for it and how much did it cost?

Mr. Kostyshyn: Maybe it probably helps to be a little bit psych when you're in politics, I guess, to do with your earlier comment. But, to your question, that is a question we would like to bring forward to the MCEC to give us updated information on that, if that's satisfactory to your request and direct question.

Mr. Pedersen: That would be quite fine with me if you take it up with the MCEC. And just when you're talking to the MCEC board, Mr. Chairman, through you to the minister, we have requested meetings. My caucus colleagues and I have requested meetings, and numerous calls into MCEC requesting a meeting with their board. To date, we have never had a reply back, despite numerous calls, and we would certainly appreciate the opportunity to sit down with the board to understand the operations and to see where the MCEC is going.

It's very difficult when you are kept outside of the loop to know what's going on, and I can assure the minister, through the Chair, that we're not coming in there with guns blazing or anything else. We need to understand what's going on in MCEC, and the first thing to—how you do that is to sit down with the board. And we've asked for those meetings, and it hasn't happened to date.

So, moving on—I'll leave that request with you, but moving on, who is the senior management team for the proposed beef plant on Marion Street?

Mr. Kostyshyn: And if I may—if I can, kind of, maybe fall back on the earlier comment to the honourable MLA, minister, yes, MEC would have no problem meeting with your caucus. I think it'd be very straightforward. We are—we want to be transparent. There is no reason why we have anything to hide from the members opposite, and I'd look forward to a very fruitful discussion and opinions from this side of the House to discuss that and move that forward.

And if I may just add to that, it's a true alarming situation where in the province of Manitoba there's roughly about 550,000 calves born here in this province, and it's somewhat shameful to see a lot of that leave our province to go to the feedlots in Alberta or southern Manitoba—or southern stateside. And I think the opportunity we're missing out here is greatly. In the feedlot operations, the processing plants, as we all know, there's definitely a strong appetite for international markets, and I think those are the markets that we want to tap into as we develop value added to the raw products we produce in this province of Manitoba.

But not to skirt the issue, the question as you brought forward, MLA for Midland, the individuals that are involved in the Astana organization, the individuals that are involved in it is Doug Cooper, Butch Shadbolt, Jim Mitchell, Jim Heerin, Gerry Coppertorn [*phonetic*], and Jack Jones.

* (12:00)

Mr. Pedersen: So those are—that's the senior management team that's in place to get the site up and running on Marion Street, as I understand it.

Who owns the site? What name is on the title for the site on Marion Street?

Mr. Kostyshyn: The question brought forward, Mr. Chair, is a numbered company, and the numbered company, if you're interested, and I would gladly provide that information for you. The corporate number is 5604754 Manitoba Limited, and it's part of the ProNatur company or, yes, it operates under the ProNatur name.

Mr. Cliff Graydon (Emerson): Now that you brought up the company, can you name the principals of that company?

Mr. Kostyshyn: The numbered company, or pardon me, the company identified, 90 per cent is owned by MCEC and 10 per cent of various individuals by a second company. Pardon me, point of clarification, the 10 per cent is a second company which is identified by a number of individuals in the second company.

Mr. Graydon: Well, since I'm a shareholder, then I would like to know who the 10 per cent are that I'm involved with. So will you provide me with those names, please?

Mr. Kostyshyn: If I may make a suggestion, Mr. Chair, to the MLA for Emerson, because it's the MCEC company I would—and also being a shareholder through them, I would suggest that you make that request to them and they would obtain that information.

Mr. Graydon: I have a number of questions then that would probably be deflected to MCEC as well. Would it be advisable for the minister to have MCEC come to the Estimates and we would be able to question them here? I think that would be more appropriate.

Mr. Kostyshyn: If I may make a suggestion to, Mr. Chair, to the MLA for Emerson, is that, really, when—I think when we talk about Estimates, it's basically one government talking to another government. I—if I may make a suggestion, is that if we choose to have that discussion, I think that could be somewhat accommodated at a different venue or different location beyond Estimates time.

Mr. Graydon: Mr. Chairman, I maintain that this is government to government, and when I take a look at the makeup of MCEC's funding, that 50 per cent of that is government and 50 per cent of that is constituents of Manitoba. And I believe that we do have the right to do that and do that in Estimates.

Mr. Kostyshyn: I think we need to have a discussion about this. It's basically an arm's-length company of the government. I think if we were to start bringing in any agencies, our Estimates would be going on for a long time, in all due respect to the MLA for Emerson. I think we would probably be able to get just as much information as far as a sit-down discussion in my office, if need be, or have discussions somewhere else, but I think at this point in time in Estimates, that would be somewhat inappropriate in our discussion if there's any questions. I think if there's any questions as the MLA for Emerson wishes to bring forward, we would definitely have a fruitful discussion with the organization or as these questions may be addressed by the MLA for Emerson, I think the MCEC organization would be glad to respond to those questions.

Mr. Graydon: Well, I thank the minister for that and for the invitation to sit down and discuss this. And just following up on the thoughts that the minister imparted with us at the beginning of the—how important that the cattle industry was and the slaughter industry was in the province of Manitoba and the economic impact that it would have here. I want to thank him for those thoughts.

When we talk about having a meeting with MCEC, we've started that conversation back in 2011, and it's been pointed out that we haven't been afforded that opportunity, so I look forward to a meeting in the very near future with MCEC. In the meantime, then, I will be asking some questions on the financial statement with MCEC, and it—I'd like to know if the financial statement that's been presented to us is an audited statement for 2011.

*(12:10)

Mr. Kostyshyn: Thank you for the question, MLA for Emerson.

Yes, there was an independent audit report that was done, Lazer Grant LLP, and that would've been for the year ending 2011. And I believe it's accessible to the MLA if so chooses. So I assume I've addressed the question brought forward.

Mr. Graydon: Thank you for that answer then. I—under the current assets it has loans and notes receivable of \$6 million. Can you explain that for me please?

Mr. Kostyshyn: I would revert to probably the question, page 9 of the document that's in front of you, I am assuming, and when we talk about the loans and notes receivable, is that what you're referring to, MLA for Emerson?

Mr. Graydon: So, if I'm understanding right, then, the 5604754 Manitoba Limited has loans and mortgages? Or they hold them or—like it says a mortgage has a maximum of \$7.5 million and is secured by a first charge. I don't quite understand that. But there are loans and notes receivable. Where would they be coming from?

Mr. Kostyshyn: In reply to the question brought forward, the numbered company, these are expenditures and proposed business plan towards the Marion Street operation.

Mr. Graydon: Can you rephrase that or explain it? I didn't quite understand the implication of the answer.

Mr. Kostyshyn: These are an investment into the Marion Street proposed project, and these are expenditures that have been brought forward of sustaining the project moving forward.

Mr. Graydon: So they form part of the unrestricted assets?

Mr. Kostyshyn: Whose unrestricted assets are we referring to?

An Honourable Member: Well, that's—

Mr. Chairperson: Honourable member for Emerson.

Mr. Graydon: Excuse me, Mr. Chair. Yes, that would be on page 3, net assets, and under unrestricted is \$7,089,555. And it says unrestricted invested capital assets—I'm not sure, that's \$16,000 so that could be computers or whatever; I have no idea. And then the internally restricted fund, which would give us our total statement or financial position, but the unrestricted assets is including the \$6 million, and, apparently, there's loans and notes.

Mr. Kostyshyn: I don't really want to get bogged down in the finer details, because there's a number of things when we talk about—one kind of covers the other as far as liability versus an asset, you know, in the statement here. And, if I may make a suggestion to the MLA from Emerson, are these questions we

could bring forward—as I've committed to, or we will commit to, making the arrangement happen with the MCEC organization and, I think, these are very appropriate questions—if you would agree—that could be brought forward at that point in time, and have 'transparency' in the discussion.

Mr. Graydon: Is the—in response to the minister, I'll be giving that a little bit of thought, but I'll just ask you another question in the meantime. What are the assets to secure loans on accounts receivable? What are your assets for that? And I—in all fairness, Mr. Chair, with having the chair of MCEC sitting here, I think that's a reasonable question.

* (12:20)

Mr. Kostyshyn: The question brought forward, the mortgage is—will be secured by the property and also of any other assets as we move forward towards developing the reality of the project.

Mr. Graydon: It brings up a good point, and we will ask MCEC when they come in, but at the same time, I want the minister to be aware and the Chairman to be aware that it would appear right now that there isn't an asset out there where the proposed plant is. So we're going to have some fairly hard questions going forward with this. I wanted to know when the start date is for this new plant. We've—it's been a moving target and I think it's only fair at this point now, that when this is all producer money, that we know where we're going with this.

Mr. Kostyshyn: I think, in all due respect to the MLA from Emerson, is that the beef industry is a tough industry to get into as far as the processing, and the competition is quite fierce. I think you'd have to agree with me on that.

In the best interest of all of us in the province of Manitoba, we want to put together a sound plan. Living in a perfect world, without a doubt, to the MLA from Emerson, is that as we all farmed or ranched in our lives, if we could predict that we know we have a sale of the finished product, life becomes a whole bunch easier. Much on the opposite side of the component, if we have a demand, if we need to have 65,000 or 70,000 head in place for this processing plant to move forward, I think that's good business sense on everybody that's involved in it.

And in all due respect to the MLA from Emerson, it just does not happen overnight. And I think that we were—worked with MCEC with their business plan and we want to make sure that, whether it's the financial institutes that are involved

in the discussion, the business group that are involved in it, but I think the reality of this being a positive outcome is that we have to focus on not competing with the large processing plants. It's to develop a market that it becomes a niche market, and you minimize the David-and-Goliath scenario, if I can refer to that as a friendly way to saying that in the competition.

Mr. Graydon: The minister has raised some very, very relevant points, that it does take time to develop a solid business plan, and I might say to him that it started in 2006. We're now in 2012. You've had the opportunity to develop a plan where the federal government was kicking \$10 million into this. It was—you weren't able to make those deadlines. You passed those deadlines, lost the \$10 million.

We're in 2012 today, and you can't tell me when there's a start date. Mr. Minister, I ask you: When are you going to start this?

Mr. Kostyshyn: Thank you for that comment, MLA for Emerson, and I'm not sure if we're in question period or not, but I think our discussion is very fruitful.

I think the money that—the \$10 million—I had the sense that there was a kind of an understanding that it was to be placed towards the appropriate processing plant at one time or another, and I don't think in Estimates we're going to get into a political debate in that perspective.

But I do honestly think that the BSE was no friend to anybody in the beef industry, and there were some challenges and we're not sure what our numbers were going to be.

As you're probably well aware of—we have a tough struggle trying to keep the young entrepreneurs, the cattle producers in our province of Manitoba. Not only the province of Manitoba but Canada-wide. It was kind of a wait-and-see. Where do we move forward with the finished product—or the supply product, being the young ranchers?

I'm sure the MLA from Emerson has probably—probably doesn't like to put the gloves on any more than I did when it comes calving season-wise, and because of our age, I think we've probably had to reconsider that as a prolonged education or experience.

But I think, without a doubt, the process has been somewhat extended, and I think to anybody's liking. But I think also, we've known of large

processing plants, like the one recently in Alberta. We can go back, maybe two years, and as we know of the livestock auction-mart rings, owners have gotten and invested dollars into slaughter facilities in Alberta.

I think the—it's a long thought-out process on their part and so, as I indicated earlier in my comments, I think the processing, the beef processing plant is—it's a tough struggle and the BSE had done no favours to us. And we didn't know where the livestock numbers were going to be so I have to honestly say on behalf of the MCE, and I guess the—to the board that was there, we've really had to study the—they're studying the process but probably more so developing the markets that don't have the competitions with the David and Goliaths.

Mr. Pedersen: So we have—I understand—trying to understand this, we have MCEC, we have ProNatur, and we have Astana involved in this.

Is Astana being paid a management fee then by MCEC to continue these evaluations, market determinations, business plan? Is Astana developing the business plan or is MCE—MCEC developing the business plan?

An Honourable Member: May I raise a point of order, Mr. Chair?

Point of Order

Mr. Chairperson: Point of order from the member for Tyndall Park, yes, on a procedural matter?

Mr. Ted Marcelino (Tyndall Park): Yes, the minister is here for the Estimates, not of MCEC. MCEC is not here. It's a corporation separate from—it's a separate entity although it might be overseen by the minister, and without the MCEC being here, or elsewhere, I don't think the minister is competent to answer those questions about business and plans and business intent or business decisions.

Mr. Chairperson: Honourable member for Midland, on the same point of order?

Mr. Pedersen: To the point of order. Perhaps the member for Tyndall Park's not aware, but the deputy minister is the chair of the board of MCEC. So I think it's quite relevant here.

MCEC is part of the department—is under the Department of Agriculture, under MAFRI, and this is definitely in line.

Mr. Chairperson: Yes, thanks for raising the question, to the member for Tyndall Park. I will rule

that it's not a point of order. It does fall under the purview of the department and also it's part of the culture of a global discussion that the committee has selected to have on this department.

Mr. Chairperson: So, now I've lost track of—in the process of who was answering or who was questioning, so—*[interjection]* Okay, so, honourable minister to answer the question. *[interjection]*

The hour being 12:30 p.m., on Friday, committee rise.

JUSTICE

* (10:00)

The Acting Chairperson (Melanie Wight): Will the Committee of Supply please come to order. This section of the Committee of Supply has been dealing with the Estimates of the Department of Justice.

Would the minister's staff and opposition staff please enter the Chamber.

Hon. Andrew Swan (Minister of Justice and Attorney General): Well, maybe I can just start by putting on the record some of the information that my department was able to put together over night. Just one of the things—

The Acting Chairperson (Melanie Wight): Can you just—I'll just finish this piece on here then, and let you go ahead on your own once I've just finished this. Okay. I have to read this into the record.

We are on page 143 of the main Estimates book, and, as previously agreed, questioning for this department will proceed in a global manner. The floor is now open for questions.

Mr. Swan: Now that you've done all the formalities, there's a little bit of information I can put on the record.

Yesterday the member asked about youth custody, and remand and sentence yearly averages. We've gone back over the past four years. I can quickly read in the breakdowns. In 2007-2008, remand was 64 per cent of the youth population, 36 per cent sentenced; in 2008-2009, the breakdown was 66 per cent remand, 34 per cent sentenced; in 2009-2010, the breakdown was 68 per cent remand, 32 per cent sentenced; 2010 to 2011, remand was 71 per cent, sentenced was 29 per cent; and 2001-2012, the total was—or the percentage was 65 per cent remand, 35 per cent sentenced.

As well, there were questions about the average length of stay and I've been able to provide some more—I can provide some more detail in that today. The average length of stay in sentence custody for 2011-2012: for adults, it was 65 days, and for youth it was 187 days. The average length of stay in remand custody for adults was 49 days, and for youth, 34 days.

Mr. Kelvin Goertzen (Steinbach): Good morning, everybody, on this Friday morning.

Questions back to Corrections department—had some questions regarding video games before in the correctional system. Can you indicate in which facilities there are video game consoles within the system?

Mr. Swan: I understand that video games or consoles are in at the Headingley Correctional Centre, at the Agassiz Youth Centre and also in the new Women's Correctional Centre.

Mr. Goertzen: Just out of curiosity, what kind of consoles are they?

Mr. Swan: I understand that at Headingley Correctional Centre, it's PlayStation system. At the Women's Correctional Centre, there are Wiis that are used for fitness and exercise games, and at the youth centre, it's—sorry—at Agassiz Youth Centre, it's Wii and Nintendo DS.

Mr. Goertzen: Thanks. I have some knowledge of those systems. You know, I have a son at home and we have PlayStation 2—full disclosure. So we have a Cars 2 video game, and it's a very exciting game.

The—but I want to ask about games. Can you give me the inventory of the type of games that are available to inmates? And you—if you—I don't expect you have the inventory here, but if you don't, you can provide it at another sitting.

* (10:10)

Mr. Swan: Sure, we'll undertake to make that investigation and try to provide that to the member.

Mr. Goertzen: I thank the department for the undertaking.

How do they acquire the games? Do they purchase it through their canteen profits, or their work, or are they able to bring their own games in from home, or how does that work?

Mr. Swan: Yes, well, I can assure the member that, no, inmates don't bring their own games into the

correctional centres. And my understanding is that the games, the actual consoles, are purchased through the inmate trust fund. I know yesterday I referred to it as the canteen profits, but that—probably the better way to describe that is the inmate trust fund.

Mr. Goertzen: And before I ask another question, I want to introduce some staff members here with me. Today, is Tricia Chestnut, a researcher in our caucus, so you'll see the quality of questions go up now—for the last couple of days now that I have support staff here, so you'll be happy to know that. The assistants can sometimes hook up online and you can play people online from what I've experienced with my own son. Is there an online access with any of these games?

Mr. Swan: No.

Mr. Goertzen: Well, I might need that for a later portion. It was mentioned about the Wii video system at the women's, presumably for fitness purposes. When I toured through there, I thought there was a pretty extensive amount of fitness equipment. Do you know what the cost was for the fitness equipment that's at the Women's Correctional Centre available for inmates?

Mr. Swan: We'll take that request under advisement.

Mr. Goertzen: And you can tell I'm not an expert on fitness, but the—is there a reason why they want to have the Wii system for fitness and then all the other exercise equipment there is one, sort of, seen as a different kind of fitness prerogative?

Mr. Swan: Well, at Women's Correctional Centre, the Wii units are used to provide alternatives for fitness and exercise during exercise time.

Mr. Goertzen: Just on the Women's Correctional Centre, can the department provide me with the cost it was for the medical equipment that's there? I saw a nice dental unit, and there was quite a lot of, sort of, a bit of a palliative care unit, I think, and different sorts of things going on there. It was all very well set up. Can I get the costs of what that medical equipment was? If you have it here that's great, but I suspect you might have to get back to me.

Mr. Swan: Yes, I'll take that request under advisement today.

Mr. Goertzen: I'm sorry, I was talking to somebody. What was the answer?

Mr. Swan: I'll take that request under advisement.

Mr. Goertzen: Thanks, I appreciate that. In regards to—and I will move off of video games and TV at some point into deeper philosophical questions. But the Dauphin Correctional Centre, what kind of TV access is there in that facility?

Mr. Swan: Yes, there's cable service at Dauphin Correctional Centre, and I'm advised that there are 11 televisions in the facility.

Mr. Goertzen: And who provides that cable service?

Mr. Swan: Westman Communications Group.

Mr. Goertzen: Was there a time, recently, where they did a bit of a conversion and had to put in different equipment in relation to cable in that facility?

Mr. Swan: Yes, like anyone else, I guess, it still had analog service. There was a switchover that Westman Communications Group did from analog to digital service.

Mr. Goertzen: Does the minister or his staff know when that switchover occurred?

Mr. Swan: I'm advised that was during the week of October 24 of last year.

Mr. Goertzen: Were there any issues with the switchover? I mean, we talked about the challenges that they had in Milner Ridge, and I understand the minister indicated that was a glitch in the system, and it was quite critical that I didn't bring that forward sooner to him. And so here I am—and, of course, during that five-month period I only saw him on the FanCam, and wasn't able to get down from where I was sitting on the upper deck down to where he was in the first row; now here we are, both in the first row. So were there any issues with the switchover when that occurred?

Mr. Swan: What do you mean issues?

Mr. Goertzen: I'm sorry, I couldn't hear you.

Mr. Swan: I'm just—I mean, there was a switchover from analog to digital. What kind of issues does the member mean?

Mr. Goertzen: Yes, we were talking yesterday about that—or you were speaking yesterday in the media, I think, about there was a glitch with the satellite system in Milner Ridge and that allowed individuals to see pornographic material that they shouldn't have seen. Were there any of those kind of issues?

* (10:20)

Mr. Swan: I'm advised that there were. I'm advised that, when the switch from analog to digital occurred, the service provider inadvertently activated a more complete TV package than Dauphin Correctional Centre had, which included, for reasons that nobody at Corrections could understand, all pay-per-view channels.

So staff discovered that inmates were able to access pay-per-view programming. When they noticed commercial-free movies were being watched—and immediately Westman Cable was contacted and they corrected that problem.

Mr. Goertzen: When did the minister learn of this issue?

Mr. Swan: Well, my understanding is that staff dealt with the situation immediately, made the contact to Westman Cable and took immediate steps to make sure that only the TV package that had been contracted for was available to inmates.

Mr. Goertzen: When did the minister learn of this issue?

Mr. Swan: You know, I'm advised from to time by my department on all kinds of issues that arise throughout the justice system.

Mr. Goertzen: When did the minister learn of this issue?

Mr. Swan: I receive advice as minister from various sources within my department all the time. So, actually, I'm not going to advise the member which day I became aware of that. It's not unusual to receive briefing notes which are given to me as the Minister of Justice.

Mr. Goertzen: Did you learn about it earlier than this week?

Mr. Swan: Again, I'm given advice in my capacity as Minister of Justice from time to time. So I'm not going to answer the member's question.

Mr. Goertzen: I believe you indicated, and I'll go back in *Hansard* and check, but I asked you about issues of pornography being viewed by prisoners in the system on the first day of this Estimates. You said you had no knowledge. And now I will preface this by saying, I'm not quoting from *Hansard*, so I will check the *Hansard*. But what I remember is that you indicated to me that you had not heard of any of—issues, and that if there were any, I should bring them to your attention, sir.

Can you tell me whether or not you knew about it at the time when you made that statement?

Mr. Swan: I'll take the member's question under advisement.

Mr. Goertzen: Sir, this is quite important. You made a statement to me in this forum, in this committee, that you did not know of any situations where prisoners—and again, I'm going to preface this by saying I don't have the *Hansard* in front of me. But as I remember it, that you did not know of any situations where individuals were watching pornography, prisoners watching pornographies in our system.

And now you tell me that you may have known before, that's a very serious issue. I want to give the minister one more chance, and I'll move on—

The Acting Chairperson (Melanie Wight): Excuse me. Excuse me, honourable member.

I'd just like to take a moment and remind all honourable members, just on both sides of the table, to please address their questions through the Chair. Thank you so much.

Mr. Goertzen: Through you, Madam Chairperson. This is a very serious issue.

And the minister said to me and chastised me that I did not bring information to him for five months. And now he tells me that he may have actually known information before and told me that he didn't know anything. Can he indicate one more time whether he knew, when I asked the question a couple of days ago, that if there were individuals in the system watching pornography, did he know about this incident in Dauphin at that time?

Mr. Swan: I'll correct the member. It wasn't five months the member sat on information. It was actually only four—after he now tells us that he was entirely satisfied with the actions that were taken at Milner Ridge Correctional Centre. So, you know, I won't impute motives to the member opposite.

I've already given my—*[interjection]* Well, I'd appreciate if the member for Steinbach would be able to control himself and not have outbursts of this type. I've already given the undertaking. I'll take that under advisement.

Mr. Goertzen: Well, just to be clear, what the minister is taking under advisement is what he knew when he knew it. And he has to go out, advise

himself about what he knew two days ago; it's a ridiculous answer, Madam Chairperson.

I'm going to go—I have another question, Madam Chairperson. Were prisoners able to, in Dauphin Correctional Centre, pay for pay-per-view movies through the system?

Mr. Swan: Yes, I am advised that when the problem arose with the switchover from analog to digital, there were some inmates that were able to access pay-per-view programming. When matters were discussed with the cable provider, there, in fact, were some charges that had gone through and, upon discussing it, Westman Cable cancelled those charges.

Mr. Goertzen: Which pay-per-view movies were purchased by inmates?

Mr. Swan: I don't know.

Mr. Goertzen: But, obviously, there's a record. Can he indicate whether he'll provide that for us?

Mr. Swan: I'll take that under advisement.

Mr. Goertzen: So he will provide the list?

Mr. Swan: I'll take the member's request under advisement.

Mr. Goertzen: Well, I'm sure that there's a record. So I suppose we can FIPPA it. It must be pretty bad if he doesn't want to provide what that record was.

Can he indicate whether or not there was any pay-per-view programming purchased for sporting events?

Mr. Swan: I don't know that.

Mr. Goertzen: Would he be able to tell—and I'm not a UFC fan, which I believe stands for Ultimate Fighting Championship or something like that. Again, I'm not a UFC watcher, but I understand that there was a fight on or about that time: Diaz versus Condit.

I don't know if anybody else has any more interest in the UFC than I do, but can he indicate whether or not prisoners purchased that program and watched them in the correctional centre in Dauphin?

Mr. Swan: You know what? I don't have specific information of what inmates were able to access because of the error of the cable provider. As I've already told the member, when it became known to officials at the Dauphin Correctional Centre, there were steps taken; things were worked out

satisfactorily with the cable provider. The access was shut down and, indeed, that any charges that had been incurred were cancelled.

Mr. Goertzen: How long were these pornographic channels and the ability to purchase movies available to prisoners in Dauphin?

Mr. Swan: I understand that the service switchover became active on the evening of October 27th and then on Saturday, October 29th, the staff at Dauphin Correctional Centre noticed there were commercial-free movies that were running. So, staff notified their supervisor, and even before Westman Cable was contacted, because it was the weekend, staff removed cable converters from all of the inmate televisions.

*(10:30)

Mr. Goertzen: When was the minister advised of this?

Mr. Swan: Sure. Well, you know, I know there's—the member opposite spent a great deal of his time—I suppose it's his choice what we do in Estimates. I think, as the member knows, I was surprised by the first questions that were asked, I guess two days ago about Milner Ridge, and I told him at that time, which was the correct answer, that there is no subscription and no permission at any correctional centre in Manitoba for inmates to have access to pornography. And, as a result of our discussions, I did undertake to him that I would do my best to find out.

On doing that, we discovered that there had indeed been an issue at Milner Ridge on January the 9th of this year, and certainly I didn't have details of that at the time.

With respect to Dauphin Correctional Centre, as well, I can just put on the record that it—at no time was there any package or any intention by anybody at Dauphin Correctional Centre to have pornographic material available to inmates, and—but following the investigations from Estimates, I did ask my staff to review if there had been any instances of inadvertent opportunities for inmates to have access to inappropriate things like pornography on the televisions. So, indeed, that the details about what happened at Dauphin Correctional Centre just came over to me after I gave that answer to the member two days ago.

Mr. Goertzen: Questions related to programming, or programs in prisons and other facilities: Is the minister aware of the urban camp in Saskatoon that

allows offenders to clean up public space and do other sort of community activity in Saskatoon?

Mr. Swan: No, I'm not.

Mr. Goertzen: What does he think of that sort of concept about the—using prisoners for that kind of public works, to be involved with cleaning up parks and that sort of thing. Is that a model that the correction services in Manitoba might look at?

Mr. Swan: I'm sorry. I'm surprised to say this, but I'm having trouble hearing the member's voice.

Mr. Goertzen: You know, it's funny; that's happened in past committees, and everybody's always shocked. I don't know why it's such a surprise.

But is that a model that the minister might look at in Manitoba, using inmates to do that sort of public work, public cleanup, that sort of thing?

Mr. Swan: I can say that, I mean, philosophically, there—you know, I think there is some value in considering programs that can get the right individuals out of correctional centres for the purpose of doing work in the community.

Last year, for example, we had, actually, good participation, voluntary participation, but participation from inmates at the Brandon Correctional Centre and also at the Agassiz Youth Centre. Those individuals were helping out in the flood fight along the Assiniboine River, and, generally speaking, I think that was an appropriate thing.

Clearly, we'd have to look at the—at everything. We want to make it's the right people that are out there. We want to manage any risk in the community appropriately to make sure that public safety is protected.

But, overall, we have no real—no philosophical objection to different ways that we can have inmates doing productive things while they're in a correctional centre.

Mr. Reg Helwer (Brandon West): Well, carrying on with the Brandon correctional institute, there was—there have been riots there, and a recent one not that long ago.

Can you walk me through a bit of the analysis you go through after that type of an incident in how you would determine what things need to be changed, what was the problem, what caused it, that type of a thing?

Mr. Swan: And, you know, whenever there is any significant incident that happens in any correctional centre, there are, actually, careful steps taken to examine what occurred and what could be done to try and reduce or prevent incidents.

The internal review process generally would include a debrief with correctional staff to go over what happened. There would be an internal review within Corrections, and from that would come recommendations on steps that can be taken to, again, try to minimize the possibility of further difficulties within a correctional centre.

Mr. Helwer: Madam Chair, through you to the minister, can you tell me what some of the recommendations were that came out of that analysis?

Mr. Swan: Well, first of all, I don't know which incident the member means.

But, secondly, no, those are internal works that are done, and for security reasons Corrections doesn't share those details with anyone.

Mr. Helwer: Madam Chair, through you to the minister, would an outcome of such a riot as the last one that occurred, is the particular one that I'm speaking of, would that dictate an increase in staff in that particular institution, BCI, or a reduction? Would people be moved to other positions?

* (10:40)

Mr. Swan: Look, again, whenever there's a significant incident takes place, steps are taken, as I've already detailed, to come up with the recommendations on what can be done. And Corrections is always looking to see if there are enhancements in staffing or enhancements in security features within the correctional institution, or whether there's simply enhancements in the way that security generally is carried out.

Mr. Helwer: I guess I need to be more specific then. Have there been any additions to the staff at Brandon correctional institute over and above the previous year in this past year?

Mr. Swan: Yes, you know, I don't have the number specific to Brandon Correctional Centre handy, but I will—I'll try to get that to the member as soon as possible, and maybe we can just clarify: Are you looking for the current staffing at Brandon over a specific previous year, or year by year for the last two or three years? Just tell me what you'd like and we'll do our best to accommodate that.

Mr. Helwer: Madam Chair, through you, to the minister, I'm interested in the current staffing today and the comparison of the last two years.

Mr. Swan: Yes. We'll undertake to provide that.

Mr. Helwer: Madam Chair, through you, to the minister, I guess another interest would be the number of inmates over that period of time, as well.

Mr. Swan: Yes, I can get that for the member.

Mr. Helwer: Through you, Madam Chair, to the minister, overcrowding is obviously an issue in many of our institutions of this nature and BCI is of no exception to this. Can the minister comment on plans for changing that crowding and how we're going to move ahead with that?

Mr. Swan: There is a process now ongoing. We struck an adult capacity jail review committee to spend time travelling around the province to get some advice back to us on steps that should be taken within the correctional system to make sure that proper facilities are available for the safety of staff and inmates alike.

Mr. Helwer: Madam Chair, through you to the minister. I am aware of that travelling committee that has been around the province, and it seemed participation—of limited participation in various areas, but I'm more interested in the particular—in the institution itself in terms of what you have planned for over the last year to this year in terms of reducing crowding.

Mr. Swan: Yes, does the member mean specifically for the Brandon Correctional Centre or for the correctional system as a whole across Manitoba?

Mr. Helwer: Madam Chair, through you to the minister—for the Brandon correctional institute.

Mr. Swan: With respect to the Brandon Correctional Centre, I'm sure the member's aware that there was a new 80-bed unit that was opened at that facility. I don't have the exact date, but I believe it was in the last three or four years.

And the reason I asked whether the member meant Brandon Correctional Centre, the system generally is that the system's fluid and an increase in capacity in one correctional facility can actually help to release some of the pressure in other facilities.

So I won't run through all the expansions at other facilities, but just to give an example where we're moving ahead with a further 160-bed expansion at Milner Ridge Correctional Centre. Our hope is that

that will be open and available by the end of the calendar year. That will be another 160 beds.

Will it help in Brandon? It will indirectly. What it will mean is that different decisions will be made on where people will be that will be moved. So an addition elsewhere in the province still represents, I'd say, a gain to try and help out the issues in Brandon.

Mr. Helwer: Madam Chair, through you to the minister. Academic programs are, I guess, another area that I'm interested in the Brandon Correctional Centre, and have you—has there been an increase in the types of programs that are available to inmates in that centre over the last year?

*(10:50)

Mr. Swan: Yes, well, yes, there are various opportunities that are offered to inmates at the Brandon Correctional Centre for education and, also, to try and improve their readiness for returning to the community in general.

I mean, an example of that is that there are adult education and literacy programs provided. So, for example, a correctional centre like Brandon offers education courses to offenders that are interested in upgrading their skills. Unfortunately, as I think the member is aware, the majority of individuals in our correctional system do not have a high school diploma. So, many times the available programming is geared towards, perhaps, leading somebody or, in some cases, attaining a GED.

The nature of the programming—it may be in a classroom, it may be with materials that are tailored to the individual's need. There's also some support that can be offered by external groups to come in and assist. So there is some programming. It's academic programming, but, again, in many cases it's geared toward more basic education than, perhaps, we'd like.

Obviously, the challenges—as I put on the record at the start of today, the average length of stay in sentence custody in Manitoba is 65 days on average. And we know that with short stays it's not always possible to make that much progress with individuals, but we're going to keep offering those resources. And the hope is that individuals will be able to better prepare themselves for life on the outside.

Mr. Helwer: Madam Chair, through you to the minister: Budget from last year to this year looks like just over a—around a hundred-thousand-dollar cut in

available money there, and I'm wondering if any of those academic or rehabilitation programs were involved in that cut. Or can you give me some of the details of what is going to be lost there?

Mr. Swan: I see the entry that the member is referring to in the budget papers. I can advise that what that is is not a reduction in programming. It's actually backing out some start-up costs that were incurred when the new units came online. So because those costs aren't recurring, it shows up as a reduction in the expenditure.

Mr. Helwer: Madam Chair, through you to the minister: Can you tell me how many gangs are present and identified in the Brandon Correctional Centre?

Mr. Swan: Well, I can certainly confirm that, you know, gang-involved individuals are certainly present in the Brandon Correctional Centre. Of course, the corrections system manages those who come in for one reason or another. The gang situation, I think, could best be described as volatile. I mean, the gang allegiances change, sometimes overnight, so I think that the best answer I can give is that gangs are a reality. There are gang-involved individuals at Brandon. But there is always some fluidity, in terms of which gang they would ally themselves with.

Mr. Helwer: Madam Chair, through you to the minister. This may be a question that is not just in Justice—might be more into Child and Family Services, but there are children in custody that are moved to Brandon, and the Brandon School Division is expected to accommodate them in their system without knowledge of the background of that particular child, and that limits how they can deal with the education of that individual and integrate them into the school system.

Can the minister comment on how we could improve that situation, so that there is more information available to the school divisions?

Mr. Swan: Look, I'm—I think this is a good conversation to have. I just want to try and clarify a little bit more. The member's question, was it about children in custody, but also in school? I'm just—I'm not—if there's any way the member can clarify this, I'll try to provide some more detail.

Mr. Helwer: Madam Chair, through you to the minister. My understanding in talking to the superintendent and trustees of the Brandon School Division is that children are moved mostly from

Winnipeg to Brandon, to remove them from, I guess, the gang situation. And they are in custody, both CFS and Manitoba Justice. And they are delivered to the school, usually by police or by sheriffs, and the school division has no record of the background of that child. And I can understand the need for, you know, it—they are underage, of course, so the need for how much you can disclose.

* (11:00)

But the school divisions are limited in how they can deal with the education and integration of those children into the Brandon School Division if they don't know what has brought the children to this stage in their life and how they're going to deal with educational problems of, you know, there're lots of circumstances that you can change how you have your educational approach. So that is one of the concerns obviously. The other concern is that we are—it's great that we're moving these children out of a gang situation in Winnipeg. However, we're very conscious of developing that situation in Brandon.

Mr. Swan: I'm just trying to understand the scenario that the member for Brandon West is putting forward. Now there are, at any given time, there may be a small number of youths that are being held in the Brandon Correctional Centre. It's an adult facility, but there is small youth unit that's there. Generally, that's a temporary step and a youth would then be transferred out of Brandon to the Manitoba Youth Centre, ultimately to the Agassiz Youth Centre which is where sentenced youth go. I understand that for the relatively short period of time that a youth is at Brandon Correctional Centre, they don't attend school. There simply isn't the capacity to—for that short and uncertain time, to have the educational opportunities taken up. Both at the Manitoba Youth Centre and at the Agassiz Youth Centre there's an extensive education program and youths are expected to attend classes and, in fact, there are happily some successes in those facilities.

With respect to the situation that the member for Brandon West has put on the record, I'm—I am just trying to understand a little bit more. We know that with the Youth Criminal Justice Act—and again, we've had some debates, and I think most members of this House are actually on the same side in saying that with certain youth there need to be more steps to control them and maintain them. In some cases, that means in a correctional centre. We know there are youth that are released into the community that do

have some difficult challenges, which is where probation services comes into play.

With respect to youth simply being moved from one community to another, I'm thinking that's in the family services system, but if there are more specifics and we can do this while the clock's ticking or if the member for Brandon West wants to have a chance to talk about specific concerns that he's hearing from the Brandon School Division, I'm sure we can find some time off-line to talk about that.

Mr. Helwer: We can certainly do that another time, and since I am not a member of the school division and they have limited information on this as well, we can't necessarily discuss some of those things because we don't know all the details and we're not told all the details. But, anyway, we'll endeavour to find some of that out.

I guess just a final question here. We had recently retirement of a superintendent at Brandon Correctional Centre. He was well respected, both internally and externally, and he's beaten me on the golf course a couple times, and I imagine as he's retired he'll probably beat me more, but—should I ever get time to golf again.

Can you take me through a bit of the replacement process for an individual of that type? Is it an internal and external search for someone of that calibre or how would that process occur?

Mr. Swan: Yes, I mean, the hiring of the new superintendent—it's a civil service position, so it will follow the Civil Service Commission hiring process.

Mr. Helwer: I think I'm done with that series of questions, so I'll move it over to the Justice critic.

Mr. Goertzen: Just a couple of questions on what we were asking a little earlier.

The minister confirmed this morning that prisoners in Dauphin Correctional Centre were able to access pornography in October, also access pay-per-view television and likely UFC fights. A couple of days ago—I've got the *Hansard* now so I want to give the minister a fair shot at this—I asked him: Is the minister aware of any instances where prisoners within the provincial jail system were viewing pornographic material on TV? And he answered—and this is May 9th, and it would have been around 4 o'clock—he answered, no, I'm not aware of any such examples, and I don't know if the member's asking this hypothetically.

So can he indicate, then, he was not aware of the Dauphin situation, where inmates were accessing pornography, had pay-per-view access and UFC access? He did not—he was not aware of that as of around 4 o'clock on May 9th?

Mr. Swan: You know, as I put on the record just a few minutes ago, when the member asked the question two days ago in Estimates, it did come as a surprise because, again, there is no adult entertainment that is subscribed to by any correctional centre in Manitoba. I was certainly surprised by what the member stated, so I took it very seriously and had my department provide any information they possibly could about whether there had been inadvertent access anywhere across the system. And, indeed, they confirmed that in the Milner Ridge Correctional Centre there were—there was a blocked channel which apparently at the time was providing 30- to 90-second advertisements that included pornography that somehow the inmates were able to discover.

I also learned that there had been an incident at Dauphin Correctional Centre when the cable provider had made what I can only assume was an inadvertent mistake when they were changing over the cable system. As we've already talked about this morning, I learned that the service switch became active the evening of October 27th. It was discovered October 29th. Steps were immediately taken to remove the cable converters and then contact was made with the service provider who was able to fix the problem.

* (11:10)

So I believe I've put on the record quite clearly that what the member's said did come as a surprise to me. I'm actually pleased, frankly, from the investigations that the department undertook, that in both cases I think that the correctional staff acted appropriately. They acted swiftly and took care of the situation that, I think we can all agree, was a mistake. So I think I've—if I didn't make that clear enough a few minutes ago, I hope I've now made that very clear for the member.

Mr. Goertzen: Is he aware of any other incidences within the Manitoba system?

Mr. Swan: Based on the review that the department has conducted, I'm not aware of any other instances.

Mr. Goertzen: How is it that for a couple of days, you know, prisoners can be watching pornography—you mentioned Milner Ridge, and you said those

were sort of 30- to 90-second intervals. You know, when I was going through Milner Ridge and I saw that, I spotted it right away. It didn't take me a second to sort of see it. But how is it that for a couple of days prisoners can be watching pornography, watching ultimate fighting—and I don't watch ultimate fighting, but I understand it's fairly graphic, I guess. How can that be viewed and not sort of be captured? Are the prisoners kind of in a place where they're not really seen? Or how can that—I guess most people view prison as something where there's sort of intense supervision. That's always been my experience going through the jails. I've sort of seen that, so I'm surprised that it would take a couple of days to capture that.

Mr. Swan: With respect to Dauphin Correctional Centre, I know the member has toured that facility. I have a couple of times now, and due to the physical makeup, I think the member's aware, it's an aging—probably aged facility is the better way to describe it. There are some different particular makeups in Dauphin, where in some cases it appears—because, again, when it came to light by Dauphin Correctional Centre and they tried to determine when it occurred, it appears that in the locked locations inmates would change the channels when staff were coming into the area and, I guess, were able to avoid for a day, a day and a bit, detection.

And, again, once the Dauphin correctional officials became aware, they took immediate action, which I think was entirely appropriate. Again, it was a problem that wasn't created by any action or inaction by the Dauphin correctional facility employees. It sounds like an inadvertent mistake that was made by the cable provider. And I—again I'm satisfied that steps were taken upon discovery to make sure that this didn't happen again.

Mr. Goertzen: Do you know if there was any—when the—after the prisoners had access to pornography and ordered their movies and watched the UFC fight, was there any action—a reprimand against the prisoners themselves? Did they have any sort of consequence for that action?

Mr. Swan: Yes, I'm not aware. I'll take that request under advisement.

Mr. Goertzen: And, you know, it's a full disclosure on this issue for the minister, unless he tries to impugn my motives again, but I did—I received an email this morning, which is what sort of prompted this line of questioning, and I'm not going to name the individual who sent the email, but it appears to

me he was an inmate. And he says: We was watching porn back in October when they installed new cable boxes through Westman Cable; we watched numerous porns, even rented the Diaz v. Condit UFC fight, numerous pay-per-view movies.

So I wanted to provide the—you know, it's funny that I have to hear about this from prisoners and not the minister. You know, he, a couple of days ago, was quite adamant about the fact that even though this House hadn't sat for six months, and the only time I ever saw him was at Jets games on the screen, that there wasn't an immediate rush to him on the issue. And yet, he tells me that that was difficult and how I have to find out these—about these things isn't from the minister in Estimates, it's from prisoners. You know, it's a little shocking. And the minister had the opportunity. I asked him, of course, the question on May 9th, and he says he may not have known at that time. He gave an opening statement this morning—didn't provide any update of information about that, didn't disclose the issue in Dauphin about the pornography and the movies. I had to find out from an inmate about what's going on, and yet the minister seems to have issue with me. Well, I suppose, Mr. Minister, right back at you, sir.

I will go on to other lines of questioning. The issue around recidivism and this is more sort of programming around that, do you know if the chapter of the Boys and Girls Clubs—do they have sort of a chapter that's located in the Manitoba Youth Centre itself?

Mr. Swan: Yes, well, rather than I know spend, probably, another hour we can have arguing over some of the gratuitous comments that the member put on the record, I'm actually going to ignore them and we'll move on. We could spend a lot of time discussing that, but I think we got more important things to discuss.

With respect to Boys and Girls Clubs, I'll try and find that out for the member.

Mr. Goertzen: And the reason I ask is it seems to me that that might be—and if it's happening that's great, it seems to me that might be the kind of an issue that would be helpful.

When I read different things on recidivism in different journals that are out there—and I actually do read those journals; I find them interesting. I think I mentioned that to somebody in the department a while ago that is something I find—get some really interesting ideas.

I was reading one about an initiative in Minneapolis—I want to get the name right—it was called the InnerChange Freedom Initiative. I think it's a faith-based initiative—I don't know which faith, but it's a faith-based initiative that was done in one of their prisons. And they indicated they were able to reduce recidivism among the population who were in that program in one of the prisons by 35 per cent.

* (11:20)

And I know, in reading those studies, there's sometimes selection bias, and you've got to, usually, be careful with that in terms of who's sort of in the program. And I get that part of it, but they sort of indicated success. And I think one of the things that the great success of it was not so much what was happening in the prison, although they would probably argue that was a big part of it, but then when people leave the prison or the jail system, they have all that structure around them, right, because there's already this built-in group of individuals who have a connection, who have some sort of relationship with the individuals. They don't simply go back to a community or a situation that might have sort of led them to crime to begin with.

Do we have those kinds of, not necessarily faith-based, but those sort of programs that, you know, begin strongly within the institutions and then they build those structures around an individual so when they leave, they're not just sort of, you know, just reporting to a probation officer or something? There's a lot of that structure around.

Mr. Swan: I thank the member for his comments and his questions, and certainly I want him to know that Manitoba Justice is always looking for best practices on how we can manage populations and how we can hopefully break the cycle in some cases of criminal behaviour and give any offenders, especially youth, the best chance to—not to reoffend and to thrive.

One of the risks—risk maybe is a strong word—but one of the things that has to be taken into account when looking at American programs is that, of course, there are very different laws and, in some cases, very different populations that then wind up in correctional centres. But I'm not saying that to diminish what the member has said.

At MYC there are a number of programs, and I can—I'll just briefly highlight some of them. There's a program called the Thinking Awareness Group, which is a short-term program which is designed to

provide participants with an introduction to the ideas, the concepts, of cognitive behavioural theory and try to teach, basically teach, or insulate individuals from relapsing, using some specific scenarios to try and get young people thinking, provides them with skills and insights that participants can apply to their lives, lays a foundation for other programming that may be available. It also moves them forward with case management as they try to change their ways.

There's another program called Thinking for a Change. Again, it's a cognitive behavioral program. It's designed to change an offender's behaviour by really restructuring the way that the young offender thinks so that their behaviour is impacted. There's an approach on three—focus on three approaches, cognitive self-change, social skills development, and also problem solving, which many times are major issues for young people.

There's programs such as Coming to Terms, which is a program to assist participants to evaluate their substance abuse issues, alcohol, drug usage and also the impact it's having not only on their lives but on members of their family, members of the community. It follows the Stages of Change Model, and I'm told it's best suited for older youth and adults.

There's other substance abuse programs, there's anger management programs that are offered, aggression replacement training to try and change some of the behaviors of young people, information on a whole host of things, not to mention employment skills, youth education, life skills, as well as victim awareness, to try and get offenders exploring exactly what the impact of their actions are on victims of crime.

So there's a number of different things which are offered at the Manitoba Youth Centre and the Agassiz Youth Centre, and the youth centre also has a range of programs facilitated by volunteers and community partners. Some of them would include: fellowship, Alcoholics Anonymous, some student nursing presentations, public health presentations, Teen Talk, a variety of culturally-appropriate programs and spiritual programs, mentors, and a visiting program.

So there's a lot of things that are taking place. I was very happy that, within the last two years, we've enhanced the educational programming at MYC. But we're always looking for best practices, and if there are ideas out there that work with the realities of our inmate population, Manitoba Justice is always

looking for ways to improve what we can do while we have people in our care.

Mr. Goertzen: Yes, I know the minister was referencing a lot of the programs that happen, sort of, internally, and that's—we can have that sort of discussion. I was sort of referencing more what happens when people leave.

I think that often—I get a sense, sometimes, they just, sort of fall off a cliff and they're—you know, you're in, many ways—you're in the system—you're taking your mental health prescriptions if, in fact, you need them. You know, you're, sort of, in a structured environment and then you just walk out and you're right back, kind of, where you were. And, I'm, sort of, looking at that post side of it, and how do you build those structures around an individual? But we know that's a broader sketch—and, I suppose, we can have it at some point maybe when the report comes back from the committee.

Are there any specific programs outside of prison that helps with extracting people or—from gangs. If somebody comes and they say, I've been in a gang, a street gang—whatever kind of a gang, and I want to leave. Is there like a safe house or a safe program that they can go to, because I know there's often—they often feel that they're going to be threatened or that there isn't a safe place for them to go?

Mr. Swan: In many cases, I mean, see if—for youth, under the Youth Criminal Justice Act, even if they're a sentenced offender, they will spend at least some of their sentence back in the community, which means they will have a probation officer assigned. There are youth who, for various and other reasons, will be in the community with a probation officer and that officer is really a—you know, he's really the conduit to help the youth receive help from a broad range of community organizations, both internal and external.

So some of the programming serve in the intervention category, that I think the member was asking about, has been transferred over to Children and Youth Opportunities as that new department tries to have a broader umbrella of all the things that are being done across government to help out young people.

But the individual probation officer often will work with the youth and use their own knowledge and connections to try to get some community interventions to help out the individual.

* (11:30)

Mr. Goertzen: I was reading a different study, in my quest to come up with something new for the department for Estimates, on tattoo removal, and then there's quite a few programs in the States that—and there's a new one in San José that targeted youth who were in gang members and they wanted to get rid of their gang tattoos but they couldn't afford to, and so there was a program that's set up.

In exchange for life skills programming, if a youth would go into life skills programming or do community service, then the program allowed them to get their gang tattoos removed. So it wasn't for free; they had to do community service or they had to go into life skills training. They had to demonstrate that they wanted to really get out of the gangs and they had to pay for it that way, but they may not have been able to pay for it any other way.

And I guess the gang tattoos—not having been a member of a gang, I don't sort of understand all these things—but I guess that it's—it can be threatening, if you're tattooed with certain gang insignia and you're walking down the street and rival gang members will identify you as a member of that gang, and so you want to get rid of those tattoos.

Is there any sort of program like that in Manitoba that exists?

Mr. Swan: Well, I'm interested to have the member's comments on it, because I know that tattoo removal has—it's been a controversial issue at other levels of government.

I can advise there is no program within Manitoba Corrections.

I think the member is right. I think that the goal is when somebody leaves a correctional centre, the hope is to have them integrate back into community and leave some of the past poor choices behind, and unfortunately, if you have a tattoo with a—with gang insignia or other symbols on it, that can be a challenge.

So it's an interesting concept and, certainly, we'll take a look at it and see if there's anything worth considering.

Mr. Goertzen: I thank the minister for that response.

And, you know, I'm not, I guess, of a fixed mind of the issue, except for the fact that I think the concept seems right, if the individual is somehow paying for it so it's not a free service. And I think the minister and I will probably agree on that, because it's hard to measure the person's motives. They might

want to simply get rid of that gang tattoo and get another gang tattoo, but, I mean, if they actually are working it off and say, I'd like to do a community service project or I'd like to, you know, do something else that demonstrates that this is an actual life change, then I think there might be some merit to it. Obviously, just paying for people's tattoo removals I don't think would make a lot of sense. I don't think the public would be acceptive of it. I don't think either of us would. So—but there may be ways to sort of work through those other sort of things.

What kind of supports exist for parents who—and I'm thinking maybe of a lot of new Canadians who come and maybe aren't as familiar with the gang culture per se in our context in Canada or in Winnipeg.

And I am thinking specifically of—I had an opportunity to sort of get a sense of a program in Minneapolis, and I want to get the name right; it's Project Murua, M-u-r-u-a. I'll avoid Hansard calling me for the correct spelling on that. And it was a parental boot camp, essentially. And it was an—the opportunity for parents, if they wanted to, to go to a, like, a two-day boot camp to learn about gangs and to learn about, you know, the sort of warning signs, and they called it parental boot camp. I don't know what the—and it was sort of focused around the ethnic community in Minneapolis, and they were trying to prepare parents for the fact that their kids might be confronted by gang recruiters, and that sort of thing. I know we focus a lot on the youth, in particular, and that's good, but is there any sort of intensive program for parents, particularly those who might be new to our country, to try to inoculate them and give them a sense of what their kids might face?

Mr. Swan: Well, again, I'm not familiar with the program, but from the way the member describes it, I presume this is not parents of individuals who've come into contact with the criminal system; it's intended for parents of children who may be at risk because of the area they live in or certain circumstances.

There is general information that is provided. I can think of things like Project Gang-Proof, where Manitoba Justice has put together materials to help all parents to try to inoculate themselves and be aware, as the member indicates, of signs that a youth may be at risk, or may actually be joining a gang.

With respect to what the member is talking about, I mean, it's more on the pure prevention side. And, again, where it involves youth, that is,

generally speaking, now been rolled into the new department of Children and Youth Opportunities. So I'm sure there'll be some opportunities. Again, if it's a—if the idea is to include it as part of a package of information given to new Manitobans, that could be another way it could be delivered through the Department of Immigration.

I know that Minneapolis has had some challenges with their—I guess their new Minnesotan population and, of course, we have different sources of new Canadians, some of which seem to thrive pretty quickly upon arriving in Manitoba, others of which have some challenges. So, between Children and Youth Opportunities and Labour and Immigration, we'd certainly be interested to pass on any information that the member may have.

Mr. Goertzen: Well, and that's good. I'm not—I know the minister has hired a new director of criminal innovation or something of that title, and I'm not trying to do her job nor am I trying to apply for her job. I'm just, you know, sort of, sharing some of the information that I've heard, or that I've read, and not sort of value loading it, but some of it I thought was interesting. And that program, I actually had a chance to sort of see more directly how it worked.

I did read a different study on Pennsylvania, and they had—they've had some success in that area, some issues. But they'd put in place a program for tax credits for employers who hired former inmates. Now that actually didn't have great success, and I—the study indicated it didn't have great success, and they were moving now to a different kind of a model, sort of, a one-stop centre for ex-offenders to try to get employment for them. So there was, sort of, one place that people who had left jail could go to try to ensure they could get a job. Because that would seem to me, and, sort of, talks about what we were talking about before, about having that structure when people leave the jail system, that the best chance we could have of reducing the ridiculous recidivism rate is ensuring people have a job.

Is that something that already exists or that might be discussed at some point?

Mr. Swan: Well, look, I think we do agree that finding ways to get individuals coming out of institutions, whether it's a federal prison or whether it's a provincial jail, finding ways to get somebody engaged or re-engaged in the labour force is, I think, a goal that our system should have. I mean, I'm—I'll—next time I have a chance to talk to Minister Toews,

I'm sure he and I can have some discussions about whether there's some good ideas across the—across governmental levels and across systems that could be worthwhile.

I just—we've always got to be careful, though, and I'm just thinking back to the other question. I know the member described the parental program as a boot camp, and I presume that's—it simply means they want to get parents together. It highlights some of the challenges. I mean, for a lot of new Manitobans who may have just come out of refugee camps, they may have been involved in very difficult situations, I wouldn't want to be running around promoting a boot camp as—at least described that way, as a good idea, because I think you'd find a very negative reaction in some communities.

* (11:40)

So it really highlights the need to be very careful with the way that we move ahead to promote. Even if it is fundamentally a good idea, we just want to make sure that whatever we're doing, we're taking into account the needs of the various immigrant communities that have come to Manitoba, which, obviously, is why it's so important that we continue to have strong local control over the immigration system.

Mr. Goertzen: Yes, and just for clarity, I mean, that is—that's not a name I assigned to it; that's the name that they use in Minneapolis is what they call it. And really, it's the concept that I'm interested in. I don't want the minister to get hung up on semantics or anything like that. And, if there are no sort of identified programs and that, that's fine. I can move on. I just, you know, I'm always conscious of the fact that I don't want to simply come to these things and just criticize. I think sometimes it's good to talk about different things that are happening out there and doing things. I've often said part of the role—I've said this to my constituents—of a critic, is not just to criticize, but to talk about different things that are happening and whether they're good ideas or bad ideas, at least we're talking about things that can work, right?

So I hope I've fulfilled that portion of the promise that I made to my constituents, and then I wouldn't mind asking some questions about the courts.

I just want to make sure before we do the shuffle that all of these issues are actually going to fall, then, under their—out—the issue of outstanding fines. Is that

under the courts? I'm getting some heads nodding there and affirmatively. Looks good. So I think, then, that we can maybe do some questions on the courts. Warrants, would that be Corrections or the courts?

Mr. Swan: Well, we—depends where the member goes with his questions. It may be courts, it may be criminal justice. We're pretty safe it's not Corrections.

Mr. Goertzen: Okay, then I'm fine with that. Just before we go to the courts, there's a couple of issues, and I think they probably fall more under criminal justice. Maybe I should leave that for Monday.

But one that maybe doesn't fall anywhere is photo radar. And I know that the contract or the approval goes through MIT, I think, the actual approval.

But does the minister have any sort of broader thoughts on the issue of tickets that are deemed to have been inappropriate, particularly where there's a group of tickets. And we went through this a few years ago, and I know there's an issue before the courts now. I don't want the minister to comment on that, but is it his government's opinion still, that if somebody has paid for a ticket that falls within a broader group of tickets that the court determines shouldn't have been issued, that there shouldn't be refunds on those tickets?

Mr. Swan: Well, I'm glad the member has noted that I certainly can't speak on any particular case. But, generally speaking, the challenge is that when there are tickets, they really are on a case-by-case basis. And in some cases where individuals have plead guilty—pleaded guilty, of course, by paying their ticket—or they've gone and had a hearing and have been found guilty, the system has spoken and there's the result.

If there's a case where somebody is found not guilty on the particular facts of that case, then that person is not guilty.

Mr. Goertzen: I think I—and here I'm going off memory again, which sometimes leads me into trouble, but I think there was a situation in Edmonton where there was a number of photo radar tickets that sort of fell under a class, in the sense that they were all given in a certain place and there was something found faulty. And some people had paid. They had paid the fine. It's what a lot of people do, right? It's just a easier way to get on with their life. But they did, I think, refund all of those tickets. So there's

nothing that prevents the Province from refunding those tickets is there, in a hypothetical situation?

Mr. Swan: Yes. I'm not aware of that situation that the member's talking about in Edmonton.

Again, every case—if somebody wants to challenge the ticket—is going to be considered on its own particular facts and the evidence that's brought forward. So I can't really comment on that.

Mr. Goertzen: But, more specifically to the point, there's nothing that prevents the Province from refunding tickets where it chooses in a given situation even though somebody's paid is there?

Mr. Swan: Yes—[interjection] I suppose government can choose to give money on an ex gratia basis to any citizen, but I can't really respond to that hypothetical question.

Mr. Goertzen: Right, and then the question wasn't hypothetical, procedurally, if it could be refunded, and the minister indicated that it could. So I accept that.

There was a report, or a survey and, you know, I was reluctant to look at polls and surveys. But there was one done recently and it indicated that the majority of Manitobans felt that photo radar wasn't about safety, that it was about simply raising revenue. And a good proportion, I think, of us don't believe in the legitimacy of the program.

As the Attorney General for the province, are you concerned that there's such a large group of our citizens who don't seem to have faith in this law? One of the key premises that I sort of believe is that citizens should—

The Acting Chairperson (Melanie Wight): Excuse me for just a moment. Just to remind all honourable members on both sides to address their questions through the Chair. Thanks so much.

Mr. Goertzen: Yes. Madam Chairperson.

I might even ask you the question—

The Acting Chairperson (Melanie Wight): Thank you.

Mr. Goertzen: But, Madam Chairperson, through you to the minister, one of the things that I believe firmly is that citizens have to have faith in the laws that govern them. And the poll seemed to indicate that people didn't have faith in the photo radar system.

I wonder if the minister can—was he troubled by that? Does it concern him that the law that governs people in Manitoba seems to not have the confidence of people in Manitoba?

Mr. Swan: Well, what does trouble me is that each year in Manitoba we average about 100 deaths on the roads. And, earlier this week, I was proud to stand with police officers from all across the province, not just Winnipeg, not just the RCMP, but almost all the municipal police services to talk about Road Safety Week and, you know what—of course, the police are the ones who often have to attend on an accident scene.

They're the first ones, sometimes, to get there and see the carnage that can result from a host of unsafe driving practices: speed being one of them, impaired driving, texting and distracted driving. Frankly, measures that are taken to reduce the likelihood of that kind of carnage happening on our roads is, generally speaking, something that is, both as the Attorney General and as the Minister responsible for MPI, that I would support.

So, you know, the—any municipality can choose to take on photo radar. So far in Manitoba, there's only one municipality that's done so. We've enabled photo radar to occur, but it's up to the municipality to decide within those parameters how the program's going to work.

So look, I, also, as I'm sure the member has, I've had the opportunity to meet with victims of car accidents, and, I think, if you speak to those people, you get a pretty strong sense of the need to do whatever we can to try and prevent those kinds of tragedies from happening.

* (11:50)

Mr. Goertzen: Yes, and I appreciate that response. I guess it's strange because it's assumed that—I think, if I remember, I think last year was the worst record we had for fatalities and one would think that if photo radar was reducing those, then it would be getting better, not worse, but maybe that's where some of the skepticism comes in from people.

But I guess the point was more towards whether the—it concerns the minister that so many people don't believe what he seems to believe, that they don't believe that it's about safety. They believe it's about a cash grab.

Is that—I mean, as the chief lawmaker for the Province, I would think you'd want people to believe

in the laws that govern them. I certainly think that's an important principle, that people have faith in the laws that govern them.

Is there a concern—does he have a concern that people don't seem to have that faith?

Mr. Swan: Well, again, taking steps to make our roads safer is something that we're heavily invested in.

Again, if the member wants to take a result of a poll to the mayor or the police or—the chief of police in the city of Winnipeg, he can do so.

We were asked to enable municipal police services to have a photo radar system. As the member knows very well, a couple of years ago, there were changes made to the parameters of what a municipal police service could do and, I understand, the municipality wants to continue with the program.

Mr. Goertzen: Yes, I am disappointed that the minister doesn't seem to have any sort of sense if it matters. If people think that a law is there for—and what could be done maybe to improve that perception, I mean, it seems to me that the perception gets worse all the time, not better.

And the court case that's before the case—or the courts now, and I'm not asking the minister to comment on it, but one would think that as that goes on, and we'll see what the outcome is, but that, in fact, it might further erode people's confidence in it.

And I think that it's critical, for all of us who have some role in the system, to try to do what we can to ensure that the confidence within our justice system and the laws that govern us are—have confidence among the public and those who are governed by them.

But the minister doesn't seem to want to engage in that conversation. That's fine. I don't need to try to draw him into it any further if he doesn't want to go there.

I think I would like to ask questions on the courts now. So if we could start that shuffle and begin.

Mr. Swan: Yes, we have indeed changed up the personnel. With me, in addition to Mr. Schnoor and Mr. Brickwood, are Shauna Curtin, who's the assistant deputy minister of Courts Division, and Marianne Enns, who's the acting executive director of Court Services.

Mr. Goertzen: Yes, I welcome the new staff and thank those with Corrections for the last day and a bit that we had with them and for their service to the minister.

I'd asked about the accidental releases yesterday and was told that was under the courts. Can the minister give us an update in terms of the number of accidental releases over the last year?

Mr. Swan: Yes, I understand that there's been two in the calendar year 2012.

Mr. Goertzen: Can the minister indicate which month those happened?

Mr. Swan: One occurred in January and the other occurred in February.

Mr. Goertzen: And are they both back in custody?

Mr. Swan: I'll try to get more details to the member for Steinbach. I just—I don't want to put anything misleading on the record.

Mr. Goertzen: The report that was commissioned, I think, from the individual from Alberta on accidental releases, what was the cost of that report?

Mr. Swan: Yes, I'm advised the cost was at \$12,000 all inclusive.

*(12:00)

Mr. Goertzen: And let me just lay out a bit of a roadmap here. I think we have about half an hour left this morning. That's correct. The Clerk and the—assistant clerk—Deputy Clerk advises me—Deputy Clerk—don't want to give you the wrong pay grade—advises me, and I expect to ask some questions on cameras in courts before that half hour ends, perhaps security in courts and some questions around judges. So, if I'm got the wrong people here, then let me know.

But, just a couple more questions, then, on accidental releases. What is sort of the definition, then, of an accidental release? Is it only when—when there's a sort of a notification that somebody is out when they shouldn't be out, or is there a bit of a grace period? Is there an individual—if somebody's gone for six hours, do they sort of allow them to find their way back, or is it just immediately? Somebody's found to be not there and then that automatically qualifies as an accidental release that's reported for these numbers.

Mr. Swan: It's a broad definition. I suppose the best way I can describe the answer, what is an accidental

release or what is a wrongful release? If somebody who the court intends to be in custody is not in custody, and that can happen in a variety of circumstances. Sometimes, but not always, that occurs when somebody is—attends for a court appearance and is released and goes into the community and, ultimately, it's determined that when you look at all the pending charges at all levels of court, there was a judge somewhere who made an order saying that that person ought to be in custody. That is counted, whether the person is in the community for five minutes, or five hours, or five days, or a longer period of time. So it's a pretty broad definition.

Mr. Goertzen: I want to ask some questions about the cameras in courts. I've gone through this now with a few different ministers and the one who is—and this won't be a surprise to you, but the one who is the most definitive about it was the member for Kildonan (Mr. Chomiak), who indicated five years ago that the time for cameras in courts had come, and then his time ended and he went and the cameras still didn't come.

Where is that at in terms of the five-year processes to allow cameras in courts?

Mr. Swan: Well, yes, and the member's right; this issue has been around for some time. And it's been around for some time because it's actually not within the control of whoever happens to be Attorney General, although we can give our opinions. It's, ultimately, from the control of the judges, and particularly, the chief judges who are responsible for the operations of their courts.

I am able to advise that there is a policy which has been revised and completed and that policy is actually posted on the Manitoba courts website. To paraphrase it very, very broadly: the judge in a particular case will determine whether there's access and the nature of what that access should be. If there are parties that wish to make—to have their position heard on that, they can make an application process to the court.

Mr. Goertzen: I know that the prosecution—or the Crown, sorry, representing Manitoba, opposed cameras in court for the trial of Graham James. I might have some issue with that. But one thing I think I have consistently said, in my time, is that the place to start out with cameras in courts would, most sensibly, to me be the Court of Appeal because you don't have the issues with witnesses, you don't have

the same, sort of, issues that you might with other concerns that have been raised.

Can the minister tell me whether or not his government would support cameras being in the Court of Appeal for the upcoming Court of Appeal for Mr. Graham James?

Mr. Swan: Well, first of all, I just want to clarify that the position that was taken by the Crown attorney in the particular case that's mentioned was simply to provide to the court the necessity of balancing the importance of there being an open court system with the need to protect the safety of everybody involved in the court system, whether that's the accused, whether that's the Crown attorney, whether it's witnesses.

I do agree that the court, where those concerns are least likely to have an impact, would be the Court of Appeal. So, if there's a request to have those proceedings televised, an application can be made. It will, ultimately, be the judge of the Manitoba Court of Appeal that will make the decision of what and—if there's to be access and what that access will look like.

But, generally speaking, when we look at the balance and the need to protect safety, I do agree that the Court of Appeal seems to be the place where there are the fewest concerns. Having said that, I don't want to minimize that in any given case there may be a specific issue that a Crown attorney may bring forward, and we will respect the views of the Crown attorney, but, ultimately, it's up to the judge to make that decision.

And I'm glad, actually, that we now have a policy that's publicly available on the court's website and, hopefully, that will give us some clarification going forward.

*(12:10)

Mr. Goertzen: There may be a policy, but it seems to be a policy that is either so restrictive that it doesn't seem to allow the access because it has never been granted, that I know of, in the Manitoba context.

And one of the things, and this issue came up fairly recently, I think, in British Columbia, and there was a discussion about cameras in courts there, and the Chief Justice of the Supreme Court, Beverley McLachlin, had commented that their experience at the Supreme Court level was very positive. In fact, I'll quote her so I don't—I don't want to misquote the

Chief Justice—that could be a very dangerous thing to do: The Supreme Court's experience with television and webcasts has been very positive. It's a fixed camera system.

She's—there's another quote from Chief Justice Bowman. He said: I can see a role for television cameras in the opening statements, closing statements, possibly with the approval of the accused person in a bail application.

So there seems to be, you know, among some of the highest members within our legal system, an acknowledgement that there's a role. Where there is a question is, is how that role takes form, and I'm glad that the Attorney General is in agreement with me that the Court of Appeal makes the most sense. I would have been supportive of—and I was supportive of it in the trial case of Graham James, but now we've sort of moved beyond that issue, and he seemed somewhat positive about cameras in courts in Graham James's case on Court of Appeal. I think because we're having a difficult time getting a positive ruling, it might be even be helpful in an application situation if the Attorney General would say, you know what, we'd be supportive of allowing cameras in the court, even if it's a fixed camera with a multiple feed, in the Court of Appeal case of Graham James. Would he give me that indication?

Mr. Swan: Again, I mean, I can say, generally speaking, that for—because of the balance that I mentioned earlier, the Court of Appeal does seem like the place where there are the fewest concerns to broadcasting. I know there's already been some background work that's been done. The Court of Appeal, it would be—I understand there's already been arrangements that it would be a fixed camera. There would be a pool, so you wouldn't have a row of four or five different cameras. You would have one camera that would then be able to provide the service.

I'm not going to speculate on a particular case. I suppose when any case comes forward to the Court of Appeal, there will be an application brought forward if the media wishes to apply for broadcast and, at that time, we would take a look at all the factors. Again, keeping in mind the balance between the importance of the proceeding—and many cases that go before the Court of Appeal have a great interest, and I agree that in many cases, allowing the public to be able to observe the proceedings in the Court of Appeal might add to the level of education

and, hopefully, the level of public confidence in our system.

Again, in any given case, there can be particular issues that may lead us to make a different submission, but, generally speaking, the Court of Appeal will have the ability in a host of cases to decide how it's going to apply these guidelines. That is something, ultimately, in the control of the judge.

Mr. Goertzen: Well, and I am hopeful that, ultimately, there will be an application that'll come forward from the media to have access in the Court of Appeal for the case of Graham James. I think there is certainly public interest in the case, but I think beyond public interest, there is a valuable reason why allowing people to hear the arguments—it's an important point of law that's being discussed, and it has a lot of ramifications whether or not the original decision was upheld, and it might—if it is—it is upheld, and that's now a lot of speculation, but it has ramifications about, you know, any changes that might happen or need to happen with the Criminal Code, if there are issues about how totality is sort of defined within our system.

So I'm glad to hear that there's at least some positive vibes—if I could use that non-legal term—with this, and I hope that if an application comes forward from any of our Manitoba media, that it will be looked on favourably, because I think it would be important for the public, I think it would be important for the justice system, and I think it would be important to giving confidence to our justice system. So I look forward to that—positive comments from the minister if, in fact, we get to that point.

The—I'd—now I think I gave you the name of the wrong roadmap. I wanted to ask some questions about jurors, and I've not done this in the past, so this is, again, an effort to surprise the department. Can you tell me how many jurors were required last year in Manitoba for trials?

Mr. Swan: Yes, I don't have that information right now, but we'll certainly provide that to the member.

Mr. Goertzen: Do you know how much jurors are paid per day, or whatever calculation they're given—I'm assuming it's per day—but how much are jurors paid?

Mr. Swan: Yes, I understand that pursuant to the regulations under The Jury Act, for the first 10 days that a juror sits there is no payment. For each day after that time it's \$30 per day.

Mr. Goertzen: Has that been reviewed lately? I've never been called for jury duty; I'm not volunteering. But I—but is there—isn't it a detriment that the fact that there's, sort of, no pay for the first number of days? Has there been any review in the department or has it been easy to find jurors to serve in that important function?

Mr. Swan: Well, I mean the obligation to report for jury duty is—I mean, I suppose you could look at it two ways: one is that it's public service; or on the other hand, it's a civic duty. So, when Manitobans are called to attend, it is part of their obligation, I suppose, to attend for jury duty. And, at that point, the judge will then select which jurors would sit in any particular case.

Mr. Goertzen: Yesterday, I asked the question about a federal initiative that was happening where Minister Toews was asking inmates to pay 30 per cent of whatever they make in prison as room and board as sort of a—some might call in a symbolic effort—but some effort to recognize that they are getting some kind of a benefit for being able to be in prison. I asked the minister if he thought that was a good idea. He said no, because prisoners were getting paid so little that he didn't want to take away 30 per cent.

Does it seem odd that, you know, we pay prisoners, but jurors we don't pay?

* (12:20)

Mr. Swan: Well, we just—to make sure the record's clear, I said that I had only recently learned of what was being proposed for federal prisons. I did say that Manitoba has no plans at this time to follow that. But, frankly, it's apples and oranges. If somebody gets called to attend at for jury duty, again, it's part of the civic duty that Manitobans have, so I—there's no comparison between the two.

Mr. Goertzen: Oh, I agree there's no comparison; they're very different. I suspect if I get a serving, and I ask people, do you think people should get paid for jury duty or get paid for being a prisoner, I'd be surprised if most people didn't say, oh, for sure, pay the jurors, but not the prisoners. But that's fine if you want to be on that side of it, I have no problem with that.

Do you think that what we're getting in terms of our jury pool is representative of Manitobans, generally? I mean, that's sort of the goal, right? That you're sort of judged by a jury of your peers. I mean, are we getting a representative sample of Manitobans

who are on these jurors—or juries, despite their, sort of, not being, sort of, a payer, or maybe there's issues of getting people to want do this sort of duty?

Mr. Swan: Yes, well, again, I'm not going to get into the gratuitous comments that the member opposite made just a minute ago. I mean, you know, we're—I thought we were having a fairly civilized discussion trying to assist the member, but, you know, if he wants to take shots, and he wants to try and twist words, that's been his procedure every day he's been in this Legislature for eight years, so we'll leave it at that.

Moving on to the question of how jurors are selected, jurors are actually chosen at random from Manitoba Health Services Commission records. There's a random process to pick Manitobans who are then summonsed for jury duty. There's, then, procedures that happen once they do arrive. There could be certain challenges made by lawyers. Ultimately, it's up to the judge to determine who sits on a particular jury.

Mr. Goertzen: I'm very hurt by those opening comments by the minister. I even cheered when I saw you on the FanCam there at the game, and then now I sort of have regret for that.

But, in terms of who gets on the jury list, are individuals who are living on reserves, are they eligible for jury duty?

Mr. Swan: Well, the member's proved his point again, but I'll continue to answer questions.

Anyone who has a Manitoba Health Services card is eligible to be randomly picked to come forward for jury selection.

Mr. Goertzen: What is the level of outstanding fines, court-ordered fines, in Manitoba today?

Mr. Swan: The best number I can give the member is the amount outstanding at the Fine Collections Unit as of February 29, 2012. That total, the cumulative total outstanding at the unit was \$51.4 million. Now, I just want to clarify that that's not necessarily complete. If somebody got a speeding ticket in the past 30 days, the fine is not overdue, so it wouldn't be at the collection unit. And, hopefully, it would be paid and never get to the Fine Collections Unit. But the \$51.4 million is the best number I can give for the current time.

Mr. Goertzen: And \$51.4 million seems really—it seems high. I think the last number is—well, maybe they're around 48, 49 million, so maybe it was in that ballpark. But it seems stubbornly high because, I mean, I've been asking that question now for the last number of years, and we always seem stuck at \$51 million, a lot of money. It seems that people don't seem to take these fines very seriously. Why is that we can't seem to get that number ratcheted down at all?

The Acting Chairperson (Melanie Wight): Order, please.

The hour being 12:30, committee rise. Call in the Speaker.

IN SESSION

The Acting Speaker (Melanie Wight): Order, please. The hour being after 12:30 p.m., the House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 11, 2012

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