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First Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

39 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARR, James	Crescentwood	Liberal
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Racisson	NDP
CHEEMA, Gulzar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward, Hon.	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Cliff	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
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GAUDRY, Neil	St. Boniface	Liberal
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HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
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McALPINE, Gerry	Sturgeon Creek	PC
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WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 3, 1990

The House met at 8 p.m.

CONCURRENT COMMITTEES OF SUPPLY

SUPPLY - FAMILY SERVICES

Mr. Deputy Chairman (Marcel Laurendeau): Will the Committee of Supply please come to order? This evening this section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates of the Department of Family Services. When the committee last sat, it had been considering item 4. Child and Family Services (e) Family Dispute Services: (1) Salaries \$408,600, on page 62 of your Estimates book. Shall the item pass?

The Honourable Minister, you have had some questions from the past meeting?

Hon. Harold Gillehammer (Minister of Family Services): Thank you, Mr. Deputy Chairman. I have a number of items of information. The Member for Wellington (Ms. Barrett) requested information on the province's share of funding for the Access Assistance pilot project. I can advise the Member that under the terms of the agreement between the federal Department of Justice and the Attorney General of Manitoba for the period February 1, 1989, to January 31, 1992, project costs are shared as follows: Federal Department of Justice \$216,000, Manitoba Department of Justice \$183,000, and the Manitoba Department of Family Services \$33,000.00.

Secondly, the Member for Osborne (Mr. Alcock), asked that I provide him with an explanation for the difference between the \$250,000 for Child Abuse Initiatives report on page 73 of the Estimates Supplement, and the \$135,000 shown in the grants listing. I wish to inform the Member that the \$135,000 reported in the grants list represents the actual expenditures for 1989-90 which was less than the \$250,000 allocated to do the late start for these initiatives.

Thirdly, the Member for Osborne requested information on the 1990-91 funding increases for Ma Mawi Centre Incorporated. I can advise the Member that Ma Mawi received \$138,000 increase in its

support from this department. This increase consisted of \$48,800 for 3 percent increases to salaries and benefits, \$67,100 for the full-year cost of night support services, and \$22,900 for third-year funding for Ma Mawi project, a joint federal-provincial venture providing counselling to Native victims of domestic abuse.

Mr. Reg Alcock (Osborne): Do you want to take questions on those things as they come out, or do you want to get them all out first?

Mr. Gillehammer: We can take a question now if you have one.

Mr. Alcock: Then am I to understand for Ma Mawi on this item, that there is no funding for the foster parent support workers or the other items that were referenced in the discussion last week?

Mr. Gillehammer: Yes, that is correct. The fourth item the Member for Osborne requested information on changes was within the Operating Expenditures allocation for Child and Family Support. Several small operating expenditures, categorized Personnel Services, Public Debt, Social Assistance, have been eliminated this fiscal year, as they are no longer required. The allocation for Transportation has been increased due to additional northern travel cost for two seconded staff working for the Manitoba Metis Federation. The allocation for Communication has been increased to support a promotional campaign related to foster home and adoption recruitment.

Most of the Other Operating allocation within Operating Expenditures has been re-allocated to cover increases for Transportation and Communication, as well as anticipated costs this year related to the Child and Family Services Information System. Funds previously allocated under Other Operating for software and data processing have been reallocated this year to Supplies and Services for professional systems, development, consulting contracts, and to Capital for the purchase of hardware.

* (2005)

Mr. Alcock: So then am I to understand that

\$337,800 was entirely for the software and data processing costs?

Mr. Gilleshammer: Yes, I am told that a little over \$200,000 was allocated.

Mr. Alcock: And the remainder?

Mr. Gilleshammer: For other systems development within the branch.

Mr. Alcock: So then we have two lines for data processing: Supplies and Services and the Other Operating.

Mr. Gilleshammer: That is correct. The final item I have, the Member for Wellington (Ms. Barrett) asked that I provide her with information and the number of available beds and the average occupancy rate for each of the crisis shelters in Manitoba. I am pleased to provide the two Opposition Critics with a listing of crisis shelters showing the number of available beds and occupancy rates for the year '90-91 to date.

Mr. Alcock: I just want to remind the Minister one more time. We asked him about the money spent to date on the Child and Family Services Information System, and we keep being told that the information is forthcoming and day after day we sit here without it.

Mr. Gilleshammer: I have some further information on that. The Member for Osborne requested that I provide him with information on the cost to date for development of the Child and Family Service Information System. I can advise the Member that since the start of the development of the Child and Family Service Information System in 1984, expenditures to date total \$2,608,600, and that 50 percent of this amount has been recovered under the Canada Assistance Plan. A further contribution of \$102,000 has been provided by Health and Welfare Canada.

Ms. Becky Barrett (Wellington): Mr. Deputy Chairman, I thank the Minister for his provision of the information requested, in particular the occupancy statistics for the crisis shelters. I would like to ask some questions on that since that is the item we are currently on.

Basically, my understanding is that currently the shelters are operating on a funding formula that is a combination of core funding and volume-sensitive per diems that are paid for women and children who actually stay in the shelters, that those per diem rates have been substantially increased over the

past few years, which we are cognizant of, and certainly are appreciative of that additional recognition of the needs of these shelters.

I notice that on the occupancy rates, with the exception of Osborne House and Ikwe, both of which are located in Winnipeg, the other shelters in the province average anywhere from 62 percent to 15 percent occupancy for three quarters of this last year. Now, the Minister has stated several times that in regard to shelters, as well as other parts of the Family Services network, such as Child and Family Services agencies and others, funding and budgets have to be developed based on using sound fiscal principles.

Given the fact that the current funding formula relies most heavily on per diem rates, I am wondering if the Minister can explain how it is possible for these shelters to come up with balanced budgets when their occupancy percentages vary so greatly while their operating costs will not vary to nearly that degree and are not necessarily in the same kind of context as the per diem rate?

* (2010)

For example, Flin Flon has an average of 15 percent occupancy rate whereas Selkirk is 61 percent and Thompson is 62 percent. Now, the revenue that flows to Flin Flon shelter, given that occupancy rate, is going to be far less than the revenue that flows to Thompson or Selkirk, but the operating costs are not going to be that much different, certainly not going to be that great a percentage difference. So, I am wondering how the Minister puts those two things together and how he feels that shelters can come up with balanced budgets that are accurate given the wide range in occupancy rates?

Mr. Gilleshammer: Yes, I think it is incumbent upon management to organize their staffing, and staffing is the major cost to reflect occupancy. I think that probably they are going to need more experience to know whether 15 percent occupancy is going to accurately reflect the situation that they live in from year to year or from month to month. If that is the level of service that is required, then I think they are going to have to tailor their staffing accordingly. I have also indicated that we are prepared to review the funding model at the end of the current fiscal year.

Ms. Barrett: I agree with the Minister that clearly these occupancy figures are very interesting,

particularly in the range of percentage that they reflect. I think it is going to definitely require some more time to see if these figures shake out, if they do actually maintain this kind of percentage. I have not had a chance to look at them quarter by quarter. This is actually my understanding, only half of the year, so the figures could be skewed. So I would agree with the Minister wholeheartedly that time needs to be given to these shelters to make an assessment over a period of months and maybe years to determine if these percentages hold up, if there is a pattern over the course of a particular calendar year, if there is a seasonal difference, this kind of thing.

* (2015)

In the meantime, it would appear to me that the current funding formula does not reflect that need, and in fact, some of these shelters are severely in debt. I am wondering if the Minister can tell us what the current operating deficit of some of the shelters is, or is there a range of quarterly reports that he can share with us?

Mr. Gilleshammer: Well, there are two shelters that have come to our attention over the course of the last year, the one we have discussed extensively, and we did provide some additional funding to enable it to reopen. There is one other that is on a service and funding agreement, and that one, too, had been resolved, the Thompson one. We are monitoring the other shelters on an ongoing basis to ensure that they do not get into serious financial difficulties. There are some small operating debts with a couple of them, but there is nothing that approaches the type of situation we had with the Eastman shelter.

Ms. Barrett: I would imagine that Flin Flon might be one of the shelters that would have, I would suggest, probably a significant deficit since it is operating at 15 percent capacity. Is that one of the shelters that is running a deficit?

Mr. Gilleshammer: Yes, the Flin Flon shelter is one that has a small deficit at the end of the second quarter.

Ms. Barrett: Is the Family Dispute's staff in contact with that shelter and others to determine a service and funding agreement?

Mr. Gilleshammer: Yes, we are working with all of the shelters and certainly with the one you referenced.

Ms. Barrett: Will the province be picking up any

deficits that occur with these shelters prior to their service and funding agreements being signed?

Mr. Gilleshammer: We are hoping that they do not have a deficit, and we are working with them to point them in that direction.

Ms. Barrett: It would appear to me that, in the case of Flin Flon, if their occupancy rates do not substantially increase over the third and fourth quarters of the year, their debt will have to increase. Since 80 percent of shelter costs are staffing, will the province then be suggesting or requiring staff layoffs for this shelter?

Mr. Gilleshammer: As we have indicated, the primary cause for expenditures with shelter is staffing, and we are working with them. In the case of Flin Flon, they do have a small deficit, but they, I believe, had a small surplus from the previous year that will partially offset that.

Ms. Barrett: I guess my question is back to the Minister's comment earlier that the shelters will need more experience to determine an accurate reflection of staffing levels. I am wondering if the Minister is prepared to state at this time that, in the year of transition, he would be willing to agree that the shelters should not be responsible for the operating deficits that are based, according to most shelter directors, on the inadequate funding formula currently in place; and that he would be willing to work with the shelters at the very least, as they have with the Child and Family Services agencies, and state: We will not require you to pay this debt; we will pay this if you sign a service agreement.

* (2020)

Mr. Gilleshammer: What the Member is asking is that we give them a blank cheque, and we simply cannot do that. We will work with them for the remainder of the year to assist in any way we can. Hopefully, they can operate in the latter quarter of the year in such a manner that there will not be deficits.

Ms. Barrett: If there are deficits, and if Family Dispute Services is working with the shelters and they are managing the funds that they have within the parameters that they have to operate, the Minister is saying that the province will not consider a deficit relief package the way they have with Child and Family Services agencies.

Mr. Gilleshammer: What I have said is that we will work with them very diligently to assist them to work within their budgets. We have not put in place a

deficit relief package for them, and we would hope one would not be necessary.

Ms. Barrett: One of the other components of the shelters and the wife and family abuse program in the province is the crisis lines. I understand that there are currently two crisis lines in the province, one run by Ikwe, and one by Osborne House. My understanding is that the Osborne House crisis line is the crisis line for non-Native crisis calls throughout the province, and that the Ikwe line is for aboriginal calls. Am I correct in that assumption?

Mr. Gilleshammer: You are not quite correct on that. The Osborne crisis line is for all of the urban calls, and the Ikwe line is the provincial toll-free line.

Ms. Barrett: Thank you. I knew that there was an urban-rural split there. I was just not accurate in my estimation. Could the Minister explain that distinction? What was the rationale behind those crisis lines being set up that way?

Mr. Gilleshammer: There is, first of all, the thinking that the one line would generate significant business inside the Perimeter Highway, and that the other could also serve greater Manitoba. There was a long history of this where there was a group of service providers who recommended a provincial toll-free line. They recommended that line be at Ikwe.

Ms. Barrett: Could the Minister give a little background in that group of service providers and the length of time that they were involved in this service provision?

Mr. Gilleshammer: There was a group called the Manitoba Committee on Wife Abuse that ran the crisis line and that group was dissolved. A group of Winnipeg service providers and a group of workers in rural shelters came together and made this recommendation. This was the eventual resolution of the problem that Ikwe would service the area outside of Winnipeg and that Osborne House would provide the urban service.

Ms. Barrett: Is the Minister aware of any concerns that have been raised by particularly rural shelters and, I would imagine, northern shelters about the way the crisis and information lines have been established?

Mr. Gilleshammer: Yes, concerns have been raised by rural service providers in that they all run their own lines. It is a part of service, I suppose, that rural people sometimes have accepted that it is difficult to have somebody in an urban centre fully cognizant of some of the local geography, which, in

effect, creates a small problem, but yes, they have made that feeling known.

* (2025)

Ms. Barrett: I am interested in the Minister's comment that rural people have accepted that there are some problems with urban people not always understanding the geography and, I would imagine, other elements. Being an urban person myself, I can well imagine that being the case.

Is the Minister aware that my information is that Manitoba is the only province in Canada that has a provincial line? Virtually every other province in Canada has regional lines because of the accessibility and the understanding of regional issues, and people appear to be more willing to use those regional lines than they are to use a provincial line, particularly one that goes into Winnipeg.

Mr. Gilleshammer: I can tell you that they all have their own numbers as well, that people use to access them. I am not sure how familiar the Member is with the area of Manitoba outside of Winnipeg, but sometimes a shelter, for instance, in Brandon, services the Westman area. I mean, we are used to travelling large distances and having to go to urban centres occasionally for the things that are not available in all of the small communities. I think the Member knows that we are not going to have shelters in every village and town. I think the local committee, in many cases, acts as a referral by providing their number. I can tell you, in two of the weekly papers that service my constituency, the numbers are published. They can access service locally, and that local committee, in turn, will make the arrangements that are necessary.

In part it is, I think, the need to make use of the technology that we have. The information that can be provided by a provincial toll-free line often can put people in touch with the local service providers. On top of that, we have had the provincial campaign "Abuse is a Crime," and there have been radio ads where they have made numbers outside of the urban area known to other areas of the province.

One of the other things that I might mention is that often confidentiality is an issue, where people in a small community may be reluctant to phone a number on their local exchange whereby they would perhaps be identified or talking to someone whom they are not prepared to share their problem with. The provincial line offers the type of confidentiality which allows, to some, the ability to discuss the

issue without having to identify themselves. Perhaps in the preliminary stages of being involved with the crisis line, this would in fact be an advantage.

Ms. Barrett: Mr. Deputy Chair, yet again I would like to go on record as saying that I do have some understanding of Manitoba outside the Perimeter, not as extensive perhaps in the area of the province that the Minister comes from, but I do try to work on my Perimeter mentality.

* (2030)

On the question of telephones—and I brought up the provincial crisis line, because I know people have had concerns with it. I wanted to reiterate those concerns, share them with the Minister and put on record that there are some concerns with it. On the telephones, this in rural and northern shelters, or my understanding another concern, financial concern more than anything else, that the telephone costs are quite a substantial part of the operating costs of the agencies because they are, in many cases, long distance calls that need to be made.

We have not yet figured out how to have the dialing areas be really reflective of what people actually use. So the telephone bills are quite an extensive part of the shelters' budgets, and I am wondering if the service and funding agreements are going to take cognizance of that. My understanding is that a part the problem with Eastman was that the telephone bills were quite extensive, and I am sure that is the case with other rural and northern shelters, as well.

Mr. Gilleshammer: Part of the cost of living in rural Manitoba, of course, is higher telephone costs. I am aware that the Member has travelled out to western Manitoba and has done some excellent work out there, although the job is not finished. Certainly the costs of businesses, the cost for residences, the cost for many things in rural Manitoba, in terms of long distance charges, is higher. A shelter would not be surprised by that, that they are well aware of the cost of accessing nearby communities, just as they have to take that into consideration as one of their operating costs. When we work with a shelter, we obviously recognize that is a reality of living in rural Manitoba.

Ms. Barrett: I notice on the grants to External Agencies that most of the, well, a good portion of the shelters, particularly the shelters that are not in Winnipeg, have very similar grants. Their core

grants are reasonably the same. I am wondering if the Minister can tell me, for example, which of these shelters outside the City of Winnipeg pay rent, and which do not? The issue I am getting at here is there is reasonably the same amount of grants, within \$10,000 of each other, and I am wondering if that accurately reflects the operating costs for each of these shelters which I would assume sometimes they get their building rent free, others would pay some rent costs. I would expect utilities to be different and that kind of thing.

I am concerned that these might not reflect the actual differences in costs among the different shelters, and since the per diem rate is so flexible, this takes on more import.

Mr. Gilleshammer: Yes, I can indicate that the following pay rent: the Portage Women's Shelter; the Selkirk Co-operative on Abuse Against Women; Southcentral Committee on Family Violence Inc.; the Eastman Crisis Centre Inc. and the Thompson Crisis Centre, and that they do pay differing amounts for rent.

Ms. Barrett: I will not go into it in any more depth, other than to put on the record that I think, given the current funding formula, which places such a reliance on volume-sensitive per diems, that I would urge the Government look at making more individual the grant fundings to these shelters to more accurately reflect differences in fixed operating costs.

Mr. Gilleshammer: Well, as I have indicated to the Member before, you know there are those in the shelter system who think we have the ideal formula with a fixed core amount and the volume-sensitive portion of that that accurately reflects the number of people coming into care.

I think the important thing is that boards, as we talked earlier, analyze the level of service that they are providing. We will gain more experience in coming years to see what use is being made of those shelters. Given that the major expense is that of salaries, I think the board has to make very important decisions about the level of staffing that they have.

I recall telling the Member one other time about a particular shelter that, if they could operate two years ago on a certain level of income, why do they run into such tremendous difficulty when their funds have been increased by 150 percent? The obvious

answer is some management decisions that were made.

I think that they have to, and all boards have to, look very carefully at the level of service they are providing and make those appropriate management decisions. This perhaps gets us into that area of board development as well, that the boards have the capacity to read their financial statements and see that the information brought forward is accurate and make decisions based on what they know their known income is going to be and the percentage occupancy, as the Member has pointed out, which does vary considerably.

Obviously, it is easier to make those decisions where your occupancy is generally pretty high, but boards cannot put into place extensive service where that service is not required because occupancy is low.

So those are difficult decisions that boards and management have to make. We are prepared, through this particular branch, to work with those boards and to work with management. Hopefully, the service will reflect the demand that is out there.

I suppose the scenario which would be most difficult is if the occupancy rate jumped all over the place and you had a difficult time engaging the level of service that is required, but time will be of great assistance in remedying that.

* (2040)

Ms. Barrett: I have a couple of comments. One, I agree with the Minister that boards, management and all of us who are involved in allocating or recommending allocations and then spending those allocations must be good stewards of our resources. There is no question from our side on that. We agree on that particular requirement.

Where we disagree is if one can be good stewards of the resources, if the resources are very inadequate. We have had this disagreement before, so I will not go into it any further because I think we will agree to disagree.

Just one other comment to the Minister: I am sure there is at least one shelter that does not have a whole lot of problem with the current funding formula, and that is Osborne House, which is at 115 percent occupancy rate. I think these statistics actually make my point very well that this funding formula is more acceptable and more reflective of what actually happens in an urban shelter like Osborne House or Ikwe. Both of whom have

substantially higher occupancy rates than do any of the other shelters which are in the rural and northern areas of the province.

I am finding myself being an advocate for a more realistic funding formula for those urban and northern shelters that do have differences in occupancy rates, do have different costs, and do have different requirements. I think that this funding formula that works for one kind of organization clearly is not working for the other organization, which is the one that is outside the Perimeter. I would suggest to the Minister that there needs to be some serious look at the funding formula as it is applied to agencies and shelters that are outside of the Perimeter.

Mr. Gilleshammer: We certainly take the Member's advice as advice, and we have indicated that we would be looking at the funding formula. I wonder how the Member would characterize the service which she characterizes as being grossly inadequate now—how she would characterize that service two years ago when it had substantially less funding. Obviously, whatever adjectives or adverbs that she would choose would be certainly not only interesting, but would, hopefully, reflect the fact that funding was very seriously inappropriate at that time.

We feel, with a 47 percent increase in the funding over two years, we have made great strides towards adding stability to the shelter system. If there are ways to improve it, that would be a natural direction for us to go. I have also indicated that there are times perhaps when some of the shelters that are full are using hotel rooms, that perhaps they could share those clients, or have those clients placed in a nearby shelter. While the cost would be the same to Government, it would assist by giving per diems to shelters that perhaps have vacancies at that time. There are ways to improve it, as it has been improved over the last two years. We will be looking at that as time passes.

Ms. Barrett: Are there any standards upon which these grants are based? Are there any criteria that the Government looks at to say, okay, Ikwe gets \$96,000, Parkland gets \$77,000, and Eastman gets \$84,000.00? Are there standards, or has it been an incremental change over time?

Mr. Gilleshammer: The grants are based on size. They are categorized as small, medium or large. We

are working with the shelters to perhaps fine-tune that to take into consideration other factors.

Ms. Barrett: Mr. Deputy Chair, I appreciate that and would only commend that working with agencies to be more flexible, as well.

Are the Family Dispute Services staff using the policy statement by the Women's Emergency Shelters, that was revised in July 1990, as the basis of their discussions with the shelters?

Mr. Gilleshammer: Yes, that is one of the documents that is being used.

Ms. Barrett: Well, my sense of that document is that it covers the major areas very thoroughly and has some excellent suggestions in it. I have a specific question about one of the wife abuse committees, that being the Swan River Wife Abuse Centre.

On September 3, the Premier (Mr. Filmon) wrote to Ms. Betty Burke of the Swan River Wife Abuse Committee stating that: The Filmon Government plans to provide the Swan River Wife Abuse Committee with funding for an outreach co-ordinator to support its second-stage housing initiative—and then further on—in recognition of the important role the second-stage housing projects play helping abused women reintegrate into the community, we plan to provide \$25,000 to each of the six rural second-stage housing projects currently operating without Government support.

Portage la Prairie, Selkirk, Winkler, Steinbach and Brandon, in addition to Swan River, would be able to hire an outreach co-ordinator to provide transition counselling and support to abused women and their families.

I am wondering if the Minister can state that has actually taken place?

Mr. Gilleshammer: The initiative that you read there is in the process of being operationalized.

Ms. Barrett: Is there an estimated time of delivery for this \$25,000 to the Swan River Centre?

* (2050)

Mr. Gilleshammer: Yes, I would hope, in the not too distant future, that we could make that become a reality.

Ms. Barrett: Are we talking just the Swan River Wife Abuse Centre, or the other five as well? Secondly, could the Minister be a little more specific than "not too distant future?" Is that this current fiscal year?

Mr. Gilleshammer: Yes, we are looking at making this a reality within this fiscal year.

Ms. Barrett: Is that reflected anywhere in the Estimates?

Mr. Gilleshammer: Yes, it is in this appropriation.

Ms. Barrett: Could the Minister show us which line that is reflected in, please?

Mr. Gilleshammer: Yes, it would be covered under the line grants to External Agencies.

Ms. Barrett: When I look at the grants to External Agencies listing that was provided by the Minister, I notice that the Swan River Committee on the Abuse of Women Inc. has the same amount for this year as it did last year.

Mr. Gilleshammer: I can assure the Member that it has not been finalized by Government as yet but that it will be finalized to cover the last quarter of the year.

Ms. Barrett: I am sure that they will be extremely pleased to have that information. Can the Minister explain a couple of other items on the grants to External Agencies?

The Second Stage Outreach has \$35,000 this year as opposed to nothing last year, and Unallocated goes from a little over \$1,000 to \$74,500.00. Could the Minister explain those two figures, please?

Mr. Gilleshammer: Mr. Deputy Chairman, the \$35,000 that the Member referenced first under Second Stage Outreach will be the amount of money going to the six institutions that you asked about just a few minutes ago and the Unallocated is money that is within that line of the budget that has not yet been allocated.

Ms. Barrett: A definition of circular here. That \$74,500 Unallocated is interesting because in other areas of the whole departmental and more particularly the Governmental budget, what appears to have been the habit in the past is just to not spend it rather than to state unallocated.

Could I ask why that pot of money was left there rather than being put into any one of a number of places that I am sure, I, or anyone else could probably give some really good direction on and would be delighted to?

Mr. Gilleshammer: We have a tremendous amount of respect for the Member's direction, but it is money that there possibly will be some call on in terms of some overexpenditures in the shelter system.

Ms. Barrett: So that money at this point is tied more or less to the shelter program rather than any other of the agencies that are under Family Dispute Services at that time?

Mr. Gilleshammer: It is tied to all of the agencies that might come under this particular branch of Family Dispute Services.

(Mrs. Linda McIntosh, Acting Chairman, in the Chair)

Ms. Barrett: Madam Acting Chair, is this a recognition that in this year of transition stabilization may need a little assistance?

Mr. Gilleshammer: Well, it is some funding that is available for shelters, or other agencies, who may be in a position where they have spent over and above their income.

Ms. Barrett: I look forward to next year's Estimates to see how that money was actually allocated. Could the Minister explain what fee waiver grants are?

Mr. Gilleshammer: There are some that come into the shelter system that are on social allowances, and they do not pay the per diem. We have others who access the shelter system who are capable of paying the per diem. Then we have those who access the shelter system who are not on social allowance but perhaps cannot pay the per diem and that fee is waived. As a result, you have a fee waiver grant.

* (2100)

Ms. Barrett: So this \$120,000 fee waiver grant is an estimation of the amount of money that the province will pay to the shelter on behalf of those women and their children who are in that third category you just mentioned?

Mr. Gilleshammer: You are correct.

Ms. Barrett: Can the Minister explain why the figure is doubling year over year?

Mr. Gilleshammer: Well, the number there, hopefully, reflects reality, and with an increase in the use of the shelters it is anticipated that is the amount of a fee waiver grant that will be paid out by people who use the shelter and are not on social allowance, but are unable to pay that per diem.

Ms. Barrett: I have a couple of questions about these actual figures that are in the Estimates as they relate to the figures that are in the draft '89-90 report that we were given. There are some discrepancies, and I am wondering if the Minister can clarify it. I will see here if I can clarify it.

In the draft '89-90 annual report under Wife Abuse, Women's Advocacy Program, Women's Resource Centres, the Other Expenditures actual totals \$268,800.00. I think, if I am reading this correctly, that figure is very different from the one that is in the Estimates book of the actual vote, but maybe I just do not know how to put the two sets of figures together.

Mr. Gilleshammer: I wonder if the Member could just clarify that question for us.

Ms. Barrett: Yes, I am looking for what appears to be a difference in the actual '89-90 figure under Other Expenditures. In the draft annual report, it is \$286,800, and in the Estimates book on page 79, that figure is \$313,200.00.

Mr. Gilleshammer: I think the difference is between the estimate and the actual expenditures, and I think the Member has answered her own question.

Ms. Barrett: I appreciate that clarification. Then, given that, could the Minister explain why in the actual '89-90, the External Agencies budget support was \$2,643,900 and in the Estimates Supplementary it is \$2,711,200, a decrease of \$67,300.00?

Mr. Gilleshammer: It is actually the same reason. One is the actual figure and one is the adjusted.

Ms. Barrett: Thank you. Yes, I knew that. That is not what the question was. The question I should have asked is: Why is there a \$67,000 underexpenditure of this item?

Mr. Gilleshammer: That, as the Member would recognize, is a very small part of this budget. It could be some costs that came in less than anticipated or it could be some of what we talked about as unallocated before, not having been spent.

Ms. Barrett: I would imagine a good portion, if not all of it, was unallocated, i.e., had not been spent. I am wondering, if given the fact that it could very easily have been utilized in any one of a number of areas, why it was not spent?

Mr. Gilleshammer: Yes, I was indicating that a portion of it could have been in that line which was called unallocated and, as such, would not have been spent, but it may be made up of a number of underexpenditures in a number of areas. We would have to go back and look at a number of lines to actually give you the detail on that figure.

Ms. Barrett: No, I certainly am not asking for that, because I realize that as a percentage of the total

expenditures to External Agencies it is not a very large percentage. However, if you look at it in terms of one or two shelters, or one or two staff people, or one or two programs, it could be a significant factor, and I am just wanting to bring that to the attention.

I have one other question that deals with women's resource centres, two questions actually. Fort Garry and North End Women's Resource Centre received the same percentage increase from last year, from '89-90 to '90-91, while the Northern Women's Resource Service receives an additional \$6,000, although they all three received the same amount of money in '89-90. I am wondering what the reason for the Northern Women's Resource Service—is there another program being funded or?

Mr. Gilleshammer: There is an additional 5 percent encompassed in that number known as northern allowance.

Ms. Barrett: Madam Acting Chair, finally, could the Minister tell me if those grants to the women's resource centres, are they global or they tied? Is there any requirement that these centres must meet in order to access these funds, and if so what are they?

Mr. Gilleshammer: They are known as general purpose grants.

Ms. Barrett: Madam Acting Chair, what is the reporting mechanism for those? Are they quarterly as the as the shelters and other projects under this category are?

Mr. Gilleshammer: I am told that they report quarterly.

Ms. Barrett: I have lots more to say in this area, but I will not. I will pass on to the Member for Osborne.

Mr. Alcock: Madam Acting Chairperson, let me just start with something that is a relatively small item and seems somewhat unrelated to the rest of this appropriation, and that is the grant to the Elder Abuse Resource Centre. Does that come through this division?

Mr. Gilleshammer: Yes, it will be provided through this branch.

Mr. Alcock: Is this reflect a policy decision of the Government that support services for the abused elderly will now be the responsibility of this department?

Mr. Gilleshammer: We are responsible for this one grant.

Mr. Alcock: Can the Minister tell us who the grant is to and what it is in support of?

Mr. Gilleshammer: It is to the Age and Opportunity Centre.

Mr. Alcock: For what purpose?

* (2110)

Mr. Gilleshammer: It is to be used to assist abused elderly persons.

Mr. Alcock: Could the Minister expand on that comment a little bit—assist them in what way? What specifically is the grant to fund?

(Mr. Deputy Chairman in the Chair)

Mr. Gilleshammer: This money is used for an assessment worker at the Age and Opportunity Centre, and this person would be responsible for intake, assessment and referral.

Mr. Alcock: Given the size of the grant, am I to presume that this is a part-year cost, that this program is just being initiated and next year we may see a full-year cost reflected in this category?

Mr. Gilleshammer: There is a misprint on here. The figure should have been \$45,000, and the full-year cost is \$60,000.00.

Mr. Alcock: I recognize this is a new service that is being started. In many ways I was thinking, as I was listening to the questioning, that this whole area, this whole division in the department is relatively new and we see a system in the process of development, but as we are beginning to move into this area of providing some outreach and assessment referral support for abused seniors, is it the intention of the department to see that these services are generally available throughout the province?

Mr. Gilleshammer: Yes, I would indicate that it is premature to say that. The area of elder abuse is something that will be studied by a number of departments before we can make that conclusion.

Mr. Alcock: Well then, is this a research grant or is this to actually provide services?

Mr. Gilleshammer: This is the very beginning stage of some actual service provisos. We are very early on into this initiative, and it would be premature to say that this was something that is going to lead to rapid expansion. It is sort of in the nature of a pilot project.

Mr. Alcock: So we have begun a pilot project through A and O. That would seem to be an appropriate home for such a service that is to deliver

some assessment intake and referral services to seniors in what catchment area?

Mr. Gilleshammer: This very early preliminary project is city-based at the moment.

Mr. Alcock: Now, the decision to fund this through this particular department, is that simply because it was a convenient vehicle while they are sorting things out, or is there an intention that the organization will begin to report through this department that there is some sort of relationship developing now between this organization and, for example, the Agency Relations Bureau, which is responsible for the funding of external agencies?

Mr. Gilleshammer: I think it would be fair to say, it was put here for practical reasons.

Mr. Alcock: I am interested though that it was put there, because there are a number of choices that could have been made as one looks at the services delivered by various departments. In particular, we do have a Seniors Directorate. What is the relationship between this department and this service, which is being funded through this department and the Seniors Directorate?

Mr. Gilleshammer: As I indicated a moment ago, it was put here for some practical reasons in that there is some expertise in the area of abuse. We will be certainly discussing and evaluating this along with the Seniors Directorate. Again, I would emphasize it was sort of a demonstration project that is new this year, and it is going to take some evaluation before any ongoing plans can be formulated.

Mr. Alcock: Yes, now I recognize the early demonstrations, sort of implementation kind of understanding early-phase nature of this grant. I am interested that we have a Seniors Directorate that was established by this Government some time ago, has a separate line in the budget and does receive some funding, and why the decision was made to fund this particular service through this particular division as opposed to through that bureau.

Mr. Gilleshammer: As I indicated, it was placed here for practical reasons in that there was some expertise in the area of abuse in this particular area of the department.

Mr. Alcock: Then as the other services in here, the shelters and the crisis lines, have some accountability relationship to the department for the funds that they get, does the elder abuse also, the Age and Opportunity and this particular resource

centre also account through the Family Dispute Services?

Mr. Gilleshammer: Yes, it is funded by this branch and is accountable to it. Again I would emphasize with the Member that there is going to be dialogue with the other departments that are relevant, including the Seniors Directorate.

Mr. Alcock: If it is the intention to have that dialogue, what dialogue led up to the creation of this \$60,000 grant, 45 this year, and I presume the \$60,000 commitment next year since the Minister seems to be aware of the full year cost?

Mr. Gilleshammer: This is I think an emerging problem in society that we are all becoming more aware of. In terms of placing the funds somewhere, it was placed here in that this particular branch deals with abuse. Again, it is going to be reviewed.

* (2120)

Mr. Alcock: Presumably this idea came from some place. Presumably somebody either floated a discussion paper or came forward to the department with a request, or the department approached Age and Opportunity with some sort of request for the development of a service.

I believe it was in response to a question to the Minister responsible for Seniors (Mr. Downey) some two or three weeks ago that he indicated that this was an area that was still being studied, they had not made any decisions on, and they were going to move into a second phase of consultation.

We have that statement from the Minister of Seniors and then we have the provision of the \$60,000 annual grant through this department. I am just interested in the genesis of this particular grant.

Mr. Gilleshammer: As I have indicated, this is an emerging problem in society that we are becoming more and more aware of. There was some discussion between the Age and Opportunity Centre and the Seniors Directorate. This is an idea that came forward and was placed within this appropriation. It will be under review. If it is more appropriately placed somewhere else, that may in fact follow. We will be discussing this with the other departments involved.

Mr. Alcock: I am not offering any opinion on the appropriateness of the location of this grant here. I am just interested in the seeming difference between the statements of the Minister of Seniors and the actions of this particular department.

Can the Minister tell us where—I mean I am not sure if I understood that last comment of his. Is he saying that the Seniors Directorate generated this concept and then came to this department and asked them to approach A and O? Did A and O go to the Seniors Directorate, and they then approached Family Services and asked them to administer it? Where did this arise from?

Mr. Gilleshammer: I think it is maybe fair to say that the Seniors Directorate as such does not provide service of this sort. There are items that come forward from other departments that are brought to our attention where we are service providers.

I am sure these questions would have been raised by your colleagues in discussing the Estimates of the Seniors Directorate. In fact, I sat in on part of that one night, and I think some of this was covered at that time. It was an identified problem. We are a service delivery department, and as such it was placed in this appropriation.

Mr. Alcock: Yes, I also sat in on those Estimates for some time, and I agree that the Minister for Seniors has identified that service as being something other than service delivery.

I guess the question is: Did the Seniors Directorate generate the idea and approach the department, or did it come from A and O?

Mr. Gilleshammer: I am sorry, I missed the last part of that.

Mr. Alcock: The program proposal that led to the \$60,000 grant, did it come from the Seniors Directorate who then approached A and O, or did A and O come forward and request the grant provide this service?

Mr. Gilleshammer: Age and Opportunity people expressed an interest in that, so in essence it came from the community.

Mr. Alcock: I wonder if the Minister would be in a position to table some information around the services that are being provided, how people access them, and what they can expect to receive by way of service.

Mr. Gilleshammer: We will endeavour to provide the Member with some information in a written form.

Mr. Alcock: Thank you very much. I will just talk a little bit about Family Dispute Services.

I note in the draft annual report—actually I note in the Expected Results of the Supplementary Estimates, it indicates that this division or this

section provides services to over 4,000 abused women. In the draft annual report it references about 1,900 women that are served in wife abuse shelters. One presumes the rest are serviced how? How were those counts arrived at?

Mr. Gilleshammer: The 1,900 are part of residential services. The larger number, the 4,000, are others that are provided with counselling and other services that are provided by some of the workers in this area.

(Mrs. Linda McIntosh, Acting Chairman, in the Chair)

Mr. Alcock: This is a system in transition. I mean it is not that many years ago when we had no shelters or very limited shelter services until the YWCA began to get active in this field. We now have a much more comprehensive service. The Minister has referenced with some pride the amount of support that his Government has provided, and I think they ought to be commended for substantially increasing the support.

As I understood the earlier discussions, there was a desire to move to the development of service and funding agreements with these shelters. I believe the Minister referenced the Steinbach shelter as one that had agreed to do this. Is it the intention of the department to get agreements in place with all of these shelters?

Mr. Gilleshammer: Yes, we have two service and funding agreements in place now, Thompson and the Eastman shelter. Yes, it is our perception that that is a desirable way to go with the service providers and the funding that is given by Government.

Mr. Alcock: If I am correct in recalling the earlier statements of the Minister, there are two components to the funding for these agencies, much like there is with the Children's Home service and funding agreement? One is the provision of a grant to cover basic operating and then a fee to cover costs of people who access the shelters?

Mr. Gilleshammer: Yes, there is some core funding and per diem funding.

Mr. Alcock: Is there an expected or anticipated occupancy rate included in the decision on which the fee is based?

* (2130)

Mr. Gilleshammer: In the Member's opening comments, he referenced that our system is new,

and we need to gain more experience. His colleague from the official Opposition read into the record some of the occupancy numbers with some of the shelters. As we gain more experience, we will be able to better understand the adequacy of the core funding and the per diems as it relates to shelters of small, medium and large size.

We have indicated that we are prepared to review the funding model. The funding model now, in our estimation, goes a long way to providing quite adequate funding for the shelters. It is described by some as the best funding model in the country. While that perhaps has not received unanimous agreement, I think we have come a long way in terms of the funding model.

Mr. Alcock: I am just more interested though in the basis on which some of these fees have been arrived at. I know in some of the children's facilities they established an occupancy rate that was considered basically to be 100 percent occupancy. Because of turnover—you have people moving in and out—it is not possible and necessary to keep the space filled 100 percent of the time. At one time, the rate in children's services was 87.5 percent. At one point, it moved up to 95 percent. I am wondering what the rate is in shelters.

Mr. Gilleshammer: The funding amounts were established by the Women's Initiative that travelled the province I believe in 1989. They did so in discussion with the shelters and the people who were involved with providing the service in the various communities.

Mr. Alcock: The Minister is telling us that consultations took place in establishing the rates. Is there an occupancy consideration in the establishment of the rate?

Mr. Gilleshammer: Not in the same manner that you referenced with some of the agencies that have existed for a long time. There was some historical reference points in regard to these shelters and, of course, the discussions that took place between the Women's Initiative, the shelter operators and the service providers.

Mr. Alcock: Are negotiations under way with all of the shelters right now to sign these agreements?

Mr. Gilleshammer: That process is just beginning.

Mr. Alcock: I wonder if the Minister is in a position where he could table one of the agreements with one of the shelters, if he would seek the approval of

a shelter to do that and see that it is brought forward to us.

Mr. Gilleshammer: As we did with the tabling of the other service and funding agreement, we would have to seek the permission of the participants in it before we could table it.

In addition, I would point out that the agreements that were signed with the two shelters that were in crisis were agreements that enabled them to manage the circumstances for the remainder of the fiscal year. They are not the full-fledged service and funding agreements that we would like to see for a full year.

Mr. Alcock: The process that the Minister has indicated is just about to begin will involve all of the shelters then, and any agreement that may exist currently would not be reflective of the overall agreement?

Mr. Gilleshammer: Yes, again I would emphasize that those two agreements were agreements to have those shelters remain open and reflect the current realities. I think the service and funding agreements that we are just beginning with all of the shelters will be more extensive.

Mr. Alcock: Would it be fair to characterize this then as an attempt to stabilize the current system of shelters and see that they are maintained year over year?

Mr. Gilleshammer: Yes, I think the new funding that we have put in place was an attempt to stabilize those shelters. There is recognition that more work has to be done to put in place service and funding agreements for all of the shelters. There are now 11 throughout the province, and we have other communities providing other services that are interested in securing a stable future for themselves as well.

Mr. Alcock: Now, I am interested in their relationship. The Minister has spoken you know in reference to the Elder Abuse Program that is beginning about the relationship with other departments. What is the service relationship here with the Department of Health or the Family Support Services currently delivered by the Department and the various regions? Is there any relationship between family workers and the shelters, and the crisis lines and the committees?

Mr. Gilleshammer: The interdepartmental relationship that you are asking about between, say, the Department of Health is with staff for Family

Dispute Services from within this department as opposed to a relationship with the shelters.

Mr. Alcock: So the relationship between shelters and committees would be to this office within this department essentially. I notice in the earlier discussion there are a number of Family Services workers employed in each one of the regions. They do not have an involvement with the shelters?

Mr. Gilleshammer: Madam Acting Chairperson, at this point in time the relationship of the shelters is with the staff of Family Dispute Services for the most part.

Mr. Alcock: Earlier on in this division, we were talking about the organization of the department and the relationship between Income Security and Family Services, and now we have the shelters. Is there some point at which service between these various groups, all of which have a role to play in Family Services, is co-ordinated, or do they operate in separate streams with Income Security having one relationship with the shelters and Family Services having a second and this division having a third?

Mr. Gilleshammer: The reference that I made to Income Security was in respect to clients who accessed Income Security and as such were not required to pay the per diems. So the common factor I suppose is clients of Income Security who do access services that cut across within this department, but also other departments of Government.

* (2140)

Mr. Alcock: Yes, but within the purview of this Minister there is Income Security, which does play a role. There is a Family Services delivery division in every region of the province, and there are now shelters in the committees. All I am asking is: How are they co-ordinated, or are they?

Mr. Gilleshammer: Well, the funding is co-ordinated in that income security pays the per diem to this department, but the relationship between the client and this department is through Family Dispute Services workers.

Mr. Alcock: On the funding, is the funding relationship with these agreements through agency relations?

Mr. Gilleshammer: Yes, it will be a combination. Agency relations will assist, but the Family Dispute

branch is the one that works directly with the shelters.

Mr. Alcock: Now, the Honourable Member for Wellington (Ms. Barrett) and the Minister had considerable discussion on the issue of deficits. The Agency Relations division was set up in response to a study that suggested a non-funding of deficits policy. I am wondering if that—the Minister went several ways in answering that, but indicated that there were unallocated funds that were, as I understood it, presumably to deal with unanticipated deficits while you are moving toward a more stable system. Is that a correct statement.

Mr. Gilleshammer: It is the line of the budget that has unallocated funds available for that particular need.

Mr. Alcock: So is it fair to characterize that, that in this transitional period, while you are moving to better stabilize the funding for these shelters, the deficit pickup will ease the policy?

Mr. Gilleshammer: The deficits are something that we are not encouraging, and we are working very closely on a quarterly basis with those shelters to have them manage their resources. The shelters currently existing, while a couple of them are in a deficit position, it is not of such a nature that we are going to see a shelter close because of the massive deficit, but it is our hope that with assistance from this branch we will be able to see our way through this year without any massive deficits.

Mr. Alcock: This little stub fund here of \$74,500 was placed in this budget as unallocated funds to deal with deficit problems that may occur while you are transitioning from a haphazardly funded system to one that is contained within the service and funding agreements.

Mr. Gilleshammer: Well, the haphazard funding is certainly a problem of the past, and we have been able to add considerable funds for shelters. The situation has stabilized in a very positive way with that increase of some 47 percent in funding over the last two years. However, there still may be a small deficit with two of the shelters, and we are hoping that the department, the branch can work with those shelters, and that deficits will be a very small problem at the end of the year.

Mr. Alcock: The Minister referenced earlier the relationship between the Government and the boards, and how the boards are responsible for

these deficits. Is there any organized training program for boards?

Mr. Gilleshammer: That is something that is in the formative stages, and we have talked about that last day as well as earlier today. The boards, some of them require assistance, and I indicated a couple of days ago that assistance, we think, is available here in the province without boards having to travel a long way to get that sort of expertise. I have been talking to some of the individuals that provide service within this department, and have encouraged them to seek assistance whether the board would serve a day care, or a Child and Family Services agency, or one of these shelters.

It seems to me that, with the kind of money that we are putting into the system, it would be a sad thing if portions of the system, if agencies failed because of board decisions that were not informed decisions. If we can help in some way to make boards function better—and we got into this the other day. I referenced an acquaintance of mine who worked, for many years, with the Manitoba Association of School Trustees and, at this point in time, his full-time work, as he chooses it, is to work with boards, whether it be a Child and Family Services board, a school board, a municipal board, or a credit union board. The Agency Relations Bureau is something that got up and running just a few months ago, and we would hope that through this vehicle that we can provide some board training for boards of this sort.

Mr. Alcock: As the Minister referenced it, it is an important area in that we use boards to mediate between Government and the community and to reflect the values of a local community and the provision of certain services, and they play a very valuable role in that way. At the same time, as the size and complexity of programs increase, the responsibilities that they take on, sometimes without being aware of it, are quite substantial. Changes in the federal legislation relative to not-for-profits has placed board members at risk. Often board members are not aware of the risks that they do undertake when they become members of these boards, as most people become members out a sense of community service.

I think it is incumbent upon the department to see that some training is provided on an ongoing basis to these boards. The Minister is now telling me that Agency Relations, in addition to the development of the agreements, is now responsible for developing

the board training program. Development and delivery of the board training, or just development of the board training?

Mr. Gilleshammer: They will be overseeing that function.

Mr. Alcock: Within this area, because I know there were some funds made available relative to child abuse, at least the past years, to train boards of the Child and Family Services agencies. Within this section, are there funds available currently for boards to access training services?

Mr. Gilleshammer: No.

Mr. Alcock: Have their been in the past?

Mr. Gilleshammer: I am told there have not been.

Mr. Alcock: Without delving too deeply into future budgets, given the priority that the Minister has placed on this, is this something that will simply be an additional staff function of the department of Agency Relations, or is it the department's intention to see that some funds are available so boards can access training?

Mr. Gilleshammer: Well, you are right that we have not got into future Estimates as yet, but I can tell you that—

* (2150)

An Honourable Member: We will be there soon.

Mr. Gilleshammer: Well, we will be there soon, certainly. I can tell you it is a priority with me and I think it is a small investment that has to be made by someone to make boards work and have them succeed. I think it is something that boards will have to look at and that Government will have to look at.

Mr. Alcock: Okay. If we can just move on to the four family centres, what portion of their total budgets do these grants represent?

Mr. Gilleshammer: We are assuming that the Member is referencing the women's resource centres, and our funding is between 50 and 75 percent of their total budget.

Mr. Alcock: Now, is it the intention of the department to sign service and funding agreements with these centres?

Mr. Gilleshammer: That is not our perceived priority at this time.

Mr. Alcock: What sort of accountability structure is in place currently then for the centres that are funded, the four funded centres.

Mr. Gilleshammer: They give statistics on a monthly basis, and they report on their financial affairs on a quarterly basis.

Mr. Alcock: Is there a service relationship between these four resource centres and the Department of Family Services people?

Mr. Gilleshammer: I guess the answer is, not really, that they are given a general purpose grant to provide service.

Mr. Alcock: Is there a specific description of the services, or do they vary from centre to centre? I mean, are they arrived at because of some decision on the part of the department, or are they simply historic?

Mr. Gilleshammer: Their history plays some part in what it is they do, but generally the service that they provide is counselling, information and referral, community development, public education and outreach work.

Mr. Alcock: When the Minister indicates that the provision of agreements with these agencies is not a priority, is that simply because he does not have concerns about the stability of the organizations, or is it because these agencies are not a priority of the department?

Mr. Gilleshammer: I do not want the Member to misrepresent what I said. I think the priority, in terms of service and funding agreements at this time, is with the people who operate the shelters and this is front-line work that is being done and I think it is important that we develop a relationship with the shelters and their service, and our funding which is going to maintain their existence.

Mr. Alcock: One of the emerging issues—it is interesting when you look at the development of the literature and understanding in these fields. Some time ago there was a lot of work done that established a rather direct relationship between early childhood physical abuse and later acts of violence, and a great deal of concern about the ways in which we intervened with this with children, and I read recently some studies done by people, both in the States and by one, Dr. Colin Ross, I believe it is here. I believe he works out of St. Boniface Hospital as a psychiatrist. He has done a fair bit of work on the relationship between abuse and mental illness in women, and I am wondering if there is a relationship between the division and the Mental Health Directorate, or what sort of services are

provided to women through the Mental Health Directorate, co-ordinated by this division?

Mr. Gilleshammer: Yes, this department is primarily providing supports for wife abuse and child abuse, and as such is not intertwined in a way with mental health, such as the Member is referring to. But I can tell you through the good work of the Minister of Health and an initiative that was taken by his department and three others—I did have breakfast with Dr. Ross last Thursday, and there was work being done on the whole area of Satanism, and a conference that Dr. Ross spoke at. But as far as the Member's question is concerned we have not through this branch got into the type of research that the Member is referencing.

Mr. Alcock: I am not so much referencing or suggesting that this operating division should necessarily be undertaking the research. It is simply that, like in a number of areas there are issues that arise, treatment interventions that are requested, and this department exists in an organizational relationship with the Department of Health relative to community mental health. At least, it has field staff in the same offices, supervised by regional directors that are accountable to both departments, if I recall the earlier discussions we had when we looked at the departmental organizational chart. I guess what I am hearing from the Minister is that there is not at this point work under way to focus or to co-ordinate the delivery of services from that division through to this service.

Mr. Gilleshammer: We are not in that sort of co-ordinated relationship at the field level, but certainly management in the departments do discuss these issues and have some dialogue over them.

Mr. Alcock: It is interesting, just an observation and I am going to end this section with it, that this is a system that is very much in the developmental stages. Bringing to bear some of those other services will be extremely important over the years, and I would be interested in hearing—because we never really resolved that. We talked about boundary issues, and we talked about the organizational structure of the department back some weeks ago. We never really have resolved that issue between Mental Health and Children's Services. I am interested to see how it gets resolved in this division and would encourage the Minister to look for ways to better co-ordinate the provision of services to people who require it.

* (2200)

Mr. Gilleshammer: I am pleased the Member recognizes that we are in an area of an emerging understanding of these problems and services that are emerging. This is why I think it is so important that we stabilize the system so we can in fact deliver this basic service.

Probably nothing comes to mind quicker than the whole idea of wife abuse shelters. It is an issue because of the publicity generated through the campaign and the awareness that has generated across the province whereby many, many communities are coming forward and want committees. They want crisis offices, they want second stage housing, they want shelters. I think what I have been saying is that we really have to not only stabilize, but consolidate what we are doing and do what we are doing well before we start into a real expansion mode here.

There has been a fair expansion in that system over the last four or five years. A lot of the issues around abuse are gaining a lot of publicity and public awareness. I think it is important that we understand those issues, understand the root causes and be able to provide, first and foremost, protection, but also in the long term, hopefully some solutions to that problem as well.

The Member has referenced Mental Health, and I think that a lot of the problems in this area are very, very complicated. It is important that we get a good knowledge of the perpetrators of these offenses and provide the best services we possibly can for the citizens in our province.

Mr. Alcock: I certainly support the Minister in that. I would just point out one thing as I am trying to understand this as the Minister was talking. We have community Mental Health that operates in local communities and delivers some form of services. And certainly—these are adults—as they require or identify a need, there would be a desire to access services. We have workers who are working in all the regions who are identified as Family Service workers, although we are not certain, precisely, what the range of services are they provide. We have committees in communities, we have shelters in communities, we have Income Security providing services. In a less direct way, certainly, we have an involvement with Corrections and, I presume, the education system. There are an awful lot of people involved in delivering services. I

presume on the Income Security side, we have municipal boards and such.

It just strikes me we might find some broader support for some of these communities with a little better co-ordination among all those services.

Mr. Gilleshammer: Well, I agree and I can tell you I come from a very small community in western Manitoba and these professionals are well known to one another. They do interact professionally and on many occasions you see them on the same panels and working with home and school associations and the like, and I think that there is recognition out there that service providers have to be brought together from time to time to co-ordinate their work because in many instances they are working with the same clients. While I cannot tell you whether that is generally true across the province, I can tell you in the region that I come from there are opportunities for these professionals to get together. Whether it should be more formalized or not is open to conjecture.

Mr. Alcock: Just a final comment then. I am also very pleased to see the funding for the Elder Abuse Resource Centre. I think that is an interesting first move. I think A and O is an appropriate facility to initiate such a service. I would hope, I would think also that this is an appropriate department to deliver those services and develop them and I would hope that we would see them into the future more generally available throughout the province. I look forward to revisiting this line in another few months.

Mr. Gilleshammer: Well, I would thank the Member for his support.

Ms. Barrett: I have one question and one comment. My question is one I forgot to ask earlier. The 47 per cent that the Minister has mentioned on several occasions, I am wondering if the Minister could break that down to a percentage by year and what those percentages are made up of, is it what percentages in increase in operating grants, and what percentages in increase in per diems?

Mr. Gilleshammer: I have every confidence we could provide that for you tomorrow afternoon.

Ms. Barrett: I certainly have every confidence, too, because the number itself has certainly been broadly broadcast, so I am sure that the figures that make up that number are readily available.

Mr. Gilleshammer: Yes, you are correct, it has been widely broadcast and I think I have even mentioned it myself.

Ms. Barrett: I have been talking, in the House and in these Estimates several times, about my concern about a stable funding base and an adequate funding base. An analogy flew into my mind that I must share with the Minister before we leave this section. When he was discussing the boards and their responsibility and their requirements to implement the policies and the program of the agencies, the analogy that springs to mind is the Titanic, that the boards are similar to the captain. The captain of the Titanic was, by all accounts, a very experienced well-respected member of his profession. No quarrel with his background or his abilities, but no amount of additional training could have saved that ship, as it turns out, because its design was faulty. The design I sort of have is analogous to the funding formula for shelters, and the idea that this is adequate funding.

So my analogy is, stretched though it may be, that the boards can be as trained, as objective, as understanding and as competent as they possibly can be. I would suggest probably most of them are on that side rather than not being well versed and able to deal with the problems that faced them, but as long as they have an inadequate funding formula, they will go down in the ice flow every single time. There is nothing they can do about it.

Mr. Gilleshammer: That idea that flew into your mind perhaps has not completely crystalized yet. I was of the understanding that the Titanic was a good ship, but it just happened to hit an iceberg. I do not think the problems that we foresee with shelters are of that magnitude.

* (2210)

We have put the type of money into the system that has led to a tremendous success with Osborne House. We have put a greater percentage of money into the system with some of the other shelters and the per diems have increased from, in the area of \$6 and \$13 to \$45.00. I mean, I know the Member recognizes that we have done a tremendous job in that area, and that this is a massive increase in funding.

So I think we can see what the problems are with the shelters, and we are working with them and will continue to work with them. We have made a commitment to review the funding. I think we are on the right track with the shelters, and I fully expect that we are going to succeed. I feel very confident about that.

Mr. Deputy Chairman: Item 4.(e) Family Dispute Services: (1) Salaries \$408,600—pass; (2) Other Expenditures \$213,200—pass; (3) External Agencies \$2,919,600—pass.

Item 4.(f) Children's Special Services: (1) Salaries \$257,500—The Honourable Member for Wellington.

Just one moment, please. If the Honourable Minister would introduce the new staff member.

Mr. Gilleshammer: Yes, I would like to introduce Mr. Brian Law, Director, Children's Special Services, who has joined us at the table.

Ms. Barrett: I do not have a whole lot of questions about Special Services. Most of my questions will be for information.

I do want to put on the record, though, from the page that deals with Children's Special Services in the draft annual report, that I could not agree more with the last sentence in the first paragraph: These goals are achieved by developing services within the community based on the principle of the least restrictive alternative. I heartily commend Children's Special Services for espousing that goal. It would appear from their program description that they have been able to do some good work in reaching that goal.

Knowing very little about the program, I look at the number of people that are doing this work, and marvel particularly at the fact that there are only three Professional/Technical people. It would appear from the list of things that are accomplished by this division, that they do a remarkable job.

I guess my first question is again the same one: Who are these Professional/Technical people, and what are their backgrounds?

Mr. Gilleshammer: Of those four individuals: one is a social worker; one is a chartered accountant; one has a B.A. in social work; and the other a B.A. in political science. Pardon me, that was a B.A. in sociology.

Ms. Barrett: May I ask which one is the manager?

Mr. Gilleshammer: The individual with the B.A. in sociology.

Ms. Barrett: How long has this division been in existence? Is this a longstanding division, or is it fairly recent in origin?

Mr. Gilleshammer: I am told, for just over five years.

Ms. Barrett: It has had some time to develop. I am

basically going through the annual general report to ask my questions here. It says in the second paragraph: Additional care and support for high-need families requiring specialized or intensive assistance to care for their children is also available. I am wondering if the Minister can explain how that is available. Is that through the staff of the Children's Special Services accessing other external programs, or do they provide this assistance? How is that done?

Mr. Gilleshammer: Yes, maybe one of the things that would help is that there are 21 field staff that also work within this department and they enable individual families to access respite care, supplies, equipment, some work with child development, home renovations. Maybe I can even just tell you that, as an MLA sometimes individual cases are brought forward that way, and the first time I became aware of this a couple of years ago was a request from a community that sought assistance for a couple of young children who were deemed to be in need. It worked its way up to the point where this branch was able to deal with it.

Ms. Barrett: That 21 additional staff certainly does make the work of this division more understandable. Where are those staff located in the Estimates?

Mr. Gilleshammer: They are located under Rehab and Community Living field staff.

Ms. Barrett: Do the Children's Special Services people, are they responsible for these staff, or do they work in co-ordination with them, what is the line of authority between this division and those field staff?

Mr. Gilleshammer: They are administered under Rehabilitation and Community Living, but they have program responsibility which involves them with Children's Special Services.

Ms. Barrett: So do they have two bosses or one boss?

Mr. Gilleshammer: Well, I am not sure that I want to answer it in that way, but they are responsible to Rehabilitation and Community Living and the administrative work is done through there, but as field staff they have program delivery which probably cuts across a number of branches in that part of their responsibilities are to young children who perhaps have special needs.

* (2220)

Ms. Barrett: I assume then that means these 21

field staff are the people who actually deliver services through the eight regional offices, that is the manner of service delivery then?

Mr. Gilleshammer: Yes, that is true and their work may not be restricted to working with children who would come under contact with this branch.

Ms. Barrett: So those 21 field staff have other responsibilities and this is part of their responsibility?

Mr. Gilleshammer: I would indicate that there are another 100 staff or so who work for Rehabilitation and Community Living. These 21 would have specific responsibility for children under Children's Special Services.

Ms. Barrett: Children with disabilities, what kind of disabilities? Are they physical largely, or mental, or is there a range of disabilities that are provided for here?

Mr. Gilleshammer: There is a range of disabilities, which could be categorized as physical, mental, language, hearing and vision.

Ms. Barrett: Just about the whole range of disabilities then are covered by this division.

Mr. Gilleshammer: Yes, I believe you are correct.

Ms. Barrett: Thank you. The training, research and evaluation components, is this provided by the professional/technical people, or are the field staff involved in this as well?

Mr. Gilleshammer: I am told that the School of Social Work at the university are contracted to provide the training and development.

Ms. Barrett: Thank you, and can the Minister show me the budget line where that contract is found?

Mr. Gilleshammer: Yes, it would be found under Other Expenditures, Other Operating.

Ms. Barrett: Thank you, and to whom is this training delivered? Is that the field staff or to the professional/technical people within the Special Services?

Mr. Gilleshammer: That training is offered to the 21 field staff that we referenced earlier.

Ms. Barrett: Thank you, and the research and evaluation activities of the Children's Special Services, are those also contracted out?

Mr. Gilleshammer: Yes, it is contracted out to the same department.

Ms. Barrett: Thank you. I am wondering if it is

possible to get a list of the kinds of research, evaluation and training. Things that have been done this last year for example, or the last couple of years under this division.

Mr. Gilleshammer: We would make every effort to provide that for you in the not too distant future.

Ms. Barrett: Thank you. I appreciate that. It sounds like a very interesting idea. It also states in the annual general report that the caseload increase was approximately 14 percent over the previous year. Is there a breakout of that increase? Is there a reason for that? Is it higher need identification or more people just coming in? That would appear to be a large increase year over year.

Mr. Gilleshammer: Probably the answer would be, just a better public awareness. An awareness that manifests itself in day cares, in preschool nursery schools, and with the public. Perhaps even some of that is coming forward from areas of the province that maybe are accessing more service at this time than they did before. In essence, public awareness that services are available.

Ms. Barrett: Has there been a particular public awareness campaign undertaken in this regard? Or is there some other reason for increased public awareness?

Mr. Gilleshammer: There has not been a campaign, but there seems to be a general acceptance that awareness in the public has grown.

Ms. Barrett: With the 14 percent increase in caseload—the 21 staff complement, has it changed? Or is that 14 percent increase dealt with by the regional staff? Or is it increase of children going to other local services? How is it spread out?

Mr. Gilleshammer: There has not been an increase in staff at this point. The workload has simply been integrated into the workload of the existing staff.

Ms. Barrett: This is in addition to their already existing workload which includes other cases, other than Children's Special Services. Is that my understanding?

Mr. Gilleshammer: I may have misled you before, unintentionally. These 21 people are working with children that access this Children's Special Services. I indicated there were another, upwards of 100 staff that work for Rehabilitation and Community Living. These 21, their responsibilities are basically with children that have the type of difficulties that we enunciated earlier.

Ms. Barrett: Those 21 staff deal with the Children's Special Services? That is their job, to deal with service provision for these children?

* (2230)

Mr. Gilleshammer: That is correct.

Ms. Barrett: Their caseload is 14 percent higher than it was in the previous year. How does that correspond to caseload increases with the other 100 staff people that you mentioned?

Mr. Gilleshammer: I think it is fair to say in many of the branches and in the department in total, that the workload has been increasing in Social Allowances, in Child and Family Services, in Children's Special Services, that generally there has been an uptake in the numbers that we are serving.

Ms. Barrett: So the Minister is saying this is not out of line with increases with the other 100 workers in that division?

Mr. Gilleshammer: No, it is not out of line. I am saying there is a tremendous challenge in the social services that are provided by this department and accessed by between 130,000 and 150,000 Manitobans who come into contact with this department.

Ms. Barrett: Do the staff do mostly assessment and referral, or do they also do the actual programming with children, or is it a combination of both?

Mr. Gilleshammer: We provide as many services as we possibly can to assist these children. In some cases we have to contact external agencies such as St. Amant or the Society for Manitobans with Disabilities to become involved with these individuals.

Ms. Barrett: Could the Minister explain what the Mobile Therapy Program is?

Mr. Gilleshammer: This is physical therapy and occupational therapy in remote areas where that type of professional service is not readily available. So this is offered under this terminology of mobile therapy.

Ms. Barrett: In the Supplementary Estimates it is called Identified Regions. Could you identify those regions that are serviced by the Mobile Therapy Program?

Mr. Gilleshammer: These are areas of greater Manitoba that I think the Member is familiar with. There is Norman, Thompson, Interlake, Westman and the Parkland region of the province.

Ms. Barrett: I am aware of those regions. I was under the assumption that this mobile therapy program was to regions that were not serviced by regional offices. It sounds like some of the regions—let me back up here. The mobile therapy is not in all of the regions, it is just in the ones that you listed there, the most outlying ones. Is that because in the regional offices there, there are not PTs and OTs available?

Mr. Gilleshammer: That is essentially correct. There are no PTs and OTs available. As a result, there are contracts to do this work in northern and other areas of the province.

Ms. Barrett: I am sure there are many more questions to ask, and I am also sure that the Honourable Member for Osborne (Mr. Alcock) will ask all of them. I just have a couple of questions on the Estimates figures. Using the Annual General Report versus the Adjusted Vote in the Estimates, the Actual Grants and Transfer Payments, which I am assuming equates to the Financial Assistance and External Agency column, Financial Assistance and External Agency in the Estimates, and Grants and Transfer Payments in the Annual General Report, there is over \$2 million differential between the Actual and the Estimates. Am I reading that correctly, No. 1? And No. 2, if that is correct, can you explain why there is that incredible decrease in expenditures?

Mr. Gilleshammer: There was a transfer of funds from Rehab and Community Living branch into this branch.

Ms. Barrett: There was a transfer of money into Children's Special Services? Although the actual amount in the draft annual report is \$2 million less than the estimated amount.

Mr. Gilleshammer: The last year's printed Estimates do not reflect that in excess of \$2 million that was transferred from Rehab and Community Living into this department.

Ms. Barrett: I am sorry to be so obtuse, but the Adjusted Vote is \$2.5 million more in the Estimates book. The Adjusted Vote '89-90 is \$2.5 million more than the comparable figure for the actual '89-90 in the annual general report.

Mr. Gilleshammer: It appears to be the same scenario as you asked about before, that there is a difference between the printed vote and the Adjusted Vote, and it is because of a transfer of \$2.5 million from one branch to another branch.

Ms. Barrett: Thank you. No further questions.

* (2240)

Mr. Alcock: Let us just start with a little clarification here, this division funds the St. Amant Centre?

Mr. Gilleshammer: That is correct.

Mr. Alcock: And on the grants organization, we show an amount of \$150,000.00. Can the Minister tell us first, before we get into the details of that particular grant, is that the only grant that St. Amant receives from the department?

Mr. Gilleshammer: The grant of \$150,000 that the Member references was a grant for deficit relief for 1989-90.

Mr. Alcock: My question though to the Minister was, is this the only grant that St. Amant receives from the department?

Mr. Gilleshammer: St. Amant accesses in excess of \$13 million through this department.

Mr. Alcock: I am aware of that, the question is, how much of it comes in the form of a grant, how much in the form of fees? I am led to believe by this grants list, given that St. Amant is not on it, with the exception of this \$150,000, is that all of the funding for St. Amant now fees, or is there a grant component to it?

Mr. Gilleshammer: The \$13-plus million that I referenced a moment ago is per diems.

Mr. Alcock: So then St. Amant receives no core grant funding whatsoever?

Mr. Gilleshammer: Maybe I could answer it this way. The money that is accessed from this area is per diems. There are grants that come from another area of this department.

Mr. Alcock: What area?

Mr. Gilleshammer: It is for a preschool program under the Child Day Care Branch.

Mr. Alcock: Yes I am sorry, I recognize that one, I mean for the core support of the people who live in this centre. I think the Minister has answered the question, he is saying that there is no grant, that it is all fee-based.

Mr. Gilleshammer: Yes, it is all per diem.

Mr. Alcock: Now I note in the notes to this section there, it says for approximately 129 children and 128 adults. Am I correct in assuming that the 128 adults that are referenced there are residents of St. Amant Centre?

Mr. Gilleshammer: Yes.

Mr. Alcock: Why are we funding adults through Children's Special Services and not through the earlier Community Division?

Mr. Gilleshammer: When this branch first started most of the residents were children and some of them have passed the age of 18, but the funding has been retained within this branch.

Mr. Alcock: Why then are these 128 adults funded in a manner that is different from the other adults this department supports?

Mr. Gilleshammer: I am not sure which adults the Member is referring to, but the clients who live at St. Amant were funded by this branch prior to them gaining adult status, and maybe the Member would just clarify what he was referring to?

* (2250)

Mr. Alcock: Well, it is true that a dependent individual who is receiving support from the department would receive support through children's services of some sort, either through Special Children's, as in the case of people in the care of this division, or through Children's Services, Child and Family Support, but in the case of one group, when they reach the age of majority they transition into Adult Services. The Minister will recall we had a considerable discussion of that when we were on that particular division, and they access funding in the way in which the Minister described in some detail to me, the \$15 to \$120 a day program, and there is funding available to support them and a range of group homes, et cetera, et cetera. Yet we have chosen not to include these 128 adults in that particular service stream. That has been a choice. I am just wondering why it was made that way?

Mr. Gilleshammer: The difference, I suppose, is that these individuals remain in an institutional living setting at St. Amant, as opposed to community living. I know the Member is aware that there are two other institutions as well, that come under Rehabilitation and Community Living. In this case, they have resided at St. Amant and the decision, with the parents, has been for them to remain there.

Mr. Alcock: Well, let us go at it this way. Are there any other children at these other two institutions? Are there any children at all at the other two institutions?

Mr. Gilleshammer: There is one person at MDC at this time who has not reached the age of 18.

Mr. Alcock: Now approximately 50 percent of the residents at St. Amant Centre today are adults, and I notice in the annual reports, neither in the draft annual report nor previous annual reports, are there any population figures given for St. Amant. I wonder if the Minister could provide population figures, children and adults, for St. Amant going back five years?

Mr. Gilleshammer: In 1985-86, there were 201 children and 77 adults, for a total of 278. In 1986-87, there were 198 children and 75 adults, for a total of 273. In 1987-88, there were 169 children and 107 adults, for a total of 273 (sic). In 1988-89, there were 148 children and 123 adults, for a total of 271. In 1989-90, there are 130 children and 138 adults, for a total of 268.

Mr. Alcock: I thank the Minister for that and given that information is available, it might be useful to include it in the annual report of the department so that it is available to the public in future years.

I would just like to make an observation on this, because it is interesting as you note the funding policy in this department. We seem to fund things for organizational efficiency as opposed to program delivery reasons. I mean, we are funding adults in a children's facility because that is where they live, as opposed to whether or not that is the program stream that they access.

The other thing that is interesting is we see over those five years a drop in the number of children. Now when you go back to the discussion we had about MDC and we talked about how deinstitutionalization had been brought to bear on that organization, and that we had dropped the numbers of adults in the care of that institution, everybody was quite supportive of the actions the department had taken. Except when we look down at St. Amant now, we see that the number of adults in St. Amant has gone from 77 to 138. So the question is have we truly deinstitutionalized, or have we simply shifted the location for a number of adults from MDC to St. Amant? That seems to be the development that has taken place.

Mr. Gilleshammer: I think the Member would have to look and see who these individuals are and as these children, in terms of number, are reduced at St. Amant and the number of adults is increased, it is my understanding that we are talking about one and the same person, that they are attaining the age of majority.

Just further to what the Member said a moment ago, I think if there is an area of the department that you really have to look at individuals on a case-by-case basis, it is this area of the department. Appropriate placement is something that you have to look very, very carefully at. I think that you will find that this increase in the number of adults is simply by children reaching the age of majority.

Mr. Alcock: I have no doubt that is the case. I am sure that is exactly why they are there. In the past, is it not true that a portion of these children reaching the age of majority would have then moved—if we go back some distance in the past—to MDC?

Mr. Gilleshammer: I know from my visit to both MDC and St. Amant that these are individuals that are difficult to place outside of the institution. I think that part of the picture of placing these people has to do with the dealings with the family involved. I am glad the Member clarified that for me. I thought he was suggesting that children were leaving St. Amant and being replaced by adults from somewhere else. I now understand that he recognizes that these are the same people.

* (2300)

Mr. Alcock: What I am trying to sort out with the Minister is that we make much—and the Member for Wellington (Ms. Barrett), referenced it as she began her remarks—about the support for the least restrictive environment. We talk a lot about the desire to move people out of large congregate centres into smaller, more appropriate, more community-appropriate kinds of settings. Yet what seems to be occurring here is that, while the numbers at MDC look terrific—“terrific” maybe is too strong a word—but they look better than they did in terms of reducing the number of adults in the care of that particular facility, we see the reverse is true at St. Amant. In fact, we are allowing them to maintain adults in that facility, and so we are, in a sense, creating a distortion in the reporting.

Where earlier on in this Estimates procedure we looked at 584 or 577 adults in the care of MDC as being a positive thing, certainly down from the 700-odd in earlier years, we note close to a doubling of the adults at St. Amant. They are not necessarily being moved into community care; they are simply being maintained in a different institution. That is not deinstitutionalization.

Mr. Gilleshammer: You are right. If they are being maintained in an institution, it is not

deinstitutionalization. This is one of the areas that the working group on Community Living is examining. Rather than portraying this as some trend, I think we are simply looking at young individuals who are turning into adult status. The family, in many cases, is saying that there is not an appropriate community placement for them, and one of the options is for them to remain at St. Amant Centre until that appropriate place is found.

I can tell you from visiting there that we are talking about some profoundly handicapped individuals. Placement of these individuals is difficult. In some cases I suspect the family is saying, this in our mind is an appropriate placement for them.

Again I would say that the Working Group on Community Living is going to address this and examine the placement in institutions and hopefully come forward with some recommendations.

Mr. Alcock: I have visited St. Amant on many occasions, and I am well aware of the population that is served there.

The fact remains that, despite a mission statement which talks about least restrictive environment, despite a stated policy that talks about placing people into the community, in fact the number of adults in institutional care has gone up in the last four years, not down. It would seem that the policies of this department are not working exceptionally well in this particular area.

Mr. Gilleshammer: I gave the Member the total number as well as the breakout between children and adults. When you look at the totals in the institutions in the province the total number has been reduced. We talked about this with MDC as well.

Really I think you, in reference to St. Amant Centre, would have to study in some detail the actual age of the clients we are talking about, and I suspect you would find that the age variation in St. Amant has not changed a great deal. I think it reflects the difficulty in finding appropriate placement. That in essence is what I am saying that the Working Group on Community Living is going to be examining.

Mr. Alcock: We will examine the age distribution in a few moments.

The fact is that if you add the adults in St. Amant to the adults at MDC, the total number of adults in institutional care has gone up over the last four years, not down as the department's mission would

seem to indicate. That is very simple arithmetic and I would invite the Minister to do it.

As far as the situation at St. Amant goes, in 1985-86, according to the figures the Minister gave us, there were about two and a half times as many children as adults in the care of that particular facility, and today it is one to one.

That would indicate some significant change in the policy relative to that particular institution, a policy change that I fear might be more related to the desire to make use of that facility and to maintain the funding base for it than necessarily the most appropriate use of those resources to serve children in the community, because we do seem to have been successful in finding greater opportunities for children, either supporting them in their own home or in forms of foster care in the community. That I think is a very positive direction.

(Mrs. Rosemary Vodrey, Acting Chairman, in the Chair)

The number of children in the period the Minister referenced has gone down from 201 to 130, and that would strike me as a positive development and probably reflective of greater community supports to families and the greater ability of the foster care system to respond to it.

The fact is we seem to have failed on the adult side.

Mr. Gilleshammer: You know, I think what we are saying is that we have been more successful with the numbers with children and less successful in terms of adults. I do not think we have failed. The total number that were institutionalized at St. Amant and MDC in 1985-86 was 942 individuals. The total number institutionalized in 1989-90 is 851. So over that five years the numbers have come down.

The change in status from children to adults with certain clients there, has made it a little more difficult for community placement, but it is something I am sure staff are working on. Again, I would say that the Working Group on Community Living is going to address this whole problem of examining the institutions vis-a-vis community placement.

Mr. Alcock: Has the Working Group on Community Living been specifically instructed to review the program at St. Amant with an eye to determining whether more of those individuals could be served in the community?

Mr. Gilleshammer: They are looking at the

institutions where individuals are placed, and we are awaiting their report in the new year.

Mr. Alcock: Is the policy direction though, the instruction given to that group, to find greater alternatives or to simply review the existing system?

Mr. Gilleshammer: Their mandate is to review the existing system and come forward with alternatives.

Mr. Alcock: I will reserve my comment on that for a moment. Let us talk more about this age difference then. When the children who are in the care of St. Amant, are these children fully cost shared under the Canada Assistance Plan?

Mr. Gilleshammer: I am told that is correct.

Mr. Alcock: Is there cost sharing available to them once they become adults?

Mr. Gilleshammer: Yes, I am told up to a certain level Canada Assistance payments are available.

Mr. Alcock: When the Minister says up to a certain level, then there would be some difference in the level of support through the Canada Assistance Plan for the adults versus a child in the same facility. Can he tell us what the difference is?

* (2310)

Mr. Gilleshammer: Yes, I am informed that it changes from a 50-50 cost sharing to approximately two-thirds, one-third.

Mr. Alcock: Now the age of majority, that transition point from child to adult which we define commonly as age 18, is not defined that way, at least was not defined that way under the Canada Assistance Plan, as I recall. It was age 21. Is that still the case? Does the full sharing continue to age 21, or does it cease at age 18 and then we move to this two-thirds, one-third? At what age does that change take place?

Mr. Gilleshammer: Our understanding is the change is at age 18.

Mr. Alcock: Has there been a change in the Canada Assistance Plan in the last four or five years that would make this change? Is there some written change that has provided this or is that the way the department is defining it?

Mr. Gilleshammer: The understanding is that is the way it has been defined in the past.

Mr. Alcock: There is no 50-50 cost-sharing for individuals between 18 and 21.

Mr. Gilleshammer: The cost-sharing that continues after age 18 is a third, two-thirds.

Mr. Alcock: I note that there is some discussion going on, perhaps we should await clarification. No clarification?

Mr. Gilleshammer: There is no further information at this time.

Mr. Alcock: What is the ratio, when the Minister talked about the age breakdown, the people—the adults that are living there at the current time, are they within—they have five years here, are they within five or six years of age 18?

Mr. Gilleshammer: The numbers that I referenced for the Honourable Member as adults are categorized as young adults between the ages of 18 and 26.

Mr. Alcock: Then what happens post-age 26?

Mr. Gilleshammer: I am told there are some who exceed the age of 26, but the majority of the adults would be categorized as young adults between the ages of 18 and 26.

Mr. Alcock: Is it the policy of the department now to have this situation continue where St. Amant will continue to serve increasing numbers of adults?

Mr. Gilleshammer: As we indicated not long ago, the Working Group on Community Living is examining this, and we are awaiting a report from them in the new year where they are examining the individuals who are in institutions and looking at the issue of community placements.

Mr. Alcock: In coming back to the funding then for a minute, I should say I am profoundly disappointed to note this failure in our ability to deinstitutionalize adults in this province. It is quite counter the information that has been put out. Let us come down to the funding for a bit now. We fund this institution on a fee base system only. Can the Minister tell us what the fee is?

Mr. Gilleshammer: I just want to address the Member's comment about the failure of this system. I think that the numbers that I gave the Member earlier that the population in institutions, St. Amant and MDC, has been reduced by almost 100 in the last five years. Certainly we have not been as successful as we would like to be, but I do not think that should be categorized as a failure.

We have indicated that the Working Group on Community Living is an attempt to examine the situation and to provide Government, through this department, with some alternatives. There are, I suspect, a variety of reasons why some of the clients

have remained at St. Amant, and often one of the factors in determining placement is the parents. There are times where they would see this as the most appropriate placement. Having said that, I think we look forward again to new ideas and ideas brought forward by the Working Group on Community Living.

In direct answer to the question the Member asked, the answer is \$142 per day.

Mr. Alcock: Well, just to deal with some of the Minister's comments, I am very disappointed, frankly. Institutions demonstrate a remarkable resilience and an ability to maintain a clientele irrespective of the usefulness or the necessity of that particular facility. We see considerable progress on the part of children. I think we will talk eventually about why some of that progress has achieved what astounds me as the remarkable stability of the population at St. Amant. So despite all of our progress in providing alternatives for children, what we have simply done is switched that institution from predominantly a children's institution now into a mixed institution. So we have really made no progress in the institutionalizing.

I, frankly, was not aware that the difference was as great. I have had some indications of it. Until the Minister gave me the numbers, I was not as aware that it was as profound as it is. I am saddened by that. I hope the group is successful. I hope there is a renewed thrust to deinstitutionalize. I suspect the staff in the division are not any happier about this than I am, frankly.

Now, the Minister has given us a fee base of \$142.00. Is that attached to any particular occupancy?

* (2320)

Mr. Gilleshammer: Yes, that per diem is based on approximately 98 percent occupancy.

(Deputy Chairman in the Chair)

Mr. Alcock: What is occupancy defined as, out of that institution? How many beds?

Mr. Gilleshammer: There are some 268 beds.

Mr. Alcock: 268 beds. So has there been a reduction in the number of beds available in that institution? I note that the 268 is the number that the Minister gave us for the registered occupancy in '89-90, but the year before that it was 271, then 273 and then 278. Has there been an actual decrease in the physical space devoted to beds?

Mr. Gilleshammer: Yes, there has been some reduction.

Mr. Alcock: Perhaps I should ask it this way. What is the licensed occupancy as opposed to the funded occupancy?

Mr. Gilleshammer: I am told at this time the licensed occupancy is 268.

Mr. Alcock: Okay, just before I forget it. I made a suggestion that the Minister have that table he read out included in the draft annual report. Is that something that he is prepared to do?

Mr. Gilleshammer: I will see that the staff are reminded of that and we will take your suggestion into serious consideration.

Mr. Alcock: I thank the Minister for that. Can he explain the difference between the \$142 per day rate at St. Amant and, if memory serves me correctly which it has not been doing lately, the \$108 to \$110 rate at MDC?

Mr. Gilleshammer: The higher per diem costs are a reflection of the care needs of the clients that are at St. Amant Centre.

Mr. Alcock: That is interesting. You mean St. Amant Centre now serves higher need clients than MDC, but younger age?

Mr. Gilleshammer: Mr. Deputy Chairman, some of the clients have more medically complex concerns that have to be addressed, and with the younger clients the staff-to-client ratio is higher.

Mr. Alcock: We will come back to staff ratio in a moment. Then is it the policy of the department to move more medically complex clients from MDC to St. Amant?

Mr. Gilleshammer: I indicated earlier that there was only one child at MDC, and I am indicating now that some of the clients at St. Amant have a more medically complex situation.

Mr. Alcock: Right, there is about a \$30-a-day difference in the per diem rate. When I asked the Minister what was that based on, he reference two things. One was staff ratios which we will talk about in a minute, but the other was that clients at St. Amant were more medically complex.

As he has indicated earlier a number of the clients at St. Amant grew up at St. Amant and have simply remained there. If St. Amant is better equipped to handle more "medically complex" clients than MDC, is it the department's policy now to move more medically complex clients from MDC to St. Amant?

Mr. Gilleshammer: No.

Mr. Alcock: Mr. Deputy Chairperson, I am just trying to understand this sense of St. Amant's being better able to handle more medically complex cases. How do they get there? Is it just the luck of the draw? If you end up there as a child then you stay there.

Mr. Gilleshammer: I believe that the number of children at St. Amant far outstrips the number of children at MDC. I would also indicate that there are some historical reasons for the difference in cost too, which relate to the background of these institutions.

Mr. Alcock: I suspect the Minister is correct. I suspect the difference in funding has more to do with that and to do with the staff ratio than it has to do with any determination about the medical complexity of the people served there.

What is the staff ratio at St. Amant?

Mr. Gilleshammer: We do not have a definitive number for the Member at this time, but we will endeavour to provide that for him when we next meet.

Mr. Alcock: Thank you very much.

When I look at the numbers here, based on what the Minister gave us, an occupancy rate of 268 at 100 percent occupancy would give us an annual budget of about 13 million 800 and some thousand dollars. If the facility was 100 percent occupied it would provide a profit to the organization of something over a quarter of a million dollars. Would that be a fair estimate of how these numbers work out?

Mr. Gilleshammer: I wonder if the Member could repeat that. I had some difficulty following what he was saying.

Mr. Alcock: I was just interested in both the fee structure—the \$140 a day and the 98 percent occupancy rate on 268 beds. This is a relatively low turnover population, which I presume is why we have a 98 percent occupancy rate.

If the facility was fully occupied throughout the year, then presumably they would earn a profit of that 2 percent if they were 100 percent occupied over the 98 percent they are funded for, which would give them a profit of some \$200,000-plus.

They had a deficit of \$150,000 in the past year, but am I right first to—in the assumption that if they were to operate 100 percent occupied throughout

the year, they would earn a profit of a little over \$200,000.00? The simple answer is yes.

Mr. Gilleshammer: I know the Member is portraying this as a simple arithmetic problem, but the fact of the matter is that if they incurred a higher occupancy they may well have increased costs as well.

Mr. Alcock: Except they are 100 percent funded at 98 percent occupancy. I should say I am not disputing the policy at all. I think it is an appropriate policy for this facility. I am just trying to get a sense of the size of the—and I suspect the institution would be extremely rare for the institution to be 100 percent occupied all year around.

* (2330)

I am not suggesting that there is anything improper about the policy. I just want to sort out why we have a funding policy that allows the institution to generate a modest overage, a modest profit, if you like, and it is a non-profit organization so these funds are going to the service of children; I am not suggesting anything inappropriate. That being the case, I am trying to reconcile that with the deficit pick-up of \$150,000.00.

Mr. Gilleshammer: I think the Member is trying to indicate that the ability to make a profit is there, and I can tell you, from meeting with a number of members of the board and their executive director and staff, that is not the picture that they portray. They have—and the Member has referenced that he has visited there many times and is quite familiar with it—they have indicated to us that they have a number of areas of need. I do not believe that we are looking at a profit-making venture as I think the Member is suggesting.

Further to that, my understanding is that they have a greater deficit than the \$150,000 that was referenced to help cover deficit. They also spoke to me of a number of capital needs that they had. I think the whole concept of funding for St. Amant is considerably more complex than the Member is referencing.

Mr. Alcock: What I am trying to sort out actually, Mr. Deputy Chairperson, is the funding policy that this department uses to support various services providing residential care. Is it the intention of the department to sign a service funding agreement with this facility?

Mr. Gilleshammer: Yes, it is our hope that we would be able to enter a service and funding agreement with St. Amant.

Mr. Alcock: The Minister referenced the deficit problems with St. Amant and yet there is no money in the budget for this year. The \$150,000 reference was from the previous year. I am a little unclear from his statement. He seemed to indicate that they were in a deficit, and yet there is no support for that deficit. Can you tell us how big a deficit they are in that he is not supporting?

Mr. Gilleshammer: They indicated to us at the time of our meeting that they were running a deficit. We are hoping by year end they will be able to reconcile that and come out at a near break-even point.

I guess the point I was trying to make earlier is that their funding, their fundraising and their whole budget is a complex one. I do not foresee them making a profit, that they were hoping operating at a break-even level.

Mr. Alcock: Yes, I think that is the goal of most non-profits.

Is there a year-over-year increase in the fee?

Mr. Gilleshammer: Yes, there was an increase for salary and benefits and some for a pay equity adjustment.

Mr. Alcock: Okay, and the fee that the Minister referenced was \$142.00. Is that \$142 even or is it \$142 and some amount? Is that the fee for '90-91, and if so, what was the fee for '89-90?

Mr. Gilleshammer: Yes, the Member is correct. The fee for '90-91 was \$142.41. The sum for the previous year, '89-90, was \$131.90.

Mr. Alcock: Now the Minister said that a portion of that was for salary, a portion was for pay equity. Was there any portion for basic support?

Mr. Gilleshammer: Part of that was \$110,000 for health and safety improvements at the St. Amant Centre.

Mr. Alcock: Yes, what about food and clothing, could you tell us what the year-over-year percentage increase was for that?

Mr. Gilleshammer: There was no increase in that area.

Mr. Alcock: How does the department justify that, given that food has gone up? Presumably, even if you accept the Stats Canada figures, the cost of food has gone up. Were you just expecting the institution to find it some place or get it donated? I mean, how do they cope with what may be close to a 5 percent increase in costs to feed 268 people,

and no doubt, some staff? Why do we not make those adjustments year over year?

Mr. Gilleshammer: Well, the institution also accesses funds from other sources.

Mr. Alcock: Do we expect the institution to access funds from other sources to pay for the feeding of the children that it provides care for? Is that the policy of the Government now? It is unbelievable.

Mr. Gilleshammer: A portion of the food costs is in that \$110,000 that I referenced and in negotiations with the institution that came into play in that \$110,000.00.

Mr. Alcock: I am sorry. The \$110,000 health and safety money was in part food—the increase in the cost of food in this \$13 million institution. I mean, certainly that would be a health issue. What portion of the \$110,000.00?

* (2340)

Mr. Gilleshammer: We do not have that breakout with us today, but we will get the Member some more information on that.

Mr. Alcock: I would appreciate that actually. I would appreciate knowing what the year over year increase that has been given to this institution and other institutions for the provision of basic support—food and clothing.

I note though that the fee increase amounts to about 7.9 percent one year to the other. Now, if you are a grant-funded agency, your increase is 3 percent. Why is there such a big difference for this institution?

Mr. Gilleshammer: The 6.8 percent included the Health and Safety issues that we talked about before, some wage increases and some benefits and pay equity, and that covers most of the initiatives that come under this 6.8 percent.

Mr. Alcock: I would like the Minister to explain how he arrives at 6.8 percent. I get 7.9 actually, a difference between 131.91 and 142.41, unless my math has gone wrong.

Mr. Gilleshammer: The difference is reflected in the 98 percent occupancy. See, the difference is reflected in the 98 percent occupancy.

Mr. Alcock: Well, help me understand this. The Minister gave me a per diem rate of \$131.91 for '89-90. For '90-91, he gave me a per diem rate of \$142.41. Is that correct? Those two figures correct?

Mr. Gilleshammer: That is correct. Maybe another

way of looking at it would be the increase from the previous year when their income under this line was \$12,389,900 and it has increased to \$13,226,600, an increase of \$837,600.00. That is reflected in a 6.8 percent increase.

Mr. Alcock: Far be it for me to quibble over a percentage point at this point in the evening, but—I shall not.

The point remains that in this particular case, now that we are no longer on a grant, that policy decision was made by the Government to fund everybody on the grants list, with very few exceptions, to give them a year-over-year increase of 3 percent.

Now there is a decision with this particular institution to give it a year-over-year increase, depending on how you calculate it, of something between 6.8 percent and 7.9 percent. Why is this institution treated differently than the others?

Mr. Gilleshammer: Yes, there are some differences in the manner in which agencies were treated, and we talked about the Child and Family Services agencies getting 15 percent—

An Honourable Member: No, we did not.

Mr. Gilleshammer: Well, we certainly did. Well, whether you agree with it or not, we talked about it. The 3 percent is pretty standard as far as the salaries were concerned, and there were other special circumstances which relate to some of the agencies and institutions.

Mr. Alcock: Some agencies seem to be more special than others, it would appear by this funding policy.

Is it the intention of the department to place all organizations that it funds through these service and funding agreements on the same basis and basically move to year-over-year increases that are policy driven rather than driven by the unique interests of people who are prepared to argue?

* (2350)

Mr. Gilleshammer: We certainly have been moving in the direction of service and funding agreements. I would see us continuing to do so, but a lot of these institutions offer some pretty specialized services and as such have different needs.

I am not sure what the Member is saying about St. Amant. It is coming through as sort of vague. I do not know whether he is prepared to be more specific so the Minister would have a better understanding.

Mr. Alcock: It just strikes me that as we move through the appropriations in this department—I mean is there not a saying that all persons are created equal, but some are more equal than others? Some people are able to get rather substantial increases, others are not.

I am not certain that I fully understand the rationale for why some get virtually no increase, in fact less than the rate of inflation and are forced to go further into debt to meet basic services to targeted client groups, and others get very healthy, very substantial increases despite the fact they have relatively large funding bases, and in addition, I repeat, despite the fact they have shown no ability to meet the mission statement of the department.

However, I note we are getting close to twelve o'clock. I have a rather large number of questions on this particular division, and I am prepared to move off St. Amant and revisit this very same discussion when we get into funding discussions in the Estimates in March, April.

I will close on St. Amant by saying I am shocked, frankly, at the lack of progress that has been made with this, and I am profoundly disturbed with the way the department has continued to support an institution in the face of a policy that says quite the opposite.

I would like to talk a little bit about the Society for Manitobans with Disabilities and hopefully we can wrap this division tonight, although we may have to carry it over till tomorrow. I just note that we are providing a grant of some \$2,937,000 this year to the Society for Manitobans with Disabilities. Am I correct in assuming that this money comes on behalf of disabled children, and that the other grant that the Society gets is that proportion which is targeted toward adults?

Mr. Gilleshammer: Yes, the grant is for children.

Mr. Alcock: What is the relationship between the department and the society? Is there a policy structure that drives the provision of this grant or is it simply given for historic reasons?

Mr. Gilleshammer: The total that the society receives is \$2.9 million and there are three components to that: The first is for therapy, second, a children's program and third, a preschool program.

Mr. Alcock: There has been a great deal of talk at different times and in different departments about affirmative action and about using people with disabilities or with unique circumstances, to

integrate them into services where they are servicing the clientele that has that disability. I notice a debate that has arisen with the provisional services to deaf children and the whole move to the bilingual-bicultural programming in the deaf community. The society is the first contact that parents have when they have a deaf child and it is the organization that provides the most amount of direct support. I am wondering if the affirmative action policies of the department would drive the hiring policies of an organization such as the society.

Mr. Gilleshammer: There is, as the Member referenced, affirmative action hiring for the department. The Society for Manitobans with Disabilities is made aware of that, but they do their own hiring.

Mr. Alcock: One of the programs that is offered by the society is the preschool program for deaf children. In fact, it goes much before a preschool program, and they are the major social support to parents of deaf children.

One of the concerns that has been raised by the deaf community is that when a hearing parent of a deaf child is encountering the system for the first time and going through some of the grief and the counselling processes that they go through in becoming aware that their child has a disability of this sort, one of the difficulties is that the people they first encounter to deal with this are hearing professionals. Deaf professionals are not made available.

There are programs in the States, and there have been people brought up here to do work within the community on how this could change and how you could have competent deaf professionals doing some of that early intervention. Yet, the society has not proceeded with this policy; in fact, there is an alternate policy which is supporting the creation of wholly verbal programs—wholly aural programs within the range of services available.

I am just wondering how a community with a concern like this gets their concern across to this department and how that concern would get reflected in policy that would then be instructive to this particular organization.

Mr. Gilleshammer: Well, I am not sure whether the information the Member is bringing forward has been shared with the Society for Manitobans with Disabilities or not, but I am going to be visiting with

them next week. I will take the opportunity to raise that question with them.

Mr. Deputy Chairman: The hour being 12 midnight, committee rise.

SUPPLY—ENVIRONMENT

Madam Chairman (Louise Dacquay): This section of the Committee of Supply will be dealing with the Estimates of the Department of Environment. We will begin with a statement from the Minister responsible, the Honourable Minister of Environment.

Hon. Glen Cummings (Minister of Environment): I would indicate to my critics that there has been a rather heavy sheaf of paper delivered that constitutes what could be my opening remarks. It is not my intention to read them all on to the record. I will keep them very brief. Maybe if we start off in that sort of a mode, we can move through this fairly briskly. I do not intend to give you an hour's worth of dissertation. From this, I would just touch on a few highlights.

First of all, I suppose that I should make some remark regarding the staff in the Department of Environment. I have been quite pleased with the approach they have taken to the volume of work that we have had to proceed with within the department. I want to put on the record that I am well satisfied with the effort that has been put forward as part of the year's work by the members of the Department of Environment.

There are a wide range of issues we have to deal with in the Department of Environment. Obviously recycling is one that is, albeit very high in the minds of the public and a high profile issue, one that has come forward in the last couple of years, last two and a half years as one that more and more people look to the Department of Environment for some leadership. That was the reason we introduced The Waste Reduction and Prevention Act in the last Session and spent some considerable time getting that through the Session, with largely the concurrence of both Opposition Parties when it was passed.

We have now been working within the confines, or with the levers that are available to us through that Act to provide some leadership, and start to get the province into a mode where a recycling capacity is increased and where it is more available across

the province. I am sure we will spend some time on that before the Estimates process is finished.

Sustainable development, I will not spend a lot of time talking about that at this juncture, except to say that the Department of Environment is one of a number of departments across Government that has to be involved in putting forward environmental issues. Decision making and changing the way we make decisions within Government is to a large extent very important in how we put forward the concepts of sustainable development. The Department of Environment is part of that.

I want to indicate to my critics that I hope that they at no time think that we are the only thrust of sustainable development—Agriculture, Natural Resources, Highways, Northern and Native Affairs are all involved, along with a number of others which I have probably not mentioned.

ACRE, an organization that I know my critics are well aware of and have raised questions regarding it a couple of times in the Session—as I indicated at the time when ACRE was set up it was an experiment, I think a noble experiment and one that we want to see become a successful venture. We believe that—well, the figures indicated on page 8—the position of the organization in getting materials into a recyclable position, this was written probably a month ago, and those figures are much better today.

In fact, almost all of the sites across the province they expect to have cleaned up, which is not to be discrediting to other jurisdictions, but in fact does put us considerably ahead of Saskatchewan, for example, in terms of getting the material into at least a manageable position prior to being put into a decontamination process.

Something we spend a lot of time on in the Department of Environment are interjurisdictional and transboundary issues, Shoal Lake, of course, being an example of that. I guess that leads directly into discussion that occurred last week as a result of an introduction of Bill 24 in this Legislature, and one which I hope that we will have considerable opportunity to discuss in committee as well.

The Province of Manitoba has been working diligently to make sure that the environmental assessment process in this jurisdiction is a clear and conscious path, that the assessment is of the highest standards, but that we are able to start answering the question to the public about whether

or not we are making best use of the resources that we have, not only the resources in terms of natural resources, but the human resources and the effort that goes into proper environmental assessment, and the costs that are associated thereto.

I think we need to be very conscious of the fact that the public is becoming increasingly impatient with politicians who spend their days arguing and wrangling and not providing leadership in areas that would allow us to get on with dealing with environmental matters and stop spending the taxpayers' dollars in litigation. The Department has a large responsibility for administering and enforcing Acts and regulations across the province.

We have, I think, taken a very pro-active course in the enforcement of regulations and Acts for which we are responsible, but there is no question that any regulatory authority in Manitoba or anywhere else across the country could always be indicated that they could do more in terms of regulatory enforcement. There has to be compliance. There are a number of different ways of getting that compliance, and I do not think that it is always the best judgment of whether or not the amount of fines that are levied, whether or not there is compliance across the jurisdiction. I would think that Members may wish to get into that debate at some point during this process.

The acid rain, of course, requires some considerable amount of staff's time. Manitoba is on target in terms of reaching acid rain reductions, or sulphur emission reductions. State of Environment Report is one area that we are again, as a result of the Act that was recently proclaimed, The Manitoba Environment Act. Manitoba is required by the Act to produce a State of the Environment Report every two years. We believe that we are on target or close to being on target to have that State of Environment Report ready for the spring. Certainly, we have dedicated staff to it.

We have had interim reports to me and to the Round Table, indicating the work and how it is proceeding. I think the work that I have seen up to this point indicates that there is a high degree of effort and quality being put into the writing of this, the first State of the Environment Report. In fact, it will make us the second jurisdiction in Canada to have a State of the Environment Report, Quebec being the other jurisdiction. While theirs is not available in both languages, ours will be, which I hope will be available in the schools across the

province and available as a reference point for not only our young people, but for anyone else who may wish to use it as a benchmark and a basis for future discussions regarding the environment.

* (2010)

Canadian Council of Ministers, I have taken, as did my predecessor, an active part in the organization. I just returned from the CCME meeting on the West Coast from last week, and I want to report that I felt that it was a productive meeting. In fact, all 10 provinces and jurisdictions—pardon me, all nine provinces minus the Province of Quebec and the two Territories did reach a large degree of agreement and understanding in our discussions with the federal Government. I think it was a worthwhile effort, one from which I think we will see some productive work and the results of some productive work. I want to publicly express my appreciation to the Members of the Opposition for being tolerant while I attended that meeting, because I believe it was important that Manitoba be represented there.

Ozone regulation, we introduced that a year ago and we are working in that area. Radon, is the same. Departmental organization, the Manitoba Department of Environment when it became a stand-alone department we moved into a considerable amount of reorganization. The reorganization is laid out in this statement that you have in front of you. Hopefully it will give us an opportunity to deal more effectively with environmental issues and increasing public expectations. One of the basic tenets of the reorganization of the department is that we will have more people in the regions with decision-making authority, so that various environmental licensing and authority requirements will be able to be dealt with at a regional level, rather than a centralized one.

So this department, through a reorganization that was started some two years ago, has fit rather nicely into the decentralization efforts that the Government has made, and we have been able to co-ordinate the two, I believe, quite successfully.

There is a fair bit of detail here which I do not think you are going to want me to read into the record, but let me indicate that the staff resources are increasing by 13 SYs, approximately a 7 percent increase over a year ago. Within that staffing, we will have an additional staff Member for WRAP.

We will have an additional six SYs for

departmental monitoring and inspection activities. We will then be able to use that enhanced capacity, two SYs respecting administrative support, two respecting approvals in the administration area, Environmental Management Division. This will give us a broader approach to being able to deal with the issues that come in front of us.

We will have two new SOIs respecting Clean Environment Commission which is an area that has received a considerable amount of scrutiny and pressure during this past year. At the same time, we relocated two SYs from other parts of the department into the Clean Environment Commission in order to enhance their ability to meet the workload that they face. That workload, I should indicate—and as I am sure the Members may have deduced—that workload varies considerably from time to time, a little difficult to staff up for a full workload and then possibly have it trail off unexpectedly when the number of applications have been reduced.

I would only indicate that when I first came into office, I met with the Clean Environment Commission to introduce myself and to gain insight into what they wanted to tell me as a new Minister. Their indication was that they felt they were being underutilized and that they had not had enough of a workload at that point.

Since I have become Minister, I think that they very much—while they do not regret those words—I think that situation has changed dramatically to the point where there were a couple of points during this past year when I would be the first to admit that they were overworked and therefore we have made an allocation to make sure that they have additional resources of staff to deal with the workload, that we anticipate their having to deal with on an ongoing basis.

Bearing in mind that the Clean Environment Commission was going through a change under the new environment Act being introduced, that the amount of referrals that we would have at the Clean Environment Commission, I think it was obvious would increase. It is not necessarily a reflection on previous directions that occurred. It is simply a reflection of the reality of where we are today and dealing with environmental issues and how the public expects that the Clean Environment Commission will have the opportunity and will take the opportunity to be involved and to provide advice to the department on licensing procedures.

I think I will leave my remarks there. I would encourage my two critics to respond, if they wish, and then we can get into detail.

Madam Chairman: We will now have the customary reply by the critic from the official Opposition, the Honourable Member for Radisson.

Ms. Marianne Cerlill (Radisson): Madam Chair, I am pleased to put some of our Party's concerns on the record regarding the environment.

Our Party is committed to changing the way that our society does business. There is no other place where that is greater needed than in terms of the environment. The environment, I think, has been where we have taken a free ride. Our economic development, as we all know, cannot be sustained any longer by the environment.

It seems though, that this Government is not willing to change the way it has been doing business. I refer to its approach to the environment as a lot of public relations. We have them spending \$200,000 a year on consulting with members of the public on theory, but when it comes to any decision that has been made in the development of projects, it seems there has not been one decision that has been made in favour of preserving the environment. Issue after issue, this Government is not making sound environment decisions. We have a number of concerns around that.

The environment in Manitoba under the current system really does not stand a chance. We have a system where business and Governments that have a lot of money completely set the agenda, set the terms and call the shots. Environment activists in the community are expected to jump to it whenever there is a new development and show, with limited resources, why it should not be done the way it has been proposed. There does not seem to be any willingness to involve true environmental protection in the development of projects, be it in mining or hydro development or even in the development of corporate offices.

The other thing that this Government has chosen to do is to hide behind a policy which was developed to start incorporating some public consultation and input in the development of the CEC, the Clean Environment Commission. This Government continues to hide behind the fact that these panels are being consulted. We have a lot of concern about who is on the panels and the qualifications of these

people and the fact that more often than not they are political appointments. That has become the case.

A lot of times it seems that these environment assessments that are happening, both provincially and federally, have become something that developers, be they private or the Government, see as something to get by or get around as quickly and as easily as possible. That is also evident in the new legislation this Government has proposed which wants to expedite the process rather than strengthening the protection of the environment, the process that is supposed to ensure that.

There does not seem to be a lot of new research in the department into new alternatives for areas in other departments, Agriculture, in some of the Crown corporations like Hydro. The bottom line continues to be that protection of the environment has to be economically viable, expedient. The realization has not come to this Government that we can no longer put that kind of price tag on the environment, that we do have some difficult decisions to make that are going to cost some money, and we do not see the kind of increase in the budget necessary from this current Government.

Some of the examples in the decisions I am referring to are—I was just talking about Hydro in terms of the development of Conawapa. We have ridiculously low conservation standards. We have other places in North America that set 50 percent standards for conservation, are meeting those targets and have found ways to reduce the need for development, which is taking up a lot of money that could be put into better use to conserve energy and protect the environment, rather than continuing on the way that we have been which is build and exploit and not take the kinds of precautions that are necessary.

The same is true in one of the other areas of recycling. We have seen where the Government has taken what I think is the lowest tactic of blaming agencies for not spending their money wisely. Yet they are showing no leadership in approaching the city to use the \$14 million that the city spends annually in Winnipeg to start collecting trash differently and start finding ways that garbage can be collected and use the money that is already allocated rather than having these small amounts of money to small organizations which are easy to close.

* (2020)

The same is true in the area of wildlife management areas, where we have seen a profound precedent being set with the development of a corporate office in a wildlife management area and the fact that it is what some would think a conservation building does not make really much difference, it still is an office structure. It is in an area that was supposed to be under law protected from this kind of development. We have seen a Government which has put pressure on rural municipalities and not listened to community organizations, set up a system again or use a system where the community has to defend and respond rather than being consulted at the beginning of a project.

It has been quite divisive in the area of Oak Hammock Marsh, where there was a management group that had been working co-operatively—Government, Ducks Unlimited and community organizations—having an influence in that area, and when this building was proposed that group was excluded in the planning.

What they are creating in this wildlife management area is not a situation where people can see the environment in its natural state, but they are proposing what amounts to a zoo and creating what is going to be where you can look at murals and not actually go and enjoy what I think people need, to get out there and enjoy the natural environment.

One of the other issues that we have had concern about where it is the easy short-term solution is in the Pembina Valley, in the Pelican Lake diversion, where again it is a large amount of money that is being used to create a project which does not have conclusive results which a lot of people feel is going to prevent people downstream from having the water that they need.

The other clear example of where this Government is going backwards in terms of the environment was their support in the decision to use chlorine bleaching at Repap. We have other provinces in Canada which are trying to get away from using chlorine bleach. In Manitoba that has not been the practice. We have a Government that essentially wants to go backwards in choosing to. They drum up fears of the industry of Repap not being able to continue, but there are lots of cases that show in Europe where there are technologies to support the development of the pulp and paper industry and not have to resort to using chlorine

bleach and manufacturing the paper which is produced by that process which we would hope the Government would be encouraging businesses and the public to be moving away from. But, no, they seem to think it is okay to buy into the demand for that kind of paper rather than trying to look at how we can create markets so that paper is no longer needed or used.

These are some of the examples where there has been no incorporation of sustainable development, and it has been business as usual. The budget we are going to be looking at shows no increase in what is needed to address a lot of the problems. I did not talk about problems of reforestation or a lot of other issues we hopefully will get to through the Estimates. The other thing that has not happened is there has been no increase in staff in what they promised for 1988.

I think I will conclude my initial comments there. Thank you very much.

Madam Chairman: We will now hear from the Critic for the Second Opposition Party, the Honourable Member for St. James.

Mr. Paul Edwards (St. James): Thank you, Madam Chairperson. I am going to start my remarks by saying I do not intend that they will be lengthy. I appreciate the Minister's curtness in not reading through this lengthy transcript and I undertake and tell him that I will certainly read it, and I appreciate his not reading it into the record.

I think we have lots of work to do in the ensuing days, and there is certainly going to be lots of food for thought in the coming hours as we go through the Estimates process.

Simply by way of opening statement, I want to say that we certainly share the spoken concerns and statements of the Minister of the Environment (Mr. Cummings) in most, if not all, cases. The commitment which is spoken by all Parties—and I think we have to be candid as politicians that this issue has been a lightning rod for rhetoric like none other in the last couple of years and shows no signs of abating. It is that kind of an issue. It is popular with the public and that draws politicians, in particular those in power, to try and outdo each other in terms of appearing green and sensitive to the environmental issues. I think that the cynicism we are seeing in the public about politicians generally will increasingly be reflected in this area.

My sense is that—and I think my colleagues

probably share it, they having visited many doors in the last election not so long ago, as I did—Manitobans, and I think probably Canadians, have reached the point where they are willing to make sacrifices for the good of their natural environment. I think that is a very interesting change and shift in the psychology of people as they turn to think of their politicians and think about what kind of a world they want to live in and what kind of a world they want to leave their children.

There has always been, I am sure, concern about the environment, but I do not think until very recently we as a society had reached the stage where people were willing to say, we will pay more for goods and services and we will make extra efforts to recycle and we will pay the price, whatever it may be, in private industry to ensure that our natural habitat is preserved for future generations.

I certainly share those feelings that I had reflected in my constituents, but I also wanted to indicate that sentiment may, in fact, end up costing us. I think this Minister and this Government, my sense—and it may be abated in these coming Estimates—but my sense of it is that they want to be environmentally sensitive, but they do not want it to cost them anything. They do not want it to cost them any money, first and foremost, but also they do not want it to cost them anything in terms of the private sector and their feelings about Manitoba as a place to invest.

I do not say that it has to cost us, but I think that we have to be prepared to pay that price if, indeed, that issue and that choice are put to us. I think Manitobans expect that from us, not just to look at the bottom line, and to be prepared to say no to things that are profitable in order to preserve the environmental integrity of this province.

I also want to say, by way of general statement, that we in Canada, we in Manitoba, are blessed with natural resources and environmental richness unmatched in this world. It seems to me that we have every reason to lead the western world in our environmental commitment to clean water and clean air and spaces that people can enjoy and can use for generations to come, and that are not destroyed for the profitability of the moment. I think that is the essence of what we are being called upon to do by the citizens of this province.

Madam Chairperson, there are a number of specific initiatives which this Government has

become involved in that sounded great at the time that they were announced and which have come, in my view, to be less and less impressive as time goes on. It does not mean that the pamphlets do not keep coming, and the nice-looking brochures. They have come in volume and they have all been interesting reading, but I was particularly struck by this when I saw the synopsis of the Round Table and where it had come. As I went down that list and looked at the things which they were going to be doing, that is all it was: things they were going to be doing, in progress, high priority, statements like that. There was not, in my mind, much evidence of real movement and real progress in the last two years of this Government.

I think the concept is good; Round Table concept obviously is one that is important and is welcome. But you cannot just give people window dressing anymore on this issue; you really cannot. They know better. I think that they are looking for a real commitment, and they are willing to pay the price. That is the significant change, I think. Even in my brief tenure in politics, I think that the average Manitoban is ready and willing to pay the price, whatever it be, to leave an appropriate legacy to his/her children in future generations.

* (2030)

With respect to the issue which has come up in the last week, in particular, in Bill 24, but it has been around for sometime, dealing with how we do our environmental impact assessments. That is going to be an issue that I want to hear from this Minister on. I read his letter to interested people in the community. The letter was back, I believe, sometime in September or October; it is undated. It is titled: Dear Citizens of Manitoba. I am sure he remembers it. It attached to it the proposal to undertake co-operative environmental assessment, and then it attached some draft regulations. It called for contributions and public input on the issue of co-operative environmental assessment. Nowhere in this document did I see, or do I see tonight, reference to the ability of a Government to abandon the environmental assessment system. That, in fact - (interjection) -

Well, the Minister says that is not what is intended to be done. Bill 24 indicates in part of Section 2: The Government of this province—now let us keep in mind that it is the provincial Government whose primary responsibility the environment is. The environment becomes a federal responsibility in

federal areas: offshore waters, inland navigable waters, and interjurisdictional, interprovincial projects. The federal Government becomes involved through - (interjection) -

The Minister says, anywhere you can find a fish. Well, the primary responsibility for the environmental integrity lies with the provinces, and Section 91 and Section 92 of the Constitution will tell you that, and this Minister knows that. This Bill, The Environment Amendment Act, purports, seeks, to allow Cabinet to enter into an agreement with any other jurisdiction—it could be the United States, it could be Saskatchewan, it could be Ontario, it could be the Northwest Territories—to establish a joint assessment process. Fine, that is well enough; that is what he talked about in his papers, a joint assessment process. Or (b) “to provide for the use of that jurisdiction’s assessment process;”: Madam Chairperson, that, in effect, would allow this Government—where we had five percent of the environmental effect, or 95 percent of the environment effect—to take on the environment assessment process of the other jurisdiction that was affected. That is a significant, a major alteration in the thrust that this Government purported to be taking in the letter of just weeks ago.

This Bill then goes on to talk about - (interjection) - The Minister of the Environment (Mr. Cummings) says, read between the lines. In fact, there was no reading necessary between the lines, let me tell you. I know that the Member for Portage does know how to read, and I anticipate that he will take a look at this, and he will read sub (b). No need to read between the lines, it is there in black and white.

I think that when we saw that Bill, given the past rhetoric and the past discussions about all this environmental friendliness of this Government, and how very little had in fact been accomplished, we were quite rightly suspicious of this Government’s motives. That suspicion was confirmed, Madam Chairperson, when you turn to Section 4, which talks about this Act being retroactive: “. . . deemed to have come into force on November 1” of this year. I very much look forward to this Minister addressing that retroactive section, because there may be—the Premier is sure as he sits up there and says: Wait until we hear from the Minister of the Environment; you will be appeased; you will be aching to pass - (interjection) -

I know. The Minister of Environment (Mr. Cummings) says, their House Leader told him to sit

down. The Minister of the Environment may remember. Maybe he did not hear it, maybe I should heckle louder, but I did yell at the time: I want to hear the Minister's answer. I did say that at the time, Mr. Minister. I did. I asked to say that, and I want to be clear on that.

I certainly wanted to hear his answer because I have been waiting for that answer ever since the Premier (Mr. Filmon) told me—well, he called me a nasty name first, and the Minister of Environment missed that. He was forced to withdraw that name, but then he said, when my Minister returns, you will be not only satisfied, you will be welcoming this legislation. You will want to pass it in with all due speed. My Minister of Environment has all the answers on this.

So I am very much looking forward to them, and I think that this is the appropriate venue. I hope the Minister agrees to discuss this. I realize it is a Bill before the House, but I think it fits in, certainly with many of the comments the Minister was making about joint processes and co-operative nature, the tragedy of Rafferty-Alameda. So I look forward to hearing from him as to why he would require to make this Bill retroactive.

That is a highly unusual tactic to make a Bill retroactive. It is really, in the words of some much more experienced legislators than myself who I happened to meet this weekend -(interjection)- That is the most, the Member for Portage la Prairie (Mr. Connery) says. I agree with that. In the words of some, it is totally undemocratic, and it is. Retroactive legislation is heinous in the extreme in a democratic system. Legislation should not be made retroactive.

It should be only from the date it is passed forward, unless there is an extremely, extremely important reason such as the re-enactment of our Statutes into French or something like that, but this in fact—it is going to be very interesting to hear the Minister's reasons for that, and I look forward to that. I do not prejudice him. I simply say, suspicions which were raised in the first page of the Act were confirmed in the second page.

Madam Chairperson, there are going to be many, many major initiatives in this province in this next Government. Rafferty-Alameda, we have seen, was a total and abysmal failure, and if Canadians are depressed about the state of the environment, they have every reason. Rafferty-Alameda is two dams which are being built ostensibly illegally. The

Premier of Saskatchewan alleged a deal that had been made in the back room. Apparently, he got to court and he won.

Apparently, those projects with massive environmental impact are being built without an adequate environmental impact assessment. That type of back-room deal, which Bill 24 contemplates and which may in fact have already happened, is exactly what has Canadians depressed about the people who lead them and govern them, and their real commitment to environmental assessment before construction, Madam Chairperson.

Now we have Conawapa, we have Bipole III, we have the north central transmission line, and we have Repap, all of which are major projects that are coming up in this province with major environmental impacts. -(interjection)-

The Member for Portage la Prairie (Mr. Cummings) does make a good point that in the prior administration there were no environmental assessments on, in particular, the Repap. It was then Manfor. I hear the Member for Radisson (Ms. Cerilli) saying she is not apologizing. I welcome that honesty on her part, that there is nothing but apologizing to do for that Government. That Party seeks to just move forward, because that is just a period of their history they would rather forget.

* (2040)

I also want to say one of the shining lights in the last year for me, the Minister of Environment (Mr. Cummings) may agree, was Bill Blaikie, M.P. for Winnipeg-Transcona, when he stood up in the House of Commons. I actually read this into the record a month or so ago. He in all candidness and in all honesty painted the picture of the New Democratic administration in 1986 and '87 with respect to Rafferty-Alameda, and he talked about the secret deals that this Government under Howard Pawley was willing to enter into on Rafferty-Alameda. He talked about how they had missed opportunities and had painted a picture to the public that there was no environmental impact, and this is all recorded in the House of Commons Hansard. I hear the Member for Radisson (Ms. Cerilli) saying—

Madam Chairperson: Order, please. The Honourable Member for St. James is completing his debate, his introductory remarks.

Mr. Edwards: I think these are very important introductory remarks to make, Madam Chairperson,

and I simply want to say that I think the Member of Parliament for Transcona's honesty about his own Party's gross failures in their tenure was a refreshing sign of honesty from any elected politician, and I certainly, for my part, congratulate him on that candidness.

Madam Chairperson, as we head into the details, having outlined some of those major thrusts which I think we all agree with, which is that we must become more environmentally responsive, I think we have to seek, in this Estimates process and in the coming term of this Government, to go beyond those words and to deal with the real desire of Manitobans to deal effectively with the environmental concerns which face us. I think it is sometimes daunting to look around the world and see problems which are much bigger than we can manage on our own, but we have a responsibility in our own corner of the earth and it is not a small corner, it is ours, it is ours as stewards of this province and we have an enormous wealth, environmental wealth, in this province. I think that what we can do is take care of this province and I look to show the rest of this nation and indeed the world, in Manitoba we can take care of our environment and preserve it for future generations. Thank you.

Madam Chairman: I would remind Members of the Committee that debate on the Salary for the Minister, 1.(a), page 54, is deferred until all other items in the Estimates of this department are passed. At this time I would invite the Minister's staff to take their places in the Chamber.

Mr. Cummings: While staff is coming down, perhaps we could entertain ourselves for a couple of minutes by allowing me to respond to some of the things that my critics put on the record regarding the record of this Government and our approach to environmental assessment and environmental protection. I will not get into great details of debate right now; I will respond directly to questions.

There is one area that I would like to touch on and perhaps we can dispense with it at this point, and that is the reference that was made to the Round Table in this province. While I am a member of that Round Table, I am not reporting to the Legislature directly responsible for the Round Table, but I also have the privilege of sitting on the national Round Table, as well as the provincial one, and I have to indicate that both forums are allowing for people of very varied backgrounds to have an opportunity to

have direct input—eyeball to eyeball is a phrase that I like to use—with the legislators and with the lawmakers of the province and of the nation regarding environmental matters.

I take some umbrage at looking to the provincial Round Table here in Manitoba and saying that they have not accomplished anything, that they still have a long way to go. We all have a long way to go in terms of environmental law, environmental protection, environmentally conscious decision making, but I would like to indicate for the record it is my opinion that the Manitoba Round Table has provided one of the leading examples across the country in terms of its ability to contribute to environmental decision making and give the Ministers of the province the direct advice from those who sit on that Round Table.

As a matter of fact, the Sustainable Development secretariat in working with the Manitoba Round Table has had the privilege of providing a number of working documents and beginning strategies to other Round Tables and to the national Round Table as a starting point from which they would want to take off on, on some of their own deliberations and formulation of strategies for environmental protection and sustainable development across the country. While that may not answer the concerns that the Members have, I do want to clearly state that I think the provincial Round Table that we have has accomplished a great deal and that in the next period of time you will see a number of completed documents and strategies coming forward, but I want to stress that the real value as well of a Round Table is the advice coming from some very highly respected people from very varied backgrounds, from farm organizations to the Manitoba Eco Network, to presidents of large multinational corporations who are willing, free of charge, to provide time and advice to the Government of the Day.

Madam Chairman: Item 1. Administration and Finance \$1,953,800 (b) Executive Support: (1) Salaries.

Ms. CerlIII: To begin with, I would like to ask the Minister to introduce the staff that have joined him.

Mr. Cummings: David Johns, Acting Deputy; Wolf Boehm, who is responsible for Administration and Finance; and Carl Orcutt, who works in licensing and environmental regulation, and a number of other duties.

Ms. Cerilli: Since the Minister was recently at a number of meetings regarding the environment, I would like to start off having the Minister give us an update, or report, of the meetings.

Mr. Cummings: I am sorry, was that regarding the CCME meeting that I just attended, and the national Round Table?

Yes, I would be pleased to comment in those two areas, Madam Chairman. First of all, the national Round Table met a week and a half ago. At that meeting a number of proposals that are still ongoing from different committees within the Round Table were reported to the Ministers who were in attendance, who were, in this case, Mr. de Cotret and Mr. Wilson, the Minister of Finance. The committee that I am part of is the National Education and Communications Committee, and we did propose some thrusts from that committee to the national Minister of Environment. I am not going to get into the details of proposals that were put forward. These are in the form of confidential information to the Minister, and they will be made available as they become further developed.

We also had an opportunity to review the Green Plan, and the Minister received comments from a number of people around the table. The national Round Table also has, besides the committee I sit on, a number of committees, one of which is International Affairs, dealing with environmental matters and sustainable development on a national scale, and committees dealing with packaging and waste reduction. Decision making is another important committee, one of which I very much relate to our own Round Table, whereby advice is given to the Government on how they might improve the decision-making capacity and the interdisciplinary relationships between the various departments as it relates to environmental decision making and sustainable development.

The CCME meeting that I attended, as I indicated in Question Period, the first and the most important item on the agenda was harmonization of environmental assessment. I think that is the area where the Member might probably want to spend some considerable time and discussion, because it relates directly to the Bill that we have in the House here.

* (2050)

We also spent some time—if I could bring down my notes and respond more fully if I had them in front

of me, we worked on sulfur emission level goals and objectives for the national scope. We made recommendations on ground ozone, starting to set definitive action plans as to how we will keep the ground ozone in this country reduced to environmentally acceptable levels, bearing in mind that Manitoba is one of the areas in the country that does not have a problem at this point. Certainly it is a problem in the Maritimes, southern Maritimes; it is a problem in southern Ontario; and there is certainly a problem on the coast of B.C.

We, fortunately, get a great deal of spin-off from actions that are taken to reduce automobile emissions, for example, because obviously cars and trucks are not manufactured for this market alone, and we receive a great deal of spin-off from that.

There are a number of other items on the agenda that were dealt with. I just cannot call them to memory by heading, at the moment. The basic discussion, however, on harmonization of environmental assessment centred around the present federal Environmental Assessment Bill that is in Ottawa. As all of the provinces attending and the two territories agreed that we would make presentations to the committee in Ottawa. Those presentations will be made tomorrow; they will be made by Mr. Reynolds, the immediate past chairman of Canadian Council of Ministers of the Environment.

There were discussions held between officials and between Ministers as to various amendments that we felt would be positive in dealing with the Bill, recognizing the jurisdiction and the decision-making responsibility of the federal Government and also recognizing the work and the decision-making responsibility of the various provincial and territorial areas as well—which raises the other issue that was brought to the table and that was whether or not the territories would be considered as full partners at the table as equal to the provinces in decision making.

Relating back to the presentation that we would be making in Ottawa, the committee will hear these representations after almost six to nine months of work at the official level between Members of all of the Ministries of Environment across the country at some points, including Quebec. They do attend national meetings at this juncture, although they have indicated that they were certainly watching and wanted to be involved and informed of what occurred at the meeting but did not send a

representative. They will be receiving all of the minutes in the debate that occurred.

The very interesting part is that with all of the discussions that went on over the past six months, some of it very frustrating from the point of view I think of both the federal and the provincial officials, because of the nature of the debate that was going on and all of the other periphery debates that were constantly clouding the waters—and that is the question of people, instead of looking at what the assessment process really is, and that is that it is a information gathering process so that a decision can be made, that kept getting clouded by the fact that those who, in my opinion, in some instances thrive on that fact that there is confusion in environmental assessment and decision making these days, have a vested interest in not bringing clarity to the information gathering process.

All of this comes together, and I announced at that meeting that the Bill was introduced in the Legislature last week to allow this jurisdiction to enter into joint processes with another jurisdiction, primarily thinking of the federal jurisdiction being the ones that we would almost always be co-operating with or working in conjunction with. The reaction of the federal authorities, my other colleagues at the table, was very favourable. They felt that this was showing leadership and co-operation in dealing with environmental issues and getting it out of a cloudy, legalistic courtroom situation, and into a clearer, decision-making path where the real decisions are based on environmental issues, and not on strictly legalistic interpretations of what are presently lovingly referred to as the interim guidelines which was an Order-in-Council put in place by the federal Government.

That is a very lengthy answer, but it was a three to three and a half day meeting where Ministers came determined that they wanted to provide some leadership in this country. In fact, there were some of us there who are going so far as to say that we believe that what we were talking about is a new kind of federal-provincial relationship in the post Meech Lake era to demonstrate to the people of this country that the provinces and the federal Government can work together to make decisions, that they can provide the kind of leadership that the people feel is needed in this country these days, and I sincerely hope that between now and the New Year you will see the results of those deliberations.

Ms. Cerilli: The Minister referred at the beginning

of his comments to reviewing the Green Plan. I am wondering if he can give us some idea of what his comments and analysis are of the Green Plan?

Mr. Cummlings: Well, essentially I have had, I think it is, four opportunities now to review the Green Plan as Minister of Environment and as a member of the National Round Table. So my opportunities have been doubled in that respect to have some input and some comments on it. I have seen some growth in the areas that the Green Plan addresses from the time that it was first referred to us and when the discussions and deliberations occurred across the country to what the Minister is showing us in terms of the areas that the Green Plan will deal with.

I would only ask the Member to consider the fact that in all instances I, other Ministers and other Members of the Round Table were briefed on a confidential basis. I think that it would be most improper for me to breach that confidentiality, except to repeat what I said and what was quoted in the Winnipeg Free Press, that I am encouraged by what I saw. The plan is a federal plan for environmental improvement across Canada. The areas in which they intend to deal with the issues were outlined to us, and certainly the areas that they are looking at, I am encouraged by. I certainly think that despite how anxious I and other people across the country might be from time to time to criticize the federal Government we all want them to succeed in the area of environmental protection.

When this plan is finally reviewed or released to the public, I am sure there will be criticism, but I think, in the end, any action that goes toward improvement of environmental awareness and protection across the country and the implementation of sustainable development principles will be worthwhile. It will be a degree of reaction that the members of the public will probably have. Beyond that, I will not make anymore comment.

Ms. Cerilli: I have a more specific question about a report that was in the Globe and Mail on the Green Plan regarding changing the emissions standard, or target. Now I understand that it is going to be 60 percent of a freeze. I am wondering if the Minister can explain how that is going to work.

Mr. Cummlings: I have not seen the report that the Member is referring to regarding the—are you referring to the Green Plan leak that was in the Globe and Mail? That was a leak, but I cannot

answer to the voracity of the statements that were made, nor would I if I could.

* (2100)

Ms. Cerilli: Other comments just made referred to presentations that were going to be made tomorrow. Can the Minister explain what those presentations are?

Mr. Cummlings: Yes, it is in regard to the Federal Environmental Assessment Bill that is in committee in the House of Commons now. It is very close to being out of committee. The provincial Ministers of Environment and the territorial Ministers of Environment agreed on a set of proposals to present as potential amendments to that Act. Those proposals revolve around two principles. One is that of interjurisdictional co-operation which Manitoba has had the lead on for the last year and a half; and the second is the principle of environmental decision making and the amendments without going into the details of the amendments.

We stated at our press conference on Thursday in Victoria that we felt that the members of the committee deserved the respect and the decency of being the first ones to, in detail, see the amendments that we were proposing. So we did not release them to the press in Victoria. There are certain principles that are involved, and I am prepared to talk about that.

That one is the principle of interjurisdictional co-operation and the respect for each other's decision-making responsibility in various jurisdictions; in this case, between provincial and federal will be the two jurisdictions. I should not use the word "various." It is the relationship between the provinces and the federal Government.

There needs to be a recognition in the Bill both ways. There needs to be recognition by the provinces that there are a number of things that the federal Government does have a decision-making responsibility for, cannot nor would not relinquish that decision-making responsibility. It also needs to recognize that the large degree of responsibility for Natural Resources were delegated to the—as was indicated earlier by my Liberal Critic, the large degree of responsibility for Natural Resources were delegated some 40 years ago. That needs to be recognized in the manner in which the federal Bill is written.

Flowing from that, there is of course regulations that will have to be attached to this Bill. As with the

amendment that I have introduced to our Environment Act, the regulations that are attached to those amendments or, in this case the new Bill that Ottawa is working with, will be most critical as to how it is able to work.

It was said publicly in Victoria, and I want it clearly on the record here as well, that while I have only been in Government for a short number of years, this was one of the more productive federal-provincial meetings that I have been at. It was stated there by the Liberal Minister of Environment from Prince Edward Island, who said that in 13 years of being an elected Minister and attending innumerable fed-prov meetings—and he is the Minister of Finance as well as the Minister of Environment and the Minister of Government Services and a number of other things that you can imagine in the province of Prince Edward Island—he said this was the first fed-prov meeting where he could truly say that he felt that all Parties came there to work and that the federal Government came there to work with them.

It truly did sum up the attitude of this meeting, and I guess I do not want to raise expectations higher than what can be actually met. The fact that how the amendments work out, how the regulations that are attached to the Bill are written, will all ultimately decide on whether or not all jurisdictions can live comfortably with the Bill. But it is in no way anything more than an effort on the part of all jurisdictions across the country to work together to set up a legislative system that deals with environmental matters and clarifies decision making as much as can be done in this country, because there is no desire nor is there any intent on the part of any jurisdiction to have the decision-making capability taken away from any jurisdiction.

It is the information-gathering process that causes the problems. That is very much what is involved in clarifying the environmental assessment process, because that is what the environmental assessment process is. It is information gathering so that a decision can be made.

Ms. Cerilli: Am I to understand the Minister correctly then that the joint assessment process would not recommend a decision?

Mr. Cummlings: No, I did not say that. Where there is a joint process recognized up front, that joint process would recommend a decision. Both jurisdictions would make their decision as part of

that joint process. If there were situations and you could envisage situations other than major projects where there would be opportunities, for example, if the federal Government had a very large interest in a project and there were almost no provincial interests in a project, then the federal assessment process could gather the information upon which a decision could be made by both jurisdictions. That is conceivable, or the reverse could be conceivable.

What we see happening largely is where there would be joint panels, joint decision making, and there would be one set of hearings and one decision.

Ms. CerlIII: Madam Chair, how would the terms of reference be decided in this new joint process?

An Honourable Member: Through joint process, did you say?

Ms. CerlIII: Madam Chair, in the joint process, as opposed then, if one jurisdiction was given the authority to conduct a process that was going to be used for more than one area.

Mr. Cummings: Well, in a joint process, unquestionably, it would have to be the more stringent process that would apply. Where there was a difference between the way the two processes might apply, it would be the more stringent of the two that would apply. It is the only way that you could probably have an agreement between the two parties. If you are asking how would the guidelines be developed, they would be jointly developed.

Madam Chairman, let me expand a little bit. As we go into developing the terms of reference, setting down the guidelines for the proponents, the more stringent of the two areas would apply. The fact is, in the process itself, the guidelines are set down for the proponent to respond to. In developing those guidelines, the two jurisdictions would jointly lay those down so that the proponent would respond to one set of guidelines that would then be part of his application and public hearing process to the one joint process.

Ms. CerlIII: One of the concerns in the public is that there is no participation or involvement of the interest groups or the interveners in the setting of the terms of reference. Would that be dealt with under a new process?

Mr. Cummings: The two areas, I think, can be quite compatible. If I go back to the fact that the Province of Manitoba, for example, does take our guidelines

out as interim guidelines for a response from concerned public which would very likely be environmental groups or advocates, if you will, and the same thing happens under the federal process where they have what they call scoping hearings, I believe is what it is referred to which essentially provide for public input before the final guidelines are given to the proponent. So the two processes are compatible from the way they operate today, in that I would see—you are quizzing on details of operation that would occur down the road subsequent to any kind of an agreement being struck, therefore a legitimate question, but something that is somewhat hypothetical except to respond that it is not an area that we deem to be difficult to deal with inasmuch as our processes are not that far apart today.

* (2110)

(Mr. Ben Sveinson, Acting Chairman, in the Chair)

Ms. CerlIII: I would like to come back another time to discussing more the new legislation, and move on with some other questions. When I was preparing for Estimates, I was disappointed and was wondering why there is only the '86-87 Annual Report for the Department of the Environment. I would like an explanation. It seems quite a few years ago.

Mr. Cummings: The annual reports are almost ready to publish, the ones that you are missing. We have two ready to go, but they in themselves might provide some continuity of information if the Member wanted to achieve that. They are not related to the documents that I did provide the Member with, which is the supplementary information for Estimates review, which provides some background detail for the Estimates that we are dealing with today.

The detail that is included there is meant to make it a reasonable process in terms of going through our budgetary allocations, and the reasons for those allocations. Those other reports that the Member referred to are in the process of being published and will be available before too long. Frankly, given the pressures of getting other things prepared, they were not at the top of the priority list, but certainly not an attempt to do anything more than get the work done in the most efficient way that we can.

Ms. CerlIII: In the annual report that I have, there was a draft plan that was proposed for '86-87. I am wondering how that plan has changed with the

current Government. It was scheduled to be completed for the department '88-89.

Mr. Cummlngs: Draft plan department?

Ms. CerlIII: For the department.

Mr. Cummlngs: Was it a reorganization plan?

Ms. CerlIII: It was referred to as a draft plan.

Mr. Cummlngs: I am informed that probably the plan that the Member is referring to would have been a draft strategy for dealing with the responsibilities of the implementation of the Act. The department has responded to the implementation of the Act. At the same time, however, there was a reorganization or restructuring of the department in terms of physical organization and lines of authority that has been going on. It started under my predecessor in the department and was adopted last summer in terms of the organizational structure. That was the three or four pages in my speaking notes that I did not read into the record, but does provide quite a lengthy explanation of the organizational structure and the reason for it in the department.

So, if the implication is, from the Member, that by not having the next annual report available that we have somehow been avoiding answering the questions that were unmentioned in the report you have in hand, that is not the case. However, it is more difficult for me to show you the response that the department has gone through in order to deal with the challenge of dealing with the results of the implementation of the Act. With The Dangerous Goods Handling and Transportation section alone, all of the implications that go with it are requiring reorganization and re-emphasis, if you will, within the department, so that we prioritize the areas that we are working in in order to deal with part of the more immediate concerns.

Ms. CerlIII: Under the area of Executive Support then, can the Minister tell us who are the staff advising the Minister, and what are their backgrounds?

Mr. Cummlngs: We have the members listed here; I can go through it one by one. My Acting Deputy Minister, Norm Brandson, has come up through the department; he has been a director within the department prior to coming in as Deputy. If I could expand on that for a minute, I certainly think it is fair and reasonable that Governments should not always look to bring in outside gurus, if you will, to provide the Deputy Minister resources that are needed, and I hope, to instill some sense of trust and

belonging within the department when somebody from within the department can see the opportunity to rise to be Deputy Minister.

Grace Wereta, a long-time secretary to the Deputy Minister, Huguette Lacroix, assistant secretary, I honestly do not have her work experience on hand. I will go on to the next one; Bryan Gray is my special assistant. Bryan came into my office when I was in Municipal Affairs. He is a former Governor-General medalist from my home school. He is a graduate presently continuing to study political science at the University of Manitoba.

Betty Michalchuk, my secretary, came out of the Department of Agriculture, moved into Municipal Affairs and came over to Environment with me when I moved there, a long-time civil servant. Brent Kroeker, my executive assistant, has been with me a year and a bit, has his degree from the university and works in connection with people across my constituency. Pam Shannon came with Ms. Michalchuk out of Agriculture to Municipal Affairs and over to Environment. By the way, they came from Agriculture to Municipal Affairs, both of them, with the previous Minister, Bill Uruski.

Dick Stephens is a long-time employee of the department. I am told that the assistant secretary to the Deputy Minister has been in the Civil Service for 18 years. Sorry, 18 years refers to Dick Stephens' service in the Civil Service. I cannot tell you exactly how long Mrs. Lacroix has been with the Civil Service, probably not a long number of years.

Mr. Edwards: Mr. Acting Chairperson, can the Minister, following from his comments about his discussion in Vancouver, I believe it was, or Victoria, or wherever he met with the other Ministers and talked about co-operative environmental assessment, indicate why this Bill is made retroactive to November 1, 1990, that is Bill 24?

* (2120)

Mr. Cummlngs: No, I did not, but I can. I certainly want to allay any concerns that Members opposite or anyone else might have about reasons for the November 1 implementation date. It is out of an abundance of caution to make sure that we have the ability to scope any proposals that come forward from Manitoba Hydro or Repap or anyone else. We wanted to make sure that date was fixed, because we were not totally sure, at the time of writing this, when it might pass.

Obviously, given the discussion that has been in

the House the last few days, the whole issue of introducing the Bill in this Session has raised some concerns with the Opposition, and wanted to make sure that as the Premier had indicated it is an abundance of caution. It also directly relates to the fact that we want to make sure that we have any and all issues that come forward from the first of November. That includes Manitoba Hydro or anyone else that would fall under this capacity.

I am not anticipating federal legislation to be retroactive. It has nothing to do with that. It has to do with managing the process ourselves so that we can make decisions based on environmental matters and not whether or not it comes before or after a Bill becomes proclaimed.

Mr. Edwards: It is unfortunate. The Premier had indicated that the Minister's response would clarify and convince us that this was all legitimate. I do not understand the significance of November 1 as a day as it relates to Conawapa or Repap, as the Minister has indicated. What happened or did not happen before or after November 1 that requires this legislation to be retroactive to that day?

Mr. Cummings: Let me be very specific. As I said, we were not confident at what time we would have this, and we have had some preliminary interest from Manitoba Hydro wanting to bring forward their environmental assessments. We wanted to make sure that they were clearly included with any amendments that we were making to the Bill, and set up an abundance of caution.

Mr. Edwards: The Minister talks about environmental assessments brought forward by Hydro. Again, what environmental assessments, and what do Manitoba Hydro environmental assessments have to do with this province's environmental assessment responsibility?

Mr. Cummings: I think it is very clear. We have said a number of times that major projects will very likely have both provincial and federal involvement. That is what our amendments are about so that there can be co-operation between the two jurisdictions to deal with the process, not a watering down of the process, not eliminating any parts of the process, but making sure that it is put together in a joint, understandable process.

We anticipated applications from Manitoba Hydro. We put this date on the front of the Bill so that there was no question about what our intentions were, and there is no question here. If I am not

explaining it to the Member well enough, that is my fault. It is not the fact that I am trying to subjugate or subvert the process; I am trying to explain the logic behind it. The logic is there because we want to make sure that the environmental assessment process is well done. We do not want another Rafferty-Alameda transferred into Manitoba. The procedural and the process problems that are there are a nightmare for everybody involved, in this case, the downstream recipient as well. We are being abundantly cautious on how we approach this. If there is a criticism, I think that is the criticism.

The fact is that we need to make sure we understand where we are going. We want to, with the amendments that we are bringing into the Bill, provide the ability, subject to regulations, for this province to enter into an agreement if that is what is possible. We do not know for sure what is achievable, but we need to be able to make sure that our Bill clearly states that I, on behalf of the Government, or the Government, ultimately would have the capacity, under the Manitoba Environment Act, to enter into a joint assessment process.

The first and most obvious one that is going to be coming forward will be applications for process by Manitoba Hydro. There are others. That is why I mentioned Conawapa, but if you have a date and you have a date in mind—and let us face it. I have been to some, and I am putting this on the record, not for a critical point of view, but for an explanation of why we are at this stage of a Session and have this Bill introduced.

It could have been introduced earlier, but we did feel that there was some sensitivity on the part of opponents, both inside the House and outside. We wanted to make sure they had an opportunity to feel more comfortable with what we were doing. These regulations and the amendments to the Bill were out for discussion, some of which were not finished until we were into the month of November. It would have been presumptuous for me to introduce a Bill into the House while we still had public meetings scheduled to give the public some opportunity for input.

It seems to me that it was again out of an abundance of caution or sensitivity, if you will, that we delayed the introduction of the Bill because of the reasons that I just mentioned. It was not to, as I say, subvert the process.

Mr. Edwards: Mr. Acting Chairman, can the Minister indicate when in fact this Bill was ready?

Mr. Cummlngs: I cannot give you a precise date, but you can realize it was only a few lines that the amendments entailed, and the outline of it surely was available to me early on while it was still out for discussion. Obviously, I had a look at what we would be potentially proposing, subject to discussions, but I certainly was not going to put it on the record until we had those discussions and that information collected. I have had some discussion.

Primarily, the discussion was carried on through the House Leaders. There had been some indication early on that particularly the New Democratic Party had some concerns about the introduction of this type of an amendment.

Therefore, I am quite prepared to defend the fact that it is here, that we have brought it here in the form it is because of an abundance of caution on behalf of making sure that environmental assessments are being properly done and that there is no mistake in your mind or the public's mind or anybody else's mind what is intended by introducing these amendments. The date is fixed, and the process becomes clear. Under the Act, we add the regulations which will flesh out the capability that is provided under the legislation.

Those regulations will go out for public discussion. I suspect, as a result of the discussion in this House, that we will find a little bit more public involvement around the regulations than we had around the original discussions and the original drafts that we took out earlier on.

Our process, as developed by the previous Government, as a matter of fact, in the input to The Environment Act, requires that there be public discussion on any regulatory changes. It did not necessarily require that we have as extensive a consultant consultation process as we had for the amendments that are in front of you, but it seemed to me that we were going out there, and we were actually looking under rocks, if you will, to see what problems could emerge.

We did not have any considerable issues that were raised in public consultation. The criticism has come back, how well did you advertise it? How much opportunity do people have to get involved?

Certainly we went back and had another meeting in one of the northern centres after it was indicated that there were other people who wanted to make

presentations and somehow had missed the fact that it was advertised.

* (2130)

The attendance in Winnipeg, I believe, was reasonable—50 people at one meeting. Those 50, I understand, were ones who are the more active in environmental matters, and they had a go at it. It is the same as a lot of other legislation and regulatory change. Eventually you have given opportunity, you have given access; at some time you have to make a decision.

It is the same as our environmental assessment process. One of the problems with the federal interim guidelines is that there is no decision until somebody finally gets around to making one. There is not a beginning and an end. I think that in developing the process to this Bill, we started with public consultations. We have now introduced the amendments. We will take the regs out for consultation; then we will come back and finalize the regulations. We are making, I think, a pretty good attempt to involve the public.

I would also suggest that we want to make sure that we involve more than just a small handful of the public who have a vested interest in debating and debating every colon and comma that we might put into an Act such as this. We want to make sure that the public at large starts to feel comfortable with the fact that there can be environmental assessment done in this province that has a beginning, that has a clear path, that environmental matters are all heard, they are all brought to an independent body for discussion, decision and recommendation, and then it either becomes a go or a no go.

Mr. Edwards: Mr. Acting Chairperson, the Minister spoke about an application from Hydro that he wanted to be sure and cover with this Bill.

I wonder if he can indicate what application he is talking about and if the Government has in fact received such an application.

Mr. Cummlngs: Could the Member repeat that question for me, please?

Mr. Edwards: The Minister spoke about an application by Manitoba Hydro vis-a-vis the Conawapa project. The application he speaks of—of course, we all know about the Conawapa project, its history in this province, the deal that was signed by Premier Filmon and Premier Peterson and the recent PUB decision.

What is the application date that he is talking about? What application is he specifically referring to that Manitoba Hydro would make that fall under this Act, and has he received that application?

Mr. Cummings: When this deadline was put in place, as I indicated earlier, we had preliminary indications that we would likely receive some applications from Manitoba Hydro.

We have now received some applications on portions of their project, so in a sense, our abundance of caution has been justified.

Mr. Edwards: Mr. Acting Chairperson, can the Minister indicate what applications have been received and on what portions of the project?

Mr. Cummings: No, I cannot. I would if I had the information at my fingertips, but the fact is that Manitoba Hydro has been doing work for the last number of years actually in gathering environmental information. Perhaps I can get that from the department here—just a minute.

Yes, we have received application on the dam site and on the bipole line.

Mr. Edwards: Can the Minister indicate the date of those applications?

Mr. Cummings: We received two of them on November 8. We expect to receive some additional applications yet.

Mr. Edwards: Can the Minister indicate the format of those applications? I personally have not seen one. Is there a form or is it a document? What form does it take?

Mr. Cummings: Yes, there is a standard application that they would make, plus they would provide substantiating information at that point based on the regulations that apply under our Act.

I think there is some additional explanation that the Member might well want to consider in entering into this discussion of whether or not it is fair and reasonable to include a date in this amendment to the Act. I think it needs to be very clear that the province, in doing environmental assessment, or the federal Government doing environmental assessment, needs to have the capacity to be able not to look at just small portions in and of themselves.

I think there is another thing that we need to make very clear, that whether it is Manitoba Hydro or whether it is Golden Valley Trailer Court applying for an environment licence, the department's

instructions from me and I am sure from previous administrations are that you work with the proponent to make sure that you show them how to approach the system, how to comply with the guidelines, what is required in assessment work. The fact that we have received some applications from Hydro does not mean that we have received the application.

There is a great deal of work that needs to be done. That is another reason why there needs to be clarity on the beginning date. Does the receipt of some early information constitute an application that could at some point be questioned as to whether or not that was the beginning date and whether or not it would be in or out of any amendments that we are proposing to the Act? It makes a great deal of sense to make sure that we have captured everything that is associated with the project within any amendments that this Legislature should choose to pass, not have to go back afterwards and say well, gee, you know, why did we not do this differently?

We are doing it the right way up front—do it first and make sure it is clear what is included. Then we do not need to—it is good that we have this debate now, not three months from now. By having a date set, as we have in the amendments, we can have that debate now and show that we are trying to develop a clear path, so that the opponents as well as the proponents know what they are doing.

Mr. Edwards: Mr. Acting Chairperson, there is no doubt in my mind that both Manitoba Hydro and Repap will need that assistance from the department because of course they have not been required in the past to have an environmental licence. This would be new to them, the New Democratic Government not requiring Hydro to have one for Limestone, or Manfor to have one when they built many years ago. The application itself—I appreciate what the Minister is saying that the application may be filed in initial stages. I take it he is saying that therefore the department may say, you are deficient in these areas and there may be a process of building an application over a period of time.

The application that has been filed, the material that was filed on the 8th and has been filed since, can the Minister indicate if that is public information, if he is willing to table those applications in the House or whether or not those materials are indeed public because I think it would be appropriate, given that they are—as the Minister says, we want to be sure and have a full public debate?

(Madam Chairman in the Chair)

Mr. Cummlings: That information has not been put on the public registry yet. We are still well within the time frame during which we would be required to do that. I am told it is 45 days, but that is neither here nor there. It is quite normal for it not to be immediately put on the public registry to allow the department to have some opportunity to look at it, perhaps kick it back to the proponent and tell him to do something different.

* (2140)

Mr. Edwards: Madam Chairperson, will the materials put on the file become available 45 days from November 8, or has the Minister sent them back to Manitoba Hydro? What is the status at present?

Mr. Cummlings: Essentially we have not done either, but what we are doing is assessing the information that has come forward. Then we will make a decision whether we refer it back to them or put it on the registry.

Mr. Edwards: Madam Chairperson, has the Minister had discussions with his federal counterpart about the environmental assessment process vis-a-vis the Conawapa project?

Mr. Cummlings: I have not entered into discussions with the federal Government specifically based on Conawapa. My discussions have been through the CCME. Certainly we have been toing and froing on how we can best deal with the issue. The staffs have been involved in discussions both from the province to the federal Government and back again.

In fact, I have a letter going back to Minister Bouchard which I think I referenced in the House here awhile ago, that he was prepared, and he sent the letter to me stating that he was prepared to enter into a joint process on Conawapa. If you are asking me if I had face-to-face discussions with Mr. de Cotret on this issue, my discussions with Mr. de Cotret have been based on the global issues, knowing full well that Conawapa, Repap and many other developments in this province would be affected by decisions that were made.

The staff level discussions, by and large, are with FEARO staff. At the Deputy's level, however, there has been also a great deal of discussion about the general principles. How some of those general principles obviously relate to Conawapa has been of great deal of interest to us.

In terms of face-to-face discussions with Mr. de Cotret on Conawapa, I have no had that. I have had discussions with him at CCME and at the round table on the amendments that the provinces think are important and the progress of his Bill in the House of Commons, because all of this verbiage in this Legislature and every other Legislature in the country, all of the verbiage at the national level means nothing in terms of any real changes until the federal Bill is in place with regulations attached and becomes active.

We are still working under the federal interim guidelines until that day arrives. We are working for the betterment and the longer good of environmental assessment and protection in this country, knowing full well that the guidelines are here today and they will be here until they are replaced. We have some vested interest in seeing them replaced.

Mr. Edwards: Madam Chairperson, when does the Minister anticipate that the federal changes will be in place, including the changes to the federal Environment Act?

Mr. Cummlings: The Member has asked the same question that I have asked a number of times. I will give him the same answer that I have been given. That is, we anticipate that the Bill will clear committee very shortly and go to Senate.

If he wants to help me he could perhaps encourage those whom he knows in the Senate to get on with the process, but then we know that the next process is the writing of the regulations.

The whole federal process that is involved there frankly is somewhat of a murky hole if you will. There are some who think it can be done more quickly than others. It is only a guess on my part. I have received a number of different comments on what that time frame might be. I do not anticipate it being real quick.

Mr. Edwards: Madam Chairperson, I am sorry to disappoint the Minister, but I think there—and I obviously have not seen the regulatory plans that he may have seen, but my reading of the—

An Honourable Member: I have not seen them either.

Mr. Edwards: He said he has not seen them either.

My reading of the federal Act is that in fact there is a lot wrong with some of the amendments which were brought in. I know he has received some of the concerns from the Manitoba Environmental

Network amongst others. I have also received copies of their documents.

Some of the concerns are about federal moves which import in some people's views, and I tend to share them, a much higher level of discretionary power within the Minister's hands and at the Cabinet level. Of course, that is the nature of regulatory lawmaking, as the Minister well knows. Regulatory lawmaking is lawmaking by Cabinet. It is executive decision making.

When the Minister and the Premier say, trust us because our regulations will make clear what we intend to do, we are rightly suspicious, I believe, because regulations do not have to come through this House. I am sure he understands that we as Opposition Members trying to do our job want to ensure that we do not give a *carte blanche* to any Government, in particular on a matter as important and sensitive as the environment and environmental assessment projects, when all we have seen in the last few years has been executive decision making to the detriment of environmental protection.

Executive decision making between Saskatchewan and Ottawa has led to the Rafferty-Alameda fiasco. The only thing which has stopped the political process from steamrolling the environmental process has been the courts. The federal court of Canada has been the vanguard against political deal making. That is clear.

So when the Minister asks us to give to him granting legislation which talks about providing for the use of another jurisdiction's assessment process in totality and then attaches some regulations, which he asks us to pass, which include at the end that the provincial Minister may—then it goes through a list—to determine which projects are eligible for joint review, et cetera, provide for financial and cost-sharing support; 6. provides for any other arrangements that the provincial Minister deems necessary.

I mean, talk about a political *carte blanche*. That is the regulation. That is not the Statute. This is a necessary open-ended document, they tell us, because our regulations are going to tighten this up.

Madam Chairperson, I am sorry indeed to disappoint the Minister, but that is not, I believe, learning from the past mistakes. We would be remiss as Opposition Members if we did not learn from the errors that we have seen, not only in the

past administration in this province, but in the last years in this country—Governments of Alberta and Saskatchewan putting development in their political interest ahead of what was required to protect the environmental integrity of the provinces they represented.

Let me then ask the Minister, based on what he has already said about Bill 24, what he foresees for Conawapa in terms of an environmental review process. What is he after at this point? I mean I realize that it is speculative in that sense, but we have gotten the go-ahead from the PUB; the Premier committed he will adhere to the PUB recommendations. They have said that on a cost-benefit analysis this deal is good; it is going ahead. We are now into the environmental process. That is the next stage. What does this Minister want in terms of an environmental process for Conawapa?

Mr. Cummings: Actually, that is a very easy question to answer, but let me go back a moment to the reference to regulations. I would not want the Member for St. James to suggest, and I do not think he meant to suggest, but it may come out in the record that he was suggesting that we attach the regulations to the amendments that are in the part of Bill 24 and then said, you know, this is a package. Those regulations were out for discussion, and we certainly anticipated and, as a result of the discussions, see that there will be a large number of changes to those regulations.

The regulations will have to spell out very clearly any responsibility that the Minister may take for making joint processes possible or for using for example the federal process. Those will have to be very clearly spelled out and tightened up in the regulations.

The Member asked me to speculate on what I would see for Conawapa. What I want for Conawapa, and this may be too general a response for him, but what I want for Conawapa is that it will go through a process that will respect the federal process, meet all of the requirements of their legislation and respect the provincial process and all of the requirements of our legislation, and at the same time, will be organized into a clearly understandable process for the public and for the proponents, in this case Manitoba Hydro. If we can achieve those goals, we will probably have achieved a first in terms of Canada in recent history.

* (2150)

I think it is fair to point out that Manitoba has not had the same problems as some other jurisdictions have had in terms of working with the FEARO process. Part of that is related to the fact that the Manitoba process is a solid process and the fact that we have been patient here in the province.

I want to give some credit to the officials, Department of Environment, the fact that they have worked very closely with the federal jurisdictions and the federal officials to make sure that, where it was needed, we went out of our way to make sure that any concerns that they were raising in advance of a process or during a process, that they were addressed and addressed properly. That allowed us to work with FEARO and to work co-operatively, albeit some of the screening processes that they have put projects in Manitoba through we were a long time in getting answers, and we have always objected to that.

The fact is that we have been able to avoid, through some very diligent work on the part of a large number of people, court challenges within this province on the recognition of one or the other's decision-making responsibilities. I cannot predict, obviously, what is still in the chute, but up to this point we have done I think above average. Not in any way is the federal authority being asked to forego their decision-making responsibilities; however, we are not renegeing on our designated responsibilities either.

Mr. Edwards: Does the Minister envisage a joint process, that is a process with joint appointments to a panel, joint eligibility criteria for panel members and a joint report at the end of the day?

Mr. Cummings: The Member is asking me to speculate in some sense, and I have learned a long time ago in this building that one should not speculate. It is a great way of getting yourself hung.

The fact is, the scenario that he laid out is a possibility and maybe would be one way of achieving the goals that I stated a moment ago. That would be one way of aligning the two processes to make sure that all of the standards, and the highest standards, on both sides subject to agreements could be met.

Mr. Edwards: Madam Chairperson, yes, I am asking the Minister to speculate to the extent that I am asking him to come clean with what he is after with respect to the Conawapa project. That is

something which is clearly indicated in the public consultation piece, and it is true that it is one of the four major projects that is coming up in Manitoba and could be subject to co-operative federal-provincial environmental assessments as he says in the public consultation piece. I am asking him to indicate with this monumental project in terms of Manitoba's environment as well as our economic future as the Premier (Mr. Filmon) would have us believe that this is very, very important—and Hydro certainly thinks it is important.

You know, he is asking us to support a Bill, which gives him all of the options, the full gamut, trust him. Leave it to the regulatory power of Cabinet to determine the specifics and give him the power to enter into any agreement, any type of agreement with respect to establishing a joint assessment process, or, more than that, providing for the entire assessment process to take place by someone else, and we will simply presumably review the result at that point and make our decision.

He knows full well that a decision by an elected representative is going to be the product of the process, and the environmental assessment process is going to be critical, not just the scoping of it, but also how it is run, how the interveners are funded. It will all impact—the standards and the criteria. He is wanting us to give him the jurisdiction to abdicate that responsibility in some situations, I am not saying in Conawapa.

I am asking him, what does he envisage for Conawapa? I do not draw that conclusion. What I am saying is, he is asking us to give him that authority, which may be used for Conawapa, or the northcentral transmission line or Bipole hydro transmission or Repap, all major projects, and yet he is not willing to tell us what he really wants. He has these four projects; he has known about them for some time. Let him tell this House what he wants to do, and how he wants to run these vis-a-vis his federal counterparts. I think we deserve to know.

Mr. Cummings: Madam Chairman, I am not a coward, but I do not think I am stupid either. The Member is asking me to speculate and put on the record precisely how I envisage the panels being struck. I would like to do that, but I will tell him that I have a reservation about saying specifically this is how it will happen because we are negotiating with FEARO to see if the process, very much as he outlined with that make-up, can be negotiated with FEARO. For him to ask me to say precisely this is

how it will be done is exactly why I believe that we need these enabling clauses with fully consulted regulations attached to them stating under what conditions that type of an agreement could be entered into.

Certainly it is my expectation that we will write some quite specific regulatory requirements, and Members—I am not trying to play games with his words or with my words. He asked me, what did I envisage for Conawapa or for any one of these major projects that we have indicated would probably be a federal involvement?

It is entirely within reason that the type of scenario where there are cross-appointments could be a way of meeting the goal of making sure that both jurisdictions' decision-making responsibility is respected and that the highest standard of either jurisdiction is the standard that is used.

To state that there will be three members, two members or six members each, or whether they will be cross-appointed, those are certainly ways that we can meet some of the obstacles that are out there, but we have not concluded those discussions. We certainly have been working for some length of time to bring some clarity to this area, both in the short term and the long term.

* (2200)

I think he can well appreciate that the two may not necessarily come together within the next six weeks because of the regulatory problems associated with the new federal Bill. It becomes a situation where he is asking me to speculate, and speculating on Hansard is not speculating at all. It is putting your neck in a noose, and frankly, the standards and the goals that we are setting in order to establish the best process possible here is the important issue.

I am not indicating that he should sit back and say, well, the Minister is saying, trust me. The fact is that we are saying to the Legislature, we will work under this regulatory change, or this legislative change, to develop a regulatory structure to achieve the goals that I have clearly stated here a number of times tonight and will continue stating until I am blue in the face, because we will not water down anybody's environmental responsibility in dealing with projects of this magnitude and of this much importance environmentally, or if you want, an importance to the future.

When you were talking about \$5 billion in this province, that is an enormous amount of money in

relationship to the size of our province. The last thing I want to do is to in any way abridge a process that would not be seen to be clear and be seen to be positive in terms of environmental respect.

Mr. Edwards: Madam Chairperson, the Minister indicates that he would hate to abridge a process of this importance to Manitobans. I would have, I think, a little more respect and a little less concern about that statement were it not for the fact that a deal has been constructed whereby penalties in millions and millions of dollars kick in prior to an environmental review even getting started. That environmental review, the Minister well knows, may take months. It may take longer to get going.

In the event that that environmental review is not in favour of this project or requires serious changes which the Parties do not want to accommodate within their existing agreement, there is going to be millions of dollars at stake for Manitoba taxpayers. That, to me, sends a message about where the environment ranks in respect to this deal.

The Public Utilities Board must review the financial efficacy of this deal. We must make sure we are not going to lose any money on it; that is the main thing. At that point we can decide to go ahead, and then we can start building in penalties once we have to deal with the environmental issues. That tells me where the environment ranks with respect to this and other major projects.

This legislation without regulations attached—the Minister is correct, there are not regulations attached. He has just told us that the regulations, the proposals he put out are not the ones he wants. So what are the ones he wants? He says, goals and standards will be maintained at the highest level. Where are the goals and standards in this legislation exactly?

The truth is that the word "highest" and the word "best" are incapable in any real sense of being legislated, because each project is going to stand or fall on its own merits. The environment standards applicable to that project will be different for every project unless it is virtually identical. It is impossible to import into legislation criteria for every project. It is a subjective evaluation, and every politician worth his or her salt is capable of saying, these are the best criteria. Each project will be different.

He is in fact asking for a leap of faith. When the public consultation piece asked for power from Cabinet to make any other arrangements that the

provincial Minister deems necessary, that was a recognition of that need. Now he says that is not going to be in the regulations. Fine. Where are the regulations? If he is asking us to give him a *carte blanche* with respect to a joint environmental review process, a card that allows him not only to establish joint reviews, but to have no review in Manitoba, whose primary jurisdiction the environment is, then he has to be willing to come up with some assurances, some specifics as to what he wants.

Does he want a joint review and, if so, does he want a joint report out of that review? Does he want joint eligibility criteria, joint appointments? He has to be prepared to answer those questions if he wants the Members of this House to give him the power to not only do that but to do far more, Madam Chairperson.

I ask him to tell us what he envisages. I am not holding him to anything. I am not going to say at the end of the day that he has some way of making the federal Government do what he asks them to do. He does not have federal power. I know that. I am asking him to tell us his vision. They tell us their vision in rhetoric and verbiage, in his words, day in and day out.

We get nice pamphlets from the round table. We get nice pamphlets from everybody else filled with all kinds of statements about intent. Where are the specifics? What does he want? What does he see the future holding for Manitoba in terms of joint environmental review process? We have four projects, major projects in this province, and he is asking us to give him a *carte blanche* to deal with those. He has to be ready, and he has to be willing to come up with some answers, which his Premier (Mr. Filmon) told us he was going to have for us.

Mr. Cummings: Madam Chairman, the Member accused me earlier of saying trust him, or that I was telling him that he should trust me. He has now just said the same thing. He says trust me, put on the record anything you want, but trust me, I will not use it against you down the road six months.

As I said earlier, I find the comparison a little bit much. The fact is we know what the federal responsibility is. We talked earlier about the fact that every time you cross a stream you have a federal interest that has a trout in it, you probably have a federal interest that needs to be recognized. That is the kind of thing that needs to be written into an

agreement between the province and the federal Government.

The Member clearly recognizes that the whole process—you cannot take a module from one and put it into the next project and say, well, it will automatically work here. You can take the principles, and that is why I am saying to him I want to talk about the principles of agreements that we could enter into. Those principles are very simple and very clear, and that is that we are not attempting to abridge the assessment capabilities and the decision-making responsibilities of either jurisdiction.

The Member asks would we have joint reviews, joint reports, joint appointments. All of those things will have to be worked through as part of an agreement in order to breach the principles on this. As a legal adviser, I am sure that he would have a better grasp on this than most in terms of knowing that when you write an agreement based on certain predetermined objectives that there are a number of ways which you can get to the same objective, but if you are doing what is required of the original concept that you will not abridge any of the responsibilities along the way. That can be very clearly spelled out under regulatory requirement.

We have worked on Memorandums of Understanding with FEARO in which they are preparing generic responsibilities in dealing with different projects. Specific agreements on each project will ultimately have to be put in place in order to recognize what the Member has correctly identified in his comments a few minutes ago, is that the responsibilities and the problems associated with one process or one project will not necessarily translate into another. He is quite correct in making comparison between Repap and Conawapa. You can appreciate that some of the responsibilities for gathering information may be considerably different because of the vast difference between the two projects.

In either case, or any other case that comes forward, we need to make sure that we recognize the higher standards or you will not have an agreement. That can be quite easily incorporated into regulatory requirements.

* (2210)

The Member tweaks my imagination when he says, what do I see for the future, what do I see for Conawapa in particular and how we would approach

it. Then he asks us what kind of nails would we use in putting together the project. He is not talking about the broad principles on which we have to base the decisions that go into structuring an agreement for joint processes.

He asked me if I envision joint processes. Yes I do, but precisely how you strike an agreement to put those together is subject to a great deal of discussion, and the same principles and goals can be achieved by coming at it from two different directions in some cases.

I am not in any way trying to negate what he is saying, but I think he is simply asking me to put words on the record that may be prophetic and be 100 percent true or may very well be improved upon in a process. Then he would be able to look back and say, see, he only anticipated part of this.

We have anticipated a great deal of what is required. The very bottom line and the thing that we have been talking about all night in terms of discussions with provincial Ministers, the federal Minister and the federal officials is that we have to structure a process that has a clear path and a concise decision-making capability.

Mr. Edwards: Madam Chairperson, the Minister talks about the actual nails that are going to be required in the future to deal with these four projects. He talks about regulations which are going to be brought in through Executive Council, through the Cabinet, will not be required to come through this House. The agreements themselves which are entered into for the environmental assessments will be executive decisions. They will not come through this House.

He asks us to leave the nails to executive decision making, to the same people who built in millions and millions of dollars of penalties should the environmental process deign to find fault with the Conawapa project.

That is, the same people who have tied themselves into a penalty clause if they cannot go ahead are the people whom we are to leave with the executive authority to put the nails in place, the same people who, after publishing in October a public consultation paper which did not mention a word about being able to give over to another jurisdiction the rights and the responsibility of holding an environmental assessment project—not a word, all through here talk about co-operate, co-operative joint assessments, reviews that are

done by both Governments. There is nothing which would suggest sub (b) of this Act which allows the Government to provide for the use of another jurisdiction's assessment process.

That is the same Government that is asking to be allowed to put all of the nails in place. We are just building a framework, they will fill in the blanks.

Madam Chairperson, there is an inherent conflict in what they are doing in the deal that they have signed with Hydro, the penalties which they have put themselves into and the power they are asking for in this legislation and the high words and the high goals and aspirations that this Minister asks us to allow him to prove to us. That is asking a lot, and that is asking us to trust him.

I think—no disrespect to him or to his Government—but I think that if we know something from the last number of years in this country, it is that whatever the Party, do not trust the politicians with environmental decision making, because ultimately if you put the discretion in their hands they will abuse it. They have done it in Québec. They have done it in Alberta. They have done it in Saskatchewan.

We now have four projects of immense significance for this province coming down. I do not think that any of us—I do not know that I speak for the other Party. I do not think anyone in our Party is willing to give that kind of carte blanche to any Government—not just this Government, to any Government—in this day and age with the history that we have had in this country and with the mechanics of this particular deal.

Madam Chairperson, I simply leave that with the Minister. He may want to respond. I want to ask specifically if he has received any legal opinions on the workability, the viability of this Act and, in particular, if he has received one from Alan Scarth.

Mr. Cummings: Alan Scarth does not work for me. I have had the opportunity to meet with him and get the wisdom of his advice. However, I would also indicate to you that there are a number of things that the Member put on the record that I think need to be addressed.

He is very concerned about what regulations might say. I would like to invite the Member to take a look at The Environment Act that we work with today, which is not perfect. I would hate to give too much credit to the previous administration, but it was put together under their leadership. It is very much the case that the regulations flow from the Act itself

and very much the case that the whole Environment Act is based to a large degree on the strength of the regulations that are attached to it.

Members seeking I think some kind of example of how what we are proposing here in principle can be applied specifically, I would invite them to think about the Namew Lake situation, where there was a project in Manitoba that would release water from dewatering process, mining operation, which would flow into a bog which would largely contain and control any potential pollutants but then would flow into Namew Lake itself, which flows into Saskatchewan and then back into Manitoba.

During that process, Manitoba actually made environmental assessment history in this country by asking the Province of Saskatchewan if they had any problem. They did not. We asked our Clean Environment Commission to go into Saskatchewan and hold hearings in Saskatchewan to meet with the people there who had some concerns about what would be perceived to be getting into Namew Lake and hear their concerns and make that part of their information-gathering process and then their decision-making recommendation to the Department of Environment in licensing that process.

There was the beginning of a situation where a process was used by a neighbouring jurisdiction, in this case our process, where the impacts were very small on the other side of the border, but where they used the information gathering capability that our Clean Environment Commission had.

There are an awful lot of variations on that theme. We are all well aware here in the province of how much importance was put on by a number of people, including Members opposite, about whether or not the federal Government and the Ontario Government would be imposing their most stringent standards on anything that might happen in Shoal Lake. The Province of Manitoba really does not have any jurisdiction in Shoal Lake itself, and yet we are the recipient of any impacts that could flow there and would end up impacting on the intake for the City of Winnipeg.

The fact is that we have to start working co-operatively with other jurisdictions, or we are not going to ever be able to address the problems in any real sense. Those are the kinds of broad problems out there that we are faced with. How we deal with each of them individually will vary considerably

based on the real impacts within the province or from the province flowing into another jurisdiction, or in allowing the federal authorities to exercise their decision-making responsibilities to a greater degree in some cases or perhaps to a lesser degree, depending on the area of decision making that they are required to have.

* (2220)

When I talk about a lesser degree, every time we put a culvert in a stream that has an active trout population, there has to be, in some cases where it is considered an important stream, some very, very significant and detailed work done to make sure that any possible impacts are mitigated. That has to meet federal approval in the end. Today it is called screening out. They look at the process, they decide that they could screen it out and that their concerns have been adequately dealt with.

We are not talking about an earth shattering delegation of responsibility. We are talking about trying to bring some practicality to dealing with environmental assessment in this country and specifically here, in how it is done in this province.

By enabling us to work co-operatively with the federal jurisdiction, and that is the jurisdiction that is envisaged almost exclusively in these amendments, then I think the Members would agree that there needs to be some flexibility in writing the type of agreement that would ultimately be achieved.

Those who are opposed to this type of work are those who have a tendency to thrive on the fact that if they do not achieve satisfaction with one level of decision-making authority, they want to be able to go to another one and another one, and keep the appeal process going, not the environmental assessment work that is so important in making sure that you have a go or no-go decision, or whether or not the environmental impacts can be mitigated. That is not a degradation of environmental standards, it is an acknowledgement that the public is getting sick and tired of duplicity in this country. They want their bureaucrats and their politicians to make decisions, to make the right decisions, but at least make them.

Ultimately, we do have to take responsibility for the decisions that we make. How we get there is what we are talking about here, how we gather the information in order to achieve those decisions. I think that what we are proposing are fair and

reasonable conditions under which we could approach making agreements that will allow us to use the highest possible standards and make it possible for decisions to be made. Those decisions could be no, they could be yes.

I take some umbrage at the reference to the fact that there are penalty clauses in the Conawapa sale arrangement, because what that does is require both parties to make decisions on a timely basis and indicate whether it is a go or no-go situation. That does not compromise the process or the project, it simply means that there are decision points that have to be approached. It is my job, however best it can be done, to make that decision-making process possible.

Mr. Edwards: Madam Chairperson, with respect to the penalty clause, the Minister knows full well my point, which is that as time ticks on the environmental process may take longer than he thinks it will. It may not get started at the same time that he thinks it will. The cost of withdrawing gets higher and higher and higher.

The significant reason that this province would not go ahead with Conawapa, as it now stands with the PUB report, would be an environmental reason, and he knows that full well. That is what he set himself and this Government up for in terms of a criticism. Do not blame us for making that criticism, because they set themselves up. They built in penalty clauses which commenced not after the review of the decision as an appropriate cost-benefit analysis, which was important to do in front of the Public Utilities Board, but instead of holding off penalty clauses until after the environmental review was done, the penalty clause starts January 1, 1991.

The environment review process will not get going until well into 1991, I would think, and certainly may take all of 1991, if not more, to complete. It is a perceived conflict. Whether or not it turns out to be in fact, the Minister knows, like all Members know, that especially with respect to the conflicting tensions the Government faces, perception is reality. They have put themselves in a position where their true commitment to the environmental process as a first step, a necessary first step, is under question. It is under question.

With respect to the statement by the Minister that people of this country are looking to get away from duplicity, what they do not want is duplicity, I am not sure that is true. I think what they do not want is

complicity. I think what they do not want are Ministers from the two levels of Government getting together and saying, I know we both have to do these environmental reviews, but let us just do yours, like Lucien Bouchard said to Grant Devine. Let us just do yours, that is good enough for me, and then let us get a go-ahead and build this thing.

Then when they get taken to court and they lose, they say well, we have to appoint this panel, but we will pay you a million bucks a month while we are doing it because we recognize we kind of screwed up on our original deal. While we are doing it you can go ahead and construct the dam anyway, which is what happened. The review panel, to their credit, said, this is a sham, and quit, as did the high ranking Civil Servant of the Day in Ottawa, Elizabeth May, in disgust. That is the disgust.

I would suggest to the Minister that the most popular environmental activists right now are the federal court justices. They are the people who have stopped the process and taken it back to the environmental review, taken it back to the people, what the politicians were telling us they were doing, but they never did. They never did with any integrity.

I hope when the Minister says, what we do not want is people bouncing from one Government to the other, I hope he is not referring to Rafferty-Alameda, because far from bouncing from one level of Government to the other, what really happened was the two levels of Government got together. They were together all along. They were together up until September of this year when they got caught again. This analogy about duplicity and about going from one Government to the other does not work on any project that I know of in recent history.

Madam Chairperson, specifically with respect to Mr. Scarth, I would like to know what advice he gave this Minister on this Act.

Madam Chairman: Order, please. I hesitate to intervene at this point in time, but I feel I have been very lenient with respect to the relevancy and would suggest perhaps that the committee get back to the consideration of the Estimates and leave this debate for the second reading of Bill 24. Rule 64(2) points out that speeches in a Committee of the Whole House should be strictly relevant to the item or clause under discussion.

* (2230)

Point of Order

Mr. Edwards: Madam Chairperson, we are on Sub-Appropriation 31-1B, Executive Support. You may want to refer to the Departmental Expenditure Estimates for the Department of Environment which indicates that one of the activities identified is to provide "overall policy direction for departmental programs."

The Minister has outlined, as one of the departmental programs, the objectives of his Government with respect to joint environmental assessment reviews. This Bill is critical to that overall objective. This is entirely appropriate questioning. I would ask for your continued respect for the debate which is going on presently between the Minister and myself.

Madam Chairman: On the Honourable Member's point of order, it is not completely a point of order. I agree with you in terms of the policy that relates specifically to the jurisdiction of that department.

However, when reference is being made explicitly and directly to the Bill, then I am afraid it is not a point of order, and it is not relevant to the clause under consideration.

* * *

Mr. Cummings: Madam Chairman, I have some sympathy for your situation inasmuch as we have spent probably the better part of an hour and a half, two hours almost, on discussion related to joint environmental assessment process.

Let me indicate that the Member is saying that he has some unease, and he looks to the federal appeal process. I would only remind him that Justice Muldoon was the one who said, embrace the guidelines warmly. It seems to me he said that in relationship to the Rafferty-Alameda decision, the first one, and that is now being cited as a precedent in terms of judicial admonishment, if you will. The fact is that is what we are trying to do, embrace them warmly, if you will, to use the Justice's terms. We want to work with the process. We are not trying to buck the process, and the fact is there are between 40 or more, perhaps closer to 50 now, joint reviews under way in this country.

What we are trying to do is make sure that we have legislatively given ourselves the tools we need in order to structure joint environmental assessment processes that will work for the benefit of the environment but will have a beginning and an end

and will answer the questions of both jurisdictions. I hope that the Member would appreciate that if we cannot do that, that the decision-making process in this country is being abrogated by those who were elected to provide some leadership and provide some direction and environmental regulation in the provinces and in the federal Government.

To try and relate what we are doing here somehow to the misfortunes and the downright unpleasanties that have ensued from the Rafferty project is a clear indication of why we need to be extremely cautious how we approach this, that we need to make sure that we have as much of a bulletproof process as possible and that we do recognize both authorities' responsibility, because that was one of the issues that revolved around the Rafferty-Alameda decision was that the federal Government had not abrogated its decision-making responsibility.

Given that, I think we need to make sure that we approach this with some thought and without political malice of forethought, if you will, to deal with the process clearly and give the public clear environmental decision making, open to the public to be involved with the decisions being made so the public can follow and understand them and that ultimately we make a decision and accept the responsibility for that decision based on the information that is gathered.

Ms. Cerilli: Same song, different singer. There has been an admission now that the jurisdiction that we are most interested in co-operating with, to use the Minister's terms, is the federal Government. At the same time in developing this Bill 24, the legislation, it comes when the federal Government is undergoing a similar process. I would like to have the Minister explain, how can we align a Manitoba process with a federal process when we do not know what the federal process is going to be?

Mr. Cummings: What we are doing with the amendments that are referred to here is providing the capability of entering into a joint process. That joint process is an information-gathering process.

The federal legislation is not changing the federal process. They are, however, making sure that they have a clear delineation of what their decision-making responsibilities are.

As we referred to earlier in the discussion with the Member for St. James (Mr. Edwards), we referred to different projects other than the generic

responsibilities that can be stated up front and across the board, there have to be specific agreements on what the assessment process will be on the different projects as they are brought forward. So I really do not see that as a problem.

The big problem historically has been that either the federal process or in some jurisdictions the provincial process does not recognize the other process as being valid and therefore requires two distinctly separate processes which do not always look at or envisage the same questions. In striking an agreement, you can make sure that the questions of both responsibilities are answered as part of that process.

Ms. Cerilli: There are some people who feel if the environment is going to have a chance of being considered, as we have already heard that the assessment has not begun before the penalties kick in—and I cannot think of one assessment that has caused the reversal of a development decision—

Mr. Cummlings: I can tell you one.

Ms. Cerilli: The Minister said that he can tell us one.

What then are the reasons for moving ahead with bringing in this legislation before the federal Government is completed with their Bill?

Mr. Cummlings: This legislative amendment can allow us to work with the interim guidelines that are in place today and with the new Bill if and when it is proclaimed. I believe I referenced that in my discussion earlier, that until the new Bill is in fact proclaimed with its attached regulations, we have to live with the interim guidelines, which have long been a problem. We believe that given there are a number of joint assessment processes under way across the country and that they have never been challenged on the legitimacy of doing a joint process, the joint process concept is not what is at issue. That is a matter of mechanics in bringing it together and working it through.

* (2240)

However, there are people who wish to make it an issue, because they feel that keeping the two separate and apart allows somehow for this aura of the federal authority to be somehow over the provincial authority, and if you do not get a decision you like from the provincial authority, you go off crying into the sunrise in the East, as it were, and appeal to big brother to come in and reverse it.

That is not the way environmental assessment

should work. It should work so that the assessment and information-gathering process is clear and identifiable. If you look at major projects, you need to have that clear question in front of the proponent so they can give you a clear answer.

The provincial authority, as we indicated, would not have—except under natural resources we have a large responsibility on fish and water courses. In the course of answering what we need to do for natural resources requirements, in a simple thing like a ford crossing on a stream, the work could be done once rather than twice if both authorities indicate to the proponent what it is that they require in terms of information to make a decision on whether it is a go or a no-go, or whether there are modifications that need to be done to make the project acceptable for the fish to get upstream, downstream or whatever the requirements are. That seems to me only logical and practical, and that is really what we are trying to do, is to make this a clearly followed and accessible process.

Ms. Cerilli: What this legislation is asking us to do, is not only take a leap of faith in terms of this Government, but we are being asked to take a leap of faith in trusting the federal Government because we do not know what their legislation is.

We are going to have two pieces of legislation coming together where we do not know what specifically the process is going to be. Not only that, but specifically in the area of intervener funding, we are being asked to give the Minister complete discretion of how this is going to be allocated, to who. What I would like the Minister to address is: How will money be allocated to intervening groups?

Mr. Cummlings: First of all, let me deal with the first comment that the Member made regarding the fact that we have two pieces of legislative action going on, and they may or they may not meet. That is not an issue here.

We are amending our Act so that we may enter into agreement with the federal authority in this case, if you wish to be specific. At the same time, we know that the interim guidelines are in place today. We know what is in front of the House of Commons today. We also know what amendments CCME are proposing. We know, to a large degree, what other amendments are being proposed or are being considered as a result of the committee process in Ottawa. There is nothing anticipated

there that would impede the possibility of having a joint process.

The ease or lack of ease of that coming together does rest with some of the amendments that are going to have to be considered by the committee in Ottawa, but that does not take away from our responsibility to amend our Bill here so that we can deal with the interim guidelines that are presently in front of us.

Further to the question about the funding process, there are a number of models that can be developed for intervener funding. We have taken a major step, in my opinion, in aligning our process as well with the federal process by enabling it to provide for intervener funding. It is quite clear, for example, that under the federal process this has to be addressed. We are providing the capability of dealing with that issue as we approach the federal authorities to try and make an understanding as to how the two processes could work together.

The precise model of how that would be done needs to be taken out for regulatory discussion as well. I can tell you that there are examples we can point to which would be considered, one of which is the Public Utilities Board model. There is the federal model and there is the Ontario model.

If you look at the Public Utilities Board model, for example, it does a couple of things. It requires the proponent to pay for the cost of intervener funding. It at the same time requires the interveners to put some onus on them to provide proof that what they are embarking on is in fact relevant and useful to the process. The Public Utilities Board itself in that case makes the decision about funding.

Those are examples of things that could well be considered as part of that regulatory development, but we are preparing ourselves to be able to work with the other jurisdiction, which does have that capability.

Ms. Cerilli: One of the concerns with the way that intervener funding is allocated currently under some of the environment assessment processes is, I think as the Minister has referred to, that it is given after the fact, after the work has been done, after staff have been hired to do the assessment and make the report. It seems if it fits in line with what the parameters of the panel is looking for, then the groups will have their costs covered.

Can we have any indication from the Minister if

there will be money given up front when a proposal is made from an intervener?

Mr. Cummings: I would be reluctant to indicate what model would be the best proposal for a recommendation for regulatory discussion. I would put on the record that I think there needs to be some principles involved in the allocation of funding to interveners. There does have to be some checks and balances.

The PUB model for example requires that more than one group that has similar interests align themselves together in their intervention. To indicate you are somehow saying that your position is that intervener funding should be supplied up front on the basis of an application, that is a legitimate question for interveners to ask. However, interveners have some onus—more than some, they have considerable onus—given that they are being given by law money that is taken from a proponent. They have some onus to show that they are prepared to provide something of value to the hearing process, the assessment-gathering process, that cannot be a carte blanche form of financing for everyone who comes forward and simply states that they wish to intervene. There does have to be an onus on both sides of the issue for the ability for them to earn the support that they expect. That does not, from anything that I have seen from either the PUB or other jurisdictions, impede interveners from becoming very deeply involved and by and large achieving funding. I think, however, to simply say that up-front funding should be provided without some checks and balances as to what it is that they wish to bring to the particular panel would be irresponsible, frankly.

Ms. Cerilli: Can the Minister explain what some of those checks and balances or principles might be?

Mr. Cummings: Again we are getting into an area of speculation as to what might be put into requirements surrounding intervener funding. The decision under PUB, and we are talking about a model that is there today that you can use as a standard, if you will in the PUB process, the PUB makes the decision, not someone else, as to whether or not that intervention would be useful to the process.

* (2250)

It is my understanding, even though the process says that after the presentation that is established whether or not it was of value, that in fact a number

of well-rated organizations that approached PUB do get some consideration based on the credibility of what they wish to bring forward, and the value that it brings to the committee making the decision.

Obviously if you are making a presentation in opposition to building a Hydro dam, you would not be talking about the release of dioxins somewhere down the same river. You would be talking about the impacts of the impoundment and the transmission line and all those sorts of things, but it is only fair and reasonable that the relevancy of what is going to be presented be given some screening. That is not out of line with any model for intervener funding in this country.

Ms. CerlIII: Can the Minister explain any ideas for how much money would be allocated, a formula, a process for that to be decided?

Mr. Cummlngs: The area that the question leads into I think is relevant to the costs that might be incurred. That is one of the weights of proof that have to be brought forward by the intervener. I do not think it would be correct to put forward that one needs \$100,000 or whatever and not at the same time show why you needed that much. That is why something such as that could very well be decided at a decision point along the way. Now there are models out there whereby proponents are required to set aside a percentage of a project for intervener funding. That is one of a number of models that can be looked at in the structure of regulations, but I am not going to advocate that an intervener should receive support for that intervention without having the weight required to prove that the expenditures are indeed needed. We know, all of us sitting in this Chamber know, that there are people out there who are very involved in these types of issues and are very anxious to make a good living at it. They should be required to put reasonable requests in front of any decision-making body regarding funding rather than simply say that they need it to support their lifestyle.

Ms. CerlIII: I think it is acceptable that an intervener would have to make a proposal explaining how much they think that their assessment and research is going to cost. I am trying to get a clear idea of how the Minister envisions the money being allocated on the basis of some type of formula. Is there an example of a process that is used in another country or from another jurisdiction that they are patterning our process after?

Mr. Cummlngs: The most immediate comparison that you could make to a model that can be looked at is the PUB model. I have no doubt that I think one should also make it quite clear that by and large we are talking about major projects here as well where eligibility for intervener funding would be brought into play. That is where lengthy detailed amount of work of a highly technical nature may very well be required.

The fact is we look to the PUB model, and we know that the interveners there are quite satisfied with the way that process works. I am not going to precommit the concept of the model that is used in PUB prior to taking regulations out for discussion for what models may be used, but that seems like a very practical one that can be looked at to see if it has the proper tools to work in this process.

Ms. CerlIII: Has the department not looked at any other countries to see—there are countries that are away ahead of us in terms of dealing with protection of the environment. Has the department not looked at any other models besides the PUB?

Mr. Cummlngs: I do not think that we have rejected anything out of hand and information from other jurisdictions is always useful. The fact is I much prefer a made-in-Manitoba solution to what we are doing or certainly one that is compatible to the Manitoba situation. That is certainly what I want to commit us to, is to making sure that we have a process here that is compatible within the Manitoba jurisdiction.

Mr. Edwards: I want to go back briefly with the Minister to a specific question I asked him whether or not this Government and he was aware, as Minister of the Environment, of an opinion given by Mr. Alan Scarth with respect to Bill 24. He did indicate that Mr. Scarth does not act for him, I appreciate that, but that is not the question. The question was, had an opinion been received, or given by Mr. Scarth, that this Minister was aware of, with respect to Bill 24?

Mr. Cummlngs: No.

Mr. Edwards: Madam Chairman, has the Minister received any opinion, either written or oral, from legal counsel, within or outside of the Government, with respect to the workability of these amendments?

Mr. Cummlngs: Yes, voluminous opinions.

Mr. Edwards: Can the Minister indicate what the conclusion of those opinions were—and he has

used the word voluminous—perhaps he can indicate how many he received, and who he received them from?

* (2300)

Mr. Cummings: When I referred to voluminous opinions, we have been certainly involving legal counsel for a long time and how one best tiptoes through the eggs, if you will, in terms of environmental assessment provincially, and co-operating federally, or trying to make sure that the two processes do not degenerate into a Rafferty-Alameda type situation. We have had the provincial Department of Justice involved; we have had lawyers there dedicated to working with environmental law and regulation; we have had federal Department of Justice legal opinion; we have had private legal opinion, and the vast preponderance of that opinion is that we can carefully structure a process that will provide for joint assessment review.

Mr. Edwards: The Minister indicated private legal opinion. Can he indicate who gave that opinion?

Mr. Cummings: I do not have that name with me.

Mr. Edwards: Is the Minister willing to make that name available?

Mr. Cummings: I think the Member is asking that I table my legal opinions, and I guess I take some umbrage at him following that line of questioning. If he wants to, as a lawyer himself, table his opinion I would be glad to hear it. At the same time, I think that it should be sufficient to indicate to him that I have had both the Civil Service area and other people provide information on the basis of what is achievable under joint environmental assessment. He keeps referencing Mr. Alan Scarth. I think if he wishes to have Mr. Scarth's opinion he should ask him. I am not going to provide that information here because Mr. Scarth did not provide legal counselling to me.

Mr. Edwards: Madam Chairperson, I do not know that the Minister is going very far in persuading us of the advisability of this legislation. I mean that is the gist of my questions. I am looking for support for some of the things he is saying about the advisability of it. He has received opinions. I would like to see those opinions. Maybe they would help persuade us, and it was only in that vein that they were asked for. If the Minister does not want to reveal them, he does not have to. That is clear.

Can the Minister indicate whether or not he asked

those individuals? He has said that he sought legal advice on the joint assessment process. Did he also seek legal opinion on the granting to this Government the ability to provide for the use of another jurisdictions assessment process in its entirety?

Mr. Cummings: Madam Chairman, I think the Member is putting a very fine point on an enabling amendment. The examples that can be brought forward perhaps would give him some comfort, inasmuch as the only time that type of a scenario is likely to arise is where there is an extremely limited involvement by one jurisdiction or another. The times that those will occur, I cannot honestly predict. I would not think that there would be all that many of them. Where you are looking at processes for information gathered, you are not taking away from the final decision-making responsibility. I think there is a considerable disagreement, if you will, or lack of understanding in a large segment of the population that when we refer to environmental assessment, we are referring to an information-gathering process, the guidelines and the standards that are set in gathering that information. It does not mean that any jurisdiction is delegating its final responsibility in making a decision.

There are potentially occasions where there could be a project that would have almost all of its impacts which would be totally covered by federal environmental responsibility, and that the province might have almost no responsibility in terms of a decision point. I do not think that the Member would want to argue that we should go back and redo the entire process in order to make a decision that is related to one very small part of the project, when the thing could be done together, or the information could be gathered by the federal process. That is the type of thing where, I guess, I referenced to the fact that Justice Muldoon said: Clasp the guidelines warmly. Certainly we are not trying to avoid the federal process; we are quite prepared to accept the highest standards. The only time that anything of that nature could even be contemplated is if the standards were the same as, or higher than, our own process. It is very, very unlikely, a very small number of occasions when that type of a question would even be asked.

Mr. Edwards: Madam Chairperson, the legislation itself, of course, as the Minister, I am sure, will acknowledge, and the regulations which he says will

be coming, give no such comfort. They just do not give any of the comfort that the Minister talks about, I am sorry to say. The Minister is saying that will only be used, sub (b), to provide for the use of that jurisdiction's assessment process in its entirety. It will only be used where we have a very minor role to play in the assessment process.

I say, as Premier Gary Filmon said recently, that it is important to do environmental assessments when Manitoba's environment is affected—full stop, end of statement. Whether that be the Charleswood Bridge, in his words, or the Conawapa dam, or a culvert, as the Minister indicates, where Manitoba's interests are at stake, we do our own assessment: made-in-Manitoba, as the Minister indicates. You can suit the scope and you can suit the size of the process, depending on the size of the project and its implications, but you do not abandon your responsibility. You are right to do that assessment in any case, I would think, where Manitoba's environment is affected.

Madam Chairperson, in fact, the federal court also said—and the Minister has quoted Judge Muldoon—in its decisions that any decision by a Government will be the product of the process. That is, the assessment process is intimately and intricately related to the decision that will be made by the politicians. So, when he says that this is just information gathering, and whether the federal Government does it or whether we do it does not really make any difference, he knows full well that is not telling the full story. I know my friend, the Member for Radisson (Ms. Cerilli), and I are neophytes in a position of critics for Environment; we are the first to acknowledge that. But the Minister should not, I think, take for granted that we do not understand the essential purpose of an environmental assessment, which is to assess; it is not just to gather information.

Do not tell this House these are just information-gathering sessions. They are not. He knows they are not. They make recommendations and, as the federal court has said, the ultimate decision by the politicians will be very much tied to the process which has led to that decision. Ultimately, the discretion is with the politicians, but you cannot divorce the process, the environmental assessment process, from the political decision.

I ask him, again, if he has taken to legal counsel not just the joint assessment process that he proposes, but the wording in this legislation allowing

for the Government to provide for the use of another jurisdiction's assessment process in its entirety. Did he take that question to those same advisers?

Mr. Cummings: We have had a considerable amount of internal advice on that process. There has been a number of other jurisdictions that have been looking at the principles of harmonization that we proposed at the CCME meeting, and that had been worked on by all jurisdictions for the last six to eight months, I guess.

Going back to the question that we were discussing a minute ago regarding whether or not other jurisdictions—that would be contemplated to provide information for us. Shoal Lake is an example of where all Parties in this House indicated their desire to make sure that the highest possible standard in the Ontario process was applied to anything that might happen on Shoal Lake and that the federal Government would be involved. Rather difficult for me or anyone else in this province to enforce the Manitoba assessment process in the Ontario jurisdiction, but their assessment process may very well provide information that would be used on evaluation of impacts on our side of the border. It could go beyond the impacts, in that case, just for the City of Winnipeg. It could go well into other areas of environmental regulation, and we are dealing with other jurisdictions there. We need to be able to work co-operatively with them as I stated earlier.

* (2310)

Dealing with Namew Lake, no formal arrangement was made. That is an example of where another jurisdiction could have chosen to use Manitoba's environmental assessment process to give them the information that they needed to make a decision in their own jurisdiction.

Mr. Edwards: Is the Minister aware of any other province which is presently contemplating this similar legislation? Can he indicate which provinces, if any, have indicated that they are going to be following suit?

Mr. Cummings: Specifically in terms of jurisdictions, they have indicated to me that they are going to copy or mirror our assessment Act; for that matter, each province has different assessment Act provisions. The majority of them have either older or less well-defined assessment Acts under which they work, but all jurisdictions, the discussions that we have had recently, have indicated that this is a

direction we all need to be able to achieve some movement in, in order to break a logjam on co-operation between different jurisdictions. If they choose different words or different amendments to their Acts, I guess that will be their decision, but all jurisdictions accepted and were in agreement with the principles of harmonization which Manitoba had taken one of the lead responsibilities in developing.

I guess, if I had predicted that you were going to spend this evening working in this area, I would have had Dick Stephens here, who has worked specifically on a lot of this, although Mr. Johns has been involved as well. We could have answered in some additional detail, I suppose, but I am quite comfortable with the fact that other jurisdictions have been very supportive in the process. They have contributed; their thoughts have gone into the development of the principles of harmonization.

The fact is that in the long run, as we have talked about the larger picture, how we have developed relationships across this country, how we deal between the provinces and the federal Government, if we do not follow those principles, we are going to stay in the same disorganized disarray, if you will, from jurisdiction to jurisdiction, that we are in today. There seems to be a great deal of desire on the part of all jurisdictions to break that logjam. So I am not at all uncomfortable with what we are doing in relationship to other jurisdictions.

In fact, we have been indicated by a number of people from other jurisdictions that have felt that this was a responsible way to approach it, and certainly have received similar indications from working level officials with the federal Government.

Mr. Edwards: Is the Minister aware of any other Legislature in the country that has this legislation before it or has passed similar legislation?

Mr. Cummings: We are number one.

Mr. Edwards: Madam Chairperson, I want to ask—and I will ask your guidance if you think there is another appropriation that this would be more suitable under. I do not believe there is one. I want to ask a general question about the rivers and river management. I simply want to follow up with some questions that I asked the Minister a week or so ago, with respect to efforts to establish a triparty agenda with respect to the rivers, certainly within the City of Winnipeg, but perhaps the entire province.

I know that, of course, the federal Government has committed monies in other parts of this country,

to the St. Lawrence Seaway, the Great Lakes and Halifax Harbour. Have there been discussions with the federal counterparts? Are they willing to commit funds to clean up Winnipeg's and Manitoba's rivers, and are those discussions at any stage that the Minister can report to us?

Mr. Cummings: There has been a fair bit of discussion in this area. A lot of funding that went into some of the other jurisdictions, the Great Lakes and the St. Lawrence Seaway, for example, is to deal with historical pollution problems that are there. To that extent, I have always had some disagreement with the fact that the federal Government was being approached by various jurisdictions where they had historical pollution problems, and asked to help clean it up. By comparison, province by province, Manitoba is in relatively good shape. We have not, however, had the benefit of the economic growth and activity that had caused the results that we now see as historic polluted sites. Expo site is another example of where property was sold once, and then received value, but assurance was given that it would be pollution-free. Now I believe we are going to see the federal Government supporting some cleanup there. That is only one example.

In terms of positions that we have taken on federal-provincial negotiations, we have always felt that where Manitoba would receive advantages from the historic cleanup monies that were set aside is that there is a clause in there that allows other jurisdictions to receive funding for developing technologies that are associated with cleanup. Manitoba has some very good engineering firms that are involved in environmental projects, and they may very well be able to develop the technology that would be assisted under that block funding that was set aside some time ago in order to help them develop their technology.

In terms of the rivers, which is more specifically what you were asking about, we have been actively involved in discussions with federal authorities, but I do not have anything that I can report of a successful nature at this point, except that we have not been told "No" either.

* (2320)

Mr. Edwards: Can the Minister indicate if the focus of those discussions is Manitoba-wide, or is it with respect to the City of Winnipeg? Or is he in a position to indicate if both of those fronts are being pursued?

Mr. Cummings: It would be unreasonable of me to

get into a dissertation on the specifics of any discussions at this point. As I say, I cannot report success, but I certainly am not totally discouraged. I believe that we may have some positive responses down the road, but for me at this point to get into a public debate about success or not success of discussions regarding river cleanups in this province, even to say whether they are focused in one area or not, I think would be an abridgement of my share of responsibility in dealing with another jurisdiction at this point.

Mr. Edwards: Can the Minister indicate with respect to the Environmental Innovations Fund what the present balance of that fund is? Can he indicate how much has been paid out in the last fiscal year?

Point of Order

Ms. Cerilli: The Innovations Fund comes under the next section; it is governed under the next section.

Mr. Cummings: I guess I would ask the Member for St. James to accept the advice of the other critic and we will get into it in all the detail you want, but I want to make sure I do it properly when that item comes up. I want the right staff here. We have a lot of the information here, but unless we are going to do it twice, I would prefer to wait until it comes up.

Madam Chairman: The Honourable Member for St. James, on a point of order.

Mr. Edwards: On the same point of order, I have no problem waiting until the next appropriation to raise that issue and I simply would ask the Minister to take whatever opportunity he has to respond to it.

Madam Chairman: The Honourable Member for Radisson (Ms. Cerilli), you are accurate. You did have a point of order

Madam Chairman: Is the committee ready to continue then? 1.(b) Executive Support: (1) Salaries \$341,400—(pass); (2) Other Expenditures \$84,100—(pass).

Item 1.(c) Planning and Innovation—

Ms. Cerilli: Madam Chair, this area does include the Innovations Fund, and I think that we will have a number of questions regarding that. It has been an area of concern in the public with a variety of groups applying to the fund and not quite understanding how they are to phrase their applications and what is going to constitute an application. We have heard

a variety of different responses to those questions during Question Period.

To start off with, though, I would like to know how much money has been generated by the tax on liquor bottles in the last year.

Mr. Cummings: I will respond a little bit more fully in a moment, but I would like to point out to the Member that the funds that are generated are dealt with. First of all, the expenditures the Manitoba Liquor Control Commission incurs in getting its own responsibilities with recycling under way are deducted before those funds come forward to the Innovations Fund, so the full amount goes towards recycling under the Innovations Fund. The fact is that there are some funds deducted before that transfer is made, and I will get that figure in a minute.

I could give you a ballpark figure, but frankly we did not anticipate getting into the Innovations Fund tonight because it is listed on the Estimates process as being a separate item after the Department of Environment is finished. That was where I expected to answer these questions. So we have the information, but we do not have it with us at the table here.

Perhaps to expand on that a little bit, we manage the funds under that appropriation. The Environmental Innovations Fund itself is listed as a separate item for Estimates review, separate and apart from the Department of Environment. I am the Minister responsible for the Innovations Fund, and what is indicated in here is that my Planning and Innovation branch administers those monies, so we will answer in considerable detail under the Innovations Fund itself. This refers to the fact that we use resources from our department to manage the fund.

Ms. Cerilli: I just want to clarify then where, in any of the Estimates supplementary material or in the major Estimates book, is it listed? What number, because in the Activities it is listed in the Estimates in this section.

Mr. Cummings: We are not trying to create confusion here, but the fact is that the Innovations Fund is a fund separate and apart from the Department of Environment. I am, however, the Minister responsible for the Innovations Fund. If you can look at the list of departments and the order that they were to come forward for Estimates review, the Innovations Fund is listed after the Department of

Environment as being a specific area that we will go into.

What you see in the Department of Environment here is our funds that are allocated to the Department of Environment to manage as part of that Innovations Fund. So the larger fund is allocated for ministerial responsibility to me, but not all of it falls into the Department of Environment. Some of it goes into Industry, Trade and Tourism, and some it goes into Natural Resources, I believe. Therefore there is a broader concept of what our environmental innovations supplied rather than just recycling, if you will, but what we have indicated, and I will reiterate here, is that we would, over the process of this year and the coming year, spend \$1 million on getting recycling up and going in this province.

That probably adds to some wonderment, if you will, on the part of the Opposition about where is the money handled. It is handled under the Innovations Fund and then moved into the various departments that are responsible for administering those plans.

You mentioned a question about what would be criteria for funding decisions, a focus on some dimension. This is under waste minimization which we are responsible for in the Department of Environment. There would be a focus on some dimensions of waste minimization, collection education and awareness, composting or community support, a demonstrated need for the project. A project should be innovative or at a minimum have some unique elements. Duplication of existing services would be avoided. Outcome of the project should contribute to the body of knowledge and research about recycling and waste minimization.

There should be clearly defined goals, objectives, work plan and a budget indicating particulars pertaining to the use of the funds. There would need to be an indication of the level of funding that would be appropriate. A work plan—and this is very important—must be consistent with the stated objectives of the project and provide for their achievement. There should be a high level of community involvement.

* (2330)

There should be a demonstrated potential to become self-sustaining in the long term. This is not part of the criteria here, but I would add that one of the things that is part of the criteria but not part of

the list I am giving you at the moment, is that we do not propose that the Environmental Innovations Fund should be a source of ongoing and regular funding to whatever project. It might potentially achieve funding for more than one year but certainly is not intended to be an ongoing source of revenue for any one particular project.

There should be a level and source of partner funding, or an "in kind" type of support. Project management personnel must have the skills, knowledge, and experience required to successfully carry out the project. We are talking here about waste minimization applications.

There is also accountability requirements. There are communications criteria that the applicant would follow, and program evaluation and procedural guidelines laid down. We have a rough outline of an application that requires a short descriptive title, an introduction as to organization in consultations and endorsements, statement of need or problem. There are a number of subheadings under this: A statement of goals and objectives, target groups or group, project activities, how the service will be delivered, community involvement, community education, time frame, evaluation guidelines, project management personnel, resources. All of these things fall under what I indicated earlier as the manner in which we administer incoming proposals.

You raised a question, do we do a good job of communicating to people as to how they qualify for this fund? When you are talking about an Innovations Fund, I think you should also be very clear that what is coming in is, in fact, innovative. There can only be so many times that you can do the same thing over again and still call it innovative. I think that is where some of the public and political criticism comes in the administration of the fund. Too often we forget the word innovation. We are using these dollars to encourage new innovative ideas in the area of developing, in this case, waste minimization within the province. There are a number of things that is very beneficial for.

The department indicates that we will be developing material which is more generally available in the future. We have had to, and I do not mind putting it on the record, deal with to this extent up till now largely unsolicited proposals, where people bring them forward and say, does this qualify? Rather than us going out and saying, here is what you need to qualify, we have had a pretty long list of unsolicited proposals recently. I think that

is quite fair, because it encourages people to be innovative and not just look at this as a slush fund, as it were.

Ms. Cerilli: Can the Minister tell us the kinds of organizations and projects that have received money from the Innovations Fund?

Mr. Cummings: I asked the department to make sure that the list I was about to give you did not contain some that may have been rejected, but this is the list of ones that have received funding.

There was some money used in '90-91 to support Environment Week, the Science Teachers' Association which was the conference that was held here this fall; CFC recovery program; St. Norbert Foundation recycling grant; Arc Industries recycling grant; Thompson Environmental Council educational materials; Recycling and Waste Minimization conference; Tin Can Recycling Research project; Engineering Design project U of M; Anaerobic Composting U of M; Biomass Energy Institute; Resource Recovery Institute; Blue-Bag Project; Departmental Radon Initiative; Recycling Action Committee contract; ACRE organization. Those were start up dollars.

Recycling outreach workers which we put in place on a short-term basis to work with community organizations across the province; Earth Day 1990; Manitoba Eco Network; Biomass Energy Institute; Recycling Council of Manitoba recycling information line; Recycling Council of Manitoba permanent depots; Pembina Valley Development Corporation. That is the list of those organizations that have received funds.

Up to this point there is another group that is pending, but no decision has been made on them as yet, but there are some unexpended funds in the fund.

Ms. Cerilli: I would ask that the Minister see that I would get a copy of that list, and I would imagine that the critic from the Liberal Party would also like a copy. I am curious to find out if there is a ceiling on the fund when these groups apply, and how the money is—it is decided to allocate. There was a provision in the criteria that there had to be community involvement. I am wondering if that is a factor in the number of people involved in the project in determining how much money they will get, or how is the amount decided?

Mr. Cummings: Yes, the Member first of all, I believe, was asking how much waiting community

involvement would get in terms of an application. That is a factor in recommendations that the Policy? and Innovations branch would use in analyzing requests that come in. We have set an arbitrary figure of \$40,000. as a ceiling amount to one organization. I think that we are flexible enough that we have always been prepared to listen to arguments pro and con for many of those people who have made presentations to us, but that is an arbitrary ceiling that we have applied.

The process that is followed is the subject application is given analysis within the department, Planning and Innovations, and then brought forward to the Committee of Cabinet and then to Treasury Board and full Cabinet for allocation of the funds.

Ms. Cerilli: So what is the total for money allocated from the fund for the past year and if that has gone on to other years past?

Mr. Cummings: Well, Madam Chairman, as I indicated a little while ago, I am not sure if I have got that precise information here, perhaps we do, but we had not anticipated getting into the Innovations Fund at this stage in our Estimates process. I will try and give you the answer, but if we continue on this line of questioning, I would assume that we will have finished with the Innovations Fund and would not likely be going into it again after the Estimates here are completed.

If that is not the case then we should not be spending a lot of debate on Innovations Fund here and the exact details of the fund and save that discussion and debate for the Innovations Fund itself. I have questions that I have just answered that are in relationship to the monies that the Department of the Environment has allocated. There are other monies out there that I will talk about under the Innovations Fund itself. When you are asking me now about the global dollars that are available in the Innovations Fund, I think that is relevant to the whole fund not just what we are spending within the Department of the Environment. I realize that it creates some uneasiness on your part that I am also the Minister responsible for the Innovations Fund, but it allows us to bring the money together in one decision-making area for allocation to the various departments that would use it for innovative projects. That way it keeps the system fairly clear on who is responsible for what within their department and that is why we have specific types of projects that we deal with under the Department

of the Environment. Industry and Tourism would deal with a different type of project.

* (2340)

So I will answer the question but I do not think that this is going beyond the responsibilities of the Department of the Environment when you get into the larger question.

Madam Chairman: Perhaps for clarification, I could draw to the attention of the Honourable Member for Radisson that the Minister is correct; that it is an exclusively separate department and it is dealt with on page 172 of your regular Estimates book and there should be separate supplemental Estimates addendum, as well.

Ms. Cerilli: There is a separate Estimates Supplementary book?

Madam Chairman: I will get clarification from the Minister.

Mr. Cummings: Madam Chairman, I do not want to make it difficult, or make too fine a point, but the Innovations Fund is a separate appropriation on page 172 of the—

Madam Chairman: Excuse me, Mr. Minister. The question is, is there a separate supplemental addendum that accompanies that particular resolution and department?

Mr. Cummings: No. It is not the department, it is a Fund that has no staff, but it has a Minister responsible and I am he, but I would ask you that we save the global questions on the Innovations Fund until the end of my Estimates and then I will be more than glad to move into this area.

Ms. Cerilli: Can I ask that we just take a minute so I can plan where I am going to go from here? Do you want to ask, we only have 15 minutes left?

Mr. Edwards: I see one of the objectives is to promote and analyze and implement new policy and project initiatives. I was interested to learn, and I clipped it out from the magazine called the National which is—

An Honourable Member: Not the Ottawa Sun?

Mr. Edwards: No, not the Ottawa Sun, not the Ottawa Sun, the Minister says. No, this came from the Canadian Bar Association newspaper, the National. One of the things which was recommended by the B.C. Branch, I thought it was interesting, was that they recommended legislated use of mediation as an alternative dispute resolution technique in environmental resource management

and land use approval processes. That struck me as something which was innovative and new. I wonder if the Planning and Innovation Branch, or this Minister, has given any thought to that initiative as a means of dispute settlement, and we have talked at length about the problems in dispute settlement and the involvement of the courts, and this Minister has indicated that is not the preferential way to deal with things. Has the mediation alternative been discussed by his department?

Mr. Cummings: Madam Chairman, it is in our Act, we have the capability of using it in this province, but we have not had the opportunity because the few times that it has been proposed it has been rejected by one or both Parties. It is seen as an alternative problem solving, or disagreement solution, if you will, to going through the full Clean Environment Commission process and recommendation there that sometimes there may be opportunities when the opponents of a project have a specific issue that they want to see mediated, or mitigated, or stopped for that matter, and could choose to embark on the mediation route but have, by and large rejected that in favour of the Clean Environment Commission process and the recommendation from that body.

So it has been envisaged. It could be used, but it requires the agreement of the two poles, if you will, of an issue, the proponents and the opponents, or at least the concerned public or representatives of the concerned public, to agree to choose that process. Up until now, in this province, it has not been accepted.

Mr. Edwards: On the same line, the Minister mentions the Clean Environment Commission. I notice as well that in the Expected Results he talks about impact assessments that are actually done by the department.

What criteria does the Minister use to determine whether or not a matter goes to the Clean Environment Commission or if an impact assessment is done internally? Are there guidelines available that illustrate where that line is?

Mr. Cummings: Yes, the decision point comes on whether or not to go to the Clean Environment Commission when we have received public comment on applications for licences. An example would be where a project is advertised that the proponent has an application in to the department to do whatever. That advertisement is then placed in the appropriate newspapers that would be

circulated in the area, not only on a larger scale, but where there is a specific area where you get outside of the City of Winnipeg, for example, to make sure that people in the area are aware.

If at that point we get either (a) a very significant concern raised or (b) a number of concerns raised, we would call for public hearings. If we receive no opposition at that point, we would license the project under the provisions of our environment Act, which is what we are taking out in the first place.

Mr. Edwards: In the practical world of how this actually works, does the Minister make those decisions? Is it done based on what particular project is being looked at and how many have come forward for that project?

* (2350)

It seems a very subjective process. Is there any other guidance the Minister can give other than the fact that there is a need for public presentations in one and not the other?

Mr. Cummings: Under Class 1 and 2 projects, the director would make the decision based on what I just said to you about public response. Under Class 3 developments, I would make that decision.

As I indicated earlier, the Clean Environment Commission workload has shot up considerably. My approach and the approach that we have taken the last year and a bit, in this department, is that when in doubt, we ask the Commission to give us the benefit of their advice.

There can be occasions when an objection is raised. The proponent can discuss those objectives, which in a sense, is a form of self—not inflicted is the wrong word, but self-motivated mediation, where there might be a person who raised a concern but after having had further opportunity to talk to the proponent decided that their concern had been addressed. If we get any kind of concern that is not clearly answered, we have appealed to the Clean Environment Commission. We err on that side rather than on the decision not to refer it.

Mr. Edwards: Is this strategic plan for the department the same document which is mentioned? I am reading through the Minister's statements, which he did not make earlier on but he gave us a copy of, that we can expect in March of the coming year. I see that there is a document coming forward sometime in March of 1991. Is that the strategic plan?

In March of 1991 the Minister says he is going to be tabling the first state of the environment report for Manitoba. Now the strategic plan for the department, when does he anticipate that is going to be available? How long is it being worked on?

Mr. Cummings: I ask the Member to clarify his question a little bit. He referred to two things, and I want to make sure I answer the question correctly. First of all, the state of environment report, I indicated earlier that I think we are close to being on target with that. We have stated that is our date, and we are required by the Act to meet the date. The second part of his question was in relation to a—we also have a strategic plan under The WRAP Act that we are bringing forward. Is he talking about a departmental strategic plan? I am not sure I followed his question.

Mr. Edwards: Madam Chairperson, I am just reading from the supplemental materials where it indicates that an expected result of this branch is the completion of a departmental strategic plan. What is that plan, and when is it going to be completed?

Mr. Cummings: Yes, the answer to the area that he is questioning us on is that there will be an internally generated strategic plan for the department by April, essentially which is an ongoing process. It is not as if we have not had a strategic plan. This is another responsibility that this branch has to work with.

Ms. Cerilli: That was the line of questioning I started with. Can the Minister explain the areas of emphasis for the department then that they have been operating under for the last year or so?

Mr. Cummings: I think the question was, can I indicate the emphasis that the department—(interjection)—the areas of emphasis.

Obviously there are a wide number of headings that we are responsible on, but we had to put emphasis into specific areas in order to focus the efforts of the department.

If we are talking about the Planning and Innovation Branch itself, one of the areas that they had a great deal of effort put into was The WRAP Act development, the reorganization proposals, the ozone Act and the regulations associated with that, radon has been another area that some—not to the same level as ozone, but one of the areas that they had to devote some resources to, and of course dealing with The Environment Act itself and making sure that within the department we have it up to date as much as possible and the requirements under

that Act, which goes to things such as the state of the environment report being brought up to its deadline as well.

If you want to talk about the department as a whole, we could get into another list of responsibilities.

Ms. Cerilli: In looking at the Planning Branch of any department, I would think that they are responsible for developing a plan that is going to be followed by the department as a whole.

I am interested in finding out what our—you have given me good information so that we know what kind of legislation you are working on, but what have been the areas of emphasis for the entire department?

Mr. Cummings: I think the department feels a little bit like me some days. It is survival—keeping ahead of the various issues.

Perhaps this puts it in some context. The branch is responsible for co-ordination of strategic planning; issue management process; preparation of documentation over policy options; conducting program reviews; conduction of departmental legislative initiatives and regulation development; co-ordination of communication working within the department's mission; co-ordination of the department's involvement with the Canadian Council of Ministers.

As I indicated, one of the things that they have been able to put through obviously are the priorities as we saw them at the time. The priorities change as the year evolves from time to time. Getting the ozone regulations and legislation passed, getting the radon program—there are a number of things they have done within each of these areas, recycling under The WRAP Act and organizing a number of things that are associated with The WRAP Act and recycling.

The department as of today is working on four initiatives under The WRAP Act. Just in the short term right now, those are four of the things that are on their plate today.

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Over the past year, along with the things that I just mentioned, they took considerable amount of staff time and effort to work with ACRE, getting them up and running, done a lot of work under Strategic Planning and Policy Co-ordination. Under Program

Review, our emergency response capabilities within the department were reviewed and initiated methods to review and evaluate The Environment Act to make sure that we were fulfilling our mandate under the Act itself and prepared a number of things for me out of the planning and policy regarding the Canadian Council of Environment activities. I do not mind saying that the load is starting to diminish now in the Province of Manitoba. Starting under my predecessor, Mr. Connery, when he was chairman of CCME a lot of initiatives that we became involved in that were of a one- and two-year duration are now starting to come to fruition, including the work that we have been talking about tonight, the jurisdictional co-operation principles of harmonization.

The number of committees related to CCME the department has become involved in, those responsibilities, some of them are now starting to be delegated to the CCME Secretariat which is now located here in the province. Just getting that Secretariat located here took some considerable amount of support from within the department as well. Now that we have a little bit better structure in CCME, each of the provinces can step back a little bit and let some of the new people that we are putting in place there take over some of their responsibilities.

In terms of overall departmental objectives, I think the federal-provincial liaison on environmental assessment activities, water quality and air quality, and we have been working on nox and box issues nationally. Licensing under The Environment Act and hazardous waste management are all items that are near the top of the list for the department as a whole. We have an ongoing enforcement responsibility that is growing. Thrown into the mix of course is the reorganization of the department, which has gone I think relatively well but has required the expenditure of some considerable amount of energy over the last 16 months.

Madam Chairman: Order, please. The hour being past 10 p.m., committee rise. Call in the Speaker.

IN SESSION

Madam Deputy Speaker (Louise Dacquay): Order, please. The hour being past 10 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

Legislative Assembly of Manitoba

Monday, December 3, 1990

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