

**Third Session - Fortieth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
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MITCHELSON, Bonnie	River East	PC
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WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, April 23, 2014**

*The House met at 1:30 p.m.*

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Good afternoon, everyone. Please be seated.

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 59—The Adoption Amendment and  
Vital Statistics Amendment Act  
(Opening Birth and Adoption Records)**

**Hon. Kerri Irvin-Ross (Minister of Family Services):** Mr. Speaker, I move, seconded by the Minister of Tourism, Culture, Heritage, Sport and Consumer Protection (Mr. Lemieux), that Bill 59, The Adoption Amendment and Vital Statistics Amendment Act (Opening Birth and Adoption Records); Loi modifiant la Loi sur l'adoption et la Loi sur les statistiques de l'état civil (accès aux documents de naissance et d'adoption), be heard—be now read a first time.

*Motion presented.*

**Ms. Irvin-Ross:** Mr. Speaker, this bill establishes a system that allows for more openness with respect to birth and adoption records. Many people have been waiting a long time for information related to their birth and adoption records, and we are pleased to introduce amendments that we feel provide an open regime while still respecting the privacy concerns of individuals involved in the adoption process.

For the first time in Manitoba, this bill provides, among other things, for an adult adoptee to access their preadoption birth registration. It also allows for a registered birth parent to access the substituted registration of a birth for their adult child who they placed for adoption.

Today I stand with the many long-term advocates, such as LINKS's very own Mr. Roy

Kading, as well as the staff of the postadoption registry, who have been working tirelessly to make sure that these amendments became a reality. And I am very proud that I'm able to deliver that today.

For many Manitobans involved in adoptions, these—

**Mr. Speaker:** Order, please. The honourable minister has gone on considerably longer than our tradition normally allows in the House. I know I can—perhaps the minister can save the additional amount of information for debate on the bill itself on second reading. Thank the honourable minister.

Is the pleasure of the House to adopt the motion?  
[Agreed]

**Bill 58—The Manitoba Institute of  
Trades and Technology Act**

**Hon. James Allum (Minister of Education and Advanced Learning):** Mr. Speaker, I move, seconded by the Minister of Family Services, that Bill 58, The Manitoba Institute of Trades and Technology Act; Loi sur le Manitoba Institute of Trades and Technology, be now read for the first time.

*Motion presented.*

**Mr. Allum:** This bill establishes the Winnipeg Technical College as a stand-alone hybrid institution that will provide both secondary and post-secondary skills training and education. It also renames Winnipeg Technical College the Manitoba Institute of Trades and Technology and allows the institution to take on an expanded role in providing jobs and skills training to Manitoba high school and post-secondary students.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion? [Agreed]

Further introduction of bills?

**Bill 60—The Restorative Justice Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister for Family Services, that Bill 60, The Restorative Justice Act; Loi sur la justice réparatrice, be now read a first time.

*Motion presented.*

**Mr. Swan:** This bill will provide a framework to further develop restorative justice programs across our province. It will encourage more cases to be resolved by communities outside of the traditional court process and allow court resources to be directed to cases more pressing to public safety. It will also set up an advisory council which will provide advice on strengthening and enhancing restorative justice programs across our province.

Mr. Speaker, restorative justice repairs the harm that's caused by criminal actions while allowing the community and the victim, where the victim wishes, to hold the offender responsible for his or her actions and to seek a resolution that affords healing, reparation and reintegration.

Mr. Speaker, this bill's part of our government's balanced approach to greater public safety for Manitobans.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

Any further introduction of bills?

### PETITIONS

**Mr. Speaker:** Seeing none, we'll move on to petitions.

#### Employment and Income Assistance— Rental Allowance Increase

**Mr. Blaine Pedersen (Midland):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The rental allowance for people on employment and income assistance, EIA, in Manitoba has remained effectively flat for over 20 years, even while the cost of renting a home has steadily increased.

Despite the many calls from the official opposition caucus, individuals and community groups, and despite the fact that the very same recommendation was made in a final report of the inquiry into the circumstances surrounding the death of Phoenix Sinclair, the provincial government has failed to protect the most vulnerable Manitobans by refusing to raise the rental allowance portion of employment and income assistance to 75 per cent of median market rates—rents.

Fewer dollars to use for rent forces Manitobans using EIA to live in substandard, overcrowded and unsafe conditions.

Fewer dollars available for EIA recipients to rent safe and hygienic housing means increased pressure on food banks, the health-care system and other services, as Manitoba families have to divert money for food and other critical necessities to pay for rent.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government and the Minister of Jobs and the Economy to increase the rental allowance for EIA recipients to 75 per cent of median market rent so that EIA recipients can secure clean, safe and affordable housing without sacrificing other necessities such as food and medical expenses.

And this petition is signed by C. Catellier, V. Catellier and B. Catellier and many more fine Manitobans.

**Mr. Speaker:** In keeping with our rule 132(6), when petitions are read they are deemed to have been received by the House.

\* (13:40)

#### Provincial Sales Tax Increase— Reversal and Referendum Rights

**Mr. Ralph Eichler (Lakeside):** Good afternoon. I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The Balanced Budget, Fiscal Management and Taxpayer Accountability Act is a law that guarantees Manitobans the right to vote in a referendum to either approve or reject increases to the PST and other taxes.

(2) Despite the fact that the right to vote is enshrined in this legislation, the provincial government hiked the PST to 8 per cent as of July 1st, 2013.

(3) The Progressive Conservative Party of Manitoba has asked the courts to rule on whether or not the government broke the law failing to address the referendum requirement before imposing the PST tax increase on Manitoban families.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to reverse the PST increase.

(2) To urge the provincial government to restore the right of Manitobans to vote in a referendum on increases to the PST.

This petition is submitted on behalf of C. Ozirney, L. Peirpato, S. Swanson and many other fine Manitobans.

**Mr. Cliff Cullen (Spruce Woods):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The Balanced Budget, Fiscal Management and Taxpayer Accountability Act is a law that guarantees Manitobans the right to vote in a referendum to either approve or reject increases to the PST and other taxes.

(2) Despite the fact that the right to vote is enshrined in this legislation, the provincial government hiked the PST to 8 per cent as of July 1st, 2013.

(3) The Progressive Conservative Party of Manitoba has asked the courts to rule on whether or not the provincial government broke the law by failing to address the referendum requirement before imposing the PST tax increase on Manitoba families.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to reverse the PST increase.

(2) To urge the provincial government to restore the right of Manitobans to vote in a referendum on increases to the PST.

This petition is signed by L. Doldyk, N. Berens, M. Lovelace and many other fine Manitobans.

#### **Beausejour District Hospital— Weekend and Holiday Physician Availability**

**Mr. Wayne Ewasko (Lac du Bonnet):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The Beausejour District Hospital is a 30-bed, acute-care facility that serves the communities of Beausejour and Brokenhead.

(2) The hospital and the primary-care centre have had no doctor available on weekends and holidays for many months, jeopardizing the health and livelihoods of those in the northeast region of the Interlake-Eastern Regional Health Authority.

(3) During the 2011 election, the provincial government promised to provide every Manitoban with access to a family doctor by 2015.

(4) This promise is far from being realized, and Manitobans are witnessing many emergency rooms limiting services or closing temporarily, with the majority of these reductions taking place in rural Manitoba.

(5) According to the Health Council of Canada, only 25 per cent of doctors in Manitoba reported that their patients had access to care on evenings and weekends.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government and the Minister of Health to ensure that the Beausejour District Hospital and primary-care centre has—have a primary-care physician available on weekends and holidays to better provide area residents with this essential service.

This petition is signed by S. Young, M. Nowicki, R. Monte and many, many more fine Manitobans.

**Mr. Speaker:** Any further introduction of petitions? Seeing none, we'll move on to committee reports? Tabling of reports? Ministerial statements?

#### **Introduction of Guests**

**Mr. Speaker:** Prior to oral questions, we have a number of guests to introduce.

Seated in our public gallery we have from Elmdale School, we have 54 grade 4 students under the direction of Bethany Dueck and Mike Martens, and this group is located in the constituency of the honourable member for Steinbach (Mr. Goertzen).

And also seated in the public gallery this afternoon we have with us from Springs Christian Academy 35 grade 9 students under the direction of Mr. Brad Dowler, my colleague speaker from the school. On behalf of all honourable members, the—this group is here for—from the honourable member for St. Boniface (Mr. Selinger), our First Minister.

And on behalf of all honourable members, we all welcome all of you here this afternoon.

## ORAL QUESTIONS

### Future PST Increase Manitobans' Right to Vote

**Mr. Brian Pallister (Leader of the Official Opposition):** Well, when the government announced its decision just a year ago to hike the PST, despite its earlier promises that it would not do so, many Manitobans expressed real concerns about the consequences that might befall them as individuals and the economy of Manitoba as a whole.

And, Mr. Speaker, we now know, because of recent employment numbers that were released, what the consequences are for Manitobans. Manitoba's employment rate between July 2013 and the most recent numbers, March 2014, has actually not gone up at all; it's gone down by 0.9 per cent, which ranks us as the worst in Canada.

Economic impact is severe for Manitobans looking for work. It's severe for Manitoba families.

Will the Premier at least guarantee not to hike any major taxes again in this province without first allowing Manitobans a right to vote?

**Hon. Greg Selinger (Premier):** Mr. Speaker, as the member knows, we made a timely decision after a report came out about a billion dollars of additional investment required in flood infrastructure and many demands from members opposite to invest in core infrastructure in Manitoba.

And, as a matter of fact, what we did is we listened to Manitobans. We toured the province, and Manitobans said, if you're going to invest in core infrastructure, make sure you look after people that have been impacted by floods.

And we are doing that. As a matter of fact, one of our first announcements was \$250 million for the people around Lake Manitoba and Lake St. Martin, the Assiniboine valley all the way out to Brandon.

And now the new plan will lift the economy by \$6 billion and create 59,000 jobs in Manitoba.

**Mr. Pallister:** Person-years of employment aren't jobs, Mr. Speaker.

But the fact is that the Premier actually didn't raise core infrastructure first as an excuse for breaking his promise to the people of Manitoba. He didn't do that at all. In fact, it took him three or four tries before he came up with that line, and the fact of the matter is that the consequences for Manitobans of

his unnecessary and illegal PST hike are real and they're being felt by real Manitobans.

He didn't answer my question, of course, Mr. Speaker, so I'll ask again. Now, inflation is a serious concern for Manitobans, especially Manitoba seniors and low-income families living on fixed incomes. What was the impact? What was the impact to Manitobans of the PST hike and the other major tax hikes the government imposed on Manitobans that they promised they would not? The impact is that we have the highest inflation growth since the PST came in of any Canadian province.

Will the Premier, at the very least, simply guarantee the people of Manitoba that he will not proceed with another major tax hike without giving them a chance to vote?

**Mr. Selinger:** Mr. Speaker, we have consistently named Manitoba in the top three or four of affordability in the country. And one of the ways we have kept our affordability pledge to Manitobans, we've kept our hydro rates, our home heating rates and our auto insurance rates the lowest in the country. And the reason they're the lowest in the country is because they are—those services are provided by Crown corporations.

And unlike the member opposite, who said he would not privatize the telephone system when it was a Crown corporation, he then broke his promise, privatized the telephone system, and now we have the third highest rates in the country, we will keep Manitoba Hydro owned by the people of Manitoba. We will keep public auto insurance owned by the people of Manitoba.

And as a result, we will keep the lowest rates in North America for hydro and the lowest rates in Canada for auto insurance, home heating and hydroelectricity anywhere in Canada, the lowest rates in Canada.

**Mr. Pallister:** Along with among the highest taxes in every category, Mr. Speaker, and the highest hydro rate increases of any Canadian province last year and the highest tax growth of any Canadian province last year, all of which takes money off the kitchen tables of Manitobans, all of which hurts Manitobans where it hurts most, in their own homes, in their own home budgets, and it hurts Manitoba's small-business people too.

\* (13:50)

But what also hurts, Mr. Speaker, is the reduction in wage increases that Manitobans need. When we have the highest inflation, and we now have the ninth—we're in the ninth position on wage growth in the entire country, this means Manitobans actually lost purchasing power last year.

Mr. Speaker, is it any wonder that this is a bottom-of-the-barrel government that's created bottom-of-the-barrel economic indicators for our province, and is it any wonder when the Premier won't answer a simple question?

Will he guarantee the people of Manitoba, at the very least, that he will not again raise major taxes without first giving them a chance to have a vote on it?

**Mr. Selinger:** Mr. Speaker, what we have consistently said is we will keep Manitoba among the most affordable places to live in Canada. We have done that every single year we have been in office, and we have increased the disposable income of Manitobans and seen very significant wage growth.

For seniors, we rolled out a rebate on their education taxes this year, and the members opposite voted against this. We brought in a major \$20-million rent assistance program for every Manitoban that needs that support in Manitoba, and the members opposite voted against that. We've increased the minimum wage every single year that we've been in office, 14 years in a row, and the members opposite have opposed that 14 times in a row.

When people make better wages, a stronger minimum wage, we're all better off. There's less poverty. When we build social housing and provide rent assistance, there's less poverty in Manitoba. When we have a Northern Healthy Foods program, there's less poverty in the North. When we build hydro and infrastructure in Manitoba, we're all better off.

And the member opposite wants to stop building hydro and not provide good infrastructure to the people of Manitoba. Shame on him.

### **PST Increase Employment and Inflation Rates**

**Mrs. Heather Stefanson (Tuxedo):** Say shame on this Premier (Mr. Selinger) for not ruling out yet another PST increase.

Mr. Speaker, since the NDP hiked the PST last summer, the inflation rate increase is the highest in Canada. The consumer price index has grown 2.5 per cent, the highest of any rise in the provinces across this country and more than double the national rate at 1.1 per cent.

High inflation means it's getting harder for Manitoba families to cope with the rising costs of living.

Will the minister admit that the PST hike is hurting the Manitoba families and the Manitoba economy?

**Hon. Theresa Oswald (Minister of Jobs and the Economy):** I thank the member for the question.

What the member does neglect to mention, Mr. Speaker, is that as a result of that decision, not easily taken, to raise PST by 1 cent on the dollar, we've made a commitment to Manitobans to have a \$5.5-billion infrastructure plan, which is not only going to create the core infrastructure that we need to increase trade, to boost our economy, but it's always going to create—it's going to create jobs, 58,900 jobs, according to the Conference Board of Canada. The very best way to keep one's life affordable is to have a good job.

**Mrs. Stefanson:** Well, Mr. Speaker, I'm glad the minister is talking about employment, and let's look at the real numbers. Since the PST was hiked last year, Manitoba's employment rate has dropped 0.9 per cent. This government's job creation numbers are the worst in Canada.

How many jobs does this minister expect will be lost as a result of her PST increase?

**Ms. Oswald:** Again, the member opposite, appearing somewhat forgetful this morning—this afternoon, certainly does not acknowledge that Manitoba maintains the third lowest unemployment rate in the nation. And this has happened during a very challenging global economic downturn, a downturn, I will remind you, Mr. Speaker, members opposite neglect to acknowledge existed in the first place.

Mr. Speaker, really exciting things are happening in Manitoba. Just yesterday we stood with Canadian Tire at their innovation centre, state of the art, best in North America. This is going to create 50 new jobs with a bullet, high-tech, highly skilled jobs, and what did the Leader of the Opposition call our incentives to bring them here? Ooh, a bad idea.

**Mrs. Stefanson:** Well, I tell you, a bad idea was that this government broke their promise to Manitobans and increased the PST. That was a bad idea.

Mr. Speaker, while jobs are being lost and inflation is going up, the average weekly take-home pay of workers in Manitoba has seen the slowest growth in Canada, next only to New Brunswick. Inflation rose 2.5 per cent, but workers are only earning 0.59 per cent more. Manitoba families—this means that Manitoba families are getting squeezed.

Will the minister please tell us how Manitobans are supposed to cope with high inflation, stagnant wages and a PST hike?

**Ms. Oswald:** Forty-five seconds is not long enough to correct the misinformation members opposite are putting on the record.

First of all, Mr. Speaker, the Leader of the Opposition speaks about taxes but doesn't mention even for a second that we have completely eliminated the small-business tax here in Manitoba.

Mr. Speaker, the member opposite speaks about the 1 per cent addition on the dollar but neglects to mention that there's a \$5.5-billion infrastructure plan that's going to create 58,000 jobs here in Manitoba, good paying jobs.

The member opposite neglects to mention that we are among the most affordable places to live in Canada, where our young people can get excellent training at great schools, get a good job, put down roots here in Manitoba.

Members opposite think investing and doing that is a bad idea. We disagree.

### **Manitoba Hydro Demand-Side Management Plan**

**Mr. Ralph Eichler (Lakeside):** This NDP government is planning on imposing restrictions on the hydro customers—the hydro that they can actually use. If customers go on a pre-set amount determined by Hydro, they will pay a higher rate per kilowatt hour. This is the most recent development at the PUB hearings.

Mr. Speaker, does the minister support this plan to charge Manitobans more?

**Hon. Stan Struthers (Minister responsible for Manitoba Hydro):** Well, Mr. Speaker, the biggest threat to rates in Manitoba is the plan by members opposite to pause and then cancel the projects that

have kept our rates amongst the lowest in North America.

I tabled before—I'll do it again today, Mr. Speaker. I'll table the—a chart for the member opposite that shows that Manitoba, of all of the jurisdictions, has, in fact, the lowest hydro rates. He will notice on this chart that Manitoba and Quebec and British Columbia are at the low end of the rates. The higher end are jurisdictions that rely on natural gas and coal, which members opposite say we should moving—we should be moving towards.

**Mr. Eichler:** The problem with the government's plan is power being sold to our neighbours to the south is being done at the cost of Manitoba consumers.

The government has filed a demand-side plan with the PUB that will penalize Manitobans who don't save enough energy for the likes of yesterday's NDP.

I'll ask the minister: Commit not to charging Manitobans more power as proposed by this government.

**Mr. Struthers:** Well, Mr. Speaker, the member opposite is absolutely incorrect. He's as—he is—as a matter of fact, he is as incorrect as his leader is. As a matter of fact, he is as misguided as his leader is, who does not want to sell into the export market at all. That means that our prices here in Manitoba—that means our rates that Manitoba families pay in Manitoba would go through the roof.

If they want to keep rates low, they should agree with our approach, which is to invest in Manitoba Hydro, keep it in public hands and use the export market to keep our rates, as he sees here, the lowest in the continent.

**Mr. Eichler:** Mr. Speaker, we on this side of the House support hydro conservation, but we have to get it right. We built Manitoba Hydro. We need it properly managed, not mismanaged like this government has. What we want is a responsible development in the best interests of consumers, Manitobans, the real owners of Manitoba Hydro.

Mr. Speaker, I ask one final time: Does this minister support the demand-side management planned by his government, under his direction, yes or no? Will he come clean with the rest of Manitobans?

**Mr. Struthers:** Well, Mr. Speaker, it's been this side of the House position all along that the Power Smart



program in Manitoba has been very successful. We support making that program even more successful.

\* (14:00)

Unlike the Leader of the Opposition when he had his chance on this side of the House where there was no progress made in terms of demand-side management, we understand on this side of the House the value of conserving hydro so that you can sell into the export market and keep our rates at the lowest end of the rate spectrum all across this continent.

I would refer him back to the table that I presented, which shows our rates, the lowest of all these jurisdictions, and I'd particularly ask him to look at Minnesota and Wisconsin, double our rates, and those are the people who want to buy our power.

#### **Psychiatric Ward Closure Nurse Employment Security**

**Mrs. Myrna Driedger (Charleswood):** The Premier's (Mr. Selinger) answers yesterday about the job loss of nurses at the Grace Hospital when the psych ward closes showed that he did not understand the process that takes place when nursing positions are changed or eliminated or he misled this House. Perhaps the Minister of Health can clarify this issue today.

When the psych ward closes, can the Minister of Health explain what actually happens to the nurses that work there?

**Hon. Erin Selby (Minister of Health):** I would be happy to speak about this. I know this member at times has put some unclear facts on the record and sometimes has scared people unnecessarily.

But I think it's important to let people know that no front-line staff will lose their jobs. Staff and unions will be worked with to ensure a smooth transition. Of course, the PACT teams are going to need more people working with them as well.

And, again, none of this will happen quickly. This is a slow process. It's going to mean change for families, and we want to work with the families and the front-line staff to make sure that everybody is comfortable with the transition.

**Mrs. Driedger:** For some reason, the Minister of Health also doesn't want to answer the question. So I'm going to give her another chance at this.

When the psych ward closes, what actually happens to the nurses that work there?

**Ms. Selby:** Well, once again, Mr. Speaker, I will say it: No front-line staff will lose their jobs.

This is not going to be a quick transition, and we recognize that it will be difficult for some people. Change is difficult, particularly in health care. It's why we're going to take the time to work with the families, to work with the front-line staff, but to know that in the end we're going to be providing a very good service for people.

We'll be providing service for more people in the community, a service that has been proven and tested to work for people, and we'll certainly need plenty of staff on that too.

**Mrs. Driedger:** This government didn't even have enough respect for these nurses to tell them to their faces that they were going to lose their jobs. Instead, they heard about it in the media.

According to the nurses, at least eight of them are going to lose their jobs, and that is what the nurses are telling us.

So I'd like to ask the Minister of Health to tell us if these nurses have received job termination letters.

**Ms. Selby:** The Winnipeg regional health authority did meet with staff and assured people that there will be no job losses to front-line staff.

And we've arranged with staff and union in order for them to do ride-alongs with the PACT team to see what it's about, because we are hoping, of course, that that staff will understand that this is an important move for families, that it's going to be able to serve many more people in the community, and the testing and the experts all show us that it provides a better, more enhanced service for people. It keeps them in their home. It helps them to stay with their families.

We need those people working in our PACT teams. We want those people to be working with us. We're not getting rid of any front-line staff.

#### **Thompson Bridge Bridge Approach Design**

**Mr. Reg Helwer (Brandon West):** I note that the NDP campaign signs have been popping up all over Manitoba kind of like, well, kind of like dandelions, you know. It's those orange hazard diamond markers, the hazard warnings that warn people of potholes.

And in Brandon they warn people of the launch pad onto the Thompson bridge. The aprons have dropped yet again and drivers risk damaging their

vehicles on a bridge that was over budget and overdue.

Mr. Speaker, can the minister tell us how often he expects the aprons to drop? Is this something we can expect every year just like the dandelions or maybe every two years? Is it a perennial?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** There's something that's pretty—it's not perennial, Mr. Speaker, it happens daily, it's when members opposite get up and talk about infrastructure. Of course, later on in the day, if they have the chance, they'll vote against it. They have no credibility on infrastructure.

I'd like to perhaps indicate to the member opposite we're taking the challenge on. And, in fact, I look forward tomorrow when we are going to be joining with the CAA when they announce their worst road contest in Manitoba, because our government, whether it be here in the city of Winnipeg or any of our highways, we are—due to our historic investment in infrastructure, we are targeting those highways.

We're making a difference, unlike members opposite who stand up, talk about infrastructure, then vote against it.

**Mr. Helwer:** So many choices in Manitoba for the worst road, so it's difficult to narrow it down.

Indeed, you know, I think back to the last election. The MLA for Brandon East said that, well, people vote against budgets for a variety of reasons, not because they're necessarily against a project. Interesting.

But the minister is fond of saying that the approaches in Brandon, they're part of the design. So is it also part of the design when the vehicle goes off the launch 'prad' and crashes down on the bridge eight to 10 feet in, that that added pressure there was part of the design process, that this bridge can withstand that extra impact not only from cars but from fully loaded semi-trailers?

Was it part of the design to take that extra pounding?

**Mr. Ashton:** I'm not sure where the member for Brandon West got his engineering degree from, but he certainly seems to be a critic.

But I want to put on the record I thought he went a little bit too far recently. It was only a few weeks ago that he was criticizing the work that had been

done on Victoria Avenue, and I want to remind you he stood up last year, said we needed to work on Victoria Avenue. We did announce that in the budget; he voted against it.

But what was particularly noticeable, Mr. Speaker, was a number of weeks ago he criticized the work that was done. It was done, by the way, by Zenith Paving from Brandon. I wonder if the member opposite will apologize for insulting a good Manitoba—a good Brandon business.

**Mr. Helwer:** Well, I spoke to Zenith Paving about Victoria Avenue, and this was specified by the minister's department. They followed what the minister said to do, just like the Thompson bridges.

Mr. Speaker, this NDP government has failed at maintaining Manitoba's infrastructure and has underspent by over \$1.9 billion over the last four years. With the Thompson bridges, the minister's design, like Victoria Avenue, has created a long-term maintenance issue dangerous for motorists and possible structural damage.

Mr. Speaker, will the minister admit that the NDP's chronic underspending on Manitoba's infrastructure has created the infrastructure deficit that we suffer from today?

**Mr. Ashton:** You know, it's spring in Manitoba. It came a little bit later this year, but there's a tremendous sense of optimism out there. And pretty soon we're going to move to another season; it's called construction season.

Now, I know the members opposite or the Leader of the Opposition, the member for Brandon West will try to find something to criticize. I'm predicting that pretty soon the member for Brandon West is going to be up complaining about construction delays. Well, I want to apologize in advance for this government because there's going to be record construction, record construction delays. That's how you fix our infrastructure in this province.

### **Safe Schools Manitoba Update**

**Mr. Wayne Ewasko (Lac du Bonnet):** Mr. Speaker, this new Minister of Education is silencing Safe Schools Manitoba and stifling their ability to communicate. Manitoba families deserve to know about the safety of their children and the schools.

Why is this minister refusing to provide the answers that Manitobans want and deserve?

**Hon. James Allum (Minister of Education and Advanced Learning):** I thank the member for the question.

Of course, we take the safety and security of our students in our schools very, very seriously. That's why last year, led by the member from St. Vital, we tabled Bill 18 in this House. We had members of the public come to support Bill 18, which has as its essence supporting safe and secure classrooms and making sure that students can be themselves in the classroom.

We on this side of the House voted for that. On that side of the House, they voted against it.

**Mr. Ewasko:** This new Minister of Education seems to be engaged in a cover-up and is creating a culture of secrecy in the education system. This culture of secrecy puts Manitobans at risk and shows contempt for the taxpayers of this province.

Will this new Minister of Education stop putting Manitobans at risk, or will he keep the cover-up going?

**Mr. Allum:** Well, I'm not sure exactly what the member's referring to. I think, though, that he's probably thinking of Watergate or something like this. On this side of the House, we're open, we're transparent, we're accountable.

\* (14:10)

We passed Bill 18 last year to make sure that classrooms are safe and secure for all our students. We've passed a code of conduct to make sure that there are consequences for the actions of bullying. We have a new guide out called MyGSA, which helps students set up a GSA if they want to in their school.

Mr. School—Mr. Speaker, we've stood shoulder to shoulder with students, but when the member opposite had the chance to do that, he voted against it.

**Mr. Ewasko:** Trust is very important to all Manitobans. This new Education Minister ran in the last election promising to his constituents he would not raise taxes.

He has now fired at least 11 teachers, blown 15 and a half million dollars on student financial aid program which isn't working, now a gag order on Safe Schools Manitoba. The list continues to grow daily.

How can Manitobans trust this government or this new minister with our greatest assets, our kids?

**Mr. Allum:** Well, the greatest threat to the education of our young people is across the floor when the Leader of the Opposition proposes to cut more than a half a billion dollars from the Education budget.

We have improved and grown and increased funding to our schools, to our universities, to our colleges. We provide a quality, affordable, accessible education for every student in Manitoba.

They govern for some people. We govern for all the citizens of Manitoba.

### **Flooding (2011) Dauphin River Housing for Evacuees**

**Hon. Jon Gerrard (River Heights):** It is now three years since the flood of 2011. Dauphin River, one of the badly affected communities, is one of the most beautiful spots in all of our province and, of course, one of the places most severely affected in the flood. Today more than 95 per cent of the community residents remain evacuated.

I ask the Premier: Can he tell us when all the residents of Dauphin River will be able to go home and live in their community?

**Hon. Greg Selinger (Premier):** I thank the member for this question.

This is one of the ongoing issues of the 2011 flood, and the member will know that in our last quarterly report, we set aside \$100 million to rebuild the communities impacted in the 2011 flood in partnership with the federal government. And the Minister of Aboriginal and Northern Affairs (Mr. Robinson) has been working on that with his federal counterpart.

The difference is this time we want to build those communities up in such a way that they're not going to be subject to the kind of flooding we saw in 2011. This means putting people on higher land, and we're making land available. This means rebuilding houses and infrastructure, water and sewer facilities, street facilities. This means addressing it in such a way that we have the kind of long-term solution that we provided to the people of Winnipeg with the floodway, the people of southern Manitoba with the work we've done on ring dikes around their communities and lifting their homes two feet above the '97 levels, the kind of work we're doing in Brandon and along the Assiniboine valley.

We need a solution that goes beyond the existing disaster financial assistance arrangements, which only allow you to rebuild to what you had before. Well, if what you had before is consistently flooding, that's not good enough, Mr. Speaker, so we have to take an approach that lifts the boats, that lifts the possibilities for a safe, secure life for all of those communities, which is why we put that—

**Mr. Speaker:** Order, please. The honourable First Minister's time has expired.

### **Prevention Plan**

**Mr. Gerrard:** Three years of waiting and still no clue as to when people in Dauphin River can finally go home. The economic and social costs of this NDP government's reactionary flood remediation, especially at this glacial pace, are adding up.

Much of the reserve land around the community of Dauphin River is low and marshy and boggy at times and can't be built upon. The people of Dauphin River need a cost-effective, long-term solution.

I ask the Premier: What is his plan to ensure that the entire community of Dauphin River has a sufficient land base on high enough ground that the community can expand and grow?

**Mr. Selinger:** I appreciate the question from the member because he's identified that these communities were set along land which is at high risk of exposure in floods.

When the original Portage Diversion was built—there was no provision put in place when the original Portage Diversion was built to protect these communities. We happen to have land contiguous to that existing community, and we are going to make higher land available to those communities. Land selections have been—are occurring. The community's identifying higher land that they can put their homes on and build their community on in the area where they've lived for many, many years.

So we are working very closely with them to do that. It will require rebuilding infrastructure. It will require rebuilding new homes. We're working closely with the First Nation, the federal government, the local municipality that's impacted. We know that this land will have to be redesignated as reserve land under the federal legislation.

But, Mr. Speaker, I can assure you and I can assure the member from River Heights we're moving forward on this in lockstep with the community to ensure that we have a solution that is a durable

solution and won't put them under water the next time we have an event like 2011.

### **Paving Highway 513**

**Mr. Gerrard:** Mr. Harold Anderson, a Dauphin River councillor, and his brother John are here in the gallery today. They know only too well that the road to Dauphin River, Highway 513, was built so low that it floods. It's been a perennial problem. It's a gravel road because the NDP government has never made a priority to pave it. Because the road floods, people in Dauphin River have too often been cut off and isolated.

I ask the Premier: Will he bring in engineers to see if it's possible to build a paved road on high enough land that it will not flood, allowing the community permanent, year-round safe access?

**Mr. Selinger:** The member is correct. That road was at risk and did go under water during the 2011 experience, and if the community wants to make that one of their priority investments in rebuilding their community, we can consider that with them in partnership with the federal government.

We want to ensure that we have a solution that will be a durable solution for that community. That can include transportation. It can include core infrastructure like sewer and water. It certainly will include new housing that will be built on that land and on higher land. We will make Crown land available so that community has a durable, long-term solution that does not put them under water.

It's taking far too long for any of us. We're all frustrated by the long period of time that this has taken. We appreciate the community's tremendous patience and leadership in identifying how they want to make their community one that will be high and dry in the future and a community where people can live with the same kind of security that the rest of Manitobans enjoy.

That is what we're going to do. We're going to treat those people, for the first time in history, like every other Manitoban and give them the kind of flood protection they so much deserve.

### **Cloud Nine Digital Innovation Centre Grand Opening**

**Mr. Matt Wiebe (Concordia):** We know that really exciting things are happening right here in Manitoba, and a big part of that is creating competitive and attractive environment for companies and businesses

to invest in and supporting the skilled workforce needed to fill those jobs.

Can the Minister of Jobs and the Economy tell the House all about yesterday's exciting announcement in downtown Winnipeg?

**Hon. Theresa Oswald (Minister of Jobs and the Economy):** I thank you for the question. What a great opportunity to speak even more about the opening yesterday of the new Cloud Nine Digital Innovation Centre for Canadian Tire right here in downtown Winnipeg, 28,000 square feet of imagination and fabulousness that's going to transform retail as we know it.

The Manitoba government came forward in partnership with Yes! Winnipeg to offer incentives from training to tax credits.

And the chief technology officer, Mr. Eugene Roman, said: Winnipeg's a special place. It has many benefits that we saw. We looked across Canada, we did a national search, and our conclusion was Winnipeg is the place to be.

This are—these are going to be fabulous, highly skilled, high-tech jobs. It's what on this side of the House—

**Mr. Speaker:** Order, please. The honourable minister's time has expired.

#### **Vita & District Health Centre ER Reopening Timeline**

**Mr. Dennis Smook (La Verendrye):** It has now been 552 days since the emergency room at the Vita hospital closed.

This Minister of Health is probably tired of me asking this question. Well, Mr. Speaker, the residents of southeastern Manitoba are tired of not having an ER. They are tired of the last two Health ministers with their rhetoric and broken promises.

When will this Health Minister keep her promises and reopen the ER at the Vita hospital?

\*(14:20)

**Hon. Erin Selby (Minister of Health):** We know Manitobans want to see health care closer to home. It's why we're bringing health care closer to home.

But it's important that we don't ignore patient safety. We know that folks in Vita want to see their ER open and we want to see it open as well. The funding is still there, Mr. Speaker, and we're still working on recruiting. We've done good on

recruiting in many areas around the province, and we're going to keep doing it for Vita as well.

We have a net gain of over 562 more doctors practising in Manitoba; 120 of those doctors are now practising in rural Manitoba. But we have more work to do, and we're going to keep doing it.

**Mr. Smook:** Again, it has been 552 days since the emergency room at the Vita hospital closed. The minister or ministers both promised it would reopen shortly.

The Premier (Mr. Selinger) is on record saying there is nothing more important than ensuring your family has the care they need regardless of where they live.

Mr. Speaker, will the minister give us a date that the ER at the Vita hospital will reopen, or does she maybe have to move to Vita to get the ER reopened?

**Ms. Selby:** Well, Mr. Speaker, we know that Manitoba has twice as many doctors practising in rural Manitoba as the national average, but we know we need more.

Manitobans want more doctors. It's why we've made a commitment for everyone in Manitoba to have a family doctor by 2015. We know 86 per cent of Manitobans do have a family doctor, but we know we can do more.

It's why the funding remains on the table for staffing in Vita. It's why we're going to keep recruiting. It's why we're training more doctors, why we've increased rural residencies. And we're going to keep working 'til we get that ER open.

**Mr. Smook:** As I said, more rhetoric, but no action.

The hospital ER has been closed for 552 days. The residents of southeastern Manitoba have to drive to Steinbach, the nearest area away.

I have met with the Health ministers and they have promised that the ER would reopen shortly. Again, more rhetoric.

One more time: When will this Health Minister give us an exact date on when that hospital will reopen, or does she just not care?

**Ms. Selby:** The actions we've taken on this side of the House is providing funding to make sure that there's funding for staff in that ER. It's by increasing the seats at the University of Manitoba so that—we were training only 70 doctors when we came in; we're now training 110. It's why we've increased the

residencies. It's why we save seats for students who have rural roots, hoping that they will return to their community.

Mr. Speaker, if you want to talk about actions speaking louder than words, our actions are we've been increasing the number of doctors here. They cut funding to rural Manitoba hospitals when they were in office.

### **Manitoba Hydro Bipole III MBLC Negotiations**

**Mr. Blaine Pedersen (Midland):** Mr. Speaker, this NDP government continues to bully landowners faced with the imposition of Manitoba Hydro's Bipole III transmission line. But this NDP government continues to persist in not allowing Manitoba Hydro to negotiate with the Manitoba bipole landowners committee, MBLC.

Mr. Speaker, why does this NDP government continue to block Manitoba Hydro from sitting down with the MBLC to address the landowners' many concerns?

**Hon. Stan Struthers (Minister responsible for Manitoba Hydro):** Well, the facts of the matter, Mr. Speaker, don't bear out the question of the member opposite. How can he say anybody's blocking Manitoba Hydro from sitting with landowners when just about half of the landowners have already committed to signing easements with Manitoba Hydro?

I think the member opposite should just get his story straight.

**Mr. Pedersen:** Mr. Speaker, the landowners belonging to MBLC have many concerns: access and egress, liability issues, increased insurance costs plus the additional costs and diminished returns from working around the towers that will happen with Bipole III; this on some of the most productive farmland in southern Manitoba.

Mr. Speaker, why does this government continue to block Manitoba Hydro from sitting down with the MBLC to address the many issues—not only that I've brought up; there are many more issues—why do they continue to block Manitoba Hydro?

**Mr. Struthers:** Well, Mr. Speaker, the biggest threat to the profitability of landowners—in which, I agree, is some of the most profitable land in the province—the biggest threat to the profitability of those landowners are members opposite, the Leader of the Official Opposition (Mr. Pallister), who refuses to

sell hydro into the export market to create that wealth in the first place and then redistribute it to the very farmers that the member opposite purports to represent.

Not only have half the landowners signed onto these signing—these easements, but they're signing on at 150 per cent of fair market value. So don't let members opposite tell anybody that this side of the government isn't on the side of the landowner, Mr. Speaker.

**Mr. Speaker:** The time for oral questions has expired.

### **Speaker's Ruling**

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

Order, please. Immediately following the prayer on April 9th, 2014, the honourable member for Morden-Winkler (Mr. Friesen) raised a matter of privilege, stating the honourable Minister of Finance (Ms. Howard) had misled the House by knowingly putting false and erroneous information on the record on April 8th, 2014, during oral questions when referencing a recent Manitoba Ombudsman's report. The honourable member for Morden-Winkler claimed that the minister's actions made it impossible for him to perform his duties as an MLA.

The honourable member for Morden-Winkler concluded his remarks by moving, in quotations, "that this issue of the Minister of Finance's inaccurate information placed on the record with respect to the findings of the Ombudsman's report be referred to a committee of this House," end of quotations.

The honourable Minister of Finance and the honourable member for River Heights (Mr. Gerrard) both spoke to the matter of privilege before I took the matter under advisement to consult with the procedural authorities. I thank all honourable members for their advice to the Chair on this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege: first, was the issue raised at the earliest opportunity; and second, has sufficient evidence been provided to demonstrate that the privileges of the House or the member have been breached in order to warrant putting the matter to the House.

In his remarks, the honourable member for Morden-Winkler carefully explained how he met the

first condition of timeliness in this matter, and I accept his explanation.

Regarding the second condition, the issue of deliberately misleading the House has been raised many times, and, accordingly, Manitoba precedents and the procedural authorities provide useful guidance in this area.

Joseph Maingot in the second edition of *Parliamentary Privilege in Canada* advises on page 241 that to allege that a member has misled the House is a matter of order rather than privilege. In addition, it has been ruled by several Manitoba Speakers that a member raising such an allegation as a matter of privilege must provide proof of intent.

The rulings of previous Manitoba Speakers have been very clear and consistent. Speakers Walding, Phillips, Rocan, Dacquay and Hicke have all ruled that in order to find allegations of deliberately misleading the House as a *prima facie* means proving that the member purposefully intended to mislead the House by making statements with the knowledge that these statements would mislead.

As explained by Speaker Hicke in a 2011 ruling, quotations, a burden of proof exists that goes beyond speculation or conjecture but involves providing absolute proof, including a statement of intent by the member involved that the stated goal is to intentionally mislead the House, as it is possible members may have inadvertently misled the House by unknowingly putting incorrect information on the record, end of quotations.

In 2007, Speaker Hicke also ruled that providing information showing the facts are at variance is not the same as providing proof of intent to mislead. As well, Speaker Dacquay ruled that without a member admitting in the House that he or she had stated the goal of misleading the House when putting remarks on the record, it is virtually impossible to prove that a member had deliberately intended to mislead the House.

\*(14:30)

The House of Commons Standing Committee on Procedure and House Affairs, in its 50th report released in 2002, made some very important points about misleading and deliberately misleading. The report stated, in quotations: Intent is always a difficult element to establish in the absence of an admission or a confession. It is necessary to carefully review the context surrounding the incident involved and to attempt to draw inference based on

circumstances. Any findings must, however, be grounded in facts and have evidentiary basis. Parliamentary committees charged with examining questions of privilege must exercise caution and act responsibly in drawing conclusions. In the words of *Parliamentary Practice in New Zealand*: It must be established that the member, in making the statement, knew at the time of the statement was made that it was incorrect and, in making it, the member intended to mislead the House. End of quotations.

I would note for the House that on page 1722 of Hansard from April 9th, 2014, when this matter was raised, the honourable Minister of Finance (Ms. Howard) did acknowledge that she had made a mistake while paraphrasing the report. But I would point out that this statement is not the same as an admission of deliberately misleading the House.

Therefore, based on the procedural authorities and the rulings of previous Manitoba Speakers, and with the greatest of respect, I rule that the *prima facie* case of privilege has not been established in this case.

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**Mr. Speaker:** Oral questions—pardon me—*[interjection]* It's my turn. I thought I'd give myself a chance. My mistake.

#### MEMBERS' STATEMENTS

**Mr. Speaker:** Time for members' statements.

#### Tyndall Park Community Centre 10-and-Under Soccer Teams

**Mr. Ted Marcelino (Tyndall Park):** Mr. Speaker, I declare that it is finally springtime in Winnipeg and outdoor soccer is flourishing.

This past year, Tyndall Park Community Centre was proud to host 12 girls' and boys' teams. I want to congratulate the Tyndall Park Community Centre 10-and-under boys' team who, last summer, went all the way to the league championship and won gold. I would also like to congratulate the Tyndall Park Community Centre 10-and-under girls' team who won the Slurpee Cup. Both teams had an awesome season last year, and we are proud to have them represent Tyndall Park again this year.

With so many soccer fans and players here in Manitoba, it is my honour to highlight an incredible upcoming soccer match at the Investors Group Field. Mr. Speaker, on Thursday, May the 8th of this year,

Winnipeg will host an exciting exhibition soccer match called the FIFA Women's International Friendly. The game will be between Canada and the United States. This is part of the buildup to the FIFA Women's World Cup, which is coming to Winnipeg in 2015. Both teams have been training hard for this spirited but friendly competition.

Mr. Speaker, nearly 18,000 tickets have been sold for this exciting match on the first day they went on sale. Soccer fans will have the pleasure of cheering on Canada's superstars, including Winnipegger Desiree Scott and captain Christine Sinclair.

Investors Group Field will host some of the most electrifying events in Canadian sports this year, including the upcoming 2015 Grey Cup in addition to the FIFA soccer match.

Sports are an important part of healthy lifestyles and vibrant communities. Healthy communities ensure that our province can keep moving forward.

Thank you, Mr. Speaker.

#### **Gerard and Margaret Dandeneau**

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, I'm honoured to stand in the House today to congratulate Gerard and Margaret Dandeneau on celebrating their 70th wedding anniversary, truly a memorable milestone.

A lot has changed in the last 70 years, but not their love for one another. With plenty of reasons to celebrate their platinum anniversary, this Stonewall couple commemorated their 70 years of marriage on November 24th with family and friends.

The couple met in Fisher Branch when Margaret was 14 years old and Gerard was 16 years old. With families attending the same church, the couple soon began dating, which lasted two and a half years. As teenagers they began talking about marriage and eventually decided it would be a good idea.

Six months after, they married in 1943. They remained in Fisher Branch and raised nine children, as well as one adopted girl. They were well known throughout the area as their doors were always open to anyone who needed a helping hand.

Gerard and Margaret moved to Stonewall in 2000. In 2011, they enjoyed a huge family reunion on their Fisher Branch homestead for its centennial. Today the couple has 88 direct descendants and a

number that continues to grow as more great children are—grandchildren are born.

The extended family gathered again on November 24th at the Lions centre to celebrate the festivities. Friends shared memories from more than seven decades ago. Both Margaret and Gerard continue to enjoy good health and a lovely, loving family.

Rarely as an MLA do I have an opportunity to acknowledge couples celebrating such a milestone anniversary, let alone celebrating their 70th. Having said that, I'd like to extend sincere wishes on my behalf, as well as the Legislative Assembly, that they may enjoy many more years of health and happiness.

Thank you, Mr. Speaker.

#### **Sign Up for Life**

**Mr. Dave Gaudreau (St. Norbert):** Countless lives have been saved over the years thanks to brave individuals and families who donate organs. As we mark National Organ and Tissue Donor Awareness Week, I would like to speak about the valuable work being done in this province to encourage organ and tissue donations.

Every day there are 4,500 people in Canada waiting for organ transplants. The best way to make a difference in these lives of these Canadians is to sign up and become an organ donor. Eight lives can be saved and many more drastically changed for the better thanks to only one organ donor and one tissue donor.

The permanent organ donation registry called Sign Up for Life was created two years ago through Transplant Manitoba and Manitoba Health and the Winnipeg Regional Health Authority. Since then close to 10,000 Manitobans have taken this pledge and registered as organ donors. I'm proud to say I'm one of those 10,000, and I registered last year along with the former minister of Health. With thousands of people needing transplants, the more Manitobans who sign up, the more people we can save.

Sign Up for Life was created to compile a registry of those who wish to become organ donors. While you can sign to become an organ donor on your health card, it can be lost or forgotten. Sign Up for Life makes it much easier for health practitioners to know the wishes of the deceased.

I would like to extend many thanks to the—every individual on the donor list. By expressing your



interest in organ and tissue donation, you could give the gift of life to so many.

People are taking notice of this great work being accomplished by Sign Up for Life, so much so that Alberta is launching its own online donor registry.

Anyone over 18 can sign up and become an organ and tissue donor. With Sign Up for Life, it's now a simple few clicks to sign up. Take five minutes and sign up and tell your family your desire to become an organ donor and potentially save the lives of many in need of kidneys, hearts and livers. I urge my fellow members and all those interested to sign up and register your intent to become an organ donor today.

Thank you, Mr. Speaker.

### **Bin 22 Coffee Company**

**Mrs. Leanne Rowat (Riding Mountain):** Mr. Speaker, I'm pleased to rise today to recognize a new business called Bin 22 Coffee Company, which opened on January 31st of this year in Russell, Manitoba.

Bin 22 is located at 202 Main St. North, and owners Mark and Claudia Keating have created a beautiful, cozy coffee shop atmosphere in their space located at the back of the building that also houses Hometown Glory, which is their niece Jessica Keating's clothing boutique.

Bin 22 had its official grand opening on February 13th and received several bouquets of flowers that day from people in the community of Russell.

Bin 22 sells wonderful tasting coffee using their state-of-the-art espresso machine. Their top-selling espresso beverage is their white chocolate mocha which is offered iced, hot or blended. Besides selling coffee, smoothies and other beverages, Bin 22 sells baked goods including their raspberry-swirl cheesecake, cinnamon buns, muffins and a special coffee Bundt cake.

Mark and Claudia love to support locally owned businesses. Their Bin 22 Stinger, a double shot of espresso, is sweetened with Wendell Estate Honey, manufactured by a local honey business who achieved success in the form of investment funds during an appearance on the Dragon's Den.

Bin 22 also sells all three flavours of the Gorp Clean Energy Bar which is—which was invented by Grant and Colleen Dyck, a farmer and

self-proclaimed wannabe athlete mom of Niverville, Manitoba.

\* (14:40)

Mr. Speaker, Bin 22 company also supports local entrepreneurs by offering free wireless Internet access. Mark and Claudia's business has also become a concert venue for local artists and their Sunday coffee concert series runs every Sunday between March 23rd and May 25th.

Mr. Speaker, I would like to encourage all members of this House to visit Bin 22 coffee shop on their next drive through Russell area.

Congratulations, Mark and Claudia. All the best.

### **Anniversary of 2011 Flood**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, this month, April 2014, marks the three-year anniversary of the 2011 flood in Manitoba, an event which still impacts this province today socially, financially and environmentally.

Nearly 2,000 Manitobans are still displaced from their homes today, three years after they were evacuated from their homes. I raised this issue in question period today, three years after the flood, and this NDP government still has no clue when people in Dauphin River will be able to return home.

This NDP government continues to engage in a culture of reactionary decision making instead of proactive planning, and this puts the social and financial well-being of all Manitobans at risk. Leading up to 2011, for many years there could have been action by this NDP government to prevent flooding around Lake Manitoba and Lake St. Martin and along the Dauphin River. Indeed, the topic was discussed repeatedly from 1999 to 2011 with no action taken to prevent the flooding. The flooding occurred in 2011 and ever since then, this NDP government has used it as the ultimate excuse in their financial mismanagement and Manitoba's burden of debt.

The truth is the NDP government should have apologized for its lack of action for over 12 years. Someday there may yet be such an apology to affected Manitobans. For now, it appears this will wait for a new government. When we consider the needs now, we need to ensure we provide long-term solutions for people and for communities.

As I said in question period today, for the people of Dauphin River, this means a community with

sufficient high ground and permanent access on a paved road which is high enough that it won't flood. Similar focused attention is needed for the people of Little Saskatchewan and Lake St. Martin. The NDP government needs to stop stalling and start getting the job done.

**Mr. Speaker:** Grievances?

**ORDERS OF THE DAY  
GOVERNMENT BUSINESS**

**Mr. Speaker:** Seeing no grievances, orders of the day, government business.

**Hon. Andrew Swan (Government House Leader):** Could you please call Committee of Supply.

**Mr. Speaker:** We'll now resolve into the Committee of Supply.

Mr. Deputy Speaker, will you please take the Chair.

**COMMITTEE OF SUPPLY  
(Concurrent Sections)**

**HEALTH, HEALTHY LIVING AND SENIORS**

\* (14:40)

**Mr. Chairperson (Mohinder Saran):** Order. Will the Committee of Supply please come to order. This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Health, Healthy Living and Seniors.

Our final business for this department is to now put the question on the last resolution.

Resolution 21.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$10,976,000 for Health, Healthy Living and Seniors, Administration and Finance, for the fiscal year ending March 31st, 2015.

***Resolution agreed to.***

This completes the Estimates for the Department of Health, Healthy Living and Seniors.

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

Shall we briefly recess to allow the minister and the critics the opportunity to prepare for the commencement of the next department? *[Agreed]*

*The committee recessed at 2:49 p.m.*

*The committee resumed at 3:02 p.m.*

**JUSTICE**

**Mr. Chairperson (Mohinder Saran):** Order. Will the Committee of Supply please come to order.

This section of the Committee of Supply will now consider the Estimates of the Department of Justice.

Does the honourable minister have an opening statement?

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Yes, I do, Mr. Chair.

**Mr. Chairperson:** Honourable Minister, go ahead.

**Mr. Swan:** Well, thank you. It's my honour as Minister of Justice and Attorney General to introduce the 2014-15 budgetary Estimates for Manitoba Justice. I welcome Mr. Goertzen back into his role as Justice critic, back by popular demand.

This year, Manitoba Justice will continue investments in a justice system that's responsive to Manitobans, focusing on safer communities, innovation and improving its effectiveness. The department continues to be committed to continuing to improve the delivery of public service while pursuing all means at its disposal to manage costs, and we will address this challenge in large part through innovation. I'm pleased a new initiative in the province focusing on service delivery will be piloted in Manitoba Justice, one of three departments chosen for this program model, and this model expands innovation work already under way.

There are a number of exciting changes in the works in Justice this year. The department has made organizational changes to improve performance. These changes will support greater integration in the department's work and will create administrative efficiencies; in other words, will allow more resources to be directed to front-line justice services.

In the criminal justice system, the most significant change is the establishment of the Community Safety Division. This division will focus on an integrated approach to crime reduction by aligning policing activities, correctional activities and prevention activities. The Corrections and Criminal Justice divisions are merged in this new division. The government's recently announced

Block by Block community policing model will also be part of the Community Safety Division.

The other significant change in the organization of the department is the establishment of a new Civil Litigation and Advisory Services Division that includes a number of legal service branches, specifically Civil Legal Services, Constitutional Law and Family Law. The branches have been directed to function as a single legal services entity. This will enhance capacity to respond to legal service demands and provide a greater ability to find efficiencies and drive innovation in the delivery of legal services.

The Manitoba Justice Innovation Team plays a key role in leading the department's efforts to improve case velocity, modernize processes and manage costs. Last spring, the innovation project to improve and expand video capability for court went live in the Thompson Provincial Court. The initial goal of this project was to reduce the number of in-custody accused transported for court appearances by facilitating many appearances through video conferencing. A new custody co-ordination protocol was also developed to ensure that in-custody accused are only transported for in-person appearances in court when something significant is occurring on their cases. As a result of this initiative and the work related to court scheduling, the department has reduced prisoner transportation costs between Thompson and The Pas Correctional Centre by more than \$200,000 already. Other benefits include a reduction in the average number of remands and a reduction in the average time to disposition for in-custody cases in the Thompson court.

An inmate transport working group with representation from across the department now meets regularly to discuss how further improvements can be made.

The department is also continuing to expand its use of video technology in the rest of the province to better facilitate court appearances, reduce transport costs and increase lawyer-client interview capacity. This year we will expand the number of courtrooms in Winnipeg equipped with video to increase the number of cases that can be heard each day.

Legislative changes have been made to support the modernization of the justice system. In December, the Legislature passed The Provincial Court Amendment Act to enable the use of electronic documents and signatures in court. This will allow the department to move towards electronic exchange of information with outside stakeholders such as

police agencies with a longer term goal of creating a paperless court.

Community safety requires that the criminal justice system deal with the challenges posed by organized crime. Historically, the need to repeatedly prove in every provincial proceeding that an organization is a criminal organization consumed time and resources and delayed the ultimate delivery of justice. That's why in February I was very pleased to announce that for the first time in North America, the Hells Angels Motorcycle Club has been deemed as a matter of law to be a criminal organization, eliminating the need to prove this designation in the enforcement of provincial laws. This designation was strongly supported by Manitoba police agencies and their support was critical to the creation of the application and its ultimate success. This is a milestone for Canada and a clear signal that Manitoba will continue to develop and use every tool available to fight criminal organizations and the threat they pose to Manitobans. We'll also work with and support other jurisdictions that choose to follow Manitoba's lead.

I'm also pleased to advise we are building on our successful Witness Security Act legislation which has served as a model for other provinces. Witnesses are critical to the success of the administration of justice, and it is imperative that witnesses or their family members who police believe are under threat of injury or death if they testify receive the security they need to be able to attend court and testify without fear of harm. Without witness participation, the prosecution of serious crimes is jeopardized. Manitoba's Witness Security Act is a key tool in our response to serious and organized crime. The amendments currently before the House will also ensure that procedures are in place to deal more effectively with persons who are admitted into the program but fail to comply with their security arrangements. Mr. Chair, legislation supporting the scheduling of criminal organizations and programming to address witness security issues are national precedents. Other provinces have either adopted these same measures or indicated they're actively considering doing so.

These are just a few of the many innovative initiatives under way to improve the administration of justice in Manitoba.

The department takes very seriously its responsibility to appropriately and safely manage its offender population. Part of this responsibility

involves improving outcomes for people under our care and supervision both in the community and in our correctional facilities. This year we will enhance our programming and provide additional cognitive behavioural therapy tools to help offenders work through the risk factors that contribute to their criminal behaviour.

Mr. Chair, we've recently started an enhanced release-planning pilot project at Headingley Correctional Centre, the Winding River addictions treatment program, which provide offenders access to employment and other services to help them successfully reintegrate into the community upon their release from jail.

In February, I was pleased to announce the request-for-proposals process for the new, planned provincial correctional facility in Dauphin. The new facility will replace the existing century-old facility providing a modern safe environment for our correctional officers and inmates, as well as ensuring there is more space for rehabilitative programming such as job training and education.

Access to mental health services for young people in youth correctional facilities will also be enhanced this year. Two additional health-care professionals will be hired at the Manitoba Youth Centre to deliver mental health treatment and services to at-risk youth.

The department's mission is to make Manitoba a safe place to live, grow up, work, play and do business. We continue to address this priority through innovative programs and commitments to administer justice appropriately and effectively.

As mentioned, in relation to the Community Safety Division, we are a partner with law enforcement and the community, as well as other agencies in a pilot program called Block by Block in Winnipeg's William Whyte neighbourhood. This initiative is built on the knowledge that policing alone cannot resolve issues in a community that has experienced high rates of crime and victimization. This major new approach to crime prevention and reduction is starting in an area rich with community activism and community development. As a crime reduction program, it will make a difference for the entire community. It will improve community safety and help residents through a collective approach in which stakeholders work together to find creative ways to provide assistance to people in need and solve problems before they become crises. To make this work, Manitoba is committing \$600,000 in

funding over three years, as well as the support and attention not only of justice officials but other government agencies and departments as well.

\* (15:10)

Another innovation I'm particularly proud of, Mr. Chair, is legislation recently introduced to enable municipalities to create community safety officers. When passed, the legislative changes will lead to the program's launch in the city of Thompson. Community safety officers will deliver crime prevention programs, connect persons in need with appropriate social services and maintain a public presence in the community. They will support the work of law enforcement and build positive community relationships. These changes will give municipalities a new avenue to address public safety concerns, like creating a very visible community safety officer program tailored to meet the needs of each community.

It's my hope the members of the Legislature will join police and groups like the Association of Manitoba Municipalities in their strong endorsement of the community safety officer program.

Manitoba continues to invest in police and prosecutors to improve public safety. We're continuing to fulfill our commitment to add more positions to Manitoba's prosecution service. Last year we announced funding for 10 additional officers in the Winnipeg Police Service and five additional RCMP officers. This year's budget includes, among other things, money for 10 additional RCMP positions and three additional positions in the Independent Investigation Unit to establish a major incident crime investigation team.

This year's Estimates include funds for an incident and case management system. This system will provide a central intelligence and case management capacity to three different departments—units within the department: the Criminal Property Forfeiture Unit, the Public Safety Investigation Unit and the corrections central intelligence unit. This system will allow these units to better and more easily track cases, correlate intelligence and identify connections between cases, thus enhancing their overall effectiveness.

Manitoba is also addressing public safety by reinvesting proceeds from crimes seized from criminals to ensure that crime does not pay and using these proceeds to fund equipment and resources to assist police in fighting crime.

In 2013-14, over \$3 million in property was forfeited, contributing to a total of \$7.4 million forfeited since 2010. The success has allowed the Province to compensate specific victims of crime by providing compensation of over \$200,000; \$260,000 was also provided for grants from the Victims Assistance Fund in support of services to families of missing and murdered women and for province-wide initiatives for victims of crime. And, of course, over \$1.1 million was committed to law enforcement agencies across the province for equipment and training to enhance their ability to keep their streets safer.

More to say, but we'll but move on to questions, Mr. Chair.

**Mr. Chairperson:** We thank the minister for those comments.

Does the official opposition critic have any opening comments?

**Mr. Kelvin Goertzen (Steinbach):** Mr. Chairperson, just briefly, I thank the minister for his welcome back to the—to this role. I don't know how many times I've participated in Estimates in Justice, but it's been a few. I want to thank the staff for coming and to help with the answering of the questions. I know the minister will introduce them as appropriate when it's the time.

Sorry for some of the false starts that we had over the last few days. My—the minister, my counterpart is also the House leader, and as House leader for our party I have the opportunity to try to schedule departments in and I didn't think putting Justice after Ag would be a good idea because we have lots of people in our caucus who are interested in Ag and didn't seem right to put it in after Executive Council because that's such a wide-ranging thing. So I figured what could go wrong in Health, I'll put it in after Health and then we'll be up quickly and look what happened.

So, in any event, there's not an awful lot of hours left in this process and that will change the nature of my questions somewhat. I think when I used to do this previously, I was somewhat systematic in going through issues in department, or at least I was systematic in my own mind, maybe nobody else's. This will be a little less though because of the time constraints that we're under.

I plan to touch on a couple of one-offish issues at first and then go into more detailed questions, just re-acquainting myself with where some of the things

are in terms of department initiatives that have been announced in the past and then spend some time, probably on Monday and Tuesday, with the Auditor General's report.

So I just wanted to give the minister and his staff an awareness of generally where we're going with the caveat that, you know, its detours do sometimes happen but that's the general road map for the discussions over the next few days.

So, with those comments, Mr. Chairperson, I'm sure the minister will want to welcome his staff to the table.

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

Under Manitoba practice, debate on the minister's salary is the last item considered for department in the Committee of Supply. Accordingly, we shall now defer consideration of line item 4.1.(a), contained in resolution 4.1.

At this time we invite the minister's staff to join us at the table, and we ask that the minister introduce his staff in attendance.

**Mr. Swan:** Sure. What I'll do is, is I've tried to do in past is just introduce some of the new players as they come up. So I'll just start by the folks actually physically at the table: Donna Miller, who's the new deputy minister and attorney general of Manitoba, and Dave Brickwood, whose official title is the assistant deputy minister of Administration, Finance and Justice Innovation.

**Mr. Chairperson:** Does the committee wish to proceed through the Estimates of this department chronologically or have a global discussion?

**Mr. Goertzen:** In accordance with past practice, and the only practice I know, I would suggest globally.

**An Honourable Member:** Agreed.

**Mr. Chairperson:** Thank you. It is agreed, then, that the questions for this department will proceed in a global manner, with all the resolutions to be passed once questioning has concluded.

This floor is now open for questions.

**Mr. Goertzen:** Just quickly, and touching on something the minister commented on in his opening statement about the funding of 10 new RCMP officers, it's never a bad thing to start off with a question about your local community, although I can assure you they won't all be about Steinbach. But I

do know that the detachment, the rural detachment in Steinbach, has long been in need, in their view and mine, of additional resources for the RCMP, given the—not only the wide scope that they are responsible policing, but, as the minister will know, the increasing population, so—which has increased the crime rate, unfortunately, as well. That is just a natural part of growth of communities.

The last time this process went about, Steinbach was not awarded an additional RCMP officer, and in discussing with the minister at that time, and I'm sorry I don't remember if it was current minister or his predecessor, but there was some concern about how the process played out. I understand that the recommendation was from the RCMP, but there was no data, there was no submission made to the minister. It had something of an ad hoc feeling which left individuals concerned about the process.

Is there going to be a more formalized discussion about how those officers are allocated and a rationale for the allocation?

**Mr. Swan:** Sure. I can maybe help out a little bit. There was one increase, a temporary increase to officers, that was through the Police Officer Recruitment Fund, and that was a fund that was announced by the federal government, and that did result in a certain number of RCMP officers being added for as long as the fund remained—as long as there remained money in the fund.

And it is true when the RCMP went through and looked at the various urban communities across Manitoba, Steinbach had a low enough crime rate that the RCMP put it behind a number of other priorities—frankly, Thompson, Dauphin, Portage, I believe Swan River, The Pas, Flin Flon, a number of other communities.

When it comes to the ongoing increases in the RCMP complement, we leave it to the RCMP to determine how best to allocate those officers, so I can't say those 10 officers are earmarked for any particular community. We do work closely with the RCMP.

Glen Lewis has joined us at the table, so I'll have him be introduced now. He works closely with the RCMP.

If there are particular communities that have concerns, we can pass those concerns on. We also encourage communities to be active with their own RCMP detachment, to let their views be known. Whether these additional 10 officers will result in

another officer for Steinbach rural or for Steinbach rural, I don't know.

Of course, there's also—at the larger urban centres that have their own agreement with the RCMP that effectively buy officers. So I know the member's talking about Steinbach rural. I don't know whether the RCMP will determine that one of these officers should go to that unit.

**Mr. Goertzen:** I also believe that there has been an application by the city put in, City of Steinbach, for RCMP funding, and I would support both. There's not an area of my region that isn't growing, that isn't going significantly, and certainly I understand and I mentioned it, there is increased crime that's happening in the area, but it's more, as you know, more than just crime that RCMP officers do. They respond to a lot of different things—service calls, calls at accident scenes, and they do many different sort of things. And, ultimately, I think that having done ride-alongs with those sections of the RCMP, it's difficult for them to maintain the level of service that one would expect in both the city and in the rural complement.

\*(15:20)

So, I—the minister indicated that under the federal funding was time-allocated funding. Is it his expectation that the new officers that are being funded by the Province will simply backfill the positions that the federal funding had gone into?

**Mr. Swan:** No, it won't, because the officers that came with the PORF money, Police Officer Recruitment Fund—that was designated for the urban municipalities, so a number of communities that have an RCMP policing contract, as well there were some municipal police forces—Altona, Morden and Winkler, for example, had also received an officer. That money has now—is running out in this fiscal year. So these 10 new officers, in addition to the past increases in the complement in Manitoba, will go to the rural detachments and those smaller communities that don't have their own policing arrangement with the RCMP.

**Mr. Goertzen:** And will there be some amount of—the minister did reference the analysis that was done last time. Is there a way to get some of that analysis publicly so that, you know, there's some confidence that this is being done in a way that—I wouldn't want to suggest that it's political, but, you know, people ascribe things for whatever reasons they do, and it would be nice to see some specific analysis we could

point to when the decision is made, in terms of why the decision, favourably or unfavourably, was made.

**Mr. Swan:** I can tell you we took the advice of the RCMP. My understanding is their analysis was based on crime rates and other factors that were important to the police in those communities. I do remember, and it was—just for the record, it was not Mr. Goertzen who suggested it was political. And I remember the day that one of your members asked the question, and I could see you turning around to your—one of your colleagues and whispering the words, Winkler and Morden, which was indeed was my answer, that Winkler, Morden and Altona are—*[interjection]* Well, everything's a developing riding, I suppose, but I can promise the member that they were not political considerations. We took the advice of the RCMP. We also tried to help out some of the other municipal forces.

What is interesting is that Brandon chose not to take officers under the PORF envelope. They saw the writing on the wall and said, what do we want to do with something that's going to be temporary? We'll slowly build our force with our own resources and with the assistance of the Province.

Unfortunately, other communities are now losing those resources. They've come to me. Together we've worked to try to convince the Minister of Public Safety, both the former minister and the current minister, that this was a very positive step. It's very difficult to recruit and retain an RCMP officer for a five-year time period, so, unfortunately, that money has now—in Manitoba, is just running out. Minister Blaney has not given any reason to hope that that money's going to be renewed.

**Mr. Chairperson:** Before I recognize the member, I just want to remind that proper names should not be used. It should be used a member's constituency or minister's portfolio. So I hope we'll obey that. Okay.

**Mr. Goertzen:** I think the minister was—in his defence, was probably thrown off by the member for Dawson Trail (Mr. Lemieux) who was heckling and busy fixing the leaky roof at the stadium, I suppose. Maybe it's not done yet. We'll find out in a month or two at the home opener.

The—moving on to more relevant topics, I do want to leave it with the minister on the request both from the city and the rural municipalities that are involved in policing out of the Steinbach detachment, that they, I think, justifiably deserve consideration, and I will take his assurance that that

consideration will be done on merit. And if there is a way to quantify that, that would be helpful for those communities who sometimes wonder why decisions are made without ascribing motives to that.

I had a quick question—this falls under the one-off warning that I gave you earlier on about The Lobbyists Registration Act, which I think falls under—I believe it falls under your ministry. Looking at some of the statistics recently, it indicated—it breaks down statistics for intended outcome. So these are the reasons that people—not register to become lobbyists, but why they were actually lobbying. And in the most recent printout that I did, it indicated that nine individuals, who, I believe, would have to be consultant lobbyists by the law, came to lobby to influence the awarding of a contract by or on behalf of the Manitoba government. And can the minister explain a little bit what is that process where somebody would be lobbying or—not—the word here on the website is influence the awarding of a contract. What's the process where a consultant lobbyist would come and try to influence a minister or department on the awarding of a contract?

**Mr. Swan:** Sure, well, as the member knows, I mean, there is now a registry for individuals or for organizations that make lobbying the government part of their responsibilities, so there are, as the member has pointed out, a certain number of individuals who have now registered. I believe there's a threshold of how much time they actually need to spend before they need to register. They would provide information, perhaps on behalf of their own company or on behalf of others they represent, to try to sell services or sell products to the government. And I suppose all I can say is that there is now the process in place to have those individuals have to register.

**Mr. Goertzen:** So the nine individuals who disclosed that they were trying to influence the awarding of a contract on behalf of the Manitoba government, can he—can that be disclosed who those individuals were?

**Mr. Swan:** I'll take that request under advisement. I would have to just satisfy myself as to the privacy issues that are involved.

**Mr. Goertzen:** Can he also then take a look at not only who the individuals were but the nature of that lobbying, what type of a contract they were lobbying to try to—or, sorry, they were trying to influence. Influence is a—it seems like a more torqued word, but

that is the word that's on the website, influencing the awarding of a contract. Is that something he can look to see what the nature of that influencing was?

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

**Mr. Goertzen:** Is it something on a more general level? Is it something that the minister feels is even appropriate that people can register as lobbyists to try to influence the awarding of a contract? There is also a section that indicates that they are trying to influence the awarding of a grant, contribution or other financial benefit on the—by or on behalf of the government. Influencing the awarding of a contract, particularly in this environment, we're talking about untendered contracts and different sorts of things. Is that even a category that should exist?

**Mr. Swan:** I know the intention of The Lobbyists Registration Act was to increase the transparency of those individuals who seek to make contact with government to try to promote their clients' or their own business's services or goods, as that may be, so I think that overall has been a positive development to improve transparency. And I'm actually—I don't have at my fingertips the exact categories that are set out.

**Mr. Goertzen:** And I understand that. I think The Lobbyists Registration Act is probably—it's fairly new and it's something that we probably haven't shed a lot of light on since it's been passed in the Legislature. I know it came about as a recommendation initiative of the former premier, so that's fine.

\* (15:30)

If the minister can maybe just respond back on, I expect, Monday, as to what information he can provide on that and the kinds of things would be involved in that category, because it just, on the face of it, the category just seemed out of place in terms of what maybe lobbyists should be doing. But there might be a reasonable explanation, and I'm open to that if the minister can provide that on Tuesday.

Changing gears, somewhat significantly, can the minister talk to me somewhat about the process of if a Manitoban believes that they were wrongfully convicted and they apply federally for relief under section 696, what's that process look like from the provincial government's perspective?

**Mr. Swan:** Sorry, it took a moment because I believe I may have something that gives more clarity, but will—I'll provide what I can for now. The

applications that the member's talking about are applications to the federal Minister of Justice under section 696 of the Criminal Code. And when the federal minister receives an application, my understanding is that the federal minister then appoints an independent investigator who will then go and review the case, can do additional fact-finding, can speak to witnesses, can speak to other individuals who were involved in the case who then make, say, a report to the federal minister for the determination of that case.

When a provincial prosecution is part of this, it's this province and, I presume, every province's responsibility, and certainly what we do is to respond to any requests and provide any information that may be needed by the federal minister.

**Mr. Goertzen:** So, when an application like that comes out of Manitoba, goes to the federal minister, and it comes as a result of a case that happened in Manitoba, would it be normal for the department just to respond to individual questions that are posed by the federal minister, or does the department itself undertake its own investigation or review of the case?

**Mr. Swan:** I should mention that Michael Mahon, who's the assistant deputy attorney general, has joined me at the table.

Generally, when an application like that is made, and the federal minister appoints the investigator or fact finder, as that person is preparing the report, it is a common occurrence that the Province, if a provincial prosecution is involved, will be asked questions, and be asked to provide information. As well, I understand that, generally, the provincial prosecutions are entitled to comment on the report, I guess, in its draft stage, before it's finalized, and then provided to the federal minister.

**Mr. Goertzen:** And who normally would provide that analysis, or that report, for the provincial minister? I'm assuming it's assigned on behalf of the Attorney General. Is it—is there somebody specific in the department that does that sort of work or how does that determine who does that?

**Mr. Swan:** Just to clarify, that report is prepared by an individual who's appointed by the federal minister, and although that investigator will make contact, if it's a provincial prosecution with the provincial Prosecution Service, that individual then reports back to the federal minister.



**Mr. Goertzen:** Right, and I was assuming that. I was speaking more specifically about at the provincial level, the analysis that's done at the provincial level, of the questions and responses to the federal minister. Is it somebody in the prosecutions branch that does that, or is it an outside person who is assigned to do that?

**Mr. Swan:** Yes, I understand that it depends. Generally, that decision's made on a case-by-case basis. I can say that generally it's been the practice in Manitoba that it would be someone within the Prosecution Service that would have the responsibility of responding to any questions or issues that would arise in the work of the investigator appointed by the federal minister.

**Mr. Goertzen:** The minister, I know, would be aware of the case of Deveryn Ross, which has received some media attention, not only recently, but over the number of years.

Has he had the opportunity to read, or has his department had the opportunity to do an analysis on the judgment from Justice Mosley?

**Mr. Swan:** Yes, I am aware of that decision and that file.

The first thing is that I understand the case is still within the appeal period and we don't know what the federal government will do.

\* (15:40)

It's important to note that Manitoba's not a party to that application. We have not taken any action as a result of that decision. I don't mind saying that if there is no appeal and if the matter is then referred back to the federal minister, we will, of course, co-operate with any new or additional requests for information that may come from the federal minister or the investigator.

**Mr. Goertzen:** In that particular case, if I read the judgment correctly, Mr. Jensen was the person responsible on the provincial side for responding to questions that were related to the federal investigation that was undertaken by Mr. Pringle, I believe.

Was Mr. Jensen at that time—is it the ordinary practice, a member of prosecutions?

**Mr. Swan:** Yes, indeed, Mr. Jensen was the provincial prosecutor back when the case, I guess, went to court back in the '90s, I guess it was. He did provide information as requested by the investigator.

It's important to note that by the time he did that, he was no longer employed by the provincial Prosecution Service but, in fact, was working as a federal prosecutor.

**Mr. Goertzen:** So what was the rationale in asking Mr. Jensen to do the response on this? Obviously, he was familiar with the file, but in some ways that might work against the perception of independence. Is there a reason why he was brought back to do that work as opposed to the ordinary practice of having somebody either within prosecutions or an external person removed entirely?

**Mr. Swan:** Yes, you know, as this is an active matter—and again there may be an appeal by the federal government; I don't know what choice they'll make—but, in any event, either there will be an appeal that goes forward or there will be—I presume the application will make its way to the federal minister.

I can't really respond to this specific question except to say that I can commit that, if there were further requests made of Manitoba Justice, that we'll certainly co-operate and respond to anything else that may be sought by the investigator or, for that matter, by the federal minister who will ultimately have to make a decision.

**Mr. Goertzen:** If the minister could such as confirm that the appointment of Mr. Jensen was at least outside of the normal practice in Manitoba. Whether it's best practice or not to have anybody within the prosecutions branch do that kind of review is another question. But it's outside of the practice of Manitoba to bring somebody back into the department who was on the file originally as a prosecutor to the case. Is that not correct, or is that normal practice? Has it been done before? You seemed to indicate it was a normal practice, but is it, in fact, normal practice?

**Mr. Swan:** Yes, I mean, I think it's fair to say that it's—that those decisions are made on a case-by-case basis. And, again, it is generally someone within the prosecution service and in this case it was Mr. Jensen who effectively came back from the federal prosecution service to provide information on this case.

**Mr. Goertzen:** The—Justice Mosley in his decision indicates, paragraph 70, that the decision to involve Mr. Jensen in the preparation of Manitoba's response was apparently made by the provincial department on the grounds of economy. Would that be—does the minister take issue with that suggestion by the Justice?

**Mr. Swan:** I'm not able to comment on that. Again, this is a decision that is within the appeal period. We don't know whether the federal government will appeal this decision or not. In any—one of two things will happen. I mean, if it's appealed, if the appeal is allowed that will be the end of the matter. If it is appealed and the appeal is not successful or if it simply gets referred back to the federal minister, this remains a case that's yet to be determined by the feds.

**Mr. Goertzen:** At paragraph 74, the decision, Justice Mosley says: In the circumstances, I think that it's clear that Mr. Jensen should not have been involved in preparing Manitoba's response to the first investigation report by the federal government.

Does he take issue with those comments by Mr. Mosley—Justice Mosley?

**Mr. Swan:** You know, it's not for me to take issue. Manitoba was not a party to this case. We didn't make any submissions directly to the judge. We provided information in the course of the work of the investigators. So I can't really comment on the comments of the judge.

**Mr. Goertzen:** Not a party in the sense of being represented within the case, but certainly also not absent from the case in terms of the facts of it and how it got to this point. And Justice Mosley—and now I'm not reading from the judgment, I'm paraphrasing so that's always a risk—but his indication was that the test that should have been applied in terms of Mr. Ross's application is that either evidence that was not disclosed to him could have resulted in a different verdict. And he didn't find that, but he did find that it could have resulted in a different defence being presented by Mr. Ross. And his judgment was that the federal minister misapplied the law by combining those two as opposed to them being separate tests and that he did find that the nondisclosure of evidence to Mr. Ross might have resulted in him presenting a different defence, specifically, perhaps, in testifying in his own defence. Now, that might not have changed the outcome, and I don't presume to say that that would have changed the outcome. I have no idea if it would have changed the outcome of the trial and it's not for me to say. It's not for the minister for say. I'm not going to ask him to comment on that. But it does seem fairly clearly in the judgment that there was evidence that would have been valuable to Mr. Ross in presenting a defence specifically about settlement agreements with the other two parties who were

ultimately found guilty as well in that case. So that portion of it does relate to Manitoba because there was evidence that was not provided.

And, you know, I know this prosecution didn't happen under the minister's watch, and so I'm not trying to suggest any sort of poor administration on his part. But I do think that it's important that if there is, in fact, a case where the perception of justice is not seen to have been done, that that's something that Manitoba does have some responsibility for.

Minister has indicated that he is going to await the outcome of the potential appeal, and I think the clock is running. There might be two weeks left or something in that range. Is there no other recourse for the minister? Is there no other precedent or recourse that he could do? Does he not—is he not vested with the ability to say to the federal government, we will take another look at this case based on the judgment, we'll bring it back to our prosecutions department? Is that an option for the minister or is it not an option for him?

\*(15:50)

**Mr. Swan:** No, the member for Steinbach is correct that, certainly, I won't comment on the information that was before the federal minister or, ultimately, the decision of the federal minister, which was what this court case was really all about. Again, this is still an active matter, so there's no action that we will be taking. I wouldn't want to adversely impact the integrity of the process set out in the Criminal Code which involves a determination by the federal minister. I can, again, assure the member that we will co-operate with any additional request for information or anything else that is sought by the federal minister, if, indeed, this matter is ultimately referred back to the federal minister for termination.

**Mr. Goertzen:** I think this—the question more specifically wasn't whether or not the minister would be taking action. I gathered from his previous answers that he would not be taking action. The question was more whether the minister has the power to take action. Does he have the legislative authority to say we are concerned about some of the facts situation here, we are concerned that evidence might not have been disclosed that might have been valuable to the defence and we are going to essentially take this back into Manitoba? Is that an authority that the Attorney General has?

**Mr. Swan:** Well, again, I mean the matter remains in limbo right now I suppose we could say. The

member for Steinbach knows that it's not my practice to become involved in the individual cases. If, indeed, this case proceeds back to the federal minister, we will provide any other information which is required. But I can't speculate on what the next step is going to be. We know that there's a decision that's been granted. We know that the appeal period is running. We know that there would be further review by the federal minister if the decision, which has been granted, is not overturned on appeal so I can say, though, that I would not become involved in an individual case because that is not generally the role the Attorney General in this province takes on.

**Mr. Goertzen:** Maybe moving beyond, then, the specifics of Mr. Ross's case. In general, if an application for a 696 comes from Manitoba and goes to the federal minister, whether there's a judgment that's yielded or not, does the Attorney General have the authority to say we're going to bring this back to Manitoba and reconsider it here? Does that authority exist quite apart from any individual cases?

**Mr. Swan:** Maybe the best way to explain it, on a general basis, is that, of course, the seven-section 696 process set out in the Criminal Code involves an application to the federal minister, who will then either deny the relief that's sought or can make an order that something else should happen. It is open to Manitoba prosecutions on any case, whether there's a section 696 application or not, to review a past prosecution and make a different determination. But, in general, when it's a section 696 application, it is the federal minister who has the authority to come up with a finding and a determination, and this case would be no different. But, again, Manitoba prosecutions has the ability to review cases if they believe it's warranted.

**Mr. Goertzen:** I thank the minister for that response. And what are the variety of remedies that are available to Manitoba prosecutions in a situation where they've decided to review a case? I mean, they can send it back for a new trial, they could set aside the original decision and send it for a new trial, they could set aside the decision and decide not to prosecute again. I'm assuming those are a couple of the options, but are—what are the—what's the range of options that Manitoba prosecutions has?

**Mr. Swan:** Generally speaking, it would be determined on a case-by-case basis. The most—appropriate answer I could give you is that if it was determined by Manitoba prosecutions or any other

prosecution service across the country that it was an appropriate case, it could involve going to a—going back to a court in that province or that territory.

**Mr. Goertzen:** All right. I'm going to leave this line of questioning. I just want to say in the time that I was Justice critic previously, this case, you know, had been debated publicly on and off in a lot of different forums. I resisted at that time making comment on it. I don't believe that I've ever made comment on this particular situation. I do think that the federal court decision changes things. I think it changes it fairly significantly. The finding by Justice Mosley on two counts, one that he believed that it was inappropriate for Mr. Jensen to be involved as the original prosecutor responding to the federal investigation, is troubling in and of itself.

The finding that he believes that there is—that there was evidence that wasn't disclosed to Mr. Ross—it might not have exonerated him, but that would have changed the nature of his defence—is also troubling. And I certainly am of the growing opinion that this is something that Manitoba does need to take some responsibility for. We've seen them do it in higher profile cases, and I understand, you know, higher profile cases gather more attention, obviously, by definition.

\* (16:00)

But justice has to be not only done but perceived to be done, and whether the outcome of this case was correct, I don't know, and I don't know whether the new evidence or the evidence that wasn't provided to Mr. Ross at the time of the trial would have changed the outcome—I don't know. It's not for me to say. It's not for the minister to say, as we've already discussed. But I do know that people are entitled to a trial that is perceived to be fair, and there are legitimate and very real questions about whether that was the case in this trial. And I would hope that the minister will take a more of an activist role in looking at this because, ultimately, it is something that happened in Manitoba, and I carry no water in this because this happened not under the minister's watch, I understand that, and not under the minister's government. But I think there are just times when you can put political considerations aside and just look at what's the right thing to do. And I am slow to come to this position because I've looked at this for a number of years and resisted the—temptation is too strong a word—but resisted whatever motives there might have been to ask questions around this case. But I do think that the federal decision changes

things significantly and I hope that the minister will look at this with a fresher eye or have his staff look at this with a fresher eye based on the federal decision.

If he wants to comment on that, he can. I suspect he might not, and I'll understand if he chooses not to comment on those remarks.

**Mr. Swan:** Just to say that the section 696 process, of course, involves an application to the federal minister. The decision as it is—as it now stands has directed the matter to come back to the federal minister, and, again, we'll see what the federal government wants to do. Depending on the outcome, there may be more information that Manitoba is requested to provide and I can say, again, that Manitoba will certainly co-operate with any requests for information of that kind.

**Mr. Goertzen:** And I leave with the comments that the minister's indicated that he does have authority over this case, not unlike the Driskell case, and different circumstances clearly and a different type of case, but perception of justice is perception of justice and regardless of what the nature of the charges are, and he's acknowledged that he has an ability to act. He, at this point, is unwilling to act, but I will leave with him my concerns and my growing concerns over that situation with the hope that he'll look at it with a fresh eye.

I indicated earlier, as we began questions after the questions on The Lobbyists Registration Act, that I'd be asking some updates in terms of things that have happened in the past within the department, some predating the minister becoming the minister as much to update myself as anything else, and then likely when we resume on Monday, is what I expect, then I'll move to questions on the Auditor General's report of March 14th that pertains specifically to Corrections. There might be a few questions adrift beyond the role of Corrections but just for the benefit of staff, I suspect that much of Tuesday will be around the Auditor General's report.

So then going on questions regarding different things that I wanted to ask the department about on past initiatives, can the minister give me an update in terms of where the police act changes and, in particular, the investigation unit is. I believe that that goes back to, and I'm—I'll apologize in advance for the shuffling that'll go on as I move from topic to topic, but the 2009 changes to the police act and the Independent Investigation Unit that was, I believe, struck as a result of that, where is that at this point?

*Mr. Ted Marcelino, Acting Chairperson, in the Chair*

**Mr. Swan:** The last major piece of bringing The Police Services Act into full force and effect in Manitoba, is—will be the operation of the Independent Investigation Unit. And I know the member is aware that, in March 2013, we hired Zane Tessler, a former Crown attorney, to become the first executive director of the IIU. Of course, he had, in addition to being a Crown attorney, he was previously a defence lawyer, so we thought he was the right person for the job.

We were very pleased that in July of 2013, Inspector Catherine Light of the Calgary Police Service was seconded to the IIU and she will now be a permanent employee of the IIU. She has Winnipeg roots but over 30 years of policing experience with the Calgary Police Service, and she's been successful in development and command of a number of high-profile teams and sections, including, in Calgary, the professional standards section, career development section, the organized crimes section and major crimes section.

So the department right now is focused on securing office space to meet the needs of the IIU, as well as putting processes in place to staff up the rest of the unit. You'll see that in Budget 2014 there are additional staffing positions for the IIU.

One of the key parts is making sure that all of our partners are onside, and we want to make sure we have the necessary policies and regulations in place to support the work of the IIU. There have been some formal presentations made to police associations and chiefs. We want to make sure that the first steps taken by the IIU will be very positive regarding their mandate and their readiness.

So there is yet some work to do. There are still some regulations that are yet to be finalized, dealing with the scope of the IIU and various other things. Still some work to be done before we can have the IIU go live.

**Mr. Goertzen:** When the member's predecessor, the member for Kildonan (Mr. Chomiak), was occupying the chair that the member for Minto (Mr. Swan) now occupies, we had discussions at that time about the changes to the police act and the IIU. And I remember sitting in the loge with the member for Kildonan and he implored me to move this act quickly so that we could get this unit up and running as quickly as possible. That was in April of 2009. So we're now five years beyond that. And the IIU unit

has two senior people, I understand, hired, but the investigators, I'm led to believe, that are the ones who have not yet been hired.

Does the minister have an indication of how many investigators they're looking to hire and how long that process will take, given that we're five years into this?

**Mr. Swan:** The Police Services Act was designed to be phased in. We expected it would happen in a number of different pieces, and that—the IIU we see as the final step, now that all the other pieces of the puzzle have been put in place.

And, as the member knows, we began with the creation of the Manitoba Police Commission. We're very pleased that Dr. Rick Linden has agreed to be the chair and he continues to do very important work. And that commission is composed of nine Manitobans representing just about every corner of the province to provide independent advice on standards and regulations.

The next step was focused on bringing in other elements of the act which needed to first be established before the IIU could be operational, including setting out the duties and responsibilities of the IIU director under the act, clarifying the responsibilities of various municipalities that have police services, for the administration of policing, and a number of other technical amendments.

As I've said, in this budget, there is now funding for three positions, which will be management and executive positions with the IIU. The plan is to move ahead with eight investigators, who will then be tasked with carrying the IIU's work forward, as well as having civilian monitors involved, because we know that's an important part of the process.

\* (16:10)

We're pleased that Zane Tessler is the successful candidate to be the director. He's been working and, again, making sure there's consistent messages to all the different police services that will be impacted, and we want to make sure we've got a comprehensive and effective Manitoba-style, investigative model to serve the public, but also, frankly, to serve police officers so they know there's a complete and fair process when individuals may have complaints.

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

He indicates that they are looking to hire eight investigators for the IIU and indicates that there's

budgeting involved already for some of that unit. Are all the eight investigators budgeted for in this fiscal year? So is the expectation that all of the eight will be hired in this current fiscal year?

**Mr. Swan:** Yes, the three positions that are in the budget papers are the management and executive-type positions. It's the intention to work with the various police services to arrange for the secondment of individuals who can step in and do the work once the IIU is ready to be brought into full force.

**Mr. Goertzen:** So, just for clarity, the secondment, I'm not sure what budgetary impact that has, but is the expectation that the IIU unit, the IIU, won't be up and running this fiscal year with the investigators or it will be running with the investigators before March 31st of 2015?

**Mr. Swan:** Yes, the details of secondments are yet to be worked out with the various police services. The member's question was whether the IIU would be operational within this fiscal year, and I can assure him it's our intention that the IIU will be fully operational by the end of the fiscal year.

**Mr. Goertzen:** The minister talked about secondments from existing forces. Now, when I had this discussion with the former minister of Justice in 2009, I believe the intention was to not have current police officers. In fact, I think he indicated—I believe he indicated on the record, but if not it was part of broader conversations—that perhaps retired police officers would fill those roles because they'd have the investigative skill but not be seen potentially as being any immediate conflict.

I think there might still be a perception of conflict even if they're retired officers, but can the minister indicate, then, is his intention to second active officers into the IIU?

**Mr. Swan:** Yes, well, the act allows those individuals who will be investigators to have a number of different statuses. The act provides they can be current officers; they can be retired officers; they could be other individuals who've picked up investigative skills in a quasi-police role or some other role.

We've been very careful to take a look at best practices across the country and we've had a look at a number of provinces including Alberta, and we expect that the first eight individuals who will work as investigators will be seconded by various police services. Again, they'll work under Catherine Light,

a very experienced retired police officer from Calgary, and the director, Zane Tessler.

And it's important to note there will be civilian monitors as well, which is, we think, a key part of giving people confidence in the IIU's operations.

**Mr. Goertzen:** I thank the minister for the response. I mean that's the first time that I've heard him say—or any minister of Justice say—that the IIU unit would be staffed by current officers. And it seems to me to be a departure from what the former attorney general indicated what his hope would be, to at least have it one step removed by having at the very most retired officers if they couldn't find others with those investigative skills.

Can the minister just speak a bit about why he's come to this sort of new conclusion that it'll be necessary to have current officers seconded?

**Mr. Swan:** I can advise that the initial allotment or the additional—or the original filling of those positions, we anticipate, is going to be current police officers that are seconded. That may change as things go. There may be retired officers who fill that role. There may be other individuals with particular experience. I'm just saying that in this fiscal year, we anticipate that those initial investigating officers will be seconded from various police services.

**Mr. Goertzen:** The minister can refresh my memory. The IIU was either a recommendation, I believe, or coming from the circumstances of the Taman Inquiry. Is that correct?

**Mr. Swan:** I think it's fair to say it was a response to the Taman Inquiry, yes.

**Mr. Goertzen:** And I was under, you know, the impression at that time that part of the reason for the IIU in response to questions around Taman was that, you know, that—again, that almost goes back to the question I was asking before on the issue of the Deveryn Ross case, but the perception of justice—and there was questions about, you know, whether police officers investigating their own, whether that resulted in good outcomes or not.

And I won't comment on that but the—but that there existed a perception within the public that the outcomes weren't fair. Now the outcomes may have been fair in those cases. I'm not suggesting that there isn't an ability to remove oneself from that. But certainly the perception, I think, in the public would be that that isn't truly independent. Does the minister have a comment on that?

**Mr. Swan:** I think it's important to remember that, again, we have an independent director who—who's trained as a lawyer, who—I think it's very helpful—served both as a Crown attorney but also worked as a defence lawyer. Again, it's important to note that the other senior executive position is a retired police officer with 30 years of policing experience in Calgary.

I think it's also important to remember that we will have civilian monitors. It'll be certainly a new step for Manitoba, and I think most people would believe it's best practice to have civilian monitors who will also be observing investigations to make sure that things are moving along in a way that gives people confidence.

I don't see any real issue with police officers leaving behind their current municipal police force or the RCMP and coming to do this work. Again, the actual composition of the investigators may change over time. It's also important to recognize that the Independent Investigation Unit is intended to provide a fair playing field, if I could, so that the public has confidence, but also that police officers have confidence that there is a fair and effective way to have complaints against them dealt with, and we think that moving along and getting the IIU in this format under way is a good thing for policing in Manitoba.

\*(16:20)

**Mr. Goertzen:** More from a practical perspective, the government will be adding 10 new officers by virtue of their funding announcement and asking eight officers to be seconded into a new unit. And I'm not sure whether those officers, whether they're front-line officers—I might consider all officers to be front-line officers, but they'll be taking eight out of the individual departments and replacing them with 10?

**Mr. Swan:** Yes, I can say those discussions are ongoing. It's important to note that the 10 additional officers out of this department's Estimates are all for the RCMP, and whatever occurs and however this is worked out, it's highly unlikely that all of those officers would come out of the RCMP's complement.

**Mr. Goertzen:** To paraphrase the member's former leader, Mr. Doer, a police officer is a police officer is a police officer, and I tend to agree with him on that accord.

Moving to past initiatives that I just want an update on, in December of 2009 the Province

announced new civil remedies against organized crime to allow the provincial government to apply to the court to revoke or not issue licences to businesses that are serving as fronts for gangs. Can the minister give us an indication of how often that has been applied for and what those circumstances might have been?

**Mr. Swan:** Just to—so, I know folks need a program—just so you're aware of who's been up and around here. I'm joined by the associate deputy minister, Greg Graceffo, and, as well, Gord Schumacher, who is the director of the Criminal Property Forfeiture Unit, was just giving some advice.

*Mr. Chairperson in the Chair*

I'm told that when the police and the various units that we have assist police—such as the Public Safety Investigations unit and the Criminal Property Forfeiture Unit—look at any situation, they try to use all the various tools as best they can. And my understanding is that although there have been a number of cases where they've looked at The Civil Remedies Against Organized Crime Act, in many cases they've used The Criminal Property Forfeiture Act to seize and ultimately have forfeited various property, which has been very helpful.

The Safer Communities and Neighbourhoods Act and Fortified Buildings Act, of course, are also tools that can be used to deal with organized crime and gangs to try to improve public safety.

**Mr. Goertzen:** So I'm not quite clear—it sometimes happens in Estimates, so I'll sort of rephrase that. So has the Province ever applied to the courts to revoke or not issue a licence to a business that was serving as a front for gangs?

**Mr. Swan:** There have been a number of cases that have been considered, but, again, there've been other provincial remedies that have seemed more appropriate. So, no, that particular act has not been used in a court application.

**Mr. Goertzen:** And yet when it was launched in 2009—and, in fact, the minister's name is on the news release, as it sometimes appears—he indicated that this was a key part of the antigang strategy to be able to use this particular remedy. If it was such a key part of the strategy, why hasn't it ever been used?

**Mr. Swan:** Because we've had a number of other tools that we have implemented or that we've enhanced which have given law enforcement and our various provincial agencies much greater ability to

take on organized crime and gangs. And I know that the member for Steinbach stood next to his then-leader who said The Criminal Property Forfeiture Act amendments—

**An Honourable Member:** Which one? Can you be more specific?

**Mr. Swan:** Next to Mr. McFadyen, who said that The Criminal Property Forfeiture Act wouldn't have any impact on organized crime. Mr. McFadyen has been proven wrong, I guess, to the tune of about \$7 million now because, in fact, that act is very, very effective at hitting organized crime where it hurts, by taking property, by seizing goods, by seizing things which are proceeds of crime or used in the commission of unlawful acts, and it's been very, very useful.

The Safer Communities and Neighbourhoods Act has now been used well in excess of 700 times. That bill has been very helpful in empowering communities. I won't go back into the history of the previous government's approach because we don't have enough time and I know the member wants to ask more questions. We know The Fortified Buildings Act has been very, very useful. It's been used, I believe, 55 times—no, the number's now up. It's now been used 90 times in Manitoba to make sure that people are not inappropriately fortifying buildings and using them for improper purposes. We also have The Body Armour and Fortified Vehicles Control Act, which are quite successful.

So, we've given—we've put a lot of arrows in the quiver of law enforcement and of our various provincial agencies, something I'm very proud of. I would also, of course, point out that we became the first jurisdiction in North America to formally schedule the Hells Angels as a criminal organization. Where and when and if there is the ability to use that designation to make it swifter and more effective to use provincial remedies, we'll do it.

I'm hoping that the federal government will move ahead to schedule criminal organizations under the Criminal Code and under the Controlled Drugs and Substances Act. I know they have some other challenges to make sure that is done properly, but we certainly look forward to working with the federal government and our other provincial partners at continuing to suppress organized crime.

**Mr. Goertzen:** Thank the minister for responding that it hasn't been used, not to defend one of my former leaders, but I think he actually indicated that,

as the act was written and had stood for a number of years, it wasn't effective and that it needed legislative changes for it to be effective. And, as he has been proven correct on other things, he was proven correct on that, so—but he, I'm sure, would want me to move on to other questions, if he was here.

In the same news release of December 1st, 2009, where the government trumps the new ability to apply to court to revoke or not issue licences, is an establishment of a website, [stayoutofgangs.ca](http://stayoutofgangs.ca). Is that website still active? Is it a dedicated website for people who are parents or others to direct themselves to?

**Mr. Swan:** Okay. Well, just to clarify something, indeed, Mr. McFadyen's comments were in response to our amendments to The Criminal Property Forfeiture Act, which have been proven to be very successful, but, you know, I won't take that on against the former leader.

With respect to the website, we believe that that is one of the suite of items that went over to the new Department of Children and Youth Opportunities, but we will check on that and, if it is otherwise, I will let the member know on Monday when we resume Estimates.

**Mr. Goertzen:** I took a quick look at that. I think that it goes to the Department of Justice site, but it's particularly un-user-friendly and it'd be difficult to find, I think, the right information that a person is—might be looking for. I kind of expected more of a dedicated site, as opposed to trying to navigate through—not that the Department of Justice site is and the government site isn't set up well, but it's not the most user-friendly thing in the world. And that's the kind of thing that, you know, parents are being directed to or maybe kids and it seemed to be somewhat unuseful.

\* (16:30)

Mr. Chairperson, I wanted to ask the minister questions about a news release in March of 2009, so this, I think, goes back to his predecessor, who applauded the federal government's stand on the two-for-one sentencing credits, eliminating two-for-one, sometimes three-for-one, sentencing credits. This might be the time that the former minister got—was threatened to be put into Senate jail. I can't remember, but I did defend him and stand up for him, and I think we were all proven right on that about the Senate.

But, anyway, the news release talks about their indications that accused persons who intend to plead guilty are intentionally choosing to remain in remand as long as they can. Now, my feeling at the time was that the elimination of two-for-one, three-for-one was a good policy, and I supported the federal government on that as well and why I defended the minister from Senate jail, but I didn't feel that it would have a significant impact on the issue of remand because there's lots of reasons that defence lawyers do the things that they do.

But now, with the recent court decision that doesn't take away intentionally the legislation that the federal Conservatives have passed but narrows it somewhat, is there a feeling that this is going to have an impact on populations in Manitoba, jail populations in Manitoba, to be more specific.

**Mr. Swan:** Yes, I am sure the member's aware that the Supreme Court recently came down with a decision, and in that case, I guess, to paraphrase the Supreme Court, they found that 1.5-for-one was the—was going to be the general rule, that you didn't have to prove anything extraordinary to get that credit, which was certainly better than the two-for-one credit which was routinely taken into consideration by judges and, I guess, in terms of negotiating various things.

So, certainly, we do appreciate the federal government having listened to us on that. The situation is better than it was. Again, a 1.5-for-one is—now appears to be the result in a number of cases. I understand the position that was taken in opposition to the federal law. This appears to be—well it's—let me put it this way, it's better than it was before and I think it will still provide a bit of an incentive for individuals to move their cases along more quickly than maybe they would have before.

**Mr. Goertzen:** I'll return to similar lines of questioning as we go through the Auditor General's report and it deals with the remand population versus the sentenced population.

But sort of continuing on our book of memories with the Department of Justice, in 2010 the government indicated that legislation would come forward to help Legal Aid recover costs from parents who won't pay. And the release indicates that the bill, the first of its kind in Canada, would allow Legal Aid Manitoba to recover some of its costs in defending a young person whose family does not qualify for the program. Can the minister give me an update on how



much money has been recovered from said families as a result of that initiative?

**Mr. Swan:** We will make the request of Legal Aid Manitoba and provide with what we learn.

**Mr. Goertzen:** Can the minister give me an update on the GRASP program that was announced back in 2011, I believe, in terms of is it fully staffed, is it fully operational, has there been any change in its mandate?

**Mr. Swan:** Now joining me at the table is Shauna Appleyard, who is the Executive Director of Community Corrections, and, yes, if I could remember from the question, GRASP, or the Gang Response and Suppression Plan, is an integrated initiative into gang violence that brings together police and prosecutions and probation services to co-ordinate an intensive community risk management plan and it targets high-risk adult offenders.

The program started on January 15, 2010. At first it took in 50 offenders. I'm pleased that additional resources have been added so that they now monitor 100 offenders, and what happens is that those offenders roll through the program. So, if somebody is monitored by the GRASP program and they reoffend, they breach and they get taken into custody, we don't hold their spot for them, we bring in another individual. There's always 100 offenders being monitored in any given time, and GRASP works by rigorous monitoring of conditions by the Winnipeg Police Service, as well as focus supervision interventions by probation officers and community corrections workers, and often GRASP probation officers work in tandem with Winnipeg police officers to conduct compliance checks.

I know the member has gone on some ride-alongs. I had the chance to do some curfew checks with the Winnipeg Police Service, which was interesting to say the least. And, in addition to frequent curfew checks, frequent monitoring to make sure that conditions are being complied with, probation officers also work with the offenders to try and deal with whatever their high-risk factors may be to assist them in following their court-mandated conditions and dealing with any urgent concerns that might appear. And, if individuals who are enrolled in the program co-operate, they verify employment if they're required to, they verify school if required to; if they comply with court-ordered conditions, they may be in a position to have their required reporting frequency reduced. On the other hand, if somebody

is not complying, they will find themselves under even more scrutiny, and, of course, there's no hesitation breaching people who do not follow the rules they've been put under.

I'm told the GRASP assessment team meets biweekly to deal with ongoing intake of new individuals. They review referrals into the GRASP program. They determine an offender's eligibility for GRASP. They can also reassess existing offenders to determine whether they should be terminated from the GRASP program. So it continues to operate. I'm very pleased it now looks after, or manages 100 people in the community. I'm pleased that it's very responsive so that if individuals are taken into custody, or they get to the end of their conditions successfully, there is a quick process to continue in taking more people into the program.

**Mr. Goertzen:** Can the minister provide some details on whether or not that unit has been fully staffed or if there's been times when it's been under-complemented in the last couple of years? You might not have that right on hand. I understand that if that's the case.

**Mr. Swan:** It's a partnership with the police and with probation services. From probation services' perspective, there are four probation officers that are assigned to this unit although I understand there may have been times when, you know, somebody has left their employment or they're away. Temporarily, there may have been only three people working in a unit but I'm told that it's a priority and, if for some reason they're down to three probation officers, arrangements are made internally to make sure that there are four probation officers working on the program.

**Mr. Goertzen:** The senior judge program: How many senior judges are currently being employed by the Province?

\*(16:40)

**Mr. Swan:** I'm glad we're not in the Chamber, as we keep making personnel changes. Shauna Curtin, who's the assistant deputy minister of Courts, has joined us at the table.

There are four senior judges in Manitoba right now.

**Mr. Goertzen:** What update can the minister provide on their usage in terms of, you know, how often they've been involved with trials, either filling

in for judges who aren't able to be there for a particular reason—what's been the experience?

**Mr. Swan:** The senior judge program is funded at the equivalent of one full-time Provincial Court judge. So I believe it's my expectation that the chief judge and the associate chief justices use those senior judges to their maximum potential, so I believe that the program is indeed getting one person-year from the program.

**Mr. Goertzen:** I believe during the last campaign the NDP talked about weekend court and that they would be committing to weekend court. Is that an initiative that's under way currently, or what's the status of that?

**Mr. Swan:** Yes, the member will likely recall that there was an initiative to have a weekend bail court running at the Winnipeg Law Courts building. That program was launched in the belief that there would be a large take-up by defence counsel who would want to have an additional opportunity to have their clients make a bail application over the weekend. We did staff that up, not only to the Provincial Court judge and a Crown attorney available, but also Legal Aid as well as sheriffs, court clerks and all of the other infrastructure.

The program ran initially for six months, and over that time period it became very apparent that there was not the kind of take-up of that court that would make it worthwhile for the various personnel. I know within the course of that six months there were even some reductions in the number of court staff and the number of sheriff's officers that were available, but there really wasn't the take-up that we had hoped there would be.

The Provincial Court decided that really it wasn't worth their while to continue the court. We had some discussions and we agreed that those additional resources would instead be put into more opportunities to deal with court matters during the week. So we've taken the resources that were set aside for the weekend bail court and we've added those into the system so there are now some more court opportunities, if I can put it that way.

**Mr. Goertzen:** But it is a promise that the government ran on in the last election, and they ran on it—I could, I suppose, bring out brochures, but that brings back bad memories for all of us, perhaps—ran on it with the idea that it would speed up the court system, and that was the promise that was made at the time of the announcement. So I'm surprised that

it's had—maybe I'm not surprised that it had so little uptake, but perhaps surprised that the government or the NDP at that time hadn't done the kind of analysis that it would truly be beneficial, that it would make a difference. It was seen as something that could speed up the court process, so is that considered a failure on the minister's part at this time?

**Mr. Swan:** Most certainly we devote a lot of our time to improving the way that justice is delivered in the province of Manitoba. We had believed, certainly from some representations by defence council, by looking at the system, that there would be some opportunities. When those opportunities didn't turn into a significant number of cases, listening to what the Provincial Court judges had to say and looking at where we could put the resources, it became apparent that what was more important than keeping a weekend bail court that people weren't using open, it was actually much more important to reallocate those resources within the system to make sure we continue to be as effective as possible.

So, you know, we've had tremendous success on a number of innovative things that we've done. I won't recount them because we'd run out of time, and I know the member wants to get questions in. Weekend bail court, I think it's fair to say, was given a full and fair opportunity. And, because the take-up wasn't there, we and the Provincial Court decided those resources could be better used elsewhere in the system.

**Mr. Goertzen:** In 2011, there was a joint—May of 2011—there was a joint release with the current minister and the member for St. Johns (Mr. Mackintosh) regarding a sexual exploitation strategy, which all of us would agree is a significant issue and needs addressing. As part of that announcement, the ministers jointly announced a 24-7 crisis hotline to help victims.

Can the minister give us any indication of the usage of that crisis hotline?

**Mr. Swan:** I'm advised that that crisis hotline is over in the Department of Family Services.

**Mr. Goertzen:** I don't imagine the minister would have any interest in getting that information for the both of our interests' sake?

**Mr. Swan:** I believe the Minister of Family Services (Ms. Irvin-Ross) is still on hold for her Estimates, so I'm sure you could get the answer more quickly by having one of your colleagues ask the question.

**Mr. Goertzen:** Well, I gave it a shot and it was worth an effort.

Am I to assume that the crisis stabilization facility would also be—that was announced in that same release—would also be part of her department?

**Mr. Swan:** That's correct. That's also over in the Department of Family Services.

**Mr. Goertzen:** In April of 2012, there was an announcement on the same line of child sexual exploitation, human trafficking—a new law that would allow for compensation to be asked for under legislation for those who've been victimized, and damages could be awarded and injunctions could be applied for, to stop those who are involved in trafficking.

Is there an update on how often that legislation has been used, how often—perhaps how much in damages have been awarded and how many injunctions have been applied for and received under that act?

**Mr. Swan:** Yes. There were two parts—two main parts to that act. One was the ability to obtain a protection order—the injunction the member was speaking of. I checked this a couple of months ago and was quite delighted to find that, indeed, the act has been used several times. I don't have the number in front of me, but we'll undertake to provide that to the member.

In terms of the other piece, a civil remedy, I'm not aware that there has been a case which has been commenced in Manitoba. We wouldn't necessarily track it or know about it. If I become aware of any such cases, again, we'll provide that to the member.

**Mr. Goertzen:** Yes, if the minister could provide that information on both sides—the civil remedy and the injunctions.

You know, I don't—my intention isn't to put a stick into the spokes of every wheel that goes by. Mr. Chair, that's not my intention on this legislation. I think it's helpful and useful legislation. I think, perhaps, sometimes, there's not an awareness that the legislation exists, and so, if there's an underutilization, I don't think I'd classify it at this early stage as a failure, but perhaps it's not an ability for people to know that these remedies exist. And I'd be happy to do my part to ensure that there's an awareness of that. So, if he could provide that at our next sitting or as early as he possibly can, that would be helpful.

\* (16:50)

In terms of the legislation that dealt with the applications for the usage of body armour, does he have an indication of—[interjection] I know; I continue to apologize for the shuffling—but how many applications have come forward for the usage of body armour or armoured vehicles?

**Mr. Swan:** He came and went so quickly I didn't have a chance to introduce him, but that was David Greening, who's the Executive Director, Policy Development and Analysis, but now we have Glen Lewis back at the table.

What I can say is that under The Body Armour and Fortified Vehicle Control Act there's been 50 permits or licences issued under the act. In terms of charges being laid, I don't have that information at my fingertips. The police may have it. We'll see if there's anything we can find and pass along to you.

**Mr. Goertzen:** On the body armour issue, would those be people largely engaged in private security or where were those applications from?

**Mr. Swan:** Security guards are exempt from having to register under that act. We haven't really analyzed the 50 permits or licences that have been issued so far.

**Mr. Goertzen:** Could the department staff just do a bit of a perusal on the weekend, or maybe not on the weekend, but on Friday to see what—give us some idea of the kinds of applications that were coming in—not, obviously, who's applying, but the nature of the applications?

**Mr. Swan:** I will try to provide some more complete information. I'll make every effort to put that on the record on Monday. If I can't get anything useful we may have to provide that at some future point. But I'll try to get something for Monday.

**Mr. Goertzen:** In anticipation of meeting again on Monday—though I always remind my colleagues in my caucus not to make any appointments 'til Friday until we get there—but on the anticipation that we might not be here on Friday morning. Could the minister's staff provide the current population numbers within the correctional centres and the youth and adult, male and female and the remand centres?

**Mr. Swan:** I'm pretty sure we can have that for Monday afternoon.

**Mr. Goertzen:** Could we also have information on the number of accidental releases up until—hopefully, there aren't any on the weekend—but up until Monday and the institutions that those accidental releases happened at or whether or not they happened at a court?

**Mr. Swan:** What time period are you looking for? The—I mean, the corrections numbers are a snap shot. What period are you looking for on the accidental releases?

**Mr. Goertzen:** I think just the last year will be fine; I think we have some freedom of information dated that predates the last year.

**Mr. Swan:** Okay, we can pull that together for Monday.

**Mr. Goertzen:** The legislation—I know this falls under the minister's responsibility as Manitoba Public Insurance, so I might be shooting a little off base. But there was legislation brought forward—it is a legislation—that prohibits the benefits going to those who were involved in certain Criminal Code offences in the operation of a vehicle: street racing, flight from a police officer, taking a motor vehicle without consent and theft where the property stolen is a motor vehicle. Does the minister have an update on how often benefits have been denied and if there's been any exceptions to that?

**Mr. Swan:** I don't have any information with me, no.

**Mr. Goertzen:** Can he provide that information?

**Mr. Swan:** I suppose I'll ask MPI and see what they can provide us.

**Mr. Goertzen:** That would be helpful. It is under legislation. I know it falls under his role as responsible for Manitoba Public Insurance, but I do think it would be helpful to have that information as it does fall under legislation.

Does the minister have any updated information on the current breakdown of remand population to sentenced population? I know it was—and we'll touch—oh, be a more in-depth discussion about it in the Auditor General's report, and I know that she refers to the breakdown at the time of her particular investigation, but if he has any more current data that would inform the discussions for Tuesday.

**Mr. Swan:** As of today, the remand percentages: 32 per cent are sentenced, 67 per cent on remand, 1 per cent are federally sentenced prisoners.

**Mr. Goertzen:** Oh, is that as of noon or as of 5 o'clock or—I'm kidding. I appreciate that's very timely. I was kidding, actually, about that, but go ahead. If you want to answer, you're welcome to. No, I was kidding about that.

The—hesitant if I should get into this—there was a comment made in the Auditor General's report, and it won't fall as part of the specific questions on Tuesday, but, about an application that went to Treasury Board for, I believe, off memory, a 750-bed facility. I'm assuming that would've been for adult males, but I don't know that. Can the minister tell us the—more specifically, the nature of that application? Was it for an adult male facility?

**Mr. Swan:** Yes, that was part of a long-term plan for the department. I can just correct the record; it was not a request for a 750-bed facility, it was a request for long-term planning for additional 750 beds in the adult population.

**Mr. Goertzen:** No, I appreciate that correction. So the intention was to simply add 750 beds to the system. Was there a breakdown in terms of where those beds would've been stationed had it been approved by Treasury Board?

**Mr. Swan:** No, there wasn't. Again, this was just a request to begin a process of long-term planning.

**Mr. Goertzen:** And what's the status of that request? I understand that it was, you know, rejected at the time. But not knowing specifically the discussions at Treasury Board, was it something that was determined that it should be brought back at a specific future date or is it—has it already been brought back by your department?

**Mr. Swan:** Mr. Chair, it's fair to say that the results of that Treasury Board submission was striking the Capacity Review Committee to look at longer term planning for adult population needs in the province of Manitoba. That committee made a couple of recommendations. The one which I didn't necessarily agree with was not to build more capacity. It did talk about replacing the facility in Dauphin. I'm pleased to say that's exactly what we're doing. We are now planning for a 180-bed facility in Dauphin. The tender has now gone out for—*[interjection]*—The RFP for that—

**Mr. Chairperson:** Order. The hour being 5 p.m., committee rise.

## CONSERVATION AND WATER STEWARDSHIP

\* (14:40)

**Mr. Chairperson (Rob Altemeyer):** Will the Committee of Supply please come to order. This section of Committee of Supply will now resume consideration of the very exciting Estimates for the Department of Conservation and Water Stewardship.

As has been previously agreed, questioning for this department will proceed in a truly global manner and, wouldn't you know it, the floor is now open for questions.

**Mr. Doyle Piwniuk (Arthur-Virden):** Mr. Chair, I just wanted to ask the minister—one of the things I've—when I was campaigning during the Arthur-Virden by-election, one of the big issues that people in the—especially agricultural—farmers who had concerns about a pipe—oil pipeline that was being approved by one of the oil companies, which would be Penn West.

And the concern was that the approved pipeline was going to go through their—an aquifer that supplies Melita and Waskada and much of the corner of that—of our constituency. So my question is, were you aware that this was an issue?

**Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship):** It depends on the, actually, the nature of the oil pipeline. If it's interprovincial in nature, there is a federal approval process under, I believe, it's the NEB. The—if it's an older pipeline, the Petroleum Branch and legislation there, I understand, governs that. So it just depends on the nature of it. He might want to just get the—some more information on the record now or later and we can have that addressed. So there are a number of authorities that could be triggered depending on those questions.

**Mr. Piwniuk:** This one is a provincial—interprovincial one, pipeline. It's from—Penn West is the company and it was approved by this—your government and so, right now, I guess they're in the hearings and also talks about putting the pipeline in. I'm not quite sure the pipeline is even going through but I was—the question I would also have is you got—is the—because this pipeline that was being put in was also affecting the agriculture part and it was also affecting—because of farmers, it's also the oil industry but also water stewardship because it was an issue was the water supply.

We've had a few oil pipelines that actually leaked and burst. That's a concern that I think people from Melita have when it comes to their safe drinking water. And they spend a lot of money on their aquifer and getting their water source and so that's why—that's a big concern they have, because I think your department will be—have a problem if there was a problem with the pipeline.

**Mr. Mackintosh:** So we'll get an update on the approval process and the update the status of the project, and we'll advise the member on a timely basis within his constituency so that he can rest assured that there is an adequate process and that it's being followed, and then, if there's further follow-up, we can have those conversations.

**Mr. Piwniuk:** Mr. Chair, the one question I would have is, like, okay, down the road, if there's ever a situation—it may not be that particular place—but if there was another situation. We had a constituent that, on their farm, they had to move off their farm because the water wasn't safe for drinking. Their well—the spouse was sick; they moved into the town of Reston, and does this government—does your department, does it make—assure that when situations like that happen, that you would be working towards trying to provide adequate water source for individuals or for communities that may be affected?

**Mr. Mackintosh:** Well, there are checks and balances in place and protections in place but perhaps the best way to proceed would still be with the individual case and that we address the issues as to whether the adequate procedures were in place and were they followed, and that might be the best way to proceed. It sounds like it's a singular case of concern, and so that's probably the best way to respond. So staff will take the question away and we'll get back to the member in the next few days.

**Mrs. Leanne Rowat (Riding Mountain):** I have a quick question with regard to the Asessippi park—provincial park. Last year I'd asked questions with regard to the access road into the park and the poor state of that road. Actually, it was actually closed, I believe, for most of the year last year. So I'm wanting to know if the minister would provide me with an update on the potential repairs. He had indicated that this would be the year, and I'm just wanting to confirm that. I'm getting a significant number of calls from individuals. Last year, people were redirected on a provincial—or on a municipal road, and this didn't go over very well with

individuals who have campers, which I understand are, you know, significant in cost, over \$100,000.

So, just to assure the residents in the area and any campers that are considering going up into this area, I need confirmation.

**Mr. Mackintosh:** I've just been reminded that the analysis of the soil conditions that was done in 2013 determined that, indeed, there was a serious issue here, the soils were very unstable. And it's very unfortunate because of the routing that has been necessary. I'm advised that the tender for the project will be posted in the next couple of weeks—that's the expectation—on MERX—to get a contractor to undertake the repair of the road, and then we know that there's a 60-day period there. What I did as a result of correspondence over the last couple of weeks from the Parkland economic development corporation, was I asked the department how we can guard against any further time loss because the expectation was the work would begin in August, and if there's any way we can reduce the timelines, and I've asked the department to address that. For example, can we start to draft the, you know, Treasury Board submission and so on? So I've just been told that that is being undertaken.

So I can confirm that it's expected the work will be done this summer, and thank goodness for that, so.

**Mrs. Rowat:** I'm a bit concerned that the minister mentioned August. That's not, you know, a timeline that would be acceptable to a lot of the residents in the area or the people that want to utilize that park. This has been an ongoing issue for several years, and people were quite concerned when the Province decided not to charge fees for provincial park access, because part of that issue is maintenance issues that would be put to the wayside.

So I would, you know, highly and strongly encourage the minister to see what he can do with regard to getting this project moved up. I know there's a tender process, as he said, and I appreciate that because we knew that that is necessary, but the provincial park cannot sustain another year of a road closure and continue to be viable.

**Mr. Mackintosh:** So I take the member's point, and so we'll see how we can shorten timelines. And in the meantime you've been working with the RM on—you know, with regard to the alternative access, and I can also assure the member that in the meantime the department will apply dust control and we'll work

with MIT to make sure the road surface is adequate and will guard against washboard on the alternative route in the meantime.

So I appreciate the member's frustration, so we'll make all efforts to move the timelines as best we can.

\* (15:00)

**Mrs. Rowat:** I appreciate those comments, and I will share with the municipality and the individuals who have been raising this as a very serious concern.

With regard to the support for maintenance, I know the municipality would appreciate that. They've been, I think, a strong player with regard to commitment to assisting the Province with regard to Highway 83 as well as this. So anything that can be done to support the municipality in ensuring access to visitors as well as local residents would be greatly appreciated.

I have another question for the minister with regard to the Asessippi dam. There's been discussions that the leaf gate issue is going to be on the table again. I know several organizations and landowners, whether they're cottage owners or whether they're producers along the Asessippi or Assiniboine valley, really want to be involved. They were told that there would be a consultation process prior to anything moving forward with regard to the dam. If the minister can give me an update on what is being proposed and where they're at with regard to meetings and consultation with the community.

**Mr. Mackintosh:** Yes, flood control infrastructure is the responsibility of MIT, but I can pass on the question to the minister. Flood control infrastructure is governed by MIT. So we can pass that on, though, to the member so she doesn't have to ask, but that would be with the Minister for Infrastructure and Transportation.

**Mrs. Rowat:** I'd wanted to raise that with the Minister for Conservation because, obviously, it's going to have an effect on your department with regard to fisheries, erosion. There's been some very serious erosion along the banks of Lake of the Prairies, very significant issues with regard to fish stock, et cetera. So I want to raise this as a very serious issue and encourage the ministers to take an interest in this and at the Cabinet table to ensure that those issues are being identified.

**Mr. Mackintosh:** Yes, we'll follow up then. We'll ask the minister, and if there are fisheries issues there

we'll put our ear to the ground and see what impact there may be on our departmental priorities as well.

**Mrs. Rowat:** One further question, the member for Arthur-Virden (Mr. Piwniuk) just raised it with me. With regard to the provincial park road, the tenders that are going out, can you give me the specifics or what will they be looking at? Will it be a paved road? Will it be developed to a certain standard? Can you give me some details on that? That is a question that's being asked.

**Mr. Mackintosh:** Yes, I'm advised that the roadwork will have to address the slumping, so that has to be corrected. But, as well, my understanding is that the road will be paved; that's the intention.

**Mr. Shannon Martin (Morris):** In start, I just want to thank the minister for his involvement at the event at McNally Robinson last Thursday evening and the—obviously, a very important topic to save the—Lake Winnipeg. Some very good speakers and I did appreciate the minister's comments. And it's events like that and opportunities like that that will all, in terms of educating and sharing information and answering questions, that we will eventually—and, I guess, the key word that I got out of—most of the comments will eventually, you know, get to see the light at the end of that tunnel. So I just wanted to put those comments on the record.

Now, my understanding right now—sorry to jump tracks—we're talking about Lake Manitoba, fishing on Lake Manitoba, commercial fishing—is that there is a lake quota as opposed to individual quotas, and if the minister can confirm that. And, as well, what is the current quota and what's the last time this quota's been reviewed?

**Mr. Mackintosh:** Yes, we'll just get back on the answer to the question about the lake quota. It's our understanding that, indeed, it is a lake quota. But it has been maintained for some time because the lake has been experiencing a depressed stock, so it's important to keep our conservation efforts going in the right direction.

But my understanding is that the department does review or analyze the health of the fishery on an ongoing basis, but what is now in the works is an attempt to develop a Lake Manitoba fisheries management board comprised of those who had a—have a direct stake in that.

We have that, for example, on Lake Winnipeg now, and that really develops, then, a sense of ownership and an empowerment of local fishers to

address challenges facing the fishery. But the ultimate objective there is to introduce stronger conservation efforts so that we can have a strong fishery well into the future.

So there's two questions that are outstanding that we'll just confirm that it, indeed, is a lake quota. And the actual number of the quota we can provide to the member.

**Mr. Martin:** The minister makes reference to the—to depressed stock—fish stock in the lake, I mean, and I appreciate that comment that my understanding is that we've had a decreasing number of fishers on Lake Manitoba and that was more of a result of reduced revenue.

Now, whether or not that reduced revenue is stemming from the minister's comments about depressed stock—and, obviously, if you're not catching as many fish, you're not getting that revenue—or if it's a result of prices in the market. I'm not sure if that—if the minister has that information, and if he does and is able to share it, that would be most welcome.

I'm just wondering if the minister has, or his department has given any thought to an open water commercial season in the fall, just with the shortening of the—winter fishing season shortening, with freeze-up being delayed, you know, longer and longer.

**Mr. Mackintosh:** If there is to be any changes to the season—and we do get these requests from time to time from different fisheries—it's always done on the basis of science. I rely on that one consistently. So whether there would be any change is very doubtful, given the current assessment of the stock.

In terms of the number of fishers that are currently on Lake Manitoba, there's a number of factors that come into play, but key, of course, is the fact that walleye, which is the most profitable fish on the lake, is the species that is most depressed. So that would explain, perhaps, why some may be exiting from Lake Manitoba fishery.

\* (15:10)

But it always takes time to get back on track and we've had this experience in other fisheries and most notably in Dauphin Lake, for example, where we've been working for the last decade to get back to where we had to, and it's not easy.

So—but if there's any other information we have, in terms of our numbers, we'll let the member know.

**Mr. Martin:** Staying on the subject of fishing, Mr. Chair, the Province has—last year, I believe—introduced a new Fish and Wildlife Enhancement Fund. I wonder if the minister can just give me the Coles note of what that fund is and how much is generated as a result of that fund. Whether it's actuals or estimates, I'm fine.

**Mr. Mackintosh:** Yes, it was a fund that has been asked for by the Manitoba Wildlife Federation and others for quite some time, which will enhance and then build on existing efforts for the conservation of fish and wildlife species for the purpose of hunting, fishing and trapping.

So we worked with our stakeholder groups and with the support of the members of the Legislature. We got the legislation through last year. The next task is to get the membership in place. The parameters are set out in the legislation, in terms of who will participate. It really is an effort to engage those that are on the land, that care deeply about population health, to take part in decisions about where the best investment should be.

On the fishery side, it's—we've had a fish enhancement fund for some time now, so that wasn't new. This built on that effort; it combined the two and we had discussions with the fish enhancement fund folks and they agreed after discussion and addressing some issues, that it would be good to have one fund in Manitoba. I think that's the way it has been in some other jurisdictions.

So on the fish side, there—every year decisions are made to address fish populations and there may be, you know, stocking efforts, there may be fish ladders, a number of different initiatives to enhance awareness of our fisheries, to engage youth, for example, to develop some local economic development from fishing—I think those are some of the examples. And, as well, the funding for maintaining the fish hatchery in Manitoba that's in the Whiteshell, that is done through this fund as well.

In other words, anglers are paying for better fishing opportunities in the future, rather than the taxpayer, by and large, over and above the basic functions of the department.

On the hunting side, this is entirely new. And this year there is a new \$5 payment with hunting licences; that was the dollar figure that was arrived at as a result of the consultations. Everyone at wildlife federation, lodge and outfitters association and others, trapping association, was involved,

thought that was an amount that was nominal but would accumulate—I'm told that that could reap about \$360,000 in revenues in year one.

But we're also looking at other sources of revenues, as well. The act allows for that. For example—and it won't be a huge amount, and I hope it's zero—but the new bill that the members were hoping to brief the member on for restitution from poachers, that amount will go in there. It won't go into general revenues. So that amount will go back to maintaining or enhance population health.

So I think that's the state of play. I want the members to be appointed to the body over the next few months, over the summer, so that everybody's in place for the fall when dollars to start to come into the fund. In the meantime, the fish enhancement fund group, by and large, will continue. There may be a new—some new members or something like that, like an addition, but I think we want some continuity there. And I had agreed with the fish enhancement folks that we would achieve a consensus on the membership on that group.

So I think that's sort of the—that is the Coles Notes. I don't think there's anything more that I, you know—oh and there was another point, though. It—there's two points that are really important. First of all, this is a trust fund and I think I had said earlier, actually, but those aren't easy to get in government. You know, the Treasury people are often reluctant to create a lot of different little funds here and there, but it does, for this purpose, assure accountability, transparent—transparency particularly to those who are, you know, making the decisions about where the investments should be so that they know the dollars are going to where they recommended.

And the other attribute of a trust fund is—and very important and I think that's why the fish enhancement fund was quite keen to join to group, is the dollars will rollover one year to the next in case they're not all expended in one year. There may be some big project that, you know, the group will want to save up for, for example, or there may be delays in construction and so on where that just makes it easier.

**Mr. Martin:** So the previous fish enhancement fund had been around for how long?

**Mr. Mackintosh:** Well, I'll have to check on that one but I think it's been quite a long time and, you know, there's people like David Carrick, for example, who I think were the backbone of getting



this going and so there's a good track record there. Oh, and also very importantly, the Manitoba Trappers Association is part of the discussions and they will have representation on the group as well. So it's the three. It really is about greater opportunities in the years ahead I think.

**Mr. Martin:** So when the—so essentially the existing fish enhancement fund now merged with the new Fish and Wildlife Enhancement Fund. Did the fish fund have any existing revenues brought over into the new fund?

**Mr. Mackintosh:** Yes, well, there was a question in the House yesterday from—or two days ago from the member for River Heights (Mr. Gerrard) suggesting that the Water Stewardship budget had been reduced by a certain percentage. Well, that is because, in large part, \$1.7 million has been moved from the general revenue pot to the new trust fund. And that—and by the way, that in no small part explains the bottom line number on our departmental Estimates this year. So in other words the amount stays with—it's still a provincial expenditure but it moves to the trust fund. And so you can see, too, that there's a large amount available for the fish enhancement component. The historical piece and the hatchery piece.

**Mr. Martin:** So the previous fund would have had, I guess, an administrative component in terms of how the fund was allocated. Was that also carried over as well or was a new administration created to administer this new fund?

**Mr. Mackintosh:** Yes, no, I'm advised we'll just continue to use the existing administration. I really want to make sure that there's a smooth and continuous operation of the fish enhancement side of this one. Again, we built this in small way on the experience of the fish enhancement fund so we want to give it due respect by continuity.

**Mr. Martin:** So if I—and I think I got the minister's numbers right that the fish fund brought roughly about 1.6, 1.7 million dollars over, the new wildlife \$5 fee will bring in roughly 360, 370K so we have roughly, ballpark, about \$2 million available. And the minister lists off a number, mainly on the fish side but obviously other examples in terms of enhancements to—in terms of enhancing the sustainability and the accessibility of conservation in our province.

Would government agencies themselves be able to apply to this fund though?

**Mr. Mackintosh:** I think anyone can apply and that's been the history. In fact, sometimes—I think by looking at it sometimes the, you know, a government application to the fish enhancement fund is sometimes developed from within the, like, you know a good idea, well, who's going to sponsor it, well, you know, the department can do that, and—but, yes government can apply as well but the decisions are going to be made, though, by people that are independent of government.

**Mr. Martin:** So, theoretically, then, the wildlife grants could apply to the fund to, say, to do an aerial survey?

\* (15:20)

**Mr. Mackintosh:** I do expect that because the hunters have told us that they'd like some different surveys at different times perhaps and, you know, we've enhanced our investment in surveys as between the department and Hydro in the last year. The interest by a lot of the hunting population is to have some more surveys on top of that, and so that's a decision that they could consider and, you know, they can work out how that could happen. But we're certainly going to defer to the group to, you know, choose the kind of the projects that should be awarded funding. You know, it could be, too, that the department can sometimes provide services in kind that make a project even more robust than if someone else was pursuing the project, but, again, that's up to the Fish and Wildlife Enhancement Fund decision-makers.

**Mr. Martin:** One of the earlier comments I made to the minister about—in a new portfolio is, obviously, learning things that I've never been exposed to before. One of them that was brought to my attention that the minister would be aware of is a land dispute occurring right now in northern Manitoba in—with respect to Nunavut and Saskatchewan, as well, with the federal government prohibiting development on certain parcels of Crown land for a three-year period in terms of the Crown land can't be sold or leased. Now, in a news article from CBC back in July 2nd, 2013, it does note John Hickee, the chief negotiator for the Nunavut Tunngavik Incorporated did note that when they wrap up, Hickee said Nunavut Inuit can expect to gain about as much land in Manitoba as the Dene claim in Nunavut.

Now, it's been suggested to myself, and that's why I'm bringing it to the minister's attention for clarification, that we may be talking about a—potentially a 16-mile stretch of coastline from the

Churchill River mouth to the Nunavut border being—provided as part of these claims. I wonder if the minister has any kind of update or status update in relation to this.

**Mr. Mackintosh:** Yes, Aboriginal and Northern Affairs is the lead on those discussions. I think those discussions have been ongoing for some time. I expect they'll be ongoing for some time more.

**Mr. Martin:** I also understand the Premier's (Mr. Selinger) previously announced plans to change the name of the Cape Tatnam Wildlife Management Area to a provincial park with more infrastructure to enhance tourism.

**Mr. Mackintosh:** I'm sorry, what?

**Mr. Martin:** Sorry, the Premier's announced a plan to change the name of, if I'm saying it right, Tatnam wildlife management area, or do I—or did I type it wrong?

**Mr. Mackintosh:** Yes, that WMA is actually part of the study area for polar bear park.

**Mr. Martin:** But is there any concern with the development of the polar bear park that—and, obviously, enhancing the infrastructure to changing the infrastructure to enhance tourism, ecotourism? And I know the minister has previously spoken about the sustainability of that tourism to the landscape, but also we need sustainable in terms of the potential impact on local wildlife populations, in particular, with the polar bear population. I wonder if the minister's department has done any studies or is aware of any data in terms of the impact that increasing the potential interaction between humans and polar bears will have on the regional population.

**Mr. Mackintosh:** Well, we want to see increased sustainable tourism opportunity and we want to see, you know, increased conservation efforts that are, you know, in balance with each other. We think we can achieve that, but, again, I think it goes back to my comments—was it yesterday or the day before around polar bear park and the member for River Heights' (Mr. Gerrard) questions? We have tendered for a review to help us objectively measure, if we can, the carrying capacity in the area for Tundra Buggies, for example, and how that can be—how that can coexist with the polar bear population. We think that coexistence is possible. It has been proven. It's just some question, I think, of degree. So we'll see what comes of the call for proposals as a result of the tender, and we can get on with it, but we see that as part and parcel of the development of polar bear

park. As we said in the Throne Speech when we announced this concept, it really is to draw a greater international attention to the area, not only for polar bears but for other attributes as well, which are quite extraordinary, but doing so in a way that addresses the need for conservation efforts.

**Mr. Martin:** Sorry, the minister said something that I meant to follow up on when he was talking about poachers in the new legislation that he's introduced to the House, and obviously, those funds would be—go directly to the new wild—or sorry, the Fish and Wildlife Enhancement Fund. The—now, obviously, the minister may not be aware of the—sorry—does the minister have an estimate in terms of what kind of revenues that he's anticipating may flow towards the fund as a result of the changes in the legislation?

**Mr. Mackintosh:** We're committed to a briefing to the member; we can get the exact number. I do have a number in my mind, but if it's wrong, I'll regret that. But it's not a significant amount of money, and we want to make it even less. I hope it's zero. The bill really is intending to send a strong message to would-be poachers. It's a deterrent message that we need, but the money that comes in will certainly be put to good use. I should add, too, that if there are other sources of revenue for the fund, that would also be welcomed. And you know, that may come down the roads.

**Mr. Martin:** And sort of speaking of that, I'm just, you know, it just popped in my head when the minister was talking about other sources of the fund. I'm wondering if—and if it's an MPI issue, that's just fine—whether or not there's been any thought or any discussion about a licence plate.

**Mr. Mackintosh:** Well, I've been quite keen on seeing another licence plate. There's already one. Fish Futures has a licence plate for trailers. That was launched about a year ago, a year ago almost today, I think, sort of thing, and that was as a result of work with Fish Futures. MPI's made it very clear, and I think it's a good public policy decision, that it is independent groups that would be awarded licence plates that are specialized and not government. So the fund itself would have a barrier, probably, to overcome.

On the other hand, I have encouraged the Manitoba Wildlife Federation to consider that as an option. And they've been going through some transition processes over there, and I'll be meeting with them in the next little short while. We had to reschedule a meeting from, I think, a week ago or so.

So we'll be raising that, as well, with the new executive and the new director to see what we can do to help them move along with an application to MPI. But I think that would just be a great opportunity.

**Mr. Martin:** You know, the minister made a comment, and I agree with him, that obviously we hope that the new legislation generates zero dollars as a result of, obviously, individuals not poaching. But we know that simply isn't going to occur. There's always going to be poaching, which obviously leads me to my issue or my question when it comes to the enforcement and, specifically, the conviction of poachers. So if the minister can give me an idea maybe in the last year how many individuals were charged with poaching and the status of those charges.

\*(15:30)

**Mr. Mackintosh:** Well, as I recall, I think last year there were about 1,000–1,004 prosecutions. And that won't be the complete number because Justice will report those on an ongoing basis, so the number will likely increase. So I think that's indicative of the enforcement activity. In terms of the conviction rates, that, of course, depends on the judges.

And, you know, part of the concern that is being addressed by the poaching legislation is that in addition to fines that may be leveled by the courts that are very busy, it can be very useful to have a restitution number that may far exceed the, you know, fine amount. We have some public reaction where—over the last year where the public, I know, has expressed concern about the level of fines in a case.

Of course, fines will go to general revenue for breaking the law. Restitution would go to the fund for addressing the loss. But, anyway, that was—those are the numbers that I recall from the last year.

**Mr. Martin:** So the minister indicated, I think, 1,004 prosecutions. Is this a number that's indicative over the last number of years? I just want to get an idea if that's—like I said, if that's indicative of the number of prosecutions that we have in terms of poaching in the province of Manitoba.

**Mr. Mackintosh:** That wouldn't be indicative because the numbers aren't finalized, and we could go back in earlier years but I think those are all in the annual reports of the department—yes. You know, we could gather that information for the member. That's not hard. I think it may be published in our reports.

We'd have to look to see if it's broken down on a regional basis or not, just to determine consistency over time.

The—it's difficult to determine from the number of prosecutions what, you know, the restitution amount would be, because that would just be a number of, you know, the charges that were proceeded on. The restitution amounts would—for example, if there was somebody that unlawfully took a polar bear, that's going to be a big number. If someone took a deer that has no—there's no points, it's going to be 500 bucks. If it's a deer that's a, you know, trophy, has trophy value, we could be talking about 4,500 bucks. So, yes, that won't give us any predictability, I don't think, in terms of the revenue from the bill. You know, the first year of the bill will tell a story, I think.

**Mr. Martin:** And just for the minister's own clarification, the—my question about the number of prosecutions in terms of poachers in the province wasn't related towards potential revenues, just more to get a idea of the scope of the issue of poaching in Manitoba, whether or not is a—whether or not it's a significant issue, one that's increasing, decreasing, or one that's staying relatively stable.

I mean, as—like, as I made the comment before, and obviously the minister would agree, that despite our best efforts in terms of enforcement and education—and I know there is a tips line for reporting poachers and that—poaching is just a reality in any jurisdiction where there's—that opportunity exists. So that was sort of the rationale behind that question.

Now, jumping over to provincial parks, Mr. Chair, I look back at some previous Estimates, and I note my former colleague, the former member for Arthur-Virden, had asked a question about the ban on liquor on Victoria Day long weekends. At the time, the minister had said that the May long weekend was a ban, was a pilot project that had—so in 2013 it was in the second year of that pilot project. I'm just wondering if the minister can update me on the status of that pilot, whether or not that ban will be ongoing and whether or not we'll be transitioning from pilot to policy.

**Mr. Mackintosh:** The May long weekend liquor ban, which no one in this room, of course, was responsible for bringing on, was—has actually been around for quite a long time and going back years, I think. The—I think the project that the member might be referring to was we tried the idea of a liquor ban

year round, like—or season round, in one of the parks. I think it was Birds Hill, or maybe it was Birds Hill and Grand Beach.

Based on certain days, like, certain areas, we thought, well, you know, let's have sort of, you know, quiet areas, if you will, and it just went great. We had no complaints at all, which tells us that it was a good idea. So we're just continuing that.

But the member raises a point. Maybe we should look to see whether that could be expanded to some other of the larger parks. So I'll just let the ADM take that away. This is a—there maybe be a good idea there for encouraging family camping. In other words, it's not a blanket restriction, but just sort of tailored, and people can make choices then. But we wouldn't do it this year because the reservation system's already done its work, but something we could take away for another year.

**Mr. Martin:** And just, obviously, to correct the record, and the minister's quite right, it was an initiative to have liquor-free days year-round in two parks, Birds Hill and Grand Beach. So the minister is advising that they're satisfied with the results of that pilot project and that it's ongoing. So I appreciate those comments.

I also noticed, in former Estimate questions, the minister made reference to the purchase of some new Bombardier 415 turbo crop water bomber aircraft. I'm wondering if—what the status of our water bomber fleet is in terms of age and in terms of potential new acquisitions?

**Mr. Mackintosh:** So a few years ago there was a multi-year commitment made to upgrade the firefighting fleet in Manitoba. Huge dollars; I was shocked at the price of these. Mind you, I was climbing all over one of them, and I get the point that this is a tremendous technology. And, you know, for the press conference, I was saying, describe to the public what is the difference between, you know, then and now, like, in terms of the ability to fight fires. And it was extraordinary. The numbers didn't make so much of a difference, but the media came across one of the pilots who had flown the old planes, and now flying the new 415s, and he said, what's the difference between a Volkswagen and a Cadillac. But the ability to pick up water, you know, per hour, and drop, you know, volumes was just a huge difference.

So there was a commitment to get four new 415s, as I recall. And we already had two 215s, the

smaller ones, and so there's a complement now of six. So the commitment has been fulfilled. Last fall, the last—*[interjection]* I think it was the last arrival of the fall, yes.

**Mr. Martin:** I'm almost tempted to ask the minister to comment on the urban legend of water bombers scooping up scuba divers, but I won't. That being said, though, I'm just wondering, and again, it's out of my own sheer interest because I've read a number of articles over the years about it, about the sort of, almost the changing attitude in terms of fire suppression in—on Crown land, and how at one point, people were, and Parks, were very almost religious in terms of stamping out any fire as soon as it occurred.

There seems to be some evolution of thought that obviously fires are a natural part of the—of conservation, in fact, and that some plants require the heat in order to grow, and that, in terms of in clearing out zone underbrush, in fact, it's our efforts to suppress those fires in their initial stages that lead to even greater consequences in terms of damages to both the forest and, obviously, the private property that may be in those forests. So I'm just curious what the Province's—I guess for lack of a better word, is policy or strategy when it comes to fighting forest fires in Manitoba's provincial parks, and whether or not that has changed based on the changing science.

\* (15:40)

**Mr. Mackintosh:** That press conference I was talking about, I started by saying every good press conference needs a good prop, but nobody got it; again, today, even.

The—yes, I think it's counterintuitive to most that sometimes, you know, putting out fire may not always be in the best interest of the long-term health of a forest, and that's sometimes difficult to get acceptance for. But the department prioritizes risk when it comes to firefighting and populations are prioritized, the protection of human life and then—and buildings. And that's been the way, I think, over the last number of years so.

But the member's right that it is an informed view. Sometimes fire is part of land management and—for a number of reasons. But having said that, it's a very costly and extensive program and it may be, looking ahead, it is predicted that the risk is going to only increase with climate change. You know, the last number of years having been easy on departmental budgets or on communities.

**Mr. Martin:** And, again, for my own information, if the minister can advise, does the department engage in controlled burns as part of its fire suppression or management strategy?

**Mr. Mackintosh:** Early on as minister I was introduced to our command centre and how the firefighting happens in Manitoba, and it really is impressive to see how we detect fire and how the technology now identifies lightning strikes all across Manitoba, for example.

But, anyway, to the specific question, the controlled burns are—have really been limited to Spruce Woods where there's ongoing challenges around the grass encroaching on the sand lands there—*[interjection]*—and to keep the prairie in, basically.

**Mr. Martin:** And, again, so the minister referenced attending the command centre. Where would the command centre be located? Here in the city of Winnipeg?

**Mr. Mackintosh:** Yes, the central command is 200 Saulteaux out by the airport, but we have regional command centres as well: Lac du Bonnet, Thompson and Paint Lake.

**Mr. Martin:** Speaking of 200 Saulteaux, I believe it's at 200 Saulteaux where one would get a permit to cut down a Christmas tree on Crown land. I see some nodding of heads so the minister doesn't need to answer that part of it. But it's, again, it was an opportunity—we've—I've taken—my wife and I have taken our own children to some of the tree farms in southern Manitoba. In the previous—or in the last year we decided to take advantage and take the opportunity on Crown land, and did our due diligence in terms of accessing the permit which, to be honest, is a ridiculous \$5. That being said though, I was a bit surprised that there was no opportunity to acquire that licence online and to print the licence out, that I physically had to get in my car, drive all the way, fighting Christmas traffic and take about, like, probably an hour and a half in total, just drive time, there and back, to buy a \$5 permit. It just seemed, pardon my French, asinine. I just wondered if there's any thought to bring those kind of permits online in terms of their accessibility to Manitobans?

**Mr. Mackintosh:** Maybe that explains why it's five bucks.

But the view of the executive in the department and the minister is that we have to modernize these permits, get them online, and the deputy is taking

this on. And we had the conversation earlier about hunting and fishing permits but there's a whole range of them and a lot of them are out of 200 Saulteaux but, of course all across Manitoba at the district offices. But that is a project we've got to take on and we've got to get with the times and so the member has full concurrence of this administration to move ahead and recognizing though that, you know, the budgets are tight and so we've got to find a way to do it that's cost-effective and works for ordinary Manitobans. So point well-taken.

**Mr. Martin:** I can see my own greenhouse emissions would be reduced not having to drive to get it, so I mean there's a win-win all around.

**An Honourable Member:** You can take the bus.

**Mr. Martin:** Yes, that's true, although I don't think my lunch hour would be quite that long in terms of getting to that particular location.

The minister indicated that this was a project that they were undertaking within his department and I'm wondering if it's a formal project or more of an ad-hoc project and if it is a formal project whether or not there's been any timeline set in terms of goals and such. I remember the minister commenting, actually at McNally Robinson, a very sage comment that you can't cut what you can't count.

**Mr. Mackintosh:** Yes, we don't have strict timelines at this point. Our deputy minister has taken on this initiative as part of our need to modernize both to get more of what we do online and off of paper. It's part of a comprehensive approach, a whole, you know, number of initiatives that are being launched with the executive group and the deputy's leadership. The department has been looking at cost. They've been—I know just a couple of weeks ago they met with a major vendor that was quite impressive. So they're getting an understanding as to what is out there, what's offered in a—to help us move along.

**Mr. Martin:** The—I recently received a call from an individual, Mr. Alexander, who has a lodge on the Bird River area, he's been there for about 44 years. He called me because he was actually asking me to bring this to the attention of the minister, and so I'm doing that on his behalf. He does a lot of ice-fishing in the area, has for years. I was recently there with his grandson. His issue is, as he cites it, is unfortunately a number of snowmobiles going by his fishing shack and—by him and his grandson at what he would term excessive speeds of upwards of 80 miles per hour so—and I know he's said that he's

had conversations with the director of eastern regions, I think the name is Mitch Walker, but my—I guess my question to the minister is, on rivers, are there speed limits on rivers when it comes to off-road machines, whether it's skidoos or ATVs or and that? You know, I can understand, obviously, the enforcing of said speed limits would be unmanageable to say the least but—

\* (15:50)

**Mr. Chairperson:** Honourable Minister.

**Mr. Mackintosh:** Yes, we're aware of the concern of the citizen on the Bird River, and staff have made some inquiries. There was a confrontation, I understand, that occurred, and it's unfortunate. But, getting to the essence of the question, there—the minister responsible for Infrastructure and Transportation and I had a discussion, coincidentally, today. We really have to more comprehensively approach a number of issues when it comes to off-road vehicles.

There's an outstanding issue that has to be very carefully looked at, and that is Snopasses and how that system helps to maintain certain trails and how that would impact on the North. There's issues around ATVs and, you know, whether they can move to a system that is comparable to what Snoman has in place, at least in southern Manitoba, recognizing that we want to encourage snowmobile and ATV activity but we also want to encourage and look at safety.

So there's a number of issues that are in play when it comes to off-road vehicles, and so we're just looking at how to best proceed with that with a more comprehensive review and drill down to see how Manitoba can be informed by the practice elsewhere and how we can be informed by certain practices regionally in this province. So we have agreed in principle that we will develop some mechanism to address this in a way that looks at all the issues. But safety, I think, always has to be job one, and there are growing concerns about how that should be addressed in the future. Should we maintain the practices of the past where there's an expectation that law enforcement would look to, that you drive to the conditions, or should there be more prescriptive ways to deal with it, which, you know, has to be very carefully looked at because there's a culture there that I think has generally been positive in the off-road vehicle community. But there may be some excesses that could be addressed, but it's all that, the

whole, like I say, the pass system, the maintenance of trails, safety. So that's where we're going.

**Mr. Martin:** So, just a point of clarification then, so are there speed limits right now in any way on Manitoba's rivers? I mean, the minister made the comment, you know, about, you know, driving to conditions and such, but, I mean, realistically are there speed limits? I mean, obviously, machines today are far more powerful than they used to be, and, again, to the minister's comment, I mean, the overall majority of riders are responsible riders and when they see individuals who may be out cross-country skiing or ice fishing or simply walking the dog—and I've encountered lots of them—they will slow down and obviously interact and such. So we're talking about a very small minority of individuals.

**Mr. Mackintosh:** Well, aside from, you know, the expectation and the rule that you drive to conditions in unposted areas, there are posted areas, of course, on designated trails around Manitoba, and they can have varying speed limits. That would answer the member's question.

**Mr. Martin:** Now, to always an enjoyable conversation, that being the issue with cottagers in the province and some of the costs that have been foisted upon them with the increases that they're facing, I wonder if the minister can advise me. The minister mentioned that the formula that's being used to justify the increases, in some cases up to 750 per cent, was designed by Deloitte. I'm wondering what the cost of that, the engagement of Deloitte, was and whether or not that was a tendered contract.

**Mr. Mackintosh:** Yes, that was before my day. I think it was several years ago. But we can get the number. The staff say that it would be readily available. And whether it was tendered, we would—do we know that? *[interjection]* Yes, in my understanding, it was tendered.

**Mr. Martin:** One of the concerns that was expressed to me by cottagers was—and I know once we connect there will be a briefing related to this, but—is the issue of bedrooms and capacity. And the comment that was made to me was, should the ratio of a 3,000-square-foot—and they used the word mansion, which—3,000 square feet would be three times the size of my home, so yes, maybe—with three bedrooms be the same as a cabin of only 500 square feet with three very small bedrooms?

I wonder if the minister has a comment on that in terms of the bedroom allocation, and was the size

of the actual bedrooms a component or just literally the number of bedrooms?

**Mr. Mackintosh:** I'm advised it was the number of bedrooms.

**Mr. Martin:** And the number of bedrooms tied into what was, in terms of the information that was provided on the website, the data—the data dump, the capacity factor. But would it not, I guess, be logical to assume that if I had two, say, large bedrooms of, say, you know, 400 square feet versus, you know, two bedrooms of, you know, I don't know, 100 square feet or 50 square feet, that my capacity would be that much more? Yet based on, from my understanding—and again, I acknowledge that the minister has offered a briefing—that that capacity factor would be the same for those two cottages?

**Mr. Mackintosh:** I'm advised that the recommendations from Deloitte, which were apparently based on consultations and, you know, considered review as to how to best determine the ultimate fee. The capacity issue was designed as an estimate of service. But rent would be different, eh? It's a different category of fee.

**Mr. Martin:** And in terms—I know the minister did make comment that if an individual took issue with their assessment, they could bring in their own assessor and the department would accept that assessment at face value.

Is there a process, as well, say, I mean, because I noticed that if there was no response by the cottage owner, I guess, to this—to a survey, they were automatically assessed at, I believe, four bedrooms. And I'm wondering why the number four, which, obviously, would lead to a capacity of eight that they would be charged for in terms of their allocation of the shared costs.

\*(16:00)

**Mr. Mackintosh:** But, yes, assessment and rent, of course, would be different than the service fee. So—and on that, if there's a certified appraisal, it will be accepted by the department and the adjustment will be made to the fair market value and therefore the rent amount. But—and when it comes to Deloitte's formula, cottagers were asked to advise of the number of—to give us the information on capacity.

**Mr. Martin:** And, again, so the bedrooms of four was assigned if I didn't respond to some sort of a survey initiated by the department?

**Mr. Mackintosh:** Yes, that was Deloitte's, you know, default, if you will, if there was no response.

**Mr. Martin:** Now, is there appeal mechanism with that as well? Like, what if I simply don't have four bedrooms?

**Mr. Mackintosh:** Well, it's not even an appeal. It's just a factual correction that would be made immediately, that the director of parks should be made aware if anyone disputes the description. They should get that in. I mean, that's been long-standing. But, absolutely.

**Mr. Martin:** And another question to the minister, staying on the same subject about cottagers. This one just on behalf of an individual who lives up at Childs Lake noted that there were approximately \$20,000 in their subdivision fee accounting listed as other or capital expenditures which were not identified any better than that. I'm wondering, would that information be made available to those individuals should they ask, in terms of details as to what constitutes other or capital expenditures other than just simply those categories?

**Mr. Mackintosh:** Yes. Yes, they would.

**Mr. Martin:** I thank the minister and his staff for his time.

I know that it does take a lot, and as a new critic I probably ask some repetitive questions at times and did jump around, but, rest assured, it was just an attempt to, obviously, get a better understanding of the department and that. So, again, I thank the minister's staff for their patience in providing that information, and I would suggest to the Chair that though I will have some more questions during the next phase of concurrence with the minister, that I'm ready to move to the appropriations.

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

Resolution 12.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$66,271,000 for Conservation and Water Stewardship, Parks and Regional Services, for the fiscal year ending March 31st, 2015.

*Resolution agreed to.*

Resolution 12.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$21,112,000 for Conservation and Water Stewardship, Biodiversity and Land Use, for the fiscal year ending March 31st, 2015.

*Resolution agreed to.*

Resolution 12.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$12,201,000 for Conservation and Water Stewardship, Environmental Stewardship, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 12.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$19,941,000 for Conservation and Water Stewardship, Water Stewardship, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 12.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$14,710,000 for Conservation and Water Stewardship, Costs Related to Capital Assets, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 12.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$30,529,000 for Conservation and Water Stewardship, Capital Assets, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

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

The floor is open for—

**Some Honourable Members:** Pass.

**Mr. Chairperson:** Seeing no questions, I'll proceed with the reading of the resolution.

Resolution 12.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$10,001,000 for Conservation and Water Stewardship, Administration and Finance, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

This concludes the consideration of the Estimates for the Department of Conservation and Water Stewardship.

The next set of Estimates to be considered in this section of the Committee of Supply is the Department of Aboriginal and Northern Affairs.

Is it the will of the committee to have a brief recess so that the new ministers and—I think we're

missing a minister. We will be in recess for a brief moment.

*The committee recessed at 4:06 p.m.*

*The committee resumed at 4:11 p.m.*

## ABORIGINAL AND NORTHERN AFFAIRS

**Mr. Chairperson (Rob Altemeyer):** Will the Committee of Supply please come to order.

This section of the Committee of Supply will now consider the Estimates of the Department of Aboriginal and Northern Affairs.

Does the honourable minister have an opening statement?

**Hon. Eric Robison (Minister of Aboriginal and Northern Affairs):** I'm pleased to discuss some of the important activities of the department that I have responsibility over. First of all, I should probably start with the Aboriginal Crown consultations that we've been engaged in. This indeed remains a high priority for not only this government but the several departments that the government oversees.

Six Crown Aboriginal consultation files were concluded in 2013 and '14. Ongoing consultations for '13 and '14 include the Keeyask generation project and the transmission line, the Lake Winnipeg east system improvement transmission project, the finalization of The Water Power Act licence for Lake Winnipeg, the Manitoba-Minnesota transmission project and the Interlake peat harvest development Sunterra incorporated.

We also have responsibility with respect to Treaty Land Entitlement. The department continues to focus on the implementation of the Treaty Land Entitlement agreements in Manitoba. To date, approximately 939,000 acres of Crown lands have been selected by the Entitlement First Nations and about 29,700 acres have been acquired. Of this amount, approximately 575,000 acres have been converted to reserve lands by the federal government.

A number of other areas that we're engaged in, I'm sure the members opposite will want to talk about those in more detail, and I'll certainly do what I can to answer some of the questions that they may have on natural resources co-management, the Cross Lake Northern Flood Agreement, the Sioux Valley governance agreement, the self-government



agreement that I understand we'll be discussing in greater detail in the coming days, and second reading certainly is soon upon us. And it's an agreement that's the first in the Prairies, and we're very proud of the progress that we have made with the federal government and the Sioux Valley Dakota Nation with respect to the ongoing work there.

I've had the honour of chairing the Aboriginal Affairs Working Group of ministers. It's been an important forum for the provincial and territorial ministers that are responsible for Aboriginal affairs and the leaders of the five national Aboriginal organizations—the Assembly of First Nations, the Congress of Aboriginal Peoples, the Inuit Tapiriit Kanatami, the Métis National Council and Native Women's Association of Canada—to meet and discuss priority issues such as economic development, housing, education and ending violence against Aboriginal women and girls.

The ministers and the national Aboriginal organization leaders have called upon the federal government to hold a national public inquiry into missing and murdered Aboriginal women and girls. This motion was supported by the premiers last summer when they met. In May of 2014 Manitoba will hand over the role of chair to the Northwest Territories after fulfilling the role of chair for the last two years, 2012-13, 2013 and '14, and Nova Scotia will be hosting the fourth National Aboriginal Women's Summit in the fall of 2014.

A lot of other areas, including the First Peoples Economic Growth Fund, of course, continue to be priorities of this government. The Island Lake Retrofit and Training Initiative, which is something that we're very proud of—the initiative is quite unique in Canada which is a partnership between the Province and the federal government and the four Island Lake First Nations: Wasagamack, St. Theresa Point, Garden Hill and Red Sucker Lake, and, to date, this project continues to be a very successful model in training residents to do the work provided needed—providing needed employment opportunities in that region. It's going to be the third year, and it's seeing some great success with some improvements in accessing to clean drinking water and in getting local community members job-ready.

In the fiscal year 2013 and '14, the initiative had a target of retrofitting 218 homes across the First Nations communities that I mentioned earlier. It's anticipated that 204 homes will be retrofitted in this year, 2014 and '15. The federal government has

provided funding towards the purchase and transportation of retrofit materials. And this year, being that we had a good winter-road season, much of the needed materials got on a winter road. So we're very optimistic that we'll be able to get a lot of work done. Manitoba has supported essential skills assessments and upgrading, apprenticeship registrations and funding support of up to 55 apprentices across the Island Lake First Nations communities. I will talk about that in greater detail. I've asked—certainly, this is a unique project that's not been undertaken by any other province or territory, to my knowledge, across Canada.

We have, of course, the Local Government Development Division of our department under The Northern Affairs Act. The minister is responsible for municipal services in designated communities throughout the unorganized territory of northern Manitoba as defined in the act, an area that covers approximately 80 per cent of the province.

In the area of the Northern Healthy Foods Initiative we work with five regional partners and they provide funding to a variety of initiatives geared to food self-sufficiency and greater availability of nutritious food locally grown or harvested. The Northern Healthy Foods Initiative uses two funding approaches to deliver the program: regional partners and special projects. One of the strengths of the program has been the success it's found in finding partners to deliver the projects in the communities along with the other government departments who have provided advice and assistance. So we are, indeed, happy about the progress we have made in that respect.

The Northern Youth Empowerment Initiative, it's providing support for new and ongoing community-based, youth-focused initiatives by reducing financial barriers to participation and activities that build self-esteem and provide opportunities for personal growth.

And we also have the northern water safety program. This program is delivered by the Lifesaving Society. In 2013-14, the Northern Water Smart program visited 36 communities, 599 individuals participated in the Swim to Survive program and 402 participated in the first aid and CPR program, and 258 in boat operator accredited training. So we are doing quite well in that respect.

We, in addition to the operation—and I'm on the capital side here now—in addition to the operation and maintenance costs, 16 capital projects valued at

more than \$9.5 million are scheduled for delivery in 2014 and '15, including three water treatment plants, one sewage treatment facility, one community hall, one community vehicle and one bridge replacement.

Water quality, of course, remains a top priority, and the Aboriginal affairs and—Aboriginal and Northern Affairs communities continue to focus on building and maintaining infrastructure that meets community needs and legislative requirements.

\* (16:20)

As I said, we've been engaged in Manitoba's Missing and Murdered Aboriginal Women and Girls Strategy. To a large degree, we've been leaders. We've been viewed as leaders nationwide in trying to address this problem. It's a nationwide problem, as members know. We have roughly 600 missing and murdered Aboriginal women and girls across Canada. Approximately 80 of these girls and women are from the province of Manitoba alone. And the Aboriginal Affairs Working Group, as I indicated earlier, have called upon the national government to conduct a national inquiry to bring about some closure and to bring about a sense of closure and a sense of hope to the families of these people.

So, Mr. Chair, in brief, that are—those are some of the opening remarks that I have. And, of course, I know that the members will want to talk about the flood situation we've been engaged in with the four First Nations on the east side of the water control structure at Fairford. And I'm sure there's other issues that they want to raise, as well. Thank you.

**Mr. Chairperson:** We thank the honourable minister for those opening remarks.

Does the official opposition critic have an opening statement?

**Mr. Stuart Briese (Agassiz):** Thank you, Mr. Chair, and I want to thank the minister for that overview. He certainly loaded a lot of stuff into that 10 minutes of delivery. And a number of those things, yes, we are going to be approaching him on and trying to get a little better understanding on what's going on in certain places, and I look forward to the responses we will get on some of those questions. And, outside of that, for an opening statement, I don't really have anything else that's—we'll get right into it, if it's okay with the minister.

**Mr. Chairperson:** Very good. We thank the official opposition critic for his opening remarks.

I'm sure you've heard this before, but just for the record, under Manitoba practice, debate on the minister's salary is the last item considered for a department in the Committee of Supply. Accordingly, we shall now defer consideration of the line item 19.1.(a), considered in resolution 19.1.

At this time, we'd invite the minister's staff to come up to the front table and, once they're settled, perhaps, Minister, you'd be kind enough to introduce them to members of the committee.

**Mr. Robinson:** I'm joined today by our deputy minister, Harvey Bostrom. Next to him is Robert Wavey, the executive director of the Aboriginal Affairs Secretariat. Directly across from Harvey is Freda Albert, the executive director of the Local Government Development Division. And next to her is Angel Anderson, the director of finance and Administrative Services for the department.

**Mr. Chairperson:** Thank you very much for that, Minister.

One last item before we can get to the questions: Does the committee wish to proceed through the Estimates of this department chronologically or to have a global discussion?

**An Honourable Member:** Global.

**Mr. Chairperson:** Honourable member for Agassiz.

**Mr. Briese:** Global, please.

**Mr. Chairperson:** Global discussion's been suggested. Minister, is that acceptable?

**Mr. Robinson:** Yes, it is.

**Mr. Chairperson:** Fantastic. Thank you, gentlemen.

The Estimates for this department will proceed in a global manner with all resolutions to be passed once questioning has concluded.

And wouldn't you know it? The floor is now open for questions.

**Mr. Briese:** We always have a number of kind of general questions that we start off with. At least, I think most of the other ones do, too.

I'd like to be provided with a list of all the political staff, including name, position and whether they're full-time or not in the department.

**Mr. Robinson:** Yes, I have within our department the special assistant to the minister's office, Jackie Joss, and the executive assistant is Michelle

Klippenstein. The executive support secretary to the minister is Barb Robson, and the administrative secretary to the minister is Cheyenne Halcrow. The administrative assistant is Marilyn Ringland, and in the deputy's office, of course, we have Anita Nepinak, executive support, Sonja Starr and Linda Gibson, who act in the deputy minister's office.

**Mr. Briese:** Mr. Chair, was that all the staff or was that the political staff?

**Mr. Robinson:** All the staff, Mr. Chair.

**Mr. Briese:** Which are political staff out of those?

**Mr. Robinson:** The ones that I have on—to be classified under that would be Michelle Klippenstein and Jackie Joss, Jacqueline.

**Mr. Briese:** What's the current number of staff employed in the department?

**Mr. Robinson:** We have a total staff complement of 92 members in the department.

**Mr. Briese:** Have there been any of the positions within the department reclassified this past year?

**Mr. Robinson:** Yes, with respect to the question, Mr. Chair, there's been no change in seven of the staff positions. One has been deemed to be a class up, one position class down, for a total of nine.

**Mr. Briese:** Thank you, Mr. Minister. There's 92 staff in the department. What's the current vacancy rate? What's the current vacancy in the department?

**Mr. Robinson:** The answer to that question would be 7 per cent—seven positions, sorry, seven positions.

**Mr. Briese:** I ask the minister: Are you actively trying to fill those positions or is that a fairly normal level of vacancies in the department?

**Mr. Robinson:** Yes, we are trying to fill those positions, but that's about the normal range that this department usually operates within.

**Mr. Briese:** Have there been any staff or any people hired on a contractual basis this past year in the department? I know I've asked this before and I got a negative answer on it, so—

**Mr. Chairperson:** Honourable Minister.

**Mr. Robinson:** No, there hasn't been, Mr. Chair.

**Mr. Briese:** Have any positions been relocated this year from rural or northern Manitoba into Winnipeg or relocated around the province? And what would be the reasons if they were?

**Mr. Robinson:** No, Mr. Chair.

**Mr. Briese:** I noticed the minister, when he was giving his opening remarks, talked about a number of national committees that he appears to be on or take part in or have a role play in. How much travel time has the minister had outside the province in the past year?

\* (16:30)

**Mr. Robinson:** Well, in this past calendar year I made one trip, but that was in my previous role as the Sport Minister—to Quebec City. Shortly after that, I believe in the month of September, I went to Fort McMurray for the Northern Development Ministers Forum. And I think that's the only trips that I've taken out of province in the last calendar year. I—or in the last fiscal year for that matter.

The—being the national—being the chair of the ministers and the national Aboriginal organizations, the advantage is we don't have to travel outside of the province, so we—I'm pretty much host of these ministers, so the meetings have occurred primarily in the city of Winnipeg, in the province of Manitoba.

**Mr. Briese:** Thank you, Mr. Minister. I think I'll move on to some questions on the east-side road project. Can the minister give me some updates on the progress and where we're at on that? I could ask a whole bunch of questions, but probably you've got information there that you could cover off a lot of it without me picking to pieces one question at a time. So I'd like a—kind of an overview and an update on that whole project.

**Mr. Robinson:** Well, what the East Side Road Authority has responsibility over and for are 13 remote and isolated First Nations communities on the east side of Lake Winnipeg. In fact, I'll name off the communities, and I'll go by memory here.

Let's begin with Hollow Water on the south end, and then as we move further north we have Bloodvein—I'm giving a bit of a geography lesson here—and then beyond Bloodvein we have Berens River. Further north along the lake we have Poplar River. As we move eastward we have Pauingassi and Little Grand Rapids. Further north into the Island Lake region we have Red Sucker to the extreme east; we have Garden Hill about centre. Over west of Garden Hill we have St. Theresa Point, then Wasagamack just a little northwest of St. Theresa Point. We move north of there and then we have Manto Sipi, otherwise known as God's River, and we have Gods Lake Narrows a few minutes away from—

at least by plane, a little longer by the traditional method of transport—from God's River, and then over to Bunibonabee, otherwise known as Oxford House. So a total of 13 remote communities are currently being engaged in the East Side Road Authority initiative.

Now, these communities currently rely on air transportation, marine service or winter roads to bring in much needed food, fuel, construction materials and other goods into their communities.

In recent years, climate change has impacted the length of time that the winter roads can be used, meaning that these communities don't often have the time to bring in their supplies and to have fly in their—to fly in their goods, which raises the cost of goods in their communities. Now, we had a relatively good winter this because of the cold, and I need not tell members about the kind of winter we've had, so it really worked out well for the winter road system in northern Manitoba.

Some of the benefits that we see resulting from an all-weather road would be, of course, reduced transportation costs for goods and services, improved linkages between isolated and remote communities, enhanced access to emergency, health and social services, construction, employment, and economic opportunities for local people, enhanced opportunities for local sustainable economic development, and all of the communities on the east side have expressed their support for the construction of an all-season road in that region.

Now, what we have done is something quite innovative because of the current winter road cut that's primarily the route that is being followed in the development of the east side road. Mr. Chair, the government of Manitoba established the East Side Road Authority to construct an all-season road network and to work in collaboration with these communities to generate jobs, training and economic development opportunities related to the project. Much more, though, we are giving people an opportunity to learn trades and apprenticeship programs which gives them a sense of pride to be able to provide for their own families. So we're very, very proud of that.

The all-season road network will be approximately 1,028 kilometres in length and includes a 156 all-season road from PR 304, which starts in Hollow Water just a little north of where my deputy minister comes from at Manigotagan and from there to Berens River along where the

93-kilometre extension to the Poplar River First Nation, 131-kilometre all-season road link between Little Grand Rapids and Pauingassi to the midway point along the all-season road from PR 304 to Berens River and a 648-kilometre east-west link between the northern Cree and Island Lake communities to PR 373, which comes out near Norway House.

So, you can say that there are two phases to this: the lower east side, and then the second phase is on the northern side, Norway House eastward, so it's what we commonly refer to as the east-west route. Significant progress is being made on the construction of an all-season road network on the east side of Lake Winnipeg. Three new bridges and approximately 40 kilometres of good road construction has been completed. Work currently is under way to include the Bloodvein River bridge, the Bradbury River preload, the Petopeko Creek Culvert. Petopeko is spelled P-e-t-o-p-e-k-o Creek Culvert, and approximately five kilometres of road- work there.

Approximately \$85 million in construction tenders have been awarded for PR 304 to Berens River and the all-season road. Weather permitting, Bloodvein First Nation will have road access in the fall of 2014. It is the East Side Road Authority's schedule to have Berens River connected by 2019.

Further north the strategic investments are being made into the winter road network that'll help increase the length of time that residents and commercial truckers can use the winter roads. This includes the installation of three Acrow panel bridges at Red Sucker River, the Mainland River, and Feather Rapids, altogether costing about \$17 million. The installation of the bridges was undertaken by construction companies owned by Red Sucker Lake and Wasagamack First Nations. About 75 local residents have worked on these local projects and the key focus of the project is working with the local communities to build capacity, generate economic development so they can participate and generate economic opportunities in that region and also participate and benefit from the project itself.

\* (16:40)

Ten First Nations communities that are currently working on or will be undertaking work on the community benefits agreements. An example of this will be in the area of gravel crushing, drilling, exploratory clearing. Mr. Chair, already, approximately 375 jobs have been created for local

residents under the Community Benefits Agreement package, and approximately \$65 million has been invested in local communities through the CBAs, we call them. The East Side Road Authority has been—has also established clauses in road and bridge construction tenders that require contractors to hire at least 30 per cent of road construction and 20 per cent of bridge construction workers to be people that live in those communities.

So, basically, Mr. Chair, I believe that this gives an overview of some of the activities that are going on on the east side with respect of the road.

**Mr. Briese:** Thank you, Mr. Minister. The—just because you ended off with it, how—are you meeting those goals? Are you getting 30 per cent local workers and the 30 and the 20 per cent goals?

**Mr. Robinson:** Yes, Mr. Chair, we are meeting those objectives. We are meeting the numbers. The East Side Road Authority has established clauses in road and bridge construction tenders that require contractors to hire at least 30 per cent of the road construction and 20 per cent of the bridge construction workers to be east side residents. To date, all contractors are meeting their requirements and approximately 225 job opportunities have been created for local residents through the construction tenders.

**Mr. Briese:** So the East Side Road Authority does the tendering and then they choose the tenders. Is there First Nations involvement in the choice of those tenders or is it just the East Side Authority picks the tenders?

**Mr. Robinson:** Because of the transparency issue—and, certainly, we don't want to be accused of, you know, obstructing any laws that may exist in the province of Manitoba—we've been insistent that the East Side Road Authority pay strict adherence to the laws and the matters pertaining to oversight, and they have the responsibility of ensuring that these contracts are done in a proper way. And the East Side Road Authority, in itself, is responsible for ensuring that the tenders are adhered to and are met.

I might add that, too, the all-season road network, it's estimated to cost \$3 billion altogether. That's 2011 dollars. It'll take about 30 years to complete this project. Without the federal government's involvement, that's how long it'll take. So we've been busy at the same time while we're doing this work creating employment opportunities, creating a sense of pride. At the same time we've

been in dialogue with the federal government that we need them on board to be a partner in this initiative, and we'll continue to work with the federal minister and his counterparts that serve in the federal government to try and get them on board, because at this rate, we'll all be old people. Some of us may not be around, in fact, to see the opening of the road itself. I know that we should be here in the fall of 2014 to see the first phase of it, the Bloodvein to Hollow Water portion of it open. But we need the federal government on board.

Back to the original question, yes, we're taking every measure to be transparent and accountable in terms of the tenders that are being issued.

**Mr. Briese:** Thank you, Minister. I know my colleague last—asked last year about the tender for the bridge over the Bloodvein, and I may have missed it in your comments. Has that bridge been built now for the Bloodvein River?

**Mr. Robinson:** A lot of progress is being made on the construction of an all-season road on the east side, as I said. Work currently—includes the Bloodvein River bridge, the Bradbury preload, and tenders have been awarded already to—for work on PR 304 to Berens River.

Approximately \$85 million have been awarded to date in terms of road construction tenders, and I'll gladly table this for the member, so he'll have an idea as to the level of work that's been done. So, I'll gladly table the—I'll gladly table this sheet, Mr. Chair.

**Mr. Chairperson:** Thank you, Minister.

**Mr. Briese:** On the tendering processes, as the minister said, you'd kind of stay above board on all the tenders, and I appreciate that, but are there any projects let out without tender by the East Side Road Authority, for instance, brushing and clearing and things like that. Are they non-tendered jobs?

**Mr. Robinson:** Those—that kind of work is contained within the parameters of the community benefits agreements. And if I get a copy of the community benefits agreements, I'll gladly share it with the member from Agassiz, Mr. Chair, so he'll have an idea as to how a community benefits agreement looks like.

Community benefits agreements have been done with each of the 13 First Nations that I indicated. And I'll just reiterate that 225 jobs have been created for local residents on tendered construction contracts. And these community benefits agreements are

entered into with each individual First Nation. The average value of these community benefits agreements, if my memory serves me correctly, is about \$2.5 million. And that is to do some work in the area of brush clearing, in the area of—that requires some preliminary work prior to the further work that's required, including exploratory clearing, right-of-way clearing, aggregate production, the blasting of gravel, and gravel crushing, and the environmental assessment work, and also the—especially what I was just talking about there with the installation of the Acrow panel bridges.

As of January 31st, 2014, the East Side Road Authority has spent approximately \$65 million in local communities for the work that they—we have embarked upon.

**Mr. Briese:** Yes, I'm still somewhat not quite understanding this, Mr. Minister. That you have—maybe I'm too thick-headed on this one—but you have the community benefit agreements. You have all the tendered work here. But the community benefit agreements, are they—are those, like, they're for involvement of the communities in the projects, are those tendered projects? Like, how they—how are they chosen and how are they decided?

I have a letter here somewhere, from—and the minister was copied this letter—from a company in, oh, Hollow Water, I believe it was, that was turned down on some brushing. You probably know about this one. And, it appears to me from the letter and the response that came to that letter from Ernie Gilroy, that the decision is made by the chief of the band on who gets to do that work. So I'm just wondering how that works on those community service agreements? It's WM Logging was the name of the company.

\* (16:50)

**Mr. Robinson:** The community benefit agreements require communities to establish independent, stand-alone construction companies before they can do any pre-construction work, so that makes it more transparent. Mr. Chair, currently, 10 communities have established these independent construction companies and have or are working on pre-construction contracts. Three communities are in the process of establishing these independent construction companies.

With respect to the letter that the member from Agassiz is referring to on WM Logging, this is a matter that is a local matter. If I can—I can't find another way of terming it. It's a matter that's—should

be dealt with at the local community level and I think that my preference is that it be settled off as a—it's a local community political issue and I'm very much aware of the letter that he's referring to and the matter has been referred to the community, to try and settle on their own. And I don't think it's our government's business to really interfere in the goings-on of the said company who has an apparent discrepancy with the First Nation.

**Mr. Briese:** Now, once again, on the community—you said under the community benefits agreement that they're required to set up a—basically a community workforce. What are the parameters on that workforce?

Like, I know in your opening remarks, you talked about gravel crushing, you talked about road clearing, you talked about various aspects of building these roads. Are they—so would these organizations be setting up for specific jobs? Like, would one community maybe get into gravel crushing? Would another just be doing brushing, another maybe building small bridges and things like that? Are there certain criteria that they all have to follow, or is it kind of whatever you feel that you're most suited to in that community?

**Mr. Robinson:** These companies are also required to provide business and work plans for the East Side Road Authority and identify some of their staff, including a business manager, things like a financial officer, an environment officer, a safety officer. In addition, the East Side Road Authority has joint-signing authority and it approves all joint venture partnerships and we're very much aware of the constraints and the oversight by people that regulate these kind of things and have an oversight, so that is why we have placed these stringent measures, in order for transparency to prevail and to ensure that the work that is being set out to do is done the way it's been agreed to by the communities under the companies that are created and the East Side Road Authority, which has the ultimate oversight. And, under these agreements, the communities establish construction companies that undertake things like exploratory clearing, could be right-of-way clearing, it could be aggregate production, blasting and gravel crushing, environmental assessment work and the insulation of the Acrow Panel Bridges.

So those are some of the things. I'll give you an example here: the Bloodvein First Nation is involved in gravel crushing and right-of-way clearing. The

Bloodvein First Nation construction company is called the BFNCI, and that's what they have termed their company, and they created that company with the help of the East Side Road Authority that is, of course, managed by Mr. Ernie Gilroy. It's a construction company owned by the community, and it's currently producing aggregate for R15 and ROW clearing for R10, and those are construction sites within that region.

**Mr. Briese:** Could the minister tell me how many employees there actually are in the East Side Road Authority itself?

**Mr. Robinson:** I'll avail myself to try and get the total number of people that are employed by the East Side Road Authority, but just at a quick glance some of the senior management—*[interjection]*—oh, okay, I'm sorry; I take that back, Mr. Chair. I will provide the accurate number. There are 77 full-time employees within the East Side Road Authority. It's headed up by Ernie Gilroy, who is the chief executive officer; vice-president of operations and finances, Ms. Daryl Henry—or Daryl Harvey, pardon me; the vice-president of engineering and construction is Glenn Fempel.

**Mr. Briese:** I don't—Mr. Minister, I don't need the whole in-depth picture of it but roughly—like there's 77 jobs. What categories do they fall into? Like, are there engineers—a bunch of engineers involved here or surveyors or what constitutes that staff in the east side authority?

**Mr. Robinson:** They range from people that deal with the communities. They have an Aboriginal relations unit, to some degree, which deals with the community so that they fully understand what is being developed in terms of communication. We have people that operate within the capacity of engineers. We have people that also help with the communities in developing their business plans. We have folks that also have experience in financial background or have a financial background to help with the communities as they develop their business plans, and the goal, again, of course, is transparency as required by the laws of this province, and we are taking precautions with the East Side Road Authority.

Certainly, it's a project that's quite unique in Canada, and it's probably one of the biggest projects to ever be undertaken in that part of northern Manitoba in this province's history, and we're very proud of the work that it's done and the solid relationships that have been developed with the

leaderships of the communities that are a part of 13 that I mentioned at the outset.

**Mr. Briese:** So what—the east side authority with Gilroy and that 77 staff, how are they—how are the east side authority themselves financed? Does it then—the province puts so many millions of dollars into the east side road and then they—it comes out of the operation—would come out of it like it's—just wondering what department—

**Mr. Chairperson:** The hour being 5 o'clock, committee rise.

## MUNICIPAL GOVERNMENT

\* (14:40)

**Mr. Chairperson (Tom Nevakshonoff):** Order. Good afternoon. This section of the Committee of Supply will continue with the consideration of the Estimates of the Department of Municipal Government.

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

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

**Mr. Ralph Eichler (Lakeside):** I would like to once again give the minister an opportunity to correct the record, information that was passed on to us over the last couple of days, and I would be remiss if I didn't give him that opportunity. We know how important it is for ministers to make sure that all the information passed on to the critics is reliable and making sure that it is, in fact, fact, and I would like to give the minister that opportunity at this point.

**Hon. Stan Struthers (Minister of Municipal Government):** Well, Mr. Speaker—I mean, Mr. Chairperson, I will take every effort to make sure that the information that is provided to my friend across the way is up to date and accurate. I would ask him to do the same thing. There were some comments in question period today, as a matter of fact, that he was way off base on, and I'll be looking forward for him to correct the record at question period tomorrow.

**Mr. Eichler:** Seeing as how there's none, we'll move right ahead.

Based on the information that we received yesterday by the minister and the staff was the fact that, when I asked the questions for those municipalities that asked for exemptions, there was

no response to that. So I would like the minister once again provide for us whether or not there has been any applications made for exemption for forced amalgamation by the government.

\*(14:50)

**Mr. Struthers:** Our goal in this exercise was to help municipalities become more streamlined and more effective. That's not to say that they weren't effective at any time in the past, but I think we're always looking for improvements, just as the local leadership is.

We want the plans that come forward to reflect the local realities and we want to incorporate their local advice into these plans. We had been working under the assumption of a December 1st deadline at the outset, and we did grant extensions to that deadline. We moved that deadline to February 1st. We worked with municipalities who were experiencing some problems.

I will say there were a number of municipalities in the—who-within those amalgamating partners that were right on the ball. They were ready to go really, really early in December. A number of amalgamating partners needed some help and were able to accomplish that by the February 1st deadline.

Our view is that we want to be flexible. We want to give municipalities every opportunity possible to get their plans in so that they can participate under the new framework for this fall's October municipal elections. Even with the February 1st deadline, there are some amalgamating partners that we're still working with, and I expect that we will see a—the vast majority wrapped up over the next couple of weeks.

We've been approving—as I said yesterday, Cabinet has approved 37 of—out of a possible 47 amalgamating clusters, if you will. And we haven't—Cabinet has not changed a single thing coming from these local amalgamation plans. We've accepted those plans in, we've approved them as they've been sent to us and we've written back to these amalgamating municipalities confirming that we've accepted their local plans. So we do not have in The Municipal Act a provision to grant an exemption. We have been working very closely, however, with any and all municipalities who are impacted by amalgamations to get those plans forward Mr. Chair. And it's our plan—I'm sorry, that was The Municipal Amalgamations Act that I referenced earlier. The municipal—under The

Municipal Amalgamations Act we don't have ability to grant the exemption, I think, that the member opposite was asking about. But, certainly, we know the time constraint right now is on the financial—the election finances side, and we need to have some things in place so that these amalgamated municipalities can successfully take part in this fall's municipal elections.

**Mr. Eichler:** We know that there's a number of municipalities that are still outstanding that have not submitted a plan or an agreed plan. They may have submitted a plan, but not necessarily a plan agreed to by all municipalities on amalgamation. So those municipalities that have not submitted a plan and been agreed to by those municipalities on the amalgamation, what's the process that's going to be used for those? For an example, we have the RM of Arthur, the RM of Albert and the RM of Edward that has not agreed a hundred per cent on the way they would like to be amalgamated. We have the RM of Bifrost and the town of Riverton, just two that come to mind, and I'm sure there's others and I'm sure the staff of the minister has those. I would like to have put on the record the process that will be followed for those municipalities that'll be brought forward by this government.

**Mr. Struthers:** Well, there are 10 that are outstanding—in one sense of that word outstanding; I think they're all outstanding, and I sure—I'm sure the member opposite agrees with me. But in terms of not having a plan submitted and approved by Cabinet, there are 10 partnerships that we still need to work towards. He mentioned a couple in particular. We'll start with the Arthur, Albert, Edward—three kings—the—this partnership has been doing a lot of work. They've been meeting on a number of occasions. They've met with our field consultant from the department over the span of the last couple of months or more. There are people in each of these rural municipalities that have stepped up to the plate and have initiated discussions with each other about what their new amalgamated municipality will look like and how it'll be governed.

\*(15:00)

The—we also engaged the services—mediation services. I mean, that was last week—last Thursday they met with a mediator to put the issues on the table, to work their way through some of the outstanding issues. I—my understanding is that there was some progress made at—in—during that effort. We will be following up from that meeting from last



Thursday to see if there is some places where we can get a consensus on the—an amalgamation plan.

I myself met with representatives from Arthur, Albert and Edward. I've done that on a couple of occasions, one at the AMM convention, and I met all—with all of them in the same room here just a few weeks ago to try to sort out some of the differences that they do have.

It is—I think it is totally understandable that leaders from each of these municipalities would be very passionate about either defending their municipality or passionate in setting up the framework so that it that works well for their municipality, and the local leadership in all three of these municipalities needs to be given that credit.

We are going to continue to work with this particular partnership. I think there's some very good opportunities based on their local input. The plan that comes forward for that particular partnership, as with all of these, will be based on local direction and local advice, and I'm confident we can get something that will reflect that local advice in that case.

In the other case that the member brought forward—Bifrost, Riverton—we—again, we had field consultants work with the mayor and his council along with the reeve and his council in that situation. A lot of work has been put into this particular partnership, a lot of good local leadership again in terms of putting forward their hopes and their dreams and their aspirations for their area. There were some significant challenges that the local folks faced in this particular amalgamation.

I do want to say that one that thing that was pretty clear is that when you sit down with one of these partnerships after the next, there are things that are common but there are uniquenesses to each of these partnerships that really need some time and some effort and some forethought. And, again, the local leadership, I think, stepped up to the plate in terms of representing their ratepayers.

I met with the councils of Riverton, Bifrost—once out at Riverton and once here at the Legislature. Coming out of the second meeting, we did have a plan that came forward. The two partners in this partnership have continued to meet since that to fine tune that plan, but I believe we do have a plan that is based on local consensus with Bifrost and Riverton as well.

My expectation is that that's the kind of work that will take place over the next number of days in

order to make sure that we find as many locally driven, consensus-based plans as we possibly can.

**Mr. Eichler:** Mr. Chair, I'd like to ask the minister and his staff in regards to those 10 outstanding amalgamations if they would be prepared to put that on the record so that those that are not with us today would have access to that information.

**Mr. Struthers:** I can confirm that there are 10 that are outstanding today and that they will continue to be worked on over the next number of days. I'm confident that we are going to move all 10 of those along.

**Mr. Eichler:** And the 10 municipalities are? The names.

**Mr. Struthers:** Yes, we have—I want to be clear. These aren't 10 municipalities. These are 10 partnerships. Some of the partnerships have—well, any, they all have at least two. Some of them have three, but I'll read that out for the member so he can be up to date on that.

The first one I'm going to read out is an amalgamation between Benito and Swan River. Benito has—is the entity that is below the 1,000 threshold, and they are working on a plan with the RM of Swan River.

The second one I'll read out is a three-way amalgamation with the Town of Gretna, the Town of Plum Coulee and the RM of Rhineland. In that case, both Gretna and Plum Coulee are below the thousand population threshold.

The third one I'll read out is the Village of Elkhorn, the RM of Wallace and the RM of Woodworth. Again, there's two, Elkhorn and Woodworth that are under the thousand threshold.

The fourth one I read out is the one we just covered off. It was the RM of Bifrost and the Village of Riverton. Riverton is under the threshold with a population of 538. The population numbers, we used the 2011 census to determine that benchmark.

The fifth one would be the Town of Emerson and the RM of Franklin. The Town of Emerson was under the threshold with a 671 population.

Here's one in my backyard, sixth one. The Town and the RM of Gilbert Plains, both of which were under the threshold. The town has 811 people and the RM has 812 people so they're both under the thousand threshold.

The seventh one I'll read out is the Village of Bowsman, the Town of Minitonas and the RM of Minitonas, each of which were under the thousand threshold according to the census in 2011.

The eighth one the member has referenced this one already. It's the RM of Albert, the RM of Arthur and the RM of Edward, and again, each of those were under the thousand threshold.

The second to last one is the RM of Eriksdale and the RM of Siglunes. The RM of Eriksdale is the one that's under the threshold of a thousand. They have 846 people according to the 2011 census.

And the last one of the 10 is the Town of Birtle, the RM of Birtle and the RM of Miniota. Each of those are under the threshold of a thousand.

**Mr. Eichler:** Community development initiative. Does that fall under your privy? Community development initiative for the RMs for the Bipole III?

\*(15:10)

**Mr. Struthers:** Well, that is a Hydro initiative. That's a Hydro question. My understanding is that the president and CEO of Hydro would be available through committee to answer those kind of questions at a later date.

**Mr. Eichler:** The minister did receive a letter, I believe, from the RM of Piney in that regard, and has that letter been responded to by the minister? It was based on the community development initiative and I'm not sure if this question actually falls under this department or not, but I need to ask whether or not that is, in fact, been dealt with.

**Mr. Struthers:** Yes, the—I believe it was the reeve of the RM of Piney, Mr. Duane Boutang, who wrote to me about this issue. I also had an opportunity to hear from him at the municipal officials seminar last week in Brandon. We—I spoke to the municipal officials there. They had, by the way, a record crowd of people come to their seminar, which was good. And I congratulate Doug Dobrowolski and the AMM for that kind of leadership and bringing people together for—to discuss the issues that they did at that seminar and I thank them for having given me the opportunity to speak to their membership that was there. And at the end we did a question and answer period and Mr. Boutang did state his case in terms of the community development initiative. I can assure the member that we—that I will respond to the letter that reeve Boutang has sent to me.

But, in terms of the details of the CDI, that is a question, quite properly, for Hydro to fill in for the member, and at a later date the president and CEO would be available for questioning from the member for Lakeside.

**Mr. Eichler:** In regards to the Building Canada Fund, I know the government's meeting with municipalities tonight. We had a luncheon with them, and one of the concerns that was brought up was the fact that the Building Canada Fund has not yet been rolled out. Budgets are rolling in. They're trying to get their house in order for setting those budgets and making those long-term plans. How much money is available through the Building Canada Fund at this point?

**Mr. Struthers:** Yes, gosh, if I had a dollar for every municipality that has come to talk to me about how to spend the money that's been made available through the Building Canada Fund, that would pave a lot of roads in Manitoba. We have—and I want to say that my experience, and well before I became Minister of Municipal Government, is that local leadership is not shy to tell us what their priorities are when it comes to infrastructure.

The record amounts of funding that this government has put in since 1999 has been well spent in this province, has been driven by a desire to grow our economy and create jobs. That's the same approach that we're going to take when it comes to the Building Canada Fund, when it comes to spending the allocation—or the revenue gained by the 1-cent-on-the-dollar increase to the PST which we took on in last year's budget.

We have been very clear that we are going to co-operate in every way with the federal government. I have been clear with my counterparts, whether it was Finance Minister Jim Flaherty when we were Finance ministers together, or whether it's in my current portfolio with Minister Lebel. We've been very clear that, you know, you get credit where credit is due. The federal government, in its budget, did set aside money for the Building Canada Fund. It's not on an annual basis. It's not as much as the previous Building Canada Fund that was brought forward. It's—having said that, it's not insignificant and it does spread over a time frame of 10 years. So we want to work with the federal government in a co-operative nature to make sure that the projects that can build our economy and put people to work actually accomplish that, and the member opposite

will see that as it unfolds over the next number of years.

The other very valuable partner in this is at the municipal level, and we've had some very good discussions. I'm very glad that the members opposite had a chance to talk with Doug Dobrowolski and his executive at the AMM. They have been very helpful in working with us to work with the federal government in rolling out this opportunity for our province.

We have been—well, the federal government came forward at the end of March with, you know, saying, okay, we're open for business, let's get going. That's fine. What we had to do was put in place an application process so that municipalities know that they can come to us and inform us as to what their priorities are so that we can work together to meet the needs—the infrastructure needs of our province. The—we do now have an application process that we've—I think, as of today, have got out to—we've got some information out to municipalities on how they can begin that process of identifying the needs and working with us to accomplish those needs.

\*(15:20)

What the federal government has rolled out is a provincial allocation of \$467 million over the next 10 years. They have rolled out a Small Communities Fund, and for Manitoba that means \$46.7 million and that is dedicated to communities with a population less than 100,000. So members opposite can quickly figure out that that means in our province everybody but the city of Winnipeg on that particular allocation. Although the—I want to make it clear, we will work with the City of Winnipeg to make sure that the priorities of the city are met through this Building Canada Fund as well.

There's another 420 million—420 million point four—I will say that again, \$420.4 million that is in the category of national and regional projects. We have to do some work to make sure that the federal government understands what those projects could be for Manitoba. I realize we have to make our best case on that and we will be working diligently to do that. As I said earlier, we have been and we have every intention to continue to work co-operatively with our federal partner on this. They need to know what our priorities are. We need to know what their priorities are as well. In that way, I think, we can make sure that we use this opportunity to grow our economy and create some good jobs for Manitobans.

I do want to say very clearly that part of this whole approach is the announcement that we made of a five-year, \$5.5-billion infrastructure plan that we've put forward here in Manitoba. Now, a small part of that overall plan is federal money through the Building Canada Fund. We have set aside money to match the federal amount that is part of that plan—*[interjection]*—and so we've set that money aside. On top of that, the vast majority of that \$5.5 billion will be funded by the Province and will be dedicated to core infrastructure, things—like we've said, roads and bridges, clean water, sewage, flood protection. Those are the things that Manitobans told us, when we did our infrastructure round tables, those are the things that Manitobans told us—including many members of the—from the municipal level who attended those round tables and talked to us about what their priorities for their different communities and different regions were.

So we believe—I believe we have a—the start to a good program, to a good delivery of these funds, and I think it's going to be a very positive force on our provincial economy and I think we can use it to boost regional economies within our Manitoba provincial economy as well. So I would also suggest that if the member opposite has priorities that he'd like me to know of from his area, that he take a moment whenever he likes to talk to me about what it is that he sees could be part of this program as well.

**Mr. Eichler:** Under the Manitoba Water Services Board there's a line of \$2 million, an increase of money is recoverable from the Manitoba building fund. Could the department outline that for us and how that works and what that money will be used for?

**Mr. Struthers:** Let me begin this answer by saying that Mr. Dave Shwaluk and the folks at the Manitoba Water Services Board—I know members opposite are aware of the work that they do over there. They work very hard. They work very diligently. They're very connected to communities and their needs. I think Mr. Shwaluk would back me up in saying that he gets lobbied quite often by municipalities who have water and sewer needs in their communities.

The \$2 million that the member opposite referenced—I'm really very glad that he referenced that, because that was a top-up in the 2014 budget, which was topped up on top of the \$4-million top-up from last year's budget, for a total of a \$6-million top-up to in excess of \$10 million that was there

already. That's a long way of saying that we've gone from about \$10 million to \$16.8 million over the last couple years. That is money that is dedicated to water and sewer projects in our province. The \$2 million, I think, was very well received as part of our last budget.

*Mr. Clarence Pettersen, Acting Chairperson, in the Chair*

I know that we have had discussions with representatives from the AMM, Doug Dobrowolski and his executive and others, as to what the communities' needs are. The sense that I've got from communities that I've spoken with is that that is money well spent and that when you go to make decisions, and if you're looking to grow your community, one of the first things you look for is clean water and sewage infrastructure that families can say yes to as they move to your community or industries can say yes to as they consider what communities they're going to locate in and provide local employment. So that \$2 million will go to water and sewer projects. And we decided on those in conjunction with the information we get from municipalities.

**Mr. Eichler:** That is helpful, and we certainly encourage the minister to continue to listen and work with AMM, of course, and other department officials.

We know that the future and the growth of CentrePort is very important for all parties. You know, that was one of the things we all agreed on, that CentrePort had to go forward. The roadblock that we have, of course, is the water. Out of the allocation of those funds through the Water Services Board and so on, is a portion of that money going to be dedicated back to those municipalities to bring water in? I understand it's coming from St. Eustache, coming down the railway tracks, and that would be used to develop the waterworks in the CentrePort area. Would the department care to elaborate on whether or not that will happen this year, and what is the total cost going to be put in by the provincial government?

\* (15:30)

**Mr. Struthers:** The—I'm really pleased that the member asks about CentrePort. I think he understands that this is an important project in terms of growing our economy in Manitoba. We have—I mean, when we teamed up with the federal government I think we all understood that Winnipeg

has some really big advantages that other cities do not have, in terms of rail lines, in terms of, you know, a very nicely redone airport and, you know, a highway network that connects us in every direction. Being a guy from Dauphin, I want us to not forget about the rail connection to the north that comes from Winnipeg, up through to the port of Churchill. But we fan out from Winnipeg, from CentrePort, in all four directions and I think it's very important that we take advantage of this advantage.

As the member knows, we've been working in conjunction with—co-operatively with the federal government on this project, the City of Winnipeg, the RM of Rosser. We've been, for example, we've just recently made the announcement, the opening of CentrePort way, in conjunction with work we're doing on the—out at Headingley, a bypass there and a south bypass to connect CentrePort with the—with Highway 75 which is—Highway 75, which is a very important connection to us, to our biggest trading partner of all, which is the United States. So we're putting money into the transportation network that connects this very important hub to our markets to the south.

We are very confident that this—on the water side, that the project that is being looked at qualifies under the Building Canada Fund. We look forward to the co-operation and we're actually in talks with the federal government, in terms of this as a priority for us. The plan would be to extend the capabilities of the Cartier water co-op, to provide water to that area. We believe that the best approach, whenever we talk about these kinds of projects, is to take a regional look at what can be done and, certainly, the Cartier water co-op is part of the—of this solution as—the Cartier water co-op will extend its services to the Headingley area, which will serve from Headingley, will serve that area and meet the needs of others in that area, as well.

But, as I said, we don't have hard numbers on this as of yet. We're in—we're talking with the federal government. We expect the federal government will be co-operative and will understand the importance of this project and we look forward to working with them on this.

**Mr. Eichler:** I would like to take this opportunity, Mr. Chair, to thank the staff for their help in getting through what we have so far. We know from time to time we don't get as much time as we'd like to have, especially in the Estimates process. We are to the point where we can go line by line.

I want to again make sure that all departments receive the thanks and dedication they have in order to make sure that the transparency and openness for all questions, from all members, in all Estimates sides, have the best information that's available to them. So without that we wouldn't have that process, and we thank them for that and commend them for the opportunity to be able to sit with us and do the due diligence that we have from time to time. But I can assure you—and I know the minister will try to assist me the best he can as we go forward on other issues that we have. But at this point we're prepared to start going through line by line.

**Mr. Struthers:** I want to thank the member for Lakeside for putting those words on the record.

We're not only joined by the staff that was introduced here, but we had made available Mr. David Shwaluk with the Manitoba Water Services Board, Ms. Karlene Debance with the—you know, sometimes your mind just goes blank, doesn't it—what's the actual—Canada-Manitoba secretariat, sorry. Sorry, Karlene, I messed that up. Karlene was here and—*[interjection]* Should I do it again? I want to be sure that all this gets on the record, and I apologize for covering up my mic just now.

But we have Dave Shwaluk with the Manitoba Water Services Board, who had been here to help us; Ramona Mattix, the assistant deputy minister for Community Planning and Development; Karlene Debance, who is executive director with the Canada-Manitoba agreements with the secretariat; Jim Crone, executive director for—with the Energy Division; and Craig Halwachs, finance and administrative services.

These are people that we made available for their assistance here through these Estimates. I want the member to know that they're available to him if he needs to call upon their services on any other issues that come forward. And I look forward to working with the member for Lakeside on the very important issues that this department deals with. With that, I just say thanks to the member for Lakeside.

**The Acting Chairperson (Clarence Petterson):** Resolution 13.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$31,387,000 for Municipal Government, Community Planning and Development, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 13.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$15,525,000 for Municipal Government, Infrastructure and Municipal Services, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 13.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$370,837,000 for Municipal Government, Financial Assistance to Municipalities, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

Resolution 13.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,879,000 for Municipal Government, Energy Division, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

The last item to be considered for the Estimates of the department is item 13.1(a) the minister's salary, contained in resolution 13.1.

The floor is open for questions. It has been moved by—*[interjection]* No, no, no? *[interjection]* Okay, okay.

Resolution 13.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,713,000 for Municipal Government, Administration and Finance, for the fiscal year ending March 31st, 2015.

**Resolution agreed to.**

\* (15:40)

This completes the Estimates for the Department of Municipal Government.

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

Shall we briefly recess to allow the minister and critics the opportunity to prepare for the commencement of the next department? *[Agreed]*

*The committee recessed at 3:40 p.m.*

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*The committee resumed at 3:44 p.m.*

## LABOUR AND IMMIGRATION

**The Acting Chairperson (Clarence Pettersen):** The next set of Estimates to be considered by this section of the Committee of Supply is for the Department of Labour and Immigration.

Does the honourable minister have an opening statement?

**Hon. Erna Braun (Minister of Labour and Immigration):** Yes.

**The Acting Chairperson (Clarence Pettersen):** Okay.

**Ms. Braun:** Thank you. I would like to take a few moments to discuss some of the activities undertaken by the Department of Labour and Immigration, as well as to highlight some of the achievements over the last year.

Mr. Acting Chairperson, I was very pleased to have been appointed minister for the department in October 2013, a department that has reunited Labour and Immigration within one portfolio. The Department of Labour and Immigration plays an important role in contributing to Manitoba's growth and development by protecting the rights of workers, promoting harmonious labour relations, ensuring public safety and by working to increase immigration, attracting investments by immigrant entrepreneurs and providing effective social and economic integration service to newcomers.

On the labour side of things, Manitoba has a strong history of making changes to labour legislation and programming that have improved the rights and safety of Manitobans. We have made significant changes in all the areas administered by the Labour Programs division, including workplace safety and health, employment standards, pensions, labour relations and those areas falling under the responsibility of the Office of the Fire Commissioner, which include fire prevention, building and fire codes, emergency response and technical equipment safety.

Since 2000, Mr. Acting Chair, we have introduced and made extensive changes to our major legislation, including The Workplace Safety and Health Act, The Employment Standards Code, The Worker Recruitment and Protection Act, The Pension Benefits Act, The Labour Relations Act, The Fires Prevention and Emergency Response Act and others. In many cases the amendments were the most comprehensive changes made to these statutes in

over 20 years. We have also made many regulatory improvements to support these acts. I believe these changes have made real improvements in the lives of Manitobans.

Since 1999, the time-loss injury rate has fallen by 41 per cent as we have continually increased the number of workplace inspections being conducted each year. We have increased Manitoba's minimum wage every year since 2001, resulting in a significant increase in the spending power of Manitoba's lowest wage earners. On October 1st, 2013, Manitoba's minimum wage was increased to \$10.45 per hour.

Manitoba has had one the most stable labour relations climates in Canada in recent years, and in 2012 we had no work stoppages for the first time since 1956. In 2013, we had another relatively stable year with just two work stoppages.

Changes we've made in the area of pensions over the years have been aimed at ensuring that the pension promise of an income for life continues to be valued and protected in Manitoba. We are continuing to look at ways that we can improve the way we deliver our programs and services.

In April 2013, Manitoba released its new Five-Year Plan for Workplace Illness and Injury Prevention. The five-year plan was the result of extensive consultation with workers, employers and key stakeholders and built on the success we have had over the past 10 years. The plan calls for significant program and legislative changes which we have already started to implement.

In 2013, we also brought in new unpaid leaves providing job protection for parents to complement new federal benefits. In cases of the death, 104 weeks, or disappearance, 52 weeks, of a child as a result of a crime and for a child with a critical illness, 37 weeks.

Ongoing updates to Manitoba's construction codes also continued in 2013-14—highlighted by the passing of the Manitoba energy code for buildings, which will take effect on December 1st, 2014. Adopted from the national energy code for buildings, these new requirements will ensure that commercial, industrial and large residential buildings meet minimum standards for energy efficiency.

On the immigration side of things, Manitoba has been working to develop and foster Manitoba's immigration strategy which remains a key pillar of our province's economic growth strategy and continues to add to our cultural diversity.

Since 2000, over 140,000 new immigrants have settled in Manitoba and nearly 30,000 newcomers have immigrated to rural Manitoba contributing to the economic development of over 130 communities. Annual immigration levels to Manitoba have increased from 3,725 arrivals in 1999, to 13,092 in 2013, among one of the highest levels ever recorded.

\* (15:50)

Our newest immigrants come from over 150 countries, and in 2013, the top source countries were the Philippines, India and China.

Our very successful Provincial Nominee Program remains the main driver of Manitoba's immigration growth. Mr. Acting Chair, since 2000, over 90,000 newcomers have arrived through our PNP, and in 2013, 68 per cent of all of our new newcomers arrived through the program.

Manitoba continues to support communities' involvement in the MPNP through strategic initiatives such as the Morden initiative and the southern Europe immigration initiative. The department also continues to assist employers who register under The Worker Recruitment and Protection Act to recruit temporary foreign workers in an ethical manner when local workers cannot be found.

In 2013, MPNP for Business moved forward with a series of changes to its criteria and processes which are designed to strengthen the province's ability to attract quality entrepreneurs to Manitoba. The PNP continues to be a major contributor to maintaining vibrant communities in many areas of Manitoba. Since 2000, there have been 633 businesses started and over \$222 million invested in the province.

In January 2015, the federal government will be launching a new expression of interest system, and my department continues to work with the federal government in the development of the new immigration system.

Manitoba has also worked with Citizenship and Immigration Canada to transition the responsibility of settlement services to the federal government in a way that would minimize disruption to newcomers.

On April 1st, 2013, the federal government assumed responsibility for the administration of most settlement and adult language-training services in Winnipeg and on November 1st, 2013, assumed the

responsibility for administering most settlement services in all regions of the province.

As part of Manitoba's ongoing role in the development and support of immigration services in the province, Manitoba continues to fund and administer Manitoba START, Manitoba's single-window, early-arrival immigrant intake referral, employment readiness and job-matching service. Through Manitoba START and other initiatives, our goal is to continue to increase labour market success for immigrants, and the results continue to be impressive. Manitoba's immigrants had the third lowest unemployment rate in Canada in 2013 and the second highest employment rate. Our retention rate is also very strong at about 87 per cent.

Through the office of the Fairness Commissioner and other programs, such as building-bridging programs and the Recognition Counts! micro loans program, the Province continues to make progress in reducing the time it takes for internationally educated immigrants to get their credentials recognized so they can work in their fields as soon as possible.

Finally, I would like to thank my staff for their hard work and commitment and for their contributions to public service. Thank you.

**The Acting Chairperson (Clarence Pettersen):** Does the opposition critic have any opening comments?

**Mr. Dennis Smook (La Verendrye):** I have a few. Thank you.

Thank you, Minister, for your words and your opening comments. I'm new to this portfolio, so I will be asking a number of questions to help me understand the workings of this department.

I do know that immigration plays a very important role in Manitoba, starting from the waves of immigrants that came here in the 1800s to today's families—families that come here from all over the world to look for a new way of life.

I look forward to asking questions and I look forward to receiving answers from this minister that will help me better understand the inner workings of this department. Thank you.

**The Acting Chairperson (Clarence Pettersen):** Under Manitoba practice, debate on the minister's salary is the last item considered for the department in the Committee of Supply. Accordingly, we shall

now defer consideration of line item 11.1.(a) contained in resolution 11.1.

At this time, we invite the minister and critic staff to join us, and we ask that they each introduce their staff in attendance.

Does the committee wish—*[interjection]*

Honourable Minister of Labour and Immigration, to recognize her staff.

**Ms. Braun:** I'm sorry?

**The Acting Chairperson (Clarence Pettersen):** Honourable Minister of Labour and Immigration, to recognize her staff.

**Ms. Braun:** Thank you. I'd like to introduce my deputy, Dave—pardon me—Jeff Parr, my ADM for Labour, Dave Dyson, my ADM for Immigration, Ben Rempel, and Melissa Ballantyne.

**The Acting Chairperson (Clarence Pettersen):** The honourable member from La Verendrye, to introduce his staff.

**Mr. Smook:** Thank you, Mr. Chair. The staff I have with me today is Spencer Fernando, policy analyst, is with us.

**The Acting Chairperson (Clarence Pettersen):** Does the committee wish to proceed through the Estimates of this department chronologically or have a global discussion? Is that agreed by the minister?

**Ms. Braun:** Because the department is fairly broad with different departments, if there is a need for someone—I'm thinking of the Office of the Fire Commissioner, if you have questions in that area, whether or not that can be designated so that we can make sure that that person has an opportunity to get notice to come here.

**Mr. Smook:** Yes. Actually, a lot of the questions that I had to start with were to do with the Office of the Fire Commissioner. I can ask some of them. If you can't answer them, then we can either wait 'til he gets here tomorrow—or sorry, next week, or—

**The Acting Chairperson (Clarence Pettersen):** The honourable Minister of Labour and Immigration.

**Ms. Braun:** I think, you know, we'll make an attempt to be able to answer them, but I think that I would probably be benefited by having the Fire Commissioner with us to provide me with more detailed information that you might require.

**Mr. Smook:** It was agreed? Global—was that agreed?

**The Acting Chairperson (Clarence Pettersen):** Global, yes.

**Mr. Smook:** I wouldn't mind putting some names to faces from the minister's staff. I heard the names, but I'd just like to—for—get a clarification of exactly who is to who so I know their names.

**Ms. Braun:** Jeff Parr, Dave Dyson, Ben Rempel, Melissa Ballantyne.

**Mr. Smook:** Thank you.

I'd like to start by thanking the staff, in case something should happen that I don't get a chance to thank them at the end of our Estimates process. I'd like to just start off right into, I guess, a number of questions that we have here. Some of these questions are just the standard questions that I guess we usually ask.

I'd like the minister to provide me with a list of all department and political staff, including their position and whether they are full-time FTEs.

**Ms. Braun:** Could you clarify when you say all staff?

**Mr. Smook:** All department and political staff. There's—do you have any political staff that work in your department?

**Ms. Braun:** My political staff would be Mike Kelly, who is my special assistant, and Cindy Edmunds, who is my executive assistant.

**Mr. Smook:** Could the minister provide me with a list of all vacant positions in her department?

\* (16:00)

**Ms. Braun:** The current number of vacancies that we have are 27.52.

**Mr. Smook:** During last year's Estimates process, property at the Northgate Shopping Centre was leased for the purpose of a provincial Nominee Application Centre. Is this property still leased by the department?

*Mr. Chairperson in the Chair*

**Ms. Braun:** Thank you for the question.

As information, MIT holds the lease for that space, and it is now with MIT as their responsibility for that space. Since the federal government moved to take over the settlement programs, there was no need for that space and we have no capacity to fill that space either.



**Mr. Smook:** So basically you'd have no way of telling me if that space is being utilized for anything. That'd be a question that I would have to go and ask the minister of infrastructure and transport?

**Ms. Braun:** That would be—MIT would be the people to ask about that since they're responsible for it now.

**Mr. Smook:** I have some questions regarding the Auditor General's report on the office of the fire commission. And we had discussed—I will ask these questions if you can provide me with answers. If not, then we can re-ask them.

In the Auditor General's report of January 2013, four recommendations were made. Can the minister provide an update as to how many of these implementations have been made to date?

**Ms. Braun:** Thank you for the question.

The recommendations from the auditor's report were fairly general and broad in terms of recommendations for Department of Finance as well as looking at some of the legislation related to the whistle-blower protection. However, I can say that we've taken significant steps to improve the financial control and also comptrollership of the department. And just to indicate as well, it was something that the government had requested the auditor to look into.

**Mr. Smook:** What safeguards has the minister's department put in place to prevent further fraud in the Office of the Fire Commissioner?

\* (16:10)

**Ms. Braun:** Thank you for the question. This was an issue that we certainly took extremely seriously, and a lot of work was done to make sure that we covered all of our bases.

To begin with, the individuals that were involved in the issue were terminated, which prompted our referral to the office of the Auditor General as well as the RCMP. And the issue, as you may be aware, is before the courts at this point, and we await what the results of that will be.

We've appointed an executive financial officer responsible for financial management, and there is also an audit committee that oversees transactions, improved controls for credit cards, vehicle use. So we've really tightened up on that aspect of expenses and expenditures.

The internal audit that was also done in relation to this has provided us with a lot of advice on how to move forward with this and the kinds of things

that need to be in place. We've restructured all administrative and financial functions to improve oversight. And one of the things that I think is critical is that we've separated financial controls from senior management decision making.

**Mr. Smook:** Some of the comments that I've heard is that the Office of the Fire Commissioner holds a disproportional amount of power—this—like for a single individual, and the Auditor General had recommended that the special operating agency governance model be assessed and revised, if necessary. Like, what exact steps have been done to make sure that everything in the Fire Commissioner's office is being, you know, not that just one person has control of everything?

**Ms. Braun:** The auditor's report, in terms of governance, her recommendations were also for all special operating agencies, so it was a broader recommendation that covered the other SOAs that we deal with. But, specifically to the Office of the Fire Commissioner, three areas that were specific to the Office of the Fire Commissioner: there was a revised operating authority charter which recognizes the important role of the audit committee which oversees the financial management of the Office of the Fire Commissioner; secondly, improved department oversight for the OFC, which provides obviously then greater oversight on the part of the department with the OFC; and, thirdly, there was strengthening of the SOA advisory board.

**Mr. Smook:** I have several other questions, but we'll just pass on the rest of the questions for the Fire Commissioner's office for now, and we could probably do those next week I would presume.

I'd like to go on to the Auditor General's report for the PNP business program. In January of 2013, the Auditor General released a report on the Provincial Nominee Program for Business. This report contained 13 recommendations.

Could the minister tell me how many of these recommendations have been implemented?

**Ms. Braun:** The department has agreed to implement all the recommendations from the Auditor General. Of the 13 recommendations, eight are complete and five are in progress.

**Mr. Smook:** Could the minister provide me with which ones have been complete and which ones are in progress?

\* (16:20)

**Ms. Braun:** Okay, the recommendation that if the assessment process finds false documentation or misrepresentation of a significant nature, the Business Immigration officers stop processing the application and recommend that the Assessment Review Team reject it, and this has been completed. Mr. Chair, the department has moved to a one-step, single-application process rather than a multi-step process as was in place, where the applicant files a complete application, including all documentation with the program, to start the process, which is then followed by an application assessment. A review has been conducted by Civil Legal Services, which provided guidance to the department in its decision-making process for applications under the old program criterion and processes.

The next one that's complete is that the program require applicants to submit all required information once at the initial application stage. The department announced a major overhaul of its program criteria and processes. The new process eliminates the current exploratory visit step. The applicant will submit a complete application once the program—pardon me—once to the program without the need for a pre-screening process, as was currently in use at the time of the audit. This process change brings the program in line with other jurisdictions using a one-step process.

Next: its recommendation that the program revise its current information release forms to ensure that applicants consent to the collection and verification of their information by the program or its agents in the applicant's home country; also, that the program require applicants to submit their key documents directly to third-party contractors the program has accepted for verification. And this spring the department implemented a new consent to indirect collection and disclosure of personal information form, which was prepared together with Civil Legal Services. The new form clarifies in a much broader way the uses of information from applicants. The department will monitor the direct submission of documents to a third-party approach recently adopted by another jurisdiction in order to evaluate its long-term viability.

Next: we have that the program remove references to the selection committee from the policy and procedure manuals. The manual's been updated. Then: update the policy and procedure manual to share the same time period referred to in the acceptance letter. It's been updated with that as well. That the program update the policy and

procedures manual to the same time period referred to in the certificate of nomination, and that has been done. That the program employees complete conflict-of-interest forms annually and that the management review them. The staff update their conflict-of-interest forms annually, and the department reviews these forms to ensure compliance with the conflict-of-interest guidelines.

And that the program clarify policies and procedures for site visits. And it's already been introduced, a procedure for site visits. This procedure was recently updated again as a result of consultations with Citizenship and Immigration Canada.

**Mr. Smook:** Could the minister explain to me why there is no longer a need for a site visit? Does it make sense that somebody would want to immigrate here without coming here first?

**Ms. Braun:** We still do site visits. We've just upgraded—or updated the procedures.

**Mr. Smook:** Are site visits no longer mandatory, or—I guess that was my question.

**Ms. Braun:** I'm sorry. I'm just going to ask, is this the exploratory visit that you're referring to?

**Mr. Smook:** Yes.

**Ms. Braun:** Okay, my understanding is that the exploratory visits have never been mandatory, and what is done at our end is we make sure that we do our due diligence with the application. And, if necessary, we have a third-party verification to make sure that there is no fraudulent representation in the application.

**Mr. Smook:** The provincial government issues certificates of nomination that accelerates the federal government's proceedings of permanent residents' visas. How long does this take for the Province to complete these certificates of nomination, and could the minister provide me with what the wait times have been for the last, say, four years, how they've changed?

\* (16:30)

**Ms. Braun:** The average processing time would be three to six months if the applications are complete. The files can take longer if there are some integrity issues with the application, and, if the applications aren't complete, then they are sent back, which obviously means that it's going to take longer to process them.

**Mr. Smook:** One of the concerns that was brought to my attention, the government, like the Province issues the paperwork for the federal government to proceed with, like they do the certificates of nomination for the permanent residents visa.

One of the concerns, I believe in the Auditor General's report, was, has the Province considered instead of issuing that, do a temporary—like a TRV instead of a PRV?

**Ms. Braun:** That issue has been discussed with the federal government, but because of changes to the temporary foreign workers they haven't agreed to that. However, if folks are nominated, we can help them on a case-by-case basis to come on a temporary basis while their permanent visa's being processed.

**Mr. Smook:** I guess the reason this question is being asked is, like, British Columbia has changed it to that, to be that way and really, I guess, if somebody was to come into Canada, jump through all the hoops, pay their \$75,000, that would, in some cases, be a cheap form of entering the country. So what prevents people from doing this and forfeiting their 75—or I guess now it's \$100,000?

**Ms. Braun:** It's my understanding that BC is the only province that has been approved to do that, and we continue to discuss with the federal government on that particular issue. We try to do our due diligence at the front end of the process so that we have a good sense that these are folks that are really interested in coming to Manitoba, staying in Manitoba and building their business. And we go through the process to make sure that they are going to be successful and that they're going to stay in Manitoba.

**Mr. Smook:** I believe that BC and Manitoba, we're the only two provinces that have this authority in, like, in the first place so, but one of the questions I would like to ask is the—at one time it was a \$75,000 deposit; now it's a \$100,000 deposit. Could the minister provide me with the number of PNP business applications have been processed over the last five years, like, how many of them have put their deposit down and how many of those deposits have been returned each of those years?

\*(16:40)

**Ms. Braun:** Okay, the number of deposit agreements in 2008-2009 was 222, and the number of deposits that were withheld that year were 61; 2009-2010, 394 agreements, 63 that were withheld that year; 2010-11, 371 and 38 that were withheld; 2011-12,

150 agreements and 44 that were withheld; and 157 for 2012-2013 and 197 that were withheld that year.

And the—you have to keep in mind that, because there's a two-year waiting period for things to be processed and to see whether or not that business gets established, that the numbers—and obviously, with the last one, they don't necessarily always jive at that point.

And there's also sometimes a longer period of then just the two years. If there seems to be an indication that they need a bit more time, that things are already in the works for that business to be established, but they need a little bit more work in order to get a good solid footing, that two-year period sometimes gets stretched a little bit beyond that, because our goal is to help these businesses and these individuals succeed.

**Mr. Smook:** Thank the minister for that information. I would like to also ask the minister: Do they have records that go back, say, for five years after somebody who's landed here, who's established a business, if they still are continuing with a business in Manitoba or have they left the province? Could the minister provide me with any of those numbers?

**Ms. Braun:** We receive an—aggregated retention data from the federal government on—for all nominees, and it's updated every year, and it—consistently over three, five years, it's been around 82 per cent. And the reality is, though, that all residents have mobility rights so that there is no way that we can compel them to remain in Manitoba if they find opportunities elsewhere to leave our province.

**Mr. Smook:** I thank that minister for that information. Does the minister's department keep any of their own information or that's just strictly federal government status—or statistics that you use, or do you follow through yourself in your department with this information?

**Ms. Braun:** The federal government collects data that we can't, and every province has that difficulty because of privacy concerns. So the information that we get is through federal taxation, income tax returns, and that's where the aggregate information that we get from the federal government.

**Mr. Smook:** One of the questions I'd like to ask the minister is that the forfeited deposits, does the minister's department keep track of where those immigrants are? Are they still in the province or have

they moved out? Like, to see if they're just using the system in order to gain the residency visa here.

\* (16:50)

**Ms. Braun:** I think the important thing is that our retention rate in terms of new immigration is among the best across Canada, and it really is difficult to track those who choose to forfeit their deposit. And one of the things that we've done in order to make sure that that retention rate is as high as it is, is to make sure that we do our due diligence at the front end of the whole application process. And I think we've been very successful in that, because I think 82 per cent is quite a substantial retention rate for people coming to Manitoba. But, as I say, it's really difficult to keep track of individuals, really, who've chosen to forfeit that deposit.

**Mr. Smook:** Going back to the PVR versus the T—or sorry, PRV versus the TRV, would that not be one of the reasons to try to use that system that BC is using, like, has the minister's department talked to Ottawa in regards to this? Like, where would they be with this?

**Ms. Braun:** One of the things I can say is that we're always talking to Ottawa to see what we can negotiate, to see what kind of arrangements we can make. Ottawa has given special authority to BC, in 2003, for that program. And we've been negotiating as of last year and continue to talk about getting the same offer, but they have been unprepared to facilitate that.

**Mr. Smook:** Yes, so basically what you're saying, then, is that you have asked Ottawa specifically for the same as what BC has, so you're just waiting to get an answer from them?

**Ms. Braun:** We have asked Ottawa a number of times, and they haven't been prepared to give us that.

**Mr. Smook:** Moving on to skilled workers. In order to qualify to be accepted as a skilled worker, what type of training is necessary to enter Manitoba with that? Is it some sort of post-secondary education? Is it—is that one of the qualifiers?

**Ms. Braun:** Skilled workers—there are two categories: Those are workers overseas and workers in Canada. And the workers overseas that have no guarantee of employment here have to have post-secondary, and they have to have work experience, and those workers in Canada who are already working with—in a variety of employment situations, there are no requirements. They already have work experience, and they've proved themselves as workers.

**Mr. Smook:** When it comes to skilled workers, does the government keep a list, say, from year to year of what the necessary skills are that the Province is looking for? Does that list change? Could the minister provide me with that list?

**Ms. Braun:** We work very closely with the Labour Market Information Unit in Jobs and the Economy and take into consideration—and we take that into consideration when we're looking at applications. We try to find a labour-market fit, and we don't keep a list because the demands are always changing and they don't stay static for any length of time, and it also varies from region to region within the province. But it's our close connection with Jobs and the Economy to make sure that we're keeping an eye on what the needs of the province would be.

**Mr. Smook:** Question for you. In order to immigrate here as a skilled worker, you're saying that they don't need any sort of post-secondary education as long as they have the skill set to fill the type of position that you're looking for here. Now, what if a person does not have the experience yet but does have a post-secondary degree, can they still immigrate to Canada with that, or do they have to have experience?

**Mr. Chairperson:** Order, please. The hour being 5 p.m., committee rise.

Call in the Speaker.

#### IN SESSION

**Mr. Speaker:** The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 23, 2014

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