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of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 2, 2008

The House met at 10 a.m.

ORDERS OF THE DAY
(Continued)

GOVERNMENT BUSINESS

COMMITTEE OF SUPPLY
(Concurrent Sections)

HEALTH AND HEALTHY LIVING

* (10:00)

Madam Chairperson (Marilyn Brick): 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 and Healthy Living. As had been previously agreed, questioning for this department will proceed in a global manner.

The floor is now open for questions.

Mr. Kelvin Goertzen (Steinbach): Good morning, Madam Chair.

Yesterday, when we left off with questions, the minister in response to a question I'd posed regarding the previous question, she'd indicated that her department was working with the clinic in Steinbach to address the upcoming, the ongoing doctor shortage there and I asked for more specifics. I know the minister into her answer was sort of general. She probably just ran out of time. I'm sure there are more specifics coming, and it is important, I think, for the community to hear because it does impact a lot of people personally, not the least of which is myself, or maybe the least of which is myself. My own family, a good portion of it, will be without a family doctor.

Are there any more specifics that the minister can give in terms of what her department is doing to work with the clinic to address this issue for the residents of Steinbach and southeastern Manitoba?

Hon. Theresa Oswald (Minister of Health): Certainly, I think the most specific that the member opposite would want to hear, not only as a representative for the area, but as somebody who is important and is going to be perhaps without a doctor for his family, including a young child, would be to be able to say that there has been a securing of more physicians for that clinic. That is not a specific that I

can provide him with today. That has not yet occurred.

But I do know, as I stated yesterday, that the region is working in co-operation with the Physician Recruitment Coordination Office that has a variety of tools at their disposal to endeavour to recruit and retain doctors to areas around the province. What I didn't quite finish saying yesterday was that I am informed that the RHA has also hired a full-time recruiter who is working specifically with the clinic. The member opposite, of course, is aware that recruiting and retaining doctors is of a greater challenge generally in rural and northern Manitoba. But South Eastman has had very good success over time. We saw that with what happened after the agreement with ER doctors in June of 2007, and I would say that I am optimistic. The nature of the community is a very attractive one and with those resources in place we know that the region and with the support of the department, we'll work very hard to try to bring doctors to replace the two doctors that are leaving.

Mr. Goertzen: I certainly echo the comments about the attractiveness of not just the community but really the entire region, in terms of places to live and work and to raise a family. I can say personally, and I hope that that is something that's a natural draw for the region, but obviously there needs to be more than that in this competitive environment for doctors. I'll take the minister at her word that she will continue to work with the clinic and the region and the RHA to attract doctors.

I know that there are things that the minister's office can do to help that along. I don't pretend to say that she has a cure-all for all of these issues, but I do think that there are things that she can do to advance the agenda to make it easier for the doctors to be attracted. I'll leave it on the specifics there but just as a closing, just to reiterate what the minister already knows, that this is a very important issue for the region, not just the residents that I represent, but residents of other MLAs in the Legislature represent because, of course, there are people coming to the Steinbach hospital facilities and the clinics from as far away as Emerson, and from La Verendrye and different areas as well. So it is important for the

region as a whole. I thank the minister for that commitment.

Sort of as a dovetail to that question, I know when the community and others have been looking around at what some of the other challenges are in other areas of Manitoba, I notice a lot of communities have put forward incentive programs. Some chambers have put forward incentive programs. Town councils and regions have compiled together incentive programs to attract doctors and there's sort of a wide range that I have seen, whether it's chamber dollars or facilities being built or offered to be built to have doctors practise in or, in some cases, housing arrangements.

What is the minister's general opinion of individual communities going out there and using these incentives for doctors to come to their communities?

Ms. Oswald: Again, I appreciate the member opposite acknowledging that there is ongoing work on recruitment and retention. As the member knows, it's an international competition. We know that, aside from just the sunny and friendly nature of Steinbach being a wonderful place to—*[interjection]* and the region. Yes, let's not forget that. I noticed that that has crept into the member's answers more often lately, that of course—I won't read anything into that, of course I wouldn't dream of doing such a thing. But we know that our commitment to help build communities as attractive places to be for doctors specifically is really exemplified in the Steinbach area.

Our investment in and in partnerships with new chemotherapy and obstetrical facilities at Bethesda, a \$3.8-million expansion to which we contributed I think somewhere in the neighbourhood of \$2.24 million, investing \$299,000 in ultrasound equipment, monitors, work stations, which is going to come together with building our complement of Health human resources to bring those wait times down. They are a challenge for us right now and we're working to do that.

The investment of \$1.6 million for a CT scanner and computerized radiography unit in March of '03, we have seen success in being able to build environment and, of course, the investment in ER, let's not forget about that. I do enjoy talking about that whenever I get the chance. So those things combined create an environment where, even if a family practice member, a member of a clinic, may not be in direct contact with a brand new ER or be

right next door to a CT scanner, we know that these are the kinds of things that will encourage a partnership perhaps or an individual physician to lay down roots in a community because there are those innovations and investments in such close proximity.

So, not only on the remuneration side, not only on the provision of grants or increasing educational opportunities or increasing opportunities for nurse practitioners, those kinds of investments that I would call on the purely human resource side—not only are those things important but working to create environments of a physical nature and of a technological nature where doctors want to come and lay down roots, I think, is a very important commitment that we can make to recruiting and retaining doctors.

* (10:10)

On the issue of incentives that the member opposite is referring to from municipalities in terms of bringing health resources to their regions, of course the member would be aware that I've had a number of discussions, formal meetings, informal discussions with a variety of municipalities on this issue of competing for Health human resources. Again, they acknowledge that it's a national and international challenge. Our goal certainly is to provide, within a reasonable budget of course, the kind of things that I outlined in the initial part of my answer to help bring doctors to rural Manitoba. We would hope that no municipality would need to aggressively invest on their own in incentive making for health human resources.

In the current climate we know that that is the kind of thing that municipalities are banding together to do. Our goal is to work as effectively and as responsibly as we can so that municipalities aren't required to do that.

Mr. Goertzen: Certainly, I think the minister in some ways was saying that she doesn't think that's an ideal situation. I would agree with her. I don't think it is an ideal situation. It's probably indicative of, obviously, what different areas are facing the challenges. But it's also, I think, somewhat symbolic or at least of the growing nature of private, and it's always difficult to use that word when we talk about health care. But I think it is indicative of the sort of private nature the health care goes when you don't have a properly functioning system. We've seen obviously legal challenges, whether it's in Québec, in Alberta, and I'm sure we'll see more legal challenges in Canada.

When there is a breakdown in the single-payer universal health-care system, which all of us in the Legislature, I know, support, when that breaks down, it does lead to creeping in, in a lot of different ways, of private investment into health care. That's certainly one way that it happens, where municipalities, even though they are using public funds in some ways, but are often raising money privately to try to attract doctors. It's an indication of a breakdown of the system. The minister needs to view it as not an early warning system at this point, but certainly a warning system that the system is breaking down, the system that she said that she cherishes. I think all members in the Legislature do also support. But just to recognize that it's an indication that there are problems within the overall single-payer system that need to be addressed or, unfortunately, other bodies like the courts are going to step in and address it for us. As legislators, I don't think any of us want to see that happen.

The minister references the importance of having good capital facilities to attract doctors, and I agree with her. I think that is, certainly in my discussions with doctors, part of the reason that doctors choose to practise in one area or the other. Obviously, Madam Chairperson, they are professionals, and they want to be treated as professionals and work in a professional environment.

With that in mind, when the minister was out for the opening in Steinbach of Bethesda Hospital for the CancerCare unit, which I hasten to add was paid significantly with private dollars from the Bethesda health care foundation, does a tremendous job in raising funds, there was also mention made of the need for new operating rooms in Steinbach. I know the minister heard their comments. She didn't sort of make a commitment at that point. I wouldn't have expected her to, but she acknowledged the concerns at the announcement. Certainly I know it's one of the priorities for the region and for Bethesda Foundation and certainly for the doctors because the ORs at Bethesda—I mean, I've certainly heard stories that they might not always even be up to, not only practice standards, but perhaps code standards because of how old they are.

Can she give any indication whether or not within the capital allowance for this year there'll be funding for upgrading new operating rooms at Bethesda Hospital in Steinbach for the benefit of the entire region?

Ms. Oswald: Madam Chair, I appreciate the member's comments concerning the pressures that exist with Health human resources in rural and in northern Manitoba. Again, we know that Manitoba is not unique in this situation. We know other provinces face this particular challenge and need to face it head on, and I know that sometimes, between our political lines, we do endeavour to get into some battles whenever the words "universal health care" or "private and public" come into the discourse. You know no intention on my part to inflame that discussion. We have some clearly set points of view on these issues, and we also have feelings and attitudes that we share on it. You don't often hear that in the political discourse, but I acknowledge that to be true.

I would certainly say that when it comes to municipalities becoming very creative in their ability to make their towns and communities attractive, sometimes it's with money, sometimes it's with programs. I do recognize that they are expending calories, if you will, in their public meetings, trying to deal with their very real concerns about retaining health-care professionals, because the member, of course, knows, one would even argue better than I do, as a city dweller that I am, the member knows that hospitals in rural communities aren't singularly about mending what is broken in our bodies or our health, that communities will speak very passionately about health-care facilities being a life blood for communities, being a centre, being that which will attract development and economic development in the area.

So they hold very dear the notion that they want to maintain their health facilities as best they can and their services as best they can. So, while they care very deeply, I know, about the health of their citizens, they know that there are even more considerations of the economic, of the population development variety. This, of course, goes to the reason as to why they work to try to preserve the services that they have.

We know that we find ourselves in situations of shortages of human resources of the health variety for any number of reasons, for decline in our educational institutions, for a variety of reasons where we've seen cuts in the past and these cuts don't heal that quickly. We bear the scars today, and we know that our rural communities, in particular, face these wounds from decisions that have occurred in the past. So it's a cumulative effect of events.

On the subject of foundations, by the way, and I do acknowledge the Bethesda Hospital Foundation. That's a blockbuster group, no question about it. Foundations have been raising money for health equipment and enhancements, if you will, to health facilities since long before the member and I trod on the earth. That's not going to change any time soon. It's the pride of a community and, you know, Manitoba Health would not wish to criticize or to be defensive about the work that foundations do and always wish to acknowledge them appropriately. So, certainly, we know that foundations have an incredible role to play and they are our partners.

On the issue of capital expenditures for Bethesda Hospital concerning operating rooms, certainly, I did have some dialogue when I was at the announcement that day and ongoing with members from the region, and I can commit to the member that we will continue to have those conversations and really that have evolved beyond that into strategic discussions about how we can best use our capital dollars to continue to make investments across Manitoba.

I'm sure I don't have to inform the member that the list of capital requests coming from every member of the House, every one of his compatriots on his side of the House and indeed on my side of the House, people want to build health capital. We want to make sure that we work with our regions, make sure that there is a healthy, in the truest sense of the word, distribution of the resources that we have available, and we'll take very seriously the requests of Bethesda Hospital and of South Eastman. We'll, of course, pay very close attention to issues concerning safety and ensuring that those rooms are as appropriate as can be for the people that require surgery there. So I can commit to the member that we'll continue those dialogues and prioritize as very best we can within the context of our capital budget.

*(10:20)

Mr. Goertzen: I wasn't, I suppose, expecting, I'm always a hopeful person, I think I'm a hopeful person, but I wasn't expecting an announcement here about the ORs. I'd be happy just to get an invitation to the announcement about the ORs in Bethesda. *[interjection]* No, not the last one.

Regardless, I did raise it and I will continue to raise it because it is important for the region and it's important that the minister know that it needs to be a priority and will continue to have the dialogue here in the Legislature. I hope that dialogue that she has with others in the community results in quick action

on those needed ERs at Bethesda for the benefit of all the community residents and region residents.

I wonder, because we were talking about foundation contributions to capital projects. This may already exist, and if it does, I apologize, I don't mean to duplicate work for the department. Could she provide, not necessarily on the spot obviously, but in the near future, a list of foundation contributions for capital projects over the last two or three years for the different capital projects that have happened in Manitoba and what portion of that was paid by foundations?

Ms. Oswald: The member's quite right, I've not committed that number to memory, but we can endeavour to, as it would be a matter of public record, of course, in releases that have gone out or announcements, so we will endeavour to compile a list, if it doesn't exist neatly on a piece of paper already, and get it to the member.

Mr. Goertzen: I appreciate that commitment by the minister.

To continue on with some local issues, I always like to put the needs of my constituents first, and so if the minister will indulge me until we get into more broader issues.

There's been a lot of discussion in the region about the need for a crisis stabilization unit in, whether it's located in Steinbach or elsewhere, but certainly for the region. There's certainly a growing awareness about the needs of mental health, not, of course, just in South Eastman but also throughout Manitoba and the fact that we might not always deal appropriately, or maybe misidentify the people who are dealing with mental health issues.

I believe that the regional health authority has either made this it's top or at least one of its top priorities to have a crisis stabilization unit in Steinbach or the region to ensure that those people who have an immediate need can have that filled without going to Selkirk or somewhere else.

I've gone through an education process on this myself in talking with people like Chris Summerville and certainly people who are much more knowledgeable about the needs of mental health than I am at this stage in my life. They've shared with me the importance of having a local facility because moving somebody, not only out of their community, but really considerably out of their region sometimes makes the challenges more challenging. There was and has been, I think, a push. I also think there's also

been representation made from the regional health authority to the department about the need for a CSU, a crisis stabilization unit, in the region.

Can the minister provide an update for my constituents on the status of that?

Ms. Oswald: At the risk of treading on my colleague the Minister of Healthy Living's (Ms. Irvin-Ross) territory here, I can answer briefly and would encourage the member, as, of course, she has as a major part of her portfolio, supports for people living with mental health issues. She does a bang-up job at it as well.

What I can say is that we are in the process of reviewing RHA requests for '08-09. We're reviewing those closely. Certainly, I will endeavour to make sure that we look at where that particular request is on the slate of requests from South Eastman. I will, however, concur with the member that the more we learn about mental health and the variety of approaches that are absolutely required to be able to respond to the complexity of those needs, that we need to be taking advice from our community advocates and from our community workers about the supports that might be best for a given community. A crisis stabilization unit is a very effective way of supporting those presenting with some of the most challenging of needs and so we will take the member's comments and inquiries on the subject. I think you may have had a letter to the Minister of Healthy Living about this recently, if I'm not mistaken, and we'll work with the region to prioritize and provide the supports that we can for those people living with mental health issues in your region and elsewhere.

Mr. Goertzen: I thank the minister. I will raise it as well with the Minister of Healthy Living. I know there's some crossover, I think, on some of these issues, but I wanted to raise it with the Minister of Health and look forward to any response she can provide for me, because it is an important issue in the region, but also elsewhere in the province as well. Certainly, as an advocate for southeastern Manitoba, I thought it was important that I raised the issue.

Also, and perhaps I'll get an announcement here, but I'm losing hope, the Menno Home in Grunthal, which is a long-term-care facility, personal care home, is undertaking work for an expansion. I know there's some crossover here as well with the Department of Family Services in that I think they're looking to have some assisted living, supportive living portions to the Grunthal Menno Home

expansion, but they've done some private fundraising and they're under design work right now and were given support, I think, from Family Services for the design work. There may have been some money from Health as well. I'm not entirely sure.

My predecessor—one of my predecessors—Mr. Albert Driedger is involved with the Menno Home and certainly has been a very passionate advocate for it. My grandfather, before he passed away, was at the Menno Home, so I would declare a conflict of interest in my support for the project, but it's an important regional project. There are needs throughout southeastern Manitoba for personal care home beds, not just in Grunthal, obviously, but, I think, looking at it as a regional perspective, it certainly can provide some relief to even communities like Steinbach where there is going to be an immediate or a need for more personal care home space in Steinbach, as well.

Specifically to the project of the Menno Home, then, can the minister give us any update in terms of her department's involvement or support for the Menno Home project at this point?

Ms. Oswald: I thank the member for the question. I think I want to declare at the outset that I think when you go and visit regularly a loved one in a personal care home facility, I don't think is a conflict of interest to say that you feel passionate about the staff there and want to support them in the work that they're doing even after your loved one has passed. I think it's completely fair baseball for the individual to say, you know, these are fine people and we want to work together to provide a good work environment and a good living environment for our seniors.

I would certainly agree and concur with our need to develop a variety of options for our seniors. I know the member opposite is aware that, within the context of our long-term-care strategy, we're really doing, I think, what the member is asking and that is listening to people like the foundation from Menno Home who recognized that we need to be building up a variety of options, whether it's supports for seniors in group living or supportive housing right on through the continuum to a time when our seniors need to have more complex care in a personal care home. I can commit to the member to be in contact with Family Services and Housing so I more fully understand the journey that Menno Home has been on in their seeking of capital funds for their

development and endeavour to learn more about the particular status at this time.

* (10:30)

As I say, we are looking at those requests from RHAs at the present time, and I'll endeavour to get back to the member on the status. Again, at the risk of sounding like a broken record, we do have a very sizable volume of requests for capital investments and endeavouring to live within a manageable budget. For such things we need to work with our regions and with our community foundations and citizens, same thing, to make sure that we prioritize as best we can.

Mr. Goertzen: I thank the minister for the commitment to be in contact with Family Services to hopefully support the Menno Home project. I do recognize that there are capital pressures obviously on all parts of government. I'm not completely unaware of some of those challenges and how they are sometimes dealt with. But I also recognize that it's not a zero sum game in a budget of \$9 billion. It's not as though one project happens, another one doesn't. There are many different projects that can happen under a budget like that. So I don't feel that I'm competing necessarily with any of the colleagues for the minister or my own colleagues, because, again, it isn't a zero sum game. I do think the Menno Home project, though, is very important for the region, and we will continue to support it for the good residents of southeastern Manitoba. I look forward to the minister's response after she's had an opportunity to speak with Family Services.

I do want to put on the record just to commend the fundraising that's taken place in the region for Menno Home. Mr. Driedger, who is president of the Menno Home board, has passionately advocated on behalf of them at a time when he probably could have done something else at this stage of his life and spent more time with his wife, Mary, down south or in other places. He has decided to give back to the community that he would probably say has given greatly to him. So I want to commend him and all the people who are involved with fundraising at the Menno Home.

As much as I would love to continue on with questions that pertain to my own region, I know that there are some broader issues. One question that goes a little bit outside my region at this point is Falcon Lake. We had some discussion last year about the Falcon Lake ambulance. I understand there's been some alleviation of the challenges there, I think, in

working with the regional health authority. There are some discussions going on there in terms of how they can partner with the regional health authority. I had some discussions with residents of Falcon Lake in the last week just to get an update on the situation, and again, I think there's been some advancement and improvement in the situation. But, for the record, can the minister just indicate the status of Falcon Lake ambulance service, whether or not they expect there to be service disruptions in the balance of the year, or if that situation has improved to the point where there won't be service disruptions.

Ms. Oswald: Madam Chair, I thank the member for the question.

We did have this conversation last year, and there certainly had been at that time ongoing challenges on the subject of staffing at Falcon Lake. Those challenges did continue for some time. Best efforts were made, but I can say that back in January, or the end of January, Manitoba Conservation served notice that they were ending their service purchase agreement for the Falcon Lake service.

Of course, the region was endeavouring to take over the work that needed to be done to assist in increasing Health human resources at Falcon Lake. The anticipated completion of that transfer was to be, in fact, May 1. So I will endeavour to make sure that all the i's were dotted and t's were crossed in that regard. We know that, in the context of the region taking over the issues of staffing that area, we made an announcement back in April, investing \$4.4 million to enhance EMS across the province, and one of the central issues of that was the hiring of additional front-line staff. We know that the regions expressed to us a need for having more funds in place to be able to really stabilize their complement of paramedics, of workers on the front line. They had some disjointed pockets of part-time and partial contracts and having more resources available to them to be able to post positions in such a way that they would have more robust positions to fill and therefore be able to stabilize their workforce was pretty important to them.

We also, within that context, plan to upgrade and purchase some 34 more ambulances and also augment our fund for inter-facility transfer but a good portion of that money was for the RHAs to be able to work towards a solution in those staffing issues. So I have a lot of confidence that we're going to see a smoothing out of some of the issues that we saw at Falcon Lake. The member quite rightly points

out that as summer approaches we need to make sure that that's the case and that's what we're committed to do.

Mr. Goertzen: I thank the minister for the response and I look forward to just a more formal response about whether or not the agreement for May 1 is now in place, and I'll be happy to report that back to residents of Falcon Lake who have been continuing to raise the issue with me. Certainly, I'd be happy and would acknowledge if there is a solution to it for the benefit, not only to the people within Falcon Lake itself but the immediate region who have been happy to speak on this issue.

There will be other questions from the broader region, whether its Lac du Bonnet and personal care home needs there, or in Emerson regarding the ambulance situation, that my colleagues will bring forward, I'm sure, over the next few days as we go through the Estimates process. We look forward to some positive responses there as well for the residents in the Lac du Bonnet region, in Emerson and, of course, also in Morris and in Springfield where there would be further questions about ensuring that the health-care needs of those residents are met as well. We look forward to the responses from the minister as we go through that.

On to some more questions that we often begin with and, again, I'd like to put the needs of local residents first, always, and now to move on to also important issues but that aren't specific to one region or another.

Can the minister provide for us, or perhaps just present for us in record, a list of the political staff that currently occupy her office.

Ms. Oswald: I have political staff located in my office: Jennifer Faulder, senior adviser; Keir Johnson, project manager; Breigh Kusmack, special assistant; Daniel Blaikie, policy assistant; Ben Wickstrom, intake co-ordinator; and, I think, on this list, I'm also required to list my executive assistant, my EA, who is Colleen Siles.

Mr. Goertzen: Can the minister indicate whether any of those individuals are new from last year?

Ms. Oswald: Yes. Jennifer Faulder maintains this position from last year. Breigh Kusmack last year was intake co-ordinator and has moved into the special assistant job. Daniel Blaikie was for the latter portion of last year intake co-ordinator and has moved into policy assistant role. New to the list filling in the intake co-ordinator is Ben Wickstrom

and new, I believe, from last year at this time is Keir Johnson in the role of project manager. So, yes, I think that that's how it works out.

* (10:40)

Mr. Goertzen: So there's been some shuffling of the deck within the office, but clearly a couple of people, at least, have left then in the last year. Can the minister indicate where they've gone to?

Ms. Oswald: Okay, I should have read this list better. Yes. Jennifer Faulder, the same as last year; Breigh Kusmack was with us last year but is taking on a different role as special assistant from intake co-ordinator; Daniel Blaikie was intake co-ordinator but is now policy assistant; Jeff Langen, who worked with me last year as project manager, has moved on to work for our caucus; Joanne Collins, who worked with me last year and has been replaced by Keir Johnson, has moved on to the WRHA. She was, in fact, seconded, so she's returned; Richard Mahe, who worked as special assistant has moved on to study, in fact, so has left government; and my EA at this time last year was Sarah Zaharia and she has moved on and Colleen Siles has taken her place.

Mr. Goertzen: So just for my clarity because I'm not familiar with these individuals, obviously, as the minister is, one of the last individuals, Sarah, you said, had moved on. She's moved on to—?

Ms. Oswald: Sorry. I beg your pardon, Sarah has moved on to work in CDEM, a Francophone community development entity, which I think is a branch, perhaps, in Intergovernmental Affairs, but I would want absolutely to confirm that.

Mr. Goertzen: Maybe the minister, when she's confirming that, if she can just confirm whether Sarah has taken on a term or full-time position within Intergovernmental Affairs, that maybe the Minister of Intergovernmental Affairs (Mr. Ashton) wants to respond, that's fine with me, just the nature of her employment, whether that was a competition.

Now, if I'm correct, Jennifer had gone to the WRHA as a secondment, is that correct? And then returned?

Ms. Oswald: I'm actually not trying to confuse you. I apologize. Yes, sorry about that. I'm looking at a chart here that I thought was going to have me so prepared. No, first of all, on the subject of Sarah, Sarah did go through a competition for that job. I can confirm that absolutely right now, and I was sorry she got it. She was a great worker. No, I'm kidding.

I'm very happy for her. Jennifer, no. Jennifer's sitting at the back and is still very much alive and well so far as my special assistant. It was Joanne Collins who had come as a secondment from the WRHA. She had particular expertise. She had a Master's of Social Work with special emphasis in caring for the elderly, and it was an area that I really felt needed to be filled in our office. She has since returned to a position through the WRHA.

Mr. Goertzen: And which position did she return to at the WRHA?

Ms. Oswald: Very good. Okay. Joanne has gone back to the WRHA, but in fact works as a policy analyst in the cross-departmental co-ordination initiatives project that's going on right now, which is to help bridge programs between Family Services and Health concerning seniors housing and mental health issues. In fact, she is the WRHA's contribution to that project, so, while she does work within the context of bridging departments and ensuring that we can move projects along in the most co-operative of ways, she is working from the WRHA's perspective to help see this through.

Mr. Goertzen: I thank the minister for that.

Can the minister provide for us a list of ministerial expenses and travel expenses for the last year, including the purpose, the destination of the travel and, obviously, the amount spent? I know that in past times there has been some discussion about releasing those all at once as an executive branch, but can the minister indicate when those expenses will be released?

Ms. Oswald: Yes. I can confirm—I need to go back on my absolutely thorough and clear analysis of staff and where they've gone. You know, really honing in on how well we've done this. I did want to confirm for the member that the CDEM and the ANIM organization with which Sarah Zaharia works; it's actually external to government. I was mistaken when I said it was part of IGA—and then Madam Chair knew that and was nodding, and I should have just listened to her, but I didn't. So I can confirm for that that it is external to government.

The issue on travel expenses, I can endeavour to find out. I don't know the exact date of when they're releasing that as a block entity, but I know that it is coming forward in a timely way. I know the member was thrilled and delighted—I'm sure less so than me—to see me fall at the bottom of the list of expenses

last year for travel. I can assure him now that there will be no dramatic changes to that this year.

Mr. Goertzen: I thank the minister for that. I'm not trying to keep her landlocked or anything in terms of her travel. I mean there's obviously sometimes that there—it's just appropriate for the minister to be at certain places. But obviously, all of us as politicians have to be accountable for the public dollars that we spend. So it's not my intention to make her the least-travelled minister in government. Just probably not interested in having her the most-travelled minister in government.

I look forward then to the commitment to provide a more detailed and a clear response in terms of who has come into the office and who is left and where they've gone then, sometime soon.

On the issue of travel, still. Can the minister indicate whether or not the Premier (Mr. Doer) has travelled in the last year and had those expenses not deferred, but perhaps picked up by the Department of Health or Healthy Living?

Ms. Oswald: Just as a point of clarification. Did the member just ask me to provide a letter or some written form of staffing movement rather than navigating the *Hansard* that we just went through? Is that what you asked?

Mr. Goertzen: That would be nice for clarity—for my own sake—because there seems to be some confusion on it.

Ms. Oswald: Thank you for that clarification. We can provide that.

As for the question concerning travel from the Premier. Again, as I understand, this information is going to be provided imminently as I understand. I think it might even be within the next week, but I'd ask the member not to hold me to that. But I understand it's very soon and I believe all information that will be necessary in that regard will be contained in that publication.

Mr. Goertzen: That's fine. I look forward then to seeing that imminent release in the next week or so. I'm not going to hold the minister to that commitment, but certainly soon.

Just on the issue of staffing as well then. On page 10 of this year's Estimates book, the flow chart—or organizational chart, actually, that's provided on the department. If I'm correct in just some of my comparisons between this Estimates book and last year's, looking at mostly the ADMs in the

organizational chart there seem to have been a lot of changes from last year other than, obviously, Dr. Kettner's position.

Was I correct in assuming that the five of the six ADM or associate ADM positions have changed since last year in terms of the people filling those roles?

Ms. Oswald: Yes, the member is correct. There are assistant deputy ministers by the way, and an associate, and on this chart there is acting as well. But that's correct.

* (10:50)

Mr. Goertzen: Great, and so just making it easier—whether it's associate, acting or assistant, they're still all ADMs. So I'm just going to use the acronym ADMs. Can she indicate where the five new ADMs, respectively for their positions, have come from in terms of taking over their new roles?

Ms. Oswald: This is really going to be clear this time. Yes, Kim Sharman came from the Treasury Board Secretariat. Karen Herd, of course, comes from the department, as does Terry Goertzen and Bernadette Preun. Marie O'Neill came from the Burntwood Regional Health Authority, and Dr. Kettner comes from the department.

Mr. Goertzen: Were each of them, other than Dr. Kettner, hired through a competition?

Ms. Oswald: Yes, thank you. Ms. Preun and Ms. Herd are in acting capacities, so there was not a competition. But all the rest, yes.

Mr. Goertzen: Particularly on Terry Goertzen's appointment, can the minister indicate how many people were involved with that competition—obviously not who the other candidates were, but just the number of people who had put their name in for that competition?

Ms. Oswald: We would want to confirm absolutely for the member, but I am informed that the process is always such that there's a short list of five. We would want to go back to check how many there were beyond that. I recall it was a very reasonable competition.

Mr. Goertzen: Just for clarification then, I know there are lots of Terry Goertzens out in the world. The minister sometimes likes to refer to the 1990s—at times she likes to refer to the 1990s. Would this be the same individual who would have worked for the

then-opposition leader, Member for Concordia and now the Premier (Mr. Doer)?

Ms. Oswald: Yes.

Mr. Goertzen: Does the minister know in what capacity in opposition Mr. Goertzen worked for the then-opposition leader?

Ms. Oswald: Again, I would want to confirm this absolutely, but it's my understanding it was a communications role. But I'll have to find out specifically. Before my time.

Mr. Goertzen: That response almost leads me to think that perhaps it was a surprise for the minister that Mr. Goertzen had worked for the Premier in a different capacity in opposition. Is that correct? Is the first that she's heard that Mr. Goertzen had a working relationship at what I would consider to be a senior level within opposition?

Ms. Oswald: No, I do not suggest in any way that I am not aware that the member has in past had a political role. I am acutely aware of that. I guess that I have been more focussed on my relationship with Mr. Goertzen in his capacity of departmental work, which has proven to be exemplary. While I had an awareness about his affiliation, it sort of was entirely irrelevant, from my standpoint. So, no, no surprise, but just not front and centre on my windshield in my dealings with Mr. Goertzen.

Mr. Goertzen: I wonder if the minister could indicate whether or not it caused her any second thoughts or concern, that political affiliation.

The reason I say that is, I know it was before her time, but I can certainly hark back to some days in the '90s, and I suspect that people like the members for Concordia (Mr. Doer) or St. Johns (Mr. Mackintosh) would probably have been doing handstands in the Legislature had ADMs come up from previous positions with the then-Premier Filmon or others. In fact, I know they would have been doing handstands in the Legislature in protest. So I just, not as a reflection of any of Mr. Goertzen's skills, but just from the fact that these things always have to pass the smell test, as the Premier likes to say, in politics.

Could she not see how there could have been seen to be a perceived conflict in interest?

Ms. Oswald: Well, that's why there was a robust competition. I think that the member, you know, insinuates what kind of celebrating or haymaking may have been done in the past or will happen in the

future on such matters, and I really don't want to speculate on that. We collectively have enough trouble with what actually happens in the here and now let alone speculating what might have been or what's going to be.

What I can say is that we know that this was not the first time that Mr. Goertzen had applied for such a position, and we know that in going through a competition sometimes you're successful and the best candidate and sometimes you are not. That is no different for Mr. Goertzen. So I understand, I think, what the member opposite is implying, but I think counting on our civil servants to ensure that there is a fair process and a fair competition that we can be protected against political interference or appointment making. Again, I would remind the member opposite that all of these positions, save the ones that are currently in acting mode, and very, very good jobs are being done by the way, have been done through a competition. I think this is how it ought to be.

Mr. Goertzen: The minister sort of makes my point in her answer when she says that we count on our civil servants to be acting impartially, and she was referring to it in terms of the competition itself. But there's a more general point to be made from what she said is that we do, in fact, count on our civil servants to be impartial, both to be seen to be impartial but also to be acting impartially.

Mr. Goertzen has now assumed the position as a civil servant and had previously under this government, and so the question is simply, does the minister not recognize that there certainly could be a perception of a conflict when Mr. Goertzen is signing Freedom of Information requests which I've seen in the past, whether they're accepting them or denying them when it's relatively common knowledge that he had a very close working relationship with the now-Premier when he was opposition leader?

Ms. Oswald: Again, I thank the member for the question and I would go back to the very issue that that's why we need to ensure that there is a competition in place and that under leadership that there are checks and balances in place to ensure that work is being done in the best interest of all Manitobans.

I suppose we could trace through history and spend a lot of time picking out, you know, Conservative members in history that have been appointed to an ADM level through competition or

otherwise, and we could weave our way through this particular jungle and take more time on this.

* (11:00)

You know, what I would suggest is that not every person who engages in political activity and who engages in their passion to stand up for what they believe in in a political way are political lifers. Some people are, but not all, and I think that to engage in a second career or a third career and for us to be able to, in a fair competition, assert that people can believe passionately in certain tenets, political tenets, but also do the work of the people for the benefit of all the people of Manitoba, is something that we need to, through fair competition, allow people to do.

Again, I would suggest to the member if there are any particular concerns at present or in future that he might have about anyone in the department, I would encourage him to do what he always does when he has concerns of any nature and that is to raise them and they will be explored and investigated accordingly. I do want to say on the record that I believe that Mr. Goertzen is very committed to helping make the health system even better in Manitoba. I believe that he has the dignity and respect for the people of Manitoba and for the department which he so ably serves to take any political leanings and set them aside for the best interests of the people and the goals which we work every day to try to achieve.

Again, if the member has concerns today or in future, I would just encourage him to bring those forward and we'll deal with them in due course.

Mr. Goertzen: I know the minister talks about the fact we could sort of weave back through history and see if there were Conservative appointments that would rise to the same level of concern. My suspicion, having spent some time in this building in past years, even prior to being elected, is that had there been those sort of appointments, there would have also been attached to them a strong level of concern and disagreement from the party that she now represents. So I think in some ways this transcends politics in that all political parties, I think, raise these concerns in a similar nature for similar reasons, and that is that civil servants not only have to act impartially but they have to be seen to be impartial, so I think those concerns are fair.

Having said that, I do want to say for the record that I have some personal knowledge, obviously, of

Mr. Goertzen and I do want to say that I do think he has passion and I have a lot of respect for what he's achieved within his life. That doesn't mean that these questions aren't fair and aren't reasonable and they don't have to be asked on behalf of all Manitobans who expect their civil servants to always be as passionate.

Again, I expect that he acts passionately in his current role and he probably—in fact, I know he acted passionately in his role with the Premier (Mr. Doer) when he was an assistant to the Member for Concordia when he was an opposition leader, but I don't want to leave any sort of misunderstanding on the record. I do have a respect for Mr. Goertzen personally and for what he's achieved in his life, but these questions are important to be asked on behalf of all Manitobans because I know that New Democratic members, if they were in opposition, would be asking the same questions for the same reasons, even though I won't—it's obviously a little unusual to have a personal connection with the person who I'm asking the questions of.

I want to move forward, though, into other questioning for the minister, particularly as it relates to health spending and accountability. There's often a lot of questions around costing in the Department of Health and how much spending is going on and where that spending is happening. Those are legitimate questions as the health budget, you know, accounts now for over 40 percent of the overall provincial budget and doesn't seem to be slowing down in terms of the proportion of the budget that it assumes here in Manitoba and, to some degree, in all provinces.

It seems to me that there's been an increase on the proportion of administrative costs in RHAs as compared to, if we go back to 1999, that the amount of money being spent on administration as opposed to what we would probably describe as front-line services, that that proportion has increased since 1999. Can the minister indicate (a), does she concur with that statement, but also, why the proportional increase in administrative costs that's happened since 1999?

Ms. Oswald: Just finishing on the last line of question. I want to assure the member that I appreciate his role in wishing to ask such questions. I think that it's part of his job and if I gave the impression that I didn't think he should ask them, I humbly apologize. I think they're fine questions and fair to be asked, and I'm sure that the member

understands that they're fair to be answered, and doggone-it, if we don't necessarily agree. I think it might even happen again someday.

I just wanted to go back and say that I have been able to confirm that in that particular instance, 21 individuals applied. Three individuals, not five, as I mentioned, met all the criteria and were the shortlisted. It was an open competition and he was the successful candidate. So that's the answer to that question.

Going back to the issue of the Health budget generally. I, just in broad strokes, can say to the member that we know that Manitoba Health and Healthy Living's budget will represent 41.9 percent of the overall budget which compares to 41.8 in '07-08. We know the total budget is \$4.1 billion compared to close to \$3.9 billion last year. It represents a budgetary increase of \$251.2 million or \$6.5 million more than last year.

We know that the \$251.2-million increase largely falls into two areas. The first of which is the regional health authorities; it's \$67.7 million of the increase for \$170.2 million. The next is medical remuneration. That's 22.9 percent of the increase, or \$57.5 million. And the remaining 9.4 percent of the increase, which is \$23.5 million, is spread across seven other areas of Manitoba Health and Healthy Living.

Some 95.7 percent of the Manitoba Health and Healthy Living total budget is spent in five spending areas. As mentioned, the RHAs, Medical Remun, Pharmacare, Provincial Health Services and Health Capital.

We know that three Manitoba Health- and Healthy Living-operated services form 1.2 percent of the budget. That would include Selkirk Mental Health Centre at \$33.2 million, Cadham Provincial Lab at \$11.1 million and the northern nursing stations at \$3.3 million.

So, indeed, we are talking about, you know, a very significant amount of money that we are working very hard to ensure falls into the area of front-line care whenever we can.

Talking specifically about references to administrative costs. I can speak about the staffing at Manitoba Health, if that's what the member is specifically referring to—I'm a distance from the question now; I think that's what he asked. A total of 1,231.3 positions in the department. That's a total cost of \$77.8 million which is up from 1,147.1

positions last year. Nearly 80 percent of the increase or 84.2 positions this year over last year are for direct-care related functions, including over 56 positions at the Selkirk Mental Health Centre and 11 at Cadham Lab, and in Public Health.

* (11:10)

Also, a large portion of the positions at Manitoba Health are related to direct care, where we endeavour to make the most intense investments that we can for direct care or service delivery, including Selkirk Mental Health and Cadham Lab. Again, of the 1,231 positions at Manitoba Health this year, only 42 are indeed classified as management. That's the same as last year, 336 positions, that's \$14.1 million, are classified as admin support. Though it's worthwhile to note that the latter includes many positions that are critical to patient care and critical to those items that we receive inquiries about from members opposite, like insured benefit support, people responsible for processing insurance claims, and so forth.

Mr. Goertzen: Just for more certainty, more clarity, the question was specific to RHA administration costs and the proportion of costs being eaten up by admin costs as opposed to front-line care services since 1999. Can the minister indicate why administrative costs seem to be taking up a greater proportion of overall health spending in RHAs as opposed to front-line services?

Mr. Mohinder Saran, Acting Chairperson, in the Chair

Ms. Oswald: We know that the provincial administration costs as a percentage of total operating costs in all the RHAs, and this includes CancerCare, actually reveal a downward trend from 5.5 percent in '02-03 to 4.6 percent in '06-07. We know that the rural RHAs' averages have remained relatively stable during this time. So, again, we know that there is often a question about administrative costs for RHAs, but we know that, as a percentage, we are seeing that trend downward, and we continue to be committed to ensuring that the majority of our investments go to the front line where people need the care the most, bearing in mind that often those things that we refer to as administrative costs are the kinds of things that directly affect patient care, patient care and concern, in fact.

As I stated earlier, when we have someone that would be defined as an administrator in the context of the Department of Health or in the context of an RHA, these would be people that would be working

on processing information about insurance claims, processing information about insured benefits, so, again, we want to make sure that we make absolutely sure that when we talk about administration costs, we're realizing that these often have a very direct effect on client care and patient care, and we would not want to paint them with a tone, if you will, or a brush that would suggest that they are unnecessary in nature.

In fact, if we draw our attention to the regional health authority review that just took place, we find within its context a recommendation that perhaps we need more administration to offer support in places, and so I think that painting a very wide brushstroke across people that have dedicated their lives, even of a clerical nature, not perhaps with a scalpel in hand and a mask across their face, to caring about helping people who are in need. I think it's important that we take this into account when we're talking about costs in health care and what people do.

Mr. Goertzen: Certainly the minister will know that in the question that was asked, and I think it's a question that really most Manitobans would be interested in knowing because, when they show up at a hospital or they show up at a clinic, what they're looking for is medical care, not administrative services, and their interest is in getting front-line service and seeing a doctor or a nurse or a nurse practitioner or an LPN and getting that sort of service and not in having an administrative service.

So, if she feels that Manitobans have some sort of a negative view or a negative tone toward this particular portion of the health-care system, I think that's regrettable. I think that most Manitobans would want the question answered for the right reasons, and that's because they care about getting the services for their loved one or for themselves individually. I think it's regrettable that the minister might try to impute those sort of motives on Manitobans who just simply want to have care for themselves.

Obviously, there can be debate and questions about what takes up administrative costs and what forms administrative costs. I've learned, even prior to my time in the Legislature, that debating facts and figures can be sometimes a bit of a futile exercise because everybody derives those facts and figures from their own calculations, and they don't always necessarily agree. Perhaps drilling down a little further because we might be able to determine sort of the root of some of this disagreement if we could get clear answers to very specific questions, such as the

number of administrative staff that currently work at the WRHA. Can the minister provide the number of people employed at the WRHA who would be qualified as administrative staff?

Ms. Oswald: I would respond to the member's comments that I have absolutely no negative feeling whatsoever towards Manitobans asking questions about where health dollars go. I think that that's something that they ought to know, and I think that it's helpful to know where their investments are being made, whether they're being made investing in putting more seats into the medical school or investing in bringing more nurses to the front line or in capital infrastructure or supporting administrative positions that are a conduit to help our front-line people, whether it's in Manitoba Health or in the Winnipeg Regional Health Authority.

A point that I neglected to mention before is also relevant, I think, to this very point. That is starting in '08-09, we will be implementing a new and more detailed public reporting system of RHA administrative costs that really speaks to the question of the member opposite. That is, that we want to be as open and transparent as possible. It's going to, we believe that this new system will improve the transparency and accountability and help us ensure that as many resources as possible are directed to front-line care. It will not only enable us to continue to have even more checks and balances in place, but to allow the public to have a look like they have never had before at where spending goes.

So, I think that that's an important point in the conversation. I also think it's important to note that while I believe that there are many important functions that can be done of an administrative nature, that our commitment is, and continues to be, with the public that we bring those resources to the front line. We know that since 1999, the WRHA alone has made somewhere in the neighbourhood of \$19 million in administrative savings by reducing duplication, by merging the previously separated admins of HSC and Deer Lodge, by merging the VON into the WRHA, by working hard to ensure that bulk purchasing of insurance occurs for Winnipeg hospitals. That was a half a million dollar saving alone and also by cutting 26 admin positions from the bureaucracy at the WRHA. That in addition to centralizing things such as purchasing ambulances really resulted in what could be called administrative spending.

* (11:20)

We think that we have made considerable efforts to focus our spending on front-line care, not on administration per se. We know that the RHA reviewers themselves suggested that this was an area where we had had some success in the past, and that all RHAs—this is from page 42 of the report—have taken actions to reduce administrative costs. There is a constant focus on cost savings and evidence of reduced costs. This is a very positive step, we know.

Specifically, within the context of the question of the member opposite about administrative positions, a listing thereof, could the member explain, perhaps more precisely, what he might mean by administration? This would have a good bearing on what that listing of people might look like.

Mr. Goertzen: Perhaps I'm incorrect, but I would assume that the WRHA itself would break down within its own functions whom they would consider to be administrative and whom they wouldn't consider to be administrative. I would be pretty surprised if they didn't have that sort of listing, between who's providing administrative service purely and not involved with any sort of on-hands medical treatment or provision of any medical services, as opposed to who's giving strictly administrative function. Did they not break that down themselves?

Madam Chairperson in the Chair

Ms. Oswald: Again, it sounds to be a very simple science but, if we take the CEO of the Winnipeg Regional Health Authority, Dr. Brian Postl, he himself has clinics a couple of days a week where he provides care, front-line care from his clinic to children and families.

Do we peel that out of his allotment of administrative time and non-administrative time? We really do see a number of those individuals doing a combination of clinical and administration time. It's not as an exact science as one would think.

I think the spirit of the question if I understand it correctly is, is it a breakdown of what is front-line spending and what is not front-line spending? I don't want to over-simplify or put words into the member's mouth but, as you can see, there are complexities within that very question itself.

Just before the member is allowed to clarify his question, I might ask his indulgence if we could have a short recess.

Madam Chairperson: Is there leave for a short recess?

Mr. Goertzen: Yes, why don't we take a 10-minute recess then.

Madam Chairperson: Thank you. We will take a 10-minute recess.

The committee recessed at 11:23 a.m.

The committee resumed at 11:33 a.m.

Madam Chairperson: We will now resume debate in the committee, and the floor's open for questions.

Mr. Ralph Eichler (Lakeside): I just have a few questions mainly at the constituent level that I would like to just ask the minister in regard to. I know that during the election we have certain announcements that take place and we in opposition sometimes fully don't get our share when it comes to those announcements but certainly do appreciate anything we can do in health care to keep our province healthy and vibrant and strong.

But I was wondering if the minister could outline for me the procedure. I know in some announcements, whenever they come out, there's no 10 percent requirements made from the community, and then when the election's over, in order to establish a personal care home, for an example, then you have to get the 10 percent. If the minister could clarify that for me.

Ms. Oswald: I thank the member for the question.

I certainly do want to say that the community contribution formula does apply. What I would say on its—you know, broadly it's applied uniformly. I have had discussions with a number of groups, perhaps even groups from the member's constituency, although I'm not going to say that specifically right now, but many of them, so the likelihood is very great about the issue of community contribution particularly in a climate where our capital construction costs are rising and therefore the community contribution policy is, of course, in concert rising.

In my conversations with groups, I've let them know that we are well-prepared to do a review of the contribution policy and we're committed to do that. I don't want the member to hear me saying that we're going to be throwing the community contribution

policy out the window any time soon. We know that it's a very important part of our capital development program, and we know that the percentage requirement is variable depending on timing of payments. So one of the criticisms, I think, has been that it seems to be applied inconsistently and I would say it's not applied inconsistently. There is a variability, you know, 10 percent of sharable costs up front or 20 percent over time interest free or a combination of both and those sharable costs would include front-end planning, project administration, prime consultant fees, construction, furnishings, equipment and commissioning, service LAN, post-tender change orders, those kinds of things.

What I know the department has worked very diligently to do is to pay very close attention to investments that have been made by communities and in communities that could in honest application of the policy be applied to that 10 percent contribution. So, as people in the department have made, I think, you know, excellent efforts to try to support communities in making that contribution, there have been other communities that may have thought that it was being unevenly applied, and I don't think that's the case. I think that there's a very terrific effort on the part of the department to apply every possible contribution in one way or another to bring that cost down.

Madam Chair, there are cases where the community contribution does not come into play and those ones include things like safety and security projects, conversion projects that go to a half-a-million-dollar maximum or sort of unique province-wide programs or services like cancer, dialysis and blood. So those kinds of things aren't ever captured within that community contribution.

We are talking with municipalities about any sort of amendments that might take place with a policy like that. We aren't there yet, in terms of making any sort of a change, and we know that we need to continue to work with our municipalities and our communities to, in a shared responsibility, bring these capital resources to communities as best we can and share the load wherever we can.

Mr. Eichler: So, if we can get into the specifics, then, just for my own personal knowledge, so the announcement for the Selkirk mental hospital and then, of course, the Gimli hospital that was built, was there a community contribution required on those two specific bills?

* (11:40)

Ms. Oswald: May I just ask the member to clarify. When you said Selkirk, you said Selkirk mental hospital. Do you mean Selkirk hospital?

Mr. Eichler: Yes, the Selkirk hospital. Thank you for the clarification.

Ms. Oswald: I can certainly begin by explaining the circumstances surrounding the Selkirk hospital. That was a situation where a community contribution was not required. The community didn't request that capital construction being built but we knew after a number of audits of safety and just generally crumbling construction, that that hospital, after some analysis, any sort of renovations or upgrades or improvements had sort of gone to their limit. The hospital itself needed to be replaced for any number of those reasons. So there was not a community contribution in that case.

In the case of Gimli, certainly I do believe there was a community contribution there. I'm just awaiting those details but instead of wasting time right now, I can commit to the member to provide a more fulsome answer on the Gimli site.

Mr. Eichler: That would be fine, Madam Minister. I do want to come back to one more announcement that was made just prior to the election and that was on the ambulance service centre that was placed in, I believe, was either Selkirk or Gimli constituency.

I was wondering if there was any contribution that had to be required for that, or is that a total provincial cost and no contribution required for that?

Ms. Oswald: Yes. To clarify, there's not a community contribution for EMS.

Mr. Eichler: Now, it comes back to Teulon on our personal care home. We have, as you know, talked about this a number of times and you've had a number of meetings with me about this and discussions. We have a \$400,000 promissory note that the minister has asked her staff to check into. We have had meetings with her departmental staff and the chair of that committee for our area, and the doctors, of course. They assured me, along with RHA, that this contribution will not be lost, but I haven't got anything back from you, Madam Minister.

With that, will this \$400,000 be allowed to go forward once you announce, I'm sure very shortly, the addition to the Teulon personal care home?

Ms. Oswald: Certainly, we have had conversations about this money before and the question of it

lapsing because of time. I regret if we have not sent anything directly to you on that subject and will endeavour to do so immediately. The member is correct in that that money is not going to evaporate into thin air. It will be firmly planted in any projects going forward.

As I've said to the member's colleague, we are just now in the process of reviewing the '08-09 requests from the regional health authorities, their priorities and commitments. I know that the member is well aware that the requests for capital investment far exceed the capital budget that we have. I think they far exceed the provincial budget of several provinces.

We have to be very diligent and work with our regional health authorities to make those investments that we can. We certainly did make a number of capital commitments as well, that we have to continue to move forward on. So we're going to work with the community and work with the region to find these requests, if possible, their places, in the capital schedule. We're working on that right now.

As I said before, we will endeavour to get something directly to you concerning that money that you've referenced.

Mr. Eichler: I do thank the minister for her comments and look forward to getting that letter to confirm the fact that that community money will not be lost.

Just to update the minister, we have gone through the Freedom of Information and accessed the records of the RHA for the Interlake region. It has been the No. 1 recommended build for their area over the past three years. This is information that's been shared with me, and that was prior to the elections, of course. We do know that the announcement in regard to Selkirk was a bit of a surprise, but certainly I agree with the minister, it was well needed. But the people in our area, the Municipality of Rosser, the Town of Stonewall, R.M. of Rockwood, the L.D.G. of Armstrong, the R.M. of Woodlands have all sent letters of support in. I know the minister has gotten copies of those.

We have approximately 54 on the waiting list for our personal care home in the community of Teulon. I know that it would go a long ways into helping attract doctors in our area because of the personal care home and the care that they certainly do require. Plus, the community has been behind this. We're ready to move forward and would encourage the

minister to have a real good look at it when they're planning their next announcements as far as additions to personal care homes.

I'll just, maybe, leave it at that and thank my colleague from Steinbach for allowing me to ask a few questions in regard to constituency issues.

Ms. Oswald: I appreciate the advocacy that the member does on behalf of his constituents and also appreciate the capital prioritization that the regional health authority does with respect to its capital projects. I know the member is aware that we need to take into account those regions, and then, within the regions, all of the regions' priorities, we need to prioritize and set on a time line.

I know, also, that regions look very closely at their distribution of personal care home beds and do their best to ensure that those beds are as accessible as possible in areas where they assess that they are needed. We also know that within the context of the long-term-care strategy that regions are working, as I've said before, very industriously on ensuring that there's a range of options available, too, of the personal care home variety, of the supportive housing variety, of the supports for seniors in group-living variety.

I know that the member is aware that it is a complex plan that we are talking about, and I respect the member's advocacy for his community. As I have said before, we're committed to work with the regions and the communities to prioritize and to invest our dollars as best we possibly can.

Mr. Goertzen: I thank my friend from Lakeside for his comments and for his questions on behalf of his region, as well.

Prior to the break, the minister and I were talking about administrative staff. One of the things I think would be helpful perhaps—I know she raised the issue of Dr. Postl and the time that he splits between practice and work in his position. I'd be hard pressed to imagine that there wouldn't be allocations for pay reasons on that within the RHA. But, that aside, perhaps one of the ways to delve down or just in terms of disclosure, is for the minister to provide a listing of all the people who work at corporate WRHA. She might not want to provide the names for privacy reasons, and that's fine perhaps, just the positions that are staffed out of corporate headquarters.

* (11:50)

Ms. Oswald: I thank the member for the clarification on the question.

I'm not a hundred percent sure I haven't seen or heard of or talked about with you before that this information has been sought from the WRHA or FIPPA'd from the WRHA, but I may be making that up in my own mind, so I am perfectly prepared to endeavour to get that information for the member as swiftly as we can.

Mr. Goertzen: I appreciate that. I don't think that we've had that discussion, but I know I have a lot of colleagues who have an interest in health care in the Legislature. Perhaps it was another colleague whom that commitment had been made to or a discussion happened before and that's fine.

The minister referenced, in response to a previous question, about changes that she's looking at undertaking in terms of reporting on administrative costs. I know there's been discussion in the Legislature in the past about trying to get an accurate picture of the corporate and administrative costs out of the WRHA because they seem to be—hidden might be too strong of a word but certainly buried within facility costs in individual hospitals so it's difficult to get a real handle on it.

I know she mentioned that the RHA review had suggested that administrative costs were within line or didn't seem to raise a red flag about it, but then in the same vein she recognizes that the same report indicates that there is some incomplete transparency on the administrative costs. So I think it's difficult to draw a conclusion where a report says there needs to be more transparency on a particular issue, and then she tries to link it and say, well, they thought that the administrative costs were okay. I think the lack of transparency itself speaks to the fact that maybe we just can't make that conclusion.

So I wonder if the minister could just indicate the nature of the changes she's looking to make on the disclosure of administrative costs within regional health authorities.

Ms. Oswald: Just before answering as specifically as I'm able at this time about providing more details, that's the very nature of the kind of reporting system that we've committed to implement.

I did want to say that it was actually the RHA reviewers that made the statements about RHAs have taken considerable actions to reduce the admin costs, and they did take a very close look at this for sure, that there is a constant focus on cost savings and

evidence of reduced costs. That's what they write in the report while at the same time recommending that the best measures that we can take are to find more ways to provide some details and some openness.

So it was the reviewers, themselves, that said that openness continues to be a good thing and did note that there had been a number of steps taken in the past few years that have been very helpful in providing that kind of public accountability and that taking even more would be even better. So it's not me, specifically as the minister, saying that one equals the other or one results in the other or anything like that. It was the reviewers that said that, and we took those recommendations to heart.

I can say that one of the things that will happen within the context of providing more detail will be to look at the national definition of admin costs as set out by CIHI, which includes things like salaries and benefits and other expenses in general admin, finance, human resources and communication for all the facilities and the RHA central offices of each region, and also to take into account the factors that affect spending on admin-type services which could include the complexity of care provided by the organization. It could include management practice, the structure and the size of the organization, indeed, of course, the geography of a region.

So it's going to be those kinds of issues that will appear in a more detailed accounting of what those admin costs are spent on. Indeed, another nature of the recommendation was to work on consistency among regions in what was reported and how it was reported. That makes sense. So working to finely hone those kinds of things would be important, too.

Mr. Goertzen: Not to belabour the point, I think that it's difficult to, on the one hand, look at a report—I wasn't ascribing the comments to the minister—but on the one hand to look at a report that said there needs to be more transparency on administrative costs, but then also, on the other hand, to draw a firm and fast conclusion that there are problems with the administrative costs. I think just the fact that the report itself points to the need for more transparency certainly raises the question that maybe we don't have the facts to draw that conclusion.

So we look forward to the changes and for more transparency, because I think it is important, not just for the system as a whole, but certainly for Manitobans themselves to know where their tax dollars are going as it relates to health care.

A question related to something that happened in British Columbia earlier this year. The British Columbia Liberal government there enshrined in legislation the five principles of the Canada health care act, and they added a sixth. I think that they trumpeted the fact they're the first to do this in legislation provincially, but they added a sixth principle of sustainability in health-care spending—I have the news release from British Columbia of April 8, 2008, of this year—with the notion that they believe in British Columbia making management for health-care spending to remain sustainable was an important part of a commitment to the residents of British Columbia. Has the minister—is she aware of her colleagues in British Columbia taking that stance and what effect she thinks it might have in applicability here in Manitoba?

Ms. Oswald: Certainly, on a federal-provincial-territorial stage, we keep in contact with our colleagues across the nation and learn from one another certainly and pay very close attention to the initiatives and to the policies, to the challenges and to the triumphs in other jurisdictions. So, this would really be no different.

Jurisdictions making commitments formally or informally to commit to maintain the sustainability of a health-care system that provides care for all people, not dependent of course on the size of their wallet, but dependent on their medical need, is a tenet that of course many, many people share. Of course, that's why we have committed every single day to ensure that the resources that we're investing in maintaining patient care, ensuring that we have supports where we need them for acute care, continuing to invest in a very comprehensive and robust prevention strategy, which is arguably all about keeping our health-care costs maintained and sustainable. If we can become a healthier society, which, of course, I know that we're all aware we need to do, we're going to be having to spend less on the acute-care side, and also focussing our investments on innovation.

*(12:00)

I know the member opposite might leap up and agree when I say that it's not always about pouring more money into a system; it's about finding innovations within a system to work even smarter and even stronger. There are lots of examples of this that are existing within our health-care system, and I can cite one of my personal favourites—the work that's been done at Concordia Hospital on

orthopedics. Having a close look at those quality-of-life surgeries that mean so much to people who are, admittedly, different from people who need lifesaving treatment, which we always have to have as a priority, but still, you know, deal with very real challenges in their lives when they want to have a knee replaced or they need to have a hip replaced so that they can return to a lifestyle that they once enjoyed.

By not only making strong investments in increasing our number of surgeries that we've done, and that's in partnership, of course, with the federal government's money, which, you know, we're grateful for, but not only increasing the number of surgeries, but how they're being done. Being able to use the two operating room model and using clinical assists to be in those operating rooms doing, you know, if I may say in rudimentary terms, the opening up and the closing up of patients so that surgeons can move even more swiftly and move from three operations a day to eight operations a day. This is about doing better with the resources that we have and, indeed, making a commitment to keeping health care for everybody available and indeed, sustainable as the member mentions. I think that we're committed to that every single day.

Mr. Goertzen: Just maybe to focus the minister a little bit, I do know that even back in 2004, Minister Selinger, sorry, the Minister of Finance, had then stated that there was a major sustainability challenge in health care. So we've known for some time the sustainability issue is there. It's been acknowledged by her colleagues in Cabinet.

I think and interesting in reading some of the background on the B.C. decision. Even there the Minister of Health, who this minister will no doubt have some connection with, Mr. Abbott in British Columbia, had said: "I don't think that it's on anyone's mind, except possibly the NDP, that sustainability is about private care." I think he's right in saying that, and perhaps it would only be an NDP government who would sort of raise sustainability under the spectre of private care and there was some allusion to it in the minister's answer. I think the reason, if I could ascribe motive to that British Columbia moved in this direction, is they believe mandating in legislation the notion of sustainability will also then provide accountability in that they have to provide in real and reasonable ways how they're improving the efficiency within the health-care system itself because of the legislative

framework to do that, the legislative framework that'll be set out.

So really all I want to know in fairly short order is whether or not the minister thinks that doing something similar in Manitoba would have value. Has she ruled it out? Is she willing to consider it? That's really as far as I need in terms of an answer.

Ms. Oswald: Madam Chair, in fact, the word "sustainable" exists in our mission statement. So, yes, we care about sustainability. It has to happen through innovation, through partnerships. It's a shared responsibility. I certainly don't think that the issue of sustainability has to always involve a conversation about private health care and the privatization of health care. Certainly, I can say with absolute commitment that my energies are expended every day in ensuring that we have health care available for people when they need it and that we invest in programs that will assist people in taking that very personal responsibility in staying healthy so that the health-care system has a little bit more breathing room for those that need help the most. But being accountable, being sustainable and being accessible to the people that need it are commitments that we make every day.

We also know that we face some challenges in different areas like the recruitment of human resources or in bringing down our wait times. We know that we have been pragmatic in the past in looking at ways that we can address that, whether it was indeed, the politically very unpopular sending of cancer patients to the United States so that they didn't have to wait for unacceptably long times for treatment or looking at our relationship with the Maples and finding a way to build a relationship there that would help people.

We have principles and we're pragmatic. I think we need to be thus in order to do just what the member is suggesting, and that is to work toward a sustainable health system.

Mr. Goertzen: I know the minister doesn't need a dictation on the difference between a mission statement on legislation and the weight that it carries in law, but I think that the move by British Columbia, again not to ascribe motives to them, was to ensure that there was a legislative responsibility and thus have a legislative accountability for ensuring, measuring efficiencies within health care.

I don't imagine that a province the size of British Columbia, really any province, regardless of its size,

would take that sort of a measure without some serious thought. I guess all that I'm asking from the minister today—I'm not expecting any sort of grand policy announcement today or at any time during the Estimates—Madam Chair, I'm just simply looking for acknowledgement that she will discuss this with her colleague in British Columbia, then weigh the merits of it and how it might be applicable in Manitoba.

Ms. Oswald: I'd be quite happy to have a conversation with George Abbot on a variety of subjects, so, sure.

Mr. Goertzen: Thank you, I appreciate the brevity and the clarity of the answer. I'm just going to move very quickly to a different topic, shortages of oncologists at CancerCare Manitoba.

I think the most recent information, at least that I have, there might be more recent information available, on shortages dates back to 2006, about a year and a half ago. At that time there was, I think, 43 FTEs, oncologists at CancerCare, and there was a vacancy of about five.

Could the minister provide updated information on the current funded FTEs for oncologists and how many of those positions would be vacant at CancerCare Manitoba?

Ms. Oswald: Madam Chairperson, I can inform the member that my most recent update is from early March; I would want to do my homework to get him the most up-to-date information possible.

We know, according to that note, that at that time there were no vacancies for radiation oncologists. I know the member knows that there are different kinds of oncologists. We do see at that time a listing of oncologist vacancies at CancerCare Manitoba at 5.57; it may be that those are medical, but I need to double-check that to be sure.

*(12:10)

I do know that we had some improvement since the posting of these numbers which is very encouraging. We also know that we have had good success with the strategy to grow our own oncologists and that CancerCare will have three oncologists returning within the next two years. We have, of course, secured funding for four additional FTE medical oncologist positions. There is some flexibility to fill some of these with family physicians in oncologists, physician assistants and nurse practitioners; so we're working diligently to do that. We are working very diligently to make sure

that we have an increase in seats in medical oncology, and we know that this is going to work very well to support the supply here in Manitoba.

I think it's also worthwhile to note that recruitment and retention initiatives are top of mind for the people at CancerCare, and the member is quite right in pointing out that any vacancy at all in our spaces at CancerCare, you know, is one vacancy too many and so we need to ensure that we are working very hard to make sure that we have that complement of Health human resources filled.

We've increased, broadly, the number of oncology positions at CancerCare from 37 to 43 since 1999 and again I'd reiterate that the investments that we continue to make in training will be very important in maintaining those number of positions to serve the people of Manitoba who need that care as quickly as possible.

Mr. Goertzen: If the minister, I guess for Monday, if she could provide the up-to-date vacancies, whether it's medical radiation or pediatric, I believe it is, that would be great, for Monday it'd be fine.

I know that there was some discussion around the topic in fall of last year. It was either at the end of summer or near the end of summer regarding the cancellation of the breast cancer fundraising walk and one of the reasons Dr. Dhaliwal cited in a news story at that time was that, even if the money could be raised, they really couldn't use it toward improving breast cancer treatment in Manitoba because of a shortage of oncologists and technologists.

Could the minister provide an update on the current shortage of technologists that Dr. Dhaliwal was referring to?

Ms. Oswald: Again, there is no doubt that in Manitoba and in every province in Canada and, you know, no different from doctors and from nurses, we know that there's an intense competition for technologists to do the very, very important work that they do in supporting our doctors and our nurses in our care of patients. I will, first of all, commit to the member to find for him the exact status of technologists related to CancerCare specifically. I'll endeavour to do that the next time that we meet, but certainly I can say broadly that we know that we need to build that complement of Health human resources on the technologists front.

Around this time last year we committed to hire an additional 60 technologists. We have already been

able to hire 32 of them. So we're a little bit more than halfway there in what we committed to do during this mandate. We know that part of what we can do is ensure that salaries are competitive. There was a new agreement that provided substantial increase to reflect the important work that they do in Manitoba. We know that this some 23 percent increase is going to go a long way to assist us in doing that recruiting.

We know that we also need to be investing in state-of-the-art facilities in which these individuals can work. So I thank the member for the question concerning technologists. We know how important they are to the system and are aggressively working to train and to recruit them so that they're there to support our oncologists and really everybody that is working so hard to win the war against cancer.

Mr. David Faurshou (Portage la Prairie): I really listened intently to the minister's response to my honourable colleague from Steinbach about new facilities and ones that can attract and retain staff. I know that she knows what's on my mind in regard to the Portage and District General Hospital.

I want to perhaps address what is even of more paramount concern. Having had a presentation from the Central Regional Health Authority in regard to potential staff retirements over the course of the next five years. Absolutely alarming; 40 percent expected retirements in some areas of the health-care professions, which is leading to my question about rural training. We have the licensed practical nursing training program that was and continues to be a vital resource for licensed practical nurses' training, and an absolute stellar record of rural retention of the graduates from that program.

We have started in Portage la Prairie, as exists in Winkler, the health-care aide, or health-care assistant programming in the high schools so that their dual accreditation with a Red River certificate and high school certificate is availing graduates.

I ask the question, first off, the rural licensed practical nursing and the licensed practical nursing program in Brandon and Winnipeg offered by Assiniboine college, what is the waiting list time?

Ms. Oswald: Just as a point of clarification, did you say Brandon and Winnipeg? Okay.

Mr. Faurshou: Point of clarification, Madam Chairperson, Assiniboine college has program instruction in both Brandon and Winnipeg, but it's all under Assiniboine college.

Ms. Oswald: Good. Thank you for the clarification. I'm aware of that. I just was regrettably unfocussed looking for an answer before you asked the question.

I will commit to the member to find for him that exact information in the coming days when we meet again. I don't know the answer to what the precise number is today, at this hour, but I think that the member raises a really important point in that we have many individuals across our province that have dedicated many years of their lives to the health-care profession, whether it's working as a licensed practical nurse, as a registered nurse, as a doctor, as a health-care aide, as a technologist, as the member earlier was citing, and we know that these people are getting to a time where they may wish to not be working anymore and we do look at those retirement figures very, very closely. We know that we have to commit to not only increasing the number of educational opportunities that we have in Manitoba throughout Manitoba, but that we have to be very aggressive on the recruitment front for those folks that may not have been educated here but want to put down roots here.

I know the member's aware that we have committed, during our mandate, to hire 700 more nurses and we've committed to adding a hundred training spaces, 40 of which we just announced last week. We know that we need to make sure that every single person—no stoned unturned, if you will—that wants to engage in the profession, that we need to work as hard as we can to provide those opportunities to them as quickly as we can. We know we're on the right track and the numbers will tell us that. We're training almost three times as many nurses as were trained a decade ago. We know that in making our commitments in the previous mandate, we were able to surpass our previous election commitments and increase the number of nurses in training to about 3,000, so we know that we're moving in the right direction and we have to continue to provide those opportunities.

The Central Regional Health Authority is paying very close attention to their potential retirement numbers and, of course, we have had these discussions with them on numerous occasions and that's why we have to continue to provide these opportunities in rural Manitoba, in urban centres, in the north, whenever we can and wherever we can.

* (12:20)

Mr. Faurshou: I thank Madam Minister for the response, and do appreciate everything of what she

says, although much of her response is in print right before me through the budget papers. So if I could just ask to have answered the specific question without a lot of prewritten information that was already here.

I believe the licensed practical nursing program in certain spots, locations, is in excess of two years, and that is of concern because persons, if they are interested in that program, will go out of province and most likely stay out of province. That is of a concern. The registered nursing program I understand was approaching five years. The health-care aide, though, is something of a partnership that I believe is a model that could be duplicated in other locations throughout Manitoba, partnering with high schools for the health-care assistant programming and training.

I would like, though, to ask the minister very specifically about a statement emanating from a third party, the Manitoba Nursing Research Institute, that more than 90 percent of the nursing graduates stay and work in Manitoba. Could the minister give me specifics of how that number was obtained?

Ms. Oswald: I think in terms of the specific arithmetic on that answer, it's an independent body. You would have to ask them. Broadly, I can say I know that our numbers are very good in terms of our retention rate, but I can't sight specifically where their math came from.

Madam Chairperson: Just prior to recognizing the member, I just want to remind everyone in the room that if cell phones are being used, they need to be turned to vibrate. Thank you.

Mr. Faurchou: I would maybe want to ask that question and not take the bottom line information verbatim without knowing how it was obtained. I believe it was a very small sampling that this number was derived from. I would suggest that accuracy is very important in this area. We have to know if we as taxpayers here in Manitoba are getting value for our investment in training, and if we are losing significant numbers of our graduates to other jurisdictions, I would say that our investment is definitely being diluted.

From a layperson's perspective, Madam Chair, I would believe that the college of nursing would be able to provide you with that information because every nurse has to be registered with that organization, dovetail that over the graduation information from our instructional institutions, and

we'd be able to find out how many are actually practising here in the province.

I believe that the department has the capabilities of answering that question. I encourage the minister to do so because I believe she will find that our retention numbers are not as stellar as is indicated by this small sampling.

Ms. Oswald: I'm just informed that, in fact, the answer to the question is on their Web site, and it explains how it's calculated. It's a survey of their graduates, so I think it's right.

Also we know full well that the college numbers of actual nurses that are registered in Manitoba and that are working today in Manitoba today are very instructive in our planning when it comes to going forward and building our complement of nurses. Our promise to bring 700 more nurses to Manitoba is a very, very bold one, Madam Chair, and we know that we are in a time of intense national and international competition and that those numbers show us that there has been a net gain of nurses since 1999 of 1,789.

That's a remarkable achievement for the people who have been doing the teaching and learning and recruiting and retaining of nurses in Manitoba, and you're quite right that we can refer to these calculations as a signpost of how we're doing in building those complement of nurses. I would say that just looking at the total from this time last year to now with a net increase of 200 more nurses that we're moving in a direction that's very positive.

Mr. Faurchou: Well, it may be the direction we're moving in but I've had two different occasions, regrettably, to view first-hand, whether it be in the Portage and District General Hospital or St. Boniface General and the areas of the hospital where I was, was significantly short on nursing staff. To look at the intensive care cardiac area of which the province has invested significant monies to provide for 24 state-of-the-art recovery areas for cardiac surgery patients and to see only six actually being used, when, unfortunately, my father-in-law had to go through and ultimately passed away. But the nurses that were at those nursing stations for the post-recovery operative recovery were all double-shifted, working on their 13th, 14th, 15th hour on their feet and I'm asking the question of the nurses: Well, why can't you—is this a common occurrence? The answer was yes. We're getting to a point where we don't want to say, yes, we'll come into work because we know we can't get away from work

because once here they can't find anyone else to come in.

This is something that if we're making progress it's where the rubber hits the road. It's not that obvious, but, anyway, we can move on from this.

I would like to ask the minister about the Portage and District General Hospital. Is it anywhere in her department's queue for a replacement as it remains a top priority of capital expenditure for the Central Regional Health Authority?

Ms. Oswald: First of all, please let me express my condolences to the member on the loss of his father-in-law. These are very difficult times indeed for any family so I'm very sorry to hear that.

On the subject of ICU nursing, we are aware historically it has always been a challenge. They are—you're very right in saying extremely hardworking individuals and we need to get them some help. We need to be educating as many more as we can.

We know that the WRHA has added an additional 35-person ICU nursing course that started January of this year which is in addition to a 25-person class that's going to graduate or has just graduated. I'd have to do my math on exactly which month, if that was March or May. We know that starting in that January course the full salary replacement is also being offered to nurses while they take that course. That has in the past represented a barrier for obvious reasons. So many of these dedicated professionals have wanted to up their skill set and to learn a wider range of skills and be able to lend a hand to their brothers and sisters in the ICU nursing complement but not being able to take time away from receiving a salary as they were supporting their families was a problem.

We have addressed that head-on by ensuring that full salary replacement is going to occur during that time, so certainly I would agree with the member that we have to keep really focussing the light on developing our ICU nurse complement and we're committed to do that.

Madam Chairperson: The time being 12:30, committee rise.

WATER STEWARDSHIP

* (10:10)

Mr. Chairperson (Rob Altemeyer): Will the Committee of Supply please come to some semblance of order. This section of the Committee of

Supply will now consider the Estimates of the Department of Water Stewardship.

Does the honourable minister have an opening statement?

Hon. Christine Melnick (Minister of Water Stewardship): I do, Mr. Chairperson.

I'm very pleased to present the 2008-2009 Estimates of Manitoba Water Stewardship. Last year was quite a busy and productive year in the department and numerous initiatives were undertaken and very many tasks were completed.

I would like to take this opportunity to thank the staff of Water Stewardship for your tremendous work, for your tremendous commitment. There are several staff members here today whom will be called up as need be, but please accept my gratitude for the wonderful work that you do and please pass that on to your staff, as well, because without a real team effort, there's just no way that we could accomplish what we do. I'm very, very proud to be the Minister of Water Stewardship knowing how dedicated our staff is and how important the work is, of course, around water, but, also, seeing how much we have accomplished in just one calendar year.

I would like to touch on some of the highlights for this fiscal year. The budget for Water Stewardship has increased by almost \$1 million, which represents a 3 percent increase. This is the fifth year in a row that the budget for Water Stewardship has increased. Certainly, the fact that we are the only government in Canada with a Department of Water Stewardship, clearly states to the people of Manitoba how important we regard water. I know in discussions with Manitobans that they agree that this government has done the right thing by establishing the Department of Water Stewardship.

We have increased the budget for Ecological Services division by over \$390,000 and increased the budget for the Regulatory and Operational Services division by almost \$400,000.

In the area of Water Quality and protection, we have introduced the proposed Phosphorus Reduction Act, restricting phosphorus content in dishwashing detergents to no more than 0.5 percent by 2010. I was very, very honoured to have the Canadian Consumers and Specialty Products Association leadership standing with me at that announcement, and I want to commend the industry for their foresight in recognizing that they have a very strong

role to play in reducing phosphorus content in our water and voluntarily taking the step to reduce. So, again, thank you very much to CCSPA.

We were very, very pleased to see that our actions were very quickly followed up by the province of Québec. Canada currently is under discussion for regulations that, I believe, may mirror quite closely what we've done here in Manitoba. I'd like to thank the Government of Canada and the Minister of the Environment, John Baird.

We have called for a national strategy consistently. This is the way that we really believe we have to go, you know, living at the bottom of the ocean here in Manitoba. Having about a third of North America drain into Manitoba, we realize that interjurisdictional and, I would hope eventually, international co-operation will be there. In fact, we're seeing this on this bill. We know that there are seven or eight jurisdictions in the United States that have or are in the process of passing either in an act form or regulation form similar legislation to what I've tabled in the House.

We continue to place a priority on the health of Lake Winnipeg and its basins. This year we have allocated close to \$3 million support to Lake Winnipeg science, including assistance for the research ship *Namao* and the \$250,000 that was announced—I believe it was roughly a week ago—to establish the first-ever research chair on water quality at the University of Manitoba from the research and innovation fund and I thank my colleague, Jim Rondeau, the Minister of Science, Technology, Energy and Mines, for working co-operatively with us around establishing that chair.

We have initiated partnerships such as the Federal-Provincial Lake Winnipeg Basin Committee to co-ordinate research efforts to reduce nutrients to the lake, and we have initiated action on 125 of the 135 recommendations from the Lake Winnipeg Stewardship Board to assist in restoring the health of Lake Winnipeg.

I would like very much to thank each and every member of the Lake Winnipeg Stewardship Board. They have provided excellent work. They have given us an excellent interim report and an even better final report. A very, very valuable document for the history of water in Manitoba. It is a new way of looking at water. We all agree we need to be better stewards and, certainly, I, as the minister, use the report to really help us guide the way to the future and making sure that the water of not only Lake

Winnipeg but all of Manitoba will be clean and high-quality for our children and their children and their children to come, and all the generations.

We have completed or taken action on 95 percent of 29 recommendations in the Drinking Water Advisory Committee's final report, and on all the recommendations from the Auditor General's environmental audit report on the protection of well-water quality in Manitoba.

On the areas of water sustainability, forecasting and climate change adaptation, we did continue to support the operation and expansion of the Conservation Districts program throughout a budget increase of a half a million this year. That brings the annual expenditures on conservation districts through direct grants to some \$5.35 million annually. We have increased the number of conservation districts and we have increased funding by 107 percent when you compare the number of conservation districts that have been established under this government. Funding is keeping pace. We recognize fully that conservation districts are partners in the delivery of local land and water programs and that they ensure healthy ecosystems and provide resilience to climate change which, unfortunately, we're all having to deal with.

We continue to expand the integrated watershed management planning. Last year, I believe, we brought in seven plans, including five conservation districts. This year we announced up to five new plans that will start to be processed this year. The watershed-based activities are a crucial component for adaptation to climate change, and I would like to take a moment to thank the conservation districts and the Manitoba Conservation Districts Association for their partnership, for their vision, for their commitment to water and land throughout the province of Manitoba, and again say how much I enjoy working with them as the Minister of Water Stewardship. I look forward to working with them in the future.

We have increased the budget in this area by some \$60,000 and have hired three new staff to provide for improved flood forecasting and flood response co-ordination. Mr. Chair, we're purchasing a new, more powerful ice-breaking machine for \$1.25 million. This will be better designed to tackle our typical weather and ice conditions, to double our ice-breaking capacities. I think it's important to note that on my annual driving of the Amphibex, which is something I look forward to every spring, last spring

we went to Breezy Point just north of Selkirk, and the ice there was some 20 inches thick. This year the ice was over 40 inches thick and, in fact, we had two ice breakers out there. Again I commend staff for the work they did around preventing any concerns around water and break-up this year, but also commend the consortium, which is made up of the partnership of the Province of Manitoba, the reeves and mayors from the Town of Selkirk, from the St. Clements area, and St. Andrews area for their foresight and their work and their generosity in allowing other rural municipalities or cities around the province, who may be experiencing threat of flooding, the ability to use the Amphibex as well.

So we will also be selecting the best ice-cutting technology available. This is a new component in our ice-breaking strategy and in our spring thaw and any other time that ice may be a problem in the province of Manitoba. What we're looking at is using the ice-cutting technology to go ahead of the ice breaker, to cut, not into the water, because we don't want refreezing to happen, but to cut the ice maybe 50, 75 percent, and then the ice breaker will come in and finish the job.

I would like to congratulate the folks out in Selkirk who came forward with what was a very successful prototype this year, and hoping them every success in their area to help not only our community, but other communities who are dealing with water. I know we're all thinking of Saint John, New Brunswick, today. I was very pleased to see our government sent EMO support there. I know that when we were struggling with our flood of the century here, we had support from many jurisdictions, and I think it's only fitting that we share the knowledge that we have.

We've increased the budget for water control works and drainage licensing by \$245,000. The new section now has 24 staff, more than doubling the number of water resource officers on the land. We value these water resource officers and know that they will very much help in improving delivery of drainage programs and enforcement.

I'll talk a little bit further about monitoring, modelling, and research; basin and trans-boundary partnership initiatives; and some of the other work that's been done in the Department of Water Stewardship this past year.

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

Mrs. Heather Stefanson (Tuxedo): No, I just want to thank the minister for her opening comments. We do have a number of questions we want to address with the minister today, and I do have a number of my colleagues who have a number of questions as well, so I think that in the interests of time I'm probably just going to not give an opening statement, but I do appreciate, certainly, some of the things that the minister said and especially, you know, we do pass on from this side of the House our very best to those in New Brunswick who are having great difficulty right now. I think we've all lived through that back in 1997, and, prior to that, I know my mother first moved to Manitoba in 1950. That was her first experience, the 1950 flood, moving to Manitoba. She lived on Kingston Crescent, so they were particularly affected by those things.

* (10:20)

Certainly, it is very appropriate for us to offer our services, as we had services from many other provinces which came and helped us out during those very difficult times. I think that is wonderful; I will leave it at that. If we could maybe get into some questions, that would be great.

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

Under Manitoba practice, debate on the Minister's Salary is the last item considered for a department in the Committee of Supply. Accordingly, we shall now defer consideration of line item 25.1.(a) and proceed with consideration of the remaining items referenced in resolution 25.1.

At this time, we'd invite the minister's staff to join us at the table and ask the minister, once they've arrived, to introduce the staff in attendance.

Minister, if you'd care to do introductions.

Ms. Melnick: I'd like to introduce the Deputy Minister of Water Stewardship, Don Norquay. We also have Steve Topping, Executive Director, Regulatory and Operational Services; Giselle Martel, the Acting Assistant Deputy Minister, Corporate Services; Dwight Williamson, Acting Assistant Deputy Minister, Ecological Services division; Joe O'Connor, Director of Fisheries branch.

Mr. Chairperson: Very good, thank you.

Does the committee want to proceed with these Estimates chronologically or have a global discussion?

Mrs. Stefanson: I would love to see if we could go in a global fashion.

Ms. Melnick: Sure.

Mr. Chairperson: It is therefore agreed that questioning for this department will proceed in a global manner with all resolutions to be passed, once the questioning has been completed.

The floor is now open for questions.

Mrs. Stefanson: Just with respect to enforcement issues, I was wondering if the minister could provide me with a complete list of all offences for which her department can lay charges, a complete breakdown of the charges that have been laid and the fines collected for each offence since her department's inception.

Ms. Melnick: Unfortunately, I don't have that handy but I'll take that under advisement.

Mrs. Stefanson: I appreciate that. That's what I was hoping for; otherwise, it would take a lot of time to go through that right now.

I know I have other colleagues that want to ask some questions in many different areas and certainly in the Lake Dauphin fishery area. I know we have brought forward some concerns of some local citizens in the area to the minister. Certainly, members on our side of the House are very much in favour of upholding treaty rights and sustenance fishing for First Nations.

One of the issues that has been brought to our attention are—I'm wondering if the minister can just explain how many conservation officers there are monitoring the tributaries, the Lake Dauphin tributaries. There are seven or eight of them, I believe. Especially during this time of spawning season, it is very important that we not extract the fish from the area during spawning season. It helps to increase the population of the fish in the lake and obviously helps towards the future sustenance for all people in the area. I know in the minister's Water Stewardship Estimates book it says that part of her purview is to manage the fishery resource and its habitat base in a manner that ensures that viable populations are maintained.

I'm wondering if the minister could just sort of update us to see, I mean, what we're hearing from the area is that there are many people that are concerned about the fish population in Lake Dauphin and its tributaries. I know that there were letters that were sent out, certainly, to us, and, as we understand from

many people in the area, to the member for Dauphin and I believe, probably, to yourself and the Premier (Mr. Doer) as well. I'm wondering if the minister could update us as to what her response has been with reference to these concerns and if there is any action that's being taken to ensure the viability of the fish in Lake Dauphin.

Ms. Melnick: Well, I'd like to give a little bit of background, sort of draw a more complete picture than is possible in a QP response so I really appreciate your question.

There are some people who want us to move towards a complete closure of the fishery. There are some people who don't want any closure of the kind during the spawning season. So what we have to do is provide a balance that we believe will ensure the sustainability of the fishery in the long term, that will respect the treaty rights, and that will provide appropriate access.

What we have done is looked at what the rules are, and we're making sure that the rules are being enforced. We have natural resource officers out there 24/7. They are working both day and evening shifts. There are from Conservation. I believe it's natural resource officers would be the appropriate term, seven to eight who are out there. There are three Water Stewardship managers out there as well.

When officers are finding that there is an infringement of any kind, they are laying charges. Equipment is being confiscated as is appropriate. Where Native fishers are found using nets, for example, on the spawning fish or taking more fish than they need for sustenance, and the average there, by the way, is about four fish per day, our officers are taking away their nets and confiscating the excess fish.

When officers are finding non-Native fishers angling, they are ensuring that that behaviour is ceasing. There have been tickets issued. There have been fines imposed and, again, equipment is being confiscated. We will make sure that officers continue to enforce the rules so that the fishery is conserved for future generations, treaty rights are respected and all communities have fair access to the fishery. So, when we look at the activities that are going on there, any activity that is not within the rules as I've just explained them is being dealt with out there.

We understand that, on average, there are four fish a day being taken. It's roughly maybe about two pounds. Angling is being dealt with. People are

being directed to the trap net. Now, the trap net is catching fish both spawn and post spawn but pre-spawn fish, or thickened fish, will be put back in the river to go up to spawn, so it would only be the post-spawn fish that would be given to First Nations individuals through the trap net that we have there.

*(10:30)

This is, again, a pilot project that we have started with the West Region Tribal Council. The Tribal Council was very much in favour of this, and I very much thank them for this. Chiefs have been out. Elders are there. There is a lot of public education going on as to why it is important, during this particular time, to respect the spawn of the fish, to make sure that pre-spawn fish are not removed from the waters. There's direction going to the trap net and we're monitoring it as well. We, at this point, see that it seems to be working quite positively. If there was a sense that this was not working, that things were really getting out of hand, we would have to evaluate whether or not we would continue with the pilot.

But, certainly, the concerns that have been raised by individuals are taken very seriously and the rights of the treaty fishers are taken very seriously. So I think it's important to establish the balance—monitor. If it looks like there is going to be any real threat to the spawning fish, to make sure that that doesn't happen.

Mrs. Stefanson: I'm wondering if the minister could indicate how many charges have been laid this spawning season.

Ms. Melnick: Three charges have been laid. Notices to appear are seven and written warnings are three. This is as of yesterday.

Mrs. Stefanson: The minister has mentioned a plan, and we know that funds have flowed to the West Region Tribal Council, and they're working on developing a plan to work in conjunction with them and she's mentioned a pilot project. As we understand, there have been upwards of, since 2001, almost half a million dollars that have been spent on a plan. I wonder if the minister could indicate for us today, where the plan is at and what is the plan, I guess.

Ms. Melnick: I think we're actually talking about two different things here. Are you talking about the co-management office?

Mrs. Stefanson: No, the co-management plan.

Ms. Melnick: Yes, there's a co-management office which is funded through Conservation. So questions on that office would be best put to Conservation.

The management plan is one in which we are working with all stakeholders around the lake. Funding has not been spent towards that plan at all. There have been no specific allocations, certainly not the amount referred to. So I think you might be actually talking about the co-management office. Again, that is supported by the Department of Conservation. There has been federal input as well, but for the specifics, again, I might refer you to Conservation.

When we talk about the Lake Dauphin management plan, there has been a lot of discussion with the Aboriginal folks and with the non-Aboriginal folks as well, around what the basics of that plan would be, needing to come to agreement with all the stakeholders around the table. Those discussions are ongoing. I am hopeful that within the next year we will have a completed plan and we're in the process of making that happen.

Mrs. Stefanson: With respect to the plan, I believe the minister indicated there was \$10,000 for this pilot project. Is that accurate?

Ms. Melnick: We did, in the Fisheries budget—you're referring to the pilot project happening right now around the Dauphin tributaries?

Mrs. Stefanson: Yes.

Ms. Melnick: We did allot \$10,000 towards it. Again, we're watching on an hourly basis as to how this is working and hoping that it will be successful.

Mrs. Stefanson: I guess the concern I have is primarily with that there is the fish there to provide for sustenance and for recreational fishing beyond that. There is significant concern about a depleting fish population there. I wonder if the minister can explain how this, as I understand, some of the money within this pilot project went towards the net and the putting in of the net. I believe it's in the Turtle River where there are significant fish that are spawning there. We know how this sort of works, but is there some sort of monitoring as to how many fish are being caught and trapped in this net on a daily basis that are pre-spawning fish?

Ms. Melnick: The actual spawn started yesterday. We're getting more and more fish coming in. Any fish that come into the trap net that are pre-spawned are released back into the river. So there are no

pre-spawned fish that are being handed out. That's being monitored very, very carefully.

Mrs. Stefanson: Okay. I guess I'm just not totally familiar with how this works. I mean, it is during spawning season, and we know that some are being trapped within the net. So, if that is, in fact, happening, who is going and monitoring which fish are pre-spawned? How does that work? Is someone actually going through the net, figuring this out and then releasing them? I just don't quite understand how that works.

Ms. Melnick: Any fish that goes into the trap, you can literally tell by physically examining a fish whether its pre- or post-spawned, and each fish is individually being—well, you know, let's get into it. Each fish is literally being picked up and examined. If it is a pre-spawn, it is literally put back into the water. If it is post-spawn and there are folks waiting for an allocation, they are given.

So there, again, this is a pilot with a partnership between our department and the Western Region Tribal Council. So there are staff from Water Stewardship who are dealing with fish in the trap as well as representatives from Western Region Tribal Council.

Mrs. Stefanson: Does that jeopardize the spawning process for a fish. I mean, if they're caught and trapped in a net and they're handled and this sort of thing. Again, I'm just not familiar entirely with how this works.

Ms. Melnick: This is a live trap so they are able to move around and breathe. As you know, fish have to move around for the gills to—basic biology. This is the same process that we follow in our hatcheries where fish are physically examined in the same way they're being examined now. This helps us determine when they will be ready to spawn and, when they are, of course, they're able to carry out what is the natural process.

* (10:40)

I think the real key point here, and it's one that we're very sensitive to, is that every pre-spawn fish will be returned to the lake. It's a matter of literally just reaching over and gently placing the fish back into the open water.

So there's no holding of the fish. There's no restricting the movement of the fish. Certainly, in the examination, there wouldn't be any danger to the eggs. They would just be placed into the open water

and, again, this is a process that we have followed in our provincial hatcheries since the hatcheries were developed, I would guess.

Mrs. Stefanson: How many pounds of fish on sort of a daily basis—no, first I'll ask, when was the net put in?

Ms. Melnick: The net was put in place this past Monday, the 28th of April. The spawning actually began yesterday. It's a late spawning season this year because of the late spring and the cold weather. It's about two weeks late. Fish need a water temperature of about 10 degrees to spawn. Right now the water is about nine degrees, or as of yesterday it was about nine degrees. We expect that that spawning will happen quite quickly this year because of the late start.

Mrs. Stefanson: Is there a plan for the date of the removal of the net?

Ms. Melnick: Well, we'll go with what Mother Nature determines here. The net will be there as long as the spawning will continue and probably a few days after. But this is where we're watching very closely to see what is happening naturally with the fish and respecting that.

Mrs. Stefanson: I guess that's the time that they swim into the tributaries, I guess, to spawn. So that's why the nets are there just during spawning season. I mean, the concern I have is—what was the reasoning behind—I mean, for sustenance fishing, why can't it just be with a rod? Why does it have to be with a net? What was sort of the reasoning behind having to use a net for this?

Ms. Melnick: Conservation is the overriding principle here, and I think we can all agree to that. With angling, it is possible to catch pre-spawn fish or fish that are in the process of spawning. With the trap net, we can very clearly determine—first of all, no fish are going to spawn in the trap net. Secondly, we can be 100 percent sure of only post-spawn fish being allotted to First Nations folks.

Again, any pre-spawn fish are placed back into the water as has been the practice in our hatcheries for—I think some of our hatcheries are close to about 100 years old. So this is a practice that we have found has been very effective for about the last century. We felt that this would be a good basis to perform a pilot on here.

Mrs. Stefanson: How many pounds of fish have been removed from this net so far?

Ms. Melnick: We have, this is as of yesterday, about 300 pounds of post-spawned.

Mrs. Stefanson: So that's since April 28, when the net went in.

Ms. Melnick: The net went in before the fish started to really appear. We wanted to make sure that we were very ready for when the fish would actually appear. So, like I say, the spawning actually began yesterday. We're looking over this weekend and probably throughout the next week, there'll be larger numbers of fish there.

Mrs. Stefanson: Mr. Chair, 300 pounds of fish sounds like a lot to me, like, in just a few days. Am I missing something here? This is for sustenance fishing. It sounds like a lot to me. Maybe, it's not. For sustenance purposes, there are about four fish, I think, you were saying, per person, or is that per family? How does that work?

Ms. Melnick: I think your question was how many have been caught in the trap. Right? Was that your question? Let me just clarify here. About 100 fish, equalling about 300 pounds, have been caught. They were all pre-spawned, so they were all released. If that helps to clarify.

Mrs. Stefanson: So how many have actually been removed and given away for sustenance purposes?

Ms. Melnick: Your question is how many have been allocated and given to First Nations.

Mrs. Stefanson: Yes.

Ms. Melnick: Okay. None have been released because no post-spawned fish, as of yesterday, have come into the trap. So none have been handed out from the trap. Today, we expect to see some post-spawned fish starting to come into the trap. But, again, if they're pre-spawned, they'll be released back into the river.

Mrs. Stefanson: With this pilot project that you have, is this, sort of, in lieu of being able to fish for sustenance purposes with a rod? Is that no longer the case? So this is, sort of, the pilot project to allow it to happen this way or is there still other fishing taking place in the tributaries?

Ms. Melnick: Well, again, conservation is the overriding principle here. So what we're looking for is a way to ensure that only post-spawned fish will be taken. There's the component of the separation of the fish, which we've just been talking about. There's also the component of having the elders in the area

and talking to anglers. There's also the component of, if someone does show with a dip net or a bucket or something else that, the NROs are there to lay charges to confiscate the equipment, et cetera. So this whole initiative, this whole pilot is around conserving, educating, ensuring that there is a way to really ensure that only post-spawn fish are being taken.

* (10:50)

Mrs. Stefanson: But I guess, are there still other methods of sustenance fishing taking place with First Nations right now in that area beyond just the pilot project, or have you sort of said, you know, let's try this for now and can you hold off on the rest because we want to see if this actually works in terms of being able to conserve the fish population?

Ms. Melnick: There are individuals who are showing up with—I think you're referring to angling when you talk about rods. Yes, I know, it's a whole new technology—a whole new terminology, I mean—who are showing up to angle. There is discussion going on with them if they are catching fish. If they're not First Nations, the angling is stopping. If they are First Nations, there is inspection to make sure that they're not taking—there's the male and female fish, so making sure that only the males are being taken through angling. So, again, that pre-spawned fish are not being taken through angling. And there is, again, direction to the net.

Mrs. Stefanson: In terms of the charges that have been laid, were any of those for illegal netting in the area?

Ms. Melnick: There have been four dip nets that have been confiscated, two gill nets, one rod, a snare pole and a pitchfork.

Mrs. Stefanson: Okay. With the dip nets, I guess I'm trying to figure out how, you know, when you put these nets in and you catch these people, I mean, the concern that I've had, what we're hearing from people in the community, is that fish are being caught and they're being sold out there as well, and this is during a time that the spawning season, which is of great concern to, I think, all of us in terms of conserving, and we are hearing from people in the community that this type of activity is taking place, and I'm wondering if the minister has also heard this, if there are concerns and if there's sort of any investigation ongoing with respect to the Conservation officers in the area to ensure that there is a, sort of a crackdown in this area.

Ms. Melnick: This is a very, very important point, and this is why we have so many folks out there now. If the member has any specifics or if there are specifics that people are wanting us to look into, I would very much encourage either the critic to come and talk to me about this or encourage people from the area to report any concerns that they may have. Certainly, we are watching out for people who may be attempting to take fish that may not look like sustenance fishing, and the NROs are being very diligent in this, which is why, as I read the various types of equipment that have been seized and, by the way, the fish is also seized in an instance like that.

So I just want to say if there are specifics that individuals are coming to you with, or if you have—please come to me with them, encourage them to go directly to the department. The NROs are being very diligent, so when I read the list of equipment that is being seized or charges that are being laid, written warnings, notices to appear, et cetera, this is exactly what we want to make sure does not happen. We're being very diligent, which is why we talk about sustenance fishing as is the treaty right. If there are any behaviours that seem untoward that the NROs may not already be aware of, please let us know. Please let me know, specifically, if you could, and we will certainly take action on that. Action is being taken on individuals who have appeared to be doing more than sustenance fishing, but this is a very crucial part of the pilot project and why we need the co-operation of the entire community to make this successful.

Mr. Ralph Eichler (Lakeside): The minister kind of covered off on where I was going to go in referring to the province, you know, with your trap and then the problem that seems to be out there, or at least the way I'm reading this is the other means of harvest during spawn. You touched on that in your comments, but I think the real concern is that there's more than just your department doing this. As a result of that, that's where the concern's coming from. They all cry saying, hey, we don't have enough fish. You know, if they're going to be allowed to take these harvests other than your department, that's where the real concern seems to be coming from, the way I have been updated on this, unless I'm wrong. Is that correct, Madam Minister?

Ms. Melnick: The Fisheries branch carries out annual activities to determine the health of the fish population, not only in Lake Dauphin but in various waters around Manitoba. This is carried out generally in the month of June where a trap net is set,

and one of the criteria to determine whether a fishery appears to be healthy and sustainable is, No. 1, the number of fish that are caught but also the fishing years represented in the fish that are swimming into the trap net.

The Fisheries branch, of course, performed this last year for Lake Dauphin. They were given no indication that there were concerns around a sustainable fishery in Lake Dauphin. So I think that we have to rely on the experts who have done this on an annual basis in many, many different areas. If there was any indication that there were any problems at all, I know that they would have reported through the deputy to myself, and we would have looked at what we felt needed to be done to make sure that there is a long-term sustainable fishery in Lake Dauphin or any other waterway.

So there are annual reviews going on. There is an actual creel survey performed, I believe, on average about every five years. It could be more frequent if there are concerns. So the department has several ways of determining the health of a fishery in any water.

Mr. Eichler: Thank you, Madam Minister, for your suggestions there and what your department's doing.

I have a couple of local questions before my colleagues get here. One is with the R.M. of Woodlands and I know the minister is aware of it. They wrote letters. It has to do with whether or not there was a drainage permit issued for a slough area and a gravel pit to be drained. I was wondering if she could update me on that issue, whether or not it has been resolved, and whether or not there were, in fact, permits in place for the municipality to drain that slough and that gravel pit.

* (11:00)

Ms. Melnick: A local group of citizens reported the drain to the department. The department went out and investigated immediately. There was no permit in place. The R.M. has agreed to close the drain, and they, in fact, passed a resolution in the R.M. council and sent us a copy of it. So we will continue to monitor that.

Mr. Eichler: Thank you. That puts that matter to bed for me. I'm certainly glad to hear that the minister and staff acted on it in a timely manner. Thank goodness this year there wasn't a lot of runoff, otherwise, we would have had probably a few people

on the steps of the Leg. So, certainly, my compliments to the staff and the way they handled it. I'm glad that that's done.

My next issue has to do mainly with your department in regard to encouraging lobster farming within the province of Manitoba. As you know, we have a large number of PMU barns. In fact, I haven't had an opportunity to go up and see it. Maybe the minister has or her staff, but to my understanding, there is a lobster farm being developed up along in the Swan River area. To me, that sounds awful exciting, awful broad, very forward, and certainly any time there's a new initiative that's taking place, I think it's exciting for the province. So, if the minister or her department could update me on that initiative, I'd certainly appreciate it.

Ms. Melnick: Well, there's actually a joint responsibility between the Department of Water Stewardship and the Department of Agriculture, MAFRI. I guess the other partner in this would be the federal government for regulation. As long as the provincial regulatory regime is being respected and followed, we have no problem with it, and I understand the department is in contact. We understand things are going well. The Department of Agriculture would have responsibility more for the promotion. Does that answer your question?

Mr. Eichler: Is there a licensing that needs to be required in order to establish a lobster farm? Does that fall under your privy, or is that under the Department of Agriculture or through the federal government?

Ms. Melnick: We are responsible for licencing in the following areas: I'll just go through the different areas for you. They would have to get a live fish-handling permit. They would also have to get a water rights licencing permit. They would also have to get a permit to import, ensuring that they are getting their stock from a disease-free source.

There is a provincial committee, the Introductions and Transfer Committee. The focus of this committee is to review anything coming into the province or transferring into the province to make sure that there's no risk to the provincial fisheries in the areas of either disease or invasive species.

Mr. Eichler: I'm cutting into my colleague's time, so maybe I'll leave my other questions.

Mr. Cliff Graydon (Emerson): I'd like to thank the minister today for bringing her staff in on such a beautiful day when they could be out in the field

enjoying the sunshine. Some of them look like they could use a tan and some have it.

Ms. Melnick: Is that a motion to adjourn?

Mr. Graydon: Madam Minister, I have some questions about how you work with your federal counterparts. Is there ongoing discussion on a number of international situations?

Ms. Melnick: Could you be a little more specific?

Mr. Graydon: More specific, meaning Devils Lake.

Ms. Melnick: There is contact primarily through the Minister of the Environment, John Baird, on Devils Lake. There is also minister-to-minister discussion. There is also discussion on a staff level around incidences as they occur.

As you know, in the summer in August, 2005, we were very pleased that the federal government of Canada and the federal government of the United States had signed an agreement which would put in place a filter at Devils Lake. Certainly, our first priority there is that water not flow out of Devils Lake. If it does flow, that there be the appropriate standards and methods in place to ensure that invasive species, which have been found, species that exist in Devils Lake that don't exist in the Red River basin, do not get into the Red River basin, parasites, et cetera. So there is communication on various levels on Devils Lake between the federal government and between the Government of Manitoba.

Mr. Graydon: Madam Minister, if my information is correct, Devils Lake water commission started pumping into the outlet on the 21st of April.

Ms. Melnick: Of 2008?

Mr. Graydon: Correct.

Ms. Melnick: Correct.

Mr. Graydon: At that time, Madam Minister, did you at any time discuss that early pumping that you thought might have been May 1 operation date, at any time did you discuss what your actions may be with the federal minister?

* (11:10)

Ms. Melnick: We were made aware of the pumping on the 21st of April. The feds were also notified. On the 22nd, I sent a letter to the federal Minister of the Environment to take steps to stop the pumping as we felt the dates of May 1 to October 30 were appropriate. We again called for the federal

government to take the necessary action to get the advanced filter in place before any waters would flow, as had been agreed to in the August 2005 agreement.

Mr. Graydon: And the reply from the federal government was what?

Ms. Melnick: I did not receive a response from the federal Minister of the Environment on this, unfortunately. It would be nice to receive responses on a timely basis.

There have been discussions on a staff level, particularly with Foreign Affairs, the federal Department of Foreign Affairs, on all issues dealing with the transboundary issue. I think the latest discussion was a few days ago this week.

So there's a lot of discussion going on at the bureaucratic level, Madam Minister, but I would be happy to receive a written response from the Minister of the Environment as to what actions they are prepared to take.

Mr. Graydon: Thank you, Madam Minister. As you had noted before that you had minister-to-minister discussions in the past with Minister Baird and on such an important issue as this, I'm wondering why you wouldn't have, if you had issued a letter, followed up that letter with a phone call.

Could you explain why you wouldn't have done that or is that not protocol? Maybe you can tell me.

Ms. Melnick: In having sent the letter, we clearly stated our concern over the issue. The letter was sent less than 24 hours after we knew that the outlet had begun pumping again.

There is a lot of discussion that goes on at the senior level within governments. It would be very positive if the federal minister would respond. He has stated that he will keep us up to date.

So, again, I would very much appreciate—any channels that you have that would bring direct responses from the federal minister on an issue of this importance would be very positive.

Mr. Graydon: Is there a copy of that letter available, Madam Minister?

Ms. Melnick: I'll take that under advisement. I don't have anything with me right here.

Mr. Graydon: In the letter to Minister Baird, did you outline your concern? I'm sure you did that very

well. Did you outline, also, to him what your next steps would be?

Ms. Melnick: Well, this really falls under the bailiwick of the federal government. It was the federal government of Canada and the U.S. who signed the agreement on August 5 for the advance filters. So I think the question, most rightly, has to be put to the federal minister and which we talked about the issues and the concerns that we have. What are their next steps? How are they moving forward on making sure that the advance filter is in place before any water flows out of Devils Lake?

Mr. Graydon: Maybe I didn't pose the question properly or maybe you didn't understand it properly, but you had written a letter on April 22 to Minister Baird outlining your concerns with the pumping. At that time, did you indicate to him what your next step would be? Your next step, not his.

Ms. Melnick: Our next step was, in fact, our legal counsel wrote to North Dakota and advised them that we believed that the outlet was flowing outside of the generally agreed-upon principles of the May 1 flow date. So we took the action of writing to the federal minister hoping there would be action taken on the advance filter, encouraging that action to be taken, as is within their purview. Our legal counsel wrote to North Dakota telling them that we believed it was appropriate for them to not be flowing the monies before the May 1 date.

Mr. Graydon: It's still unclear in my mind whether you indicated that you were going to take legal action against the State of North Dakota and whoever the entity is that controls the pumping. It's unclear to me whether you had stated that in your letter to Minister Baird.

Ms. Melnick: The first step that we took was to write to the federal minister. I don't believe we indicated in that letter that we were taking legal action. We did communicate with our counsel; they recommended that we do write to North Dakota. We followed that. The feds were made aware through the bureaucratic level that we had taken that action. We have encouraged the federal government in the past to be part of the legal actions that we have taken around Devils Lake and the legal actions that we have around the State of North Dakota. They, unfortunately, have refused to be a part of those legal actions.

So, again, encouragement on your part for a federal focus on Devils Lake, on the flowing of

water outside the parameters that we believe have been agreed to and certainly a lot of action around getting the advance filter in place would be very well placed, I believe.

Mr. Graydon: Thank you for that, Madam Minister.

With your bureaucratic discussions that have been going on from your level to the federal level, obviously there has been some discussion on how the federal government wished to deal with federal government to federal government on this issue. Could you enlighten us on what that discussion may have been?

* (11:20)

Ms. Melnick: It was just this week in the House that the Minister of Environment, I believe it was Tuesday or Wednesday in question period in Parliament that the federal minister has talked about—I can't remember the exact terminology, but to paraphrase, new ways of dealing with the problems around Devils Lake. So I have written to him and asked him to elaborate with me in any way that he wishes to communicate, as to what these new ways might be. I have not received an answer from him yet.

Mr. Graydon: So could you tell me the date that you filed your court challenge in the state of North Dakota.

Ms. Melnick: Yes, we filed last Friday, which I believe was April 25.

Mr. Graydon: And the outcome of that court challenge, Madam Minister?

Ms. Melnick: The North Dakota court apologized to our counsel, acknowledging that there was an error in the wording of this judgment that had led to a misunderstanding in the upholding of the May 1 date.

Mr. Graydon: Could you for this committee explain what that misunderstanding was and why that judge would have thrown—you don't have to do it today, you can do it in writing to us—why that judge would have thrown it out of court?

I understand that he threw your case out of court and honoured the Supreme Court's judgment that was ruled. Did your legal people not understand the judgment?

Ms. Melnick: I think I just have to clarify that our action was not thrown out of court; that's not what happened here. We took the action to the District

Court of North Dakota. They advised us that, as this was a ruling by the Supreme Court, to go to the Supreme Court to seek clarification, which is what we did. It was the Supreme Court of North Dakota that acknowledged they had made a mistake as to what the majority opinion of the court was in that decision.

They apologized to us for having made that error.

Mr. Graydon: Madam Minister, if that's indeed the case, and I have no reason to doubt that you would tell me nothing but the truth, would you give me that letter that they apologized to you in?

Ms. Melnick: There was a discussion between our legal counsel in North Dakota and one of the law clerks, one of the judge's law clerks as to what the explanation was. It was through that discussion that the acknowledgment of the mistake was given to our counsel. The explanation was simply that an error was made as to what the actual vote of the judge was.

* (11:30)

Mr. Graydon: Madam Minister, I've been in court more than once. When people make rulings in court, they do it in writing. I would assume that there was such a notice given after the ruling. If it wasn't, then your case was a frivolous case.

Ms. Melnick: There was no court ruling, so there was nothing issued. We took our concerns to the District Court; they referred us to the North Dakota Supreme Court, as it was the North Dakota Supreme Court's opinion that we were looking at.

Our legal counsel in North Dakota contacted a law clerk of the judge. It was at that point that the law clerk said that they had made a mistake as to what the judge's vote had been. That's where the dissenting view became the majority view of the court, so there was no ruling actually made in this case. There was clarification sought. Unfortunately, there had been a mistake made at the Supreme Court level in North Dakota. That was clarified.

Mr. Graydon: I accept the fact that there were mistakes made at the same time you started out with the legal action at the lower court. If there's no paper trail to this legal action, I find that hard to understand. However, there has to have been a cost.

Could you please tell us what the cost to Manitobans was for this type of action?

Ms. Melnick: We filed an application around what we felt had been, on the side of North Dakota, not obeying the opinion of the court. It took a rather strange twist, I think we can all agree. We were very surprised to find that an error had been made at the Supreme Court of North Dakota level as to what judges agreed and what judges dissented.

But I think an important point here is, it's rather surprising to me to hear the Member for Emerson (Mr. Graydon) suggesting that it is frivolous to take actions on behalf of Manitoba and on behalf of the water coming into Manitoba, around Devils Lake, to protect that water. We don't think it is frivolous.

We think it's very important that we take every step that we can take along the way here to make sure that the Devils Lake water does not flow unfettered into the Red River and, ultimately, into Lake Winnipeg. We're very concerned that interbasin transfers are a very serious ecological concern. It's an environmental concern. There have been species found in Devils Lake that have not been found in the Red River. We want to protect the Red River basin and Lake Winnipeg; we will go through any means that we can to make sure that this doesn't happen.

Again, it's rather disappointing that the Member for Emerson would consider actions taken to protect the waters of Manitoba to be frivolous.

Mr. Graydon: Madam Minister, perhaps you misunderstood the question. The question was clear and concise. What was the cost of the action that you took? And, when I said if it was a frivolous action is if you didn't understand the first ruling. If you didn't understand that, then you took a frivolous action. Now, what was the cost of the action you took? That was the question.

Ms. Melnick: Well, I think the Member for Emerson is backtracking a little bit. He talked about frivolous action so we understood the opinion as it was originally posted. The court told us, the Supreme Court of North Dakota told us they had made an error. We recognize that. As concerning as that is, we do accept the clarification that was given and the acknowledgment of the error. We have not received a bill from our legal counsel, but, again, I think it is important to take every step that we can to protect the waters in Manitoba, to make sure that the water doesn't flow from Devils Lake.

Again, we call on the federal government to take action around the filter as was agreed to close to three years ago, and I can assure Manitobans that this government will take the actions to protect our water.

Mr. Graydon: When the minister receives the bill, will she forward us a copy of that bill?

Ms. Melnick: I can take that under advisement. I'm not sure when that will come in.

Mr. Graydon: Madam Minister, I'm going to leave the court thing off to the side.

The pumping from Devils Lake into the Cheyenne River, I'm sure that there's been a lot of discussion on when that should and shouldn't take place. Would the minister agree that the best time to do the pumping is when the Cheyenne River is running at its maximum?

Ms. Melnick: We don't really think there is a best time. One of the first laws that this government passed was no interbasin transfer, and we believe that there is risk of any water leaving the Devils Lake waterway and making its way into the Red River.

Mr. Graydon: Then I would take from that comment that the minister, then, is saying that whatever action that is being discussed at the federal level, between federal governments, on this is probably not going to be to her liking.

Ms. Melnick: We need the partnership of the federal government to get that filter in place, and we encourage the federal government to move forward on that.

Mr. Graydon: In my mind, there is a filter sitting there now, Madam Minister. They are pumping there now. That filter is inadequate in her mind?

Ms. Melnick: Yes, it is.

Mr. Graydon: Four types of harmful blue algae and two parasite species have been identified in the lake. The algae species cling to the fish. The parasites cling to the fish and the pelicans eat the fish and the pelicans fly to Manitoba. Are we going to be able to stop the pelicans next, Madam Minister?

Ms. Melnick: Well, again, I'm really surprised at the question of the Member for Emerson who is, quite frankly, you know, making a case for North Dakota to flow water into Manitoba unfettered. We are not supporting that. I have stated, this government has stated that our very strongly firm position is that water not flow, that, in the event that there will be a

flow, there be an advanced filter in place. Again, there was an agreement signed almost three years ago by the federal governments of Canada and the United States that there would be a filter in place.

We encourage members opposite to talk to their friends in Ottawa now and make sure that filter's in place and be part of the protection of water in Manitoba rather than the devastation.

* (11:40)

Mr. Graydon: We have a wonderful organization with the Red River Basin Commission. I find it appalling that the minister has not contacted anybody in there in regard to this last fiasco, and I'll describe it as a fiasco. I'm surprised that they weren't apprised of this prior to or immediately after. That's my comment to the minister. I turn it over to my colleague.

Ms. Melnick: Again, it's becoming less surprising, but more disappointing that the Member for Emerson would look at the actions taken by this government to protect the water as a fiasco. He's used other terms this morning that I think are not at all in the spirit of protecting the water. He's made a case for North Dakota.

I think that it's important that this government stay the course. We will stay the course. We will protect the water of Manitoba. We will do everything that we can to ensure that water does not flow from Devils Lake; if it does flow, that there's an advanced filter system in place.

This may not be possible. The Member for Emerson may have no interest in doing this now, but I do encourage him to contact his friends in Ottawa and work with us to make sure that we get that advance filter in place as was agreed upon almost three years ago.

Mr. David Faurichou (Portage la Prairie): I would just like to ask a few questions in regard to water, and I believe I'm in the right section to do that.

The current demands of the potato processing industry in Manitoba are requiring producers to have a greater availability for supplemental water. I want to ask the minister as to whether or not the department has undertaken a water retention strategy in the southern Manitoba area with this as a primary concern.

Ms. Melnick: There are several projects that we have on the go. One is, of course, through the \$8-million Canada-Manitoba Shellmouth Dam

Consolidation Agreement which, in addition to the current capacity, would provide 70,000 acre feet of water which translates into roughly 20,000 feet of additional acreage for irrigated land. So that's one of the areas that we're working on.

The Shellmouth Dam itself, of course, is a multipurpose reservoir both in flowing the water, not flowing the water, retention, recreation, et cetera. I tabled a few weeks ago now, I believe it was the Shellmouth act, in which we are going to be enshrining a couple of things in law, one of which is a—we currently have the Shellmouth operations liaison committee, which is a group that functions very well around the operation of the Shellmouth Dam.

We want to enshrine a group like that in law so that we make sure that the local people always have a say, so that there is a co-operative effort around the flow or non-flow of Shellmouth Dam and when draw-down would take place, how it would take place, et cetera.

We also have in conjunction with PFRA, are working towards the Shellmouth water retention enhancement project. We are preparing an environmental impact statement that will be going out. There will be local hearings. There will be a lot of encouragement for the local folks to be a part of this, to contribute to this. So we're taking action in several different areas here.

Mr. Faurichou: I will mention that I believe, as I have before, there was an extensive study done through the Department of Natural Resources, which, I believe, the minister inherited, of any placement of dams for water retention. I'd like her to keep that in mind because there is a significant need to retain more runoff waters from spring or heavy rainfall occurrences for future use and to minimize as well the erosion of waterways and water courses. In the area to which the minister speaks of, is there any consideration and I'll leave it with that?

I only have, I'm afraid, three questions allowed me today. So is the Zelena Dam on the Shell River as a proposal? I know I've spoken with many in the area that say that this dam probably has the greatest water retention with minimal environmental impact and would serve a number of recreation as well as water retention purposes.

Does the minister want to shortly respond or can I go to my second question?

Ms. Melnick: I want to assure the member that the document he refers to is, in fact, a base document that the department does use. So it's not sitting on a shelf gathering dust; it is something that is referred to. I did, after our discussion some months ago, talk to the department about that and they did, in fact, tell me that it is a document that is used.

* (11:50)

There was a cost-benefit analysis done between establishing the Zelena Dam on the Shell River and actions that we're taking on the Shellmouth. We did, in fact, come to the conclusion that the most favourable project is the one that we are moving forward with on the Shellmouth Dam.

Mr. Faurshou: Well, there's no doubt that we want to get the best bang for our dollar, and so I don't want the minister to forget about the Holland No. 3 Dam. I believe that that was the top of the list for the best bang for your buck.

Persons are concerned about the delay in issuance of surface water and ground water licensing. I know within the minister's own documentation here it's stated that one of her goals is to reduce, perhaps eliminate wait times for water licensing.

Where is the department right now? We're up to over two years at one point in time in waiting for applications.

Ms. Melnick: There's no significant backlog for water rights licensing applications and allocations. We actually did some work around staffing up there. So, if you know of a specific situation, perhaps you could let me know.

Mr. Faurshou: I know my question is dated. I know that there were significant staff hirings in that area to focus on this. I really appreciate the progress made because, as I got back once again to irrigators, the contract negotiations originally, we had to have three inches of supplemental water. I believe that the processors are asking upwards to nine inches of supplemental water. I believe that the contract will be negotiated somewhere in between.

Just one other area of interest before I turn it over to my honourable colleague for Brandon West (Mr. Borotsik). We've spoken a lot about fish in the last few days.

I just want to ask the minister: Are the hatcheries for which she is responsible operating at full capacity? Is there looking to increase potentially the

release of fingerlings versus fry, just to make certain that we are doing the most we can?

Ms. Melnick: Yes, the hatcheries are operating at full capacity. We take the maximum number of eggs that we can, based on the number of fish who swim into the spawn camps. Does that answer your question?

Mr. Faurshou: The second part was: Are you looking to expand on the three operating sites you currently have or is there any future planning to make this more available?

Ms. Melnick: We are not expanding the provincial hatcheries, but we are working with other groups throughout Manitoba. An example I want to give you is the co-operative arrangement with the MMF, the Manitoba Métis Federation, who is developing rearing ponds around St. Laurent. We're very happy to work with them in their capacity to increase the number of fish.

Mr. Rick Borotsik (Brandon West): Madam Minister, the issue that I would like to deal with is a local issue, although it does have some huge ramifications. It's got to deal with the draconian methods of which the Brandon office specifically have been dealing with drainage issues, drainage orders and the enforcement of those orders.

I have permission, Madam Minister, to table with you three documents. They are specific to an individual by the name of David Marvin. I've talked to him, he's given me his authority to table these with you.

One of them is a document that was sent to the Regulatory and Operational Services of the Manitoba Water Stewardship from Meighen, Haddad. The other is a board order from the Municipal Board and the other is a letter—one's dated March 10, one's dated March 19 and the letter to me on March 17, with two other issues which I haven't got permission publicly to mention the names. But I'd like to table this as well for information back from your department.

Just to set the background on this, Mr. Marvin is a farmer in the Rural Municipality of Elton which is just north of my constituency. I know the area very, very well.

He applied for and received a licence from your department in 2006. He did some work and in the spring of 2007 your department issued an order to change, because he wasn't supposedly in compliance with that licence.

Mr. Marvin disagreed. He believed that he was totally in compliance with the licence and went through the normal appeal process. As a matter of fact, he had applied at that time to the Municipal Board for an expedited hearing. Unfortunately, the hearing could not be held until December 2007. The order was issued in the spring of 2007. Your department, at that time, decided that they were going to do remedial action.

So Mr. Marvin went to the courts and was asking for a court order to wait until the appeal could be heard at the Municipal Board, which was a reasonable request, I would think. Since there was some dispute, it would make sense that under the order of appeal you can go to the Municipal Board, you can get the appeal and then they would adjudicate. Your department decided that that wasn't going to happen and they started remedial action in November.

So he went to court to get an injunction. Prior to the courts hearing that injunction, three days prior, your department moved in and arbitrarily made some remedial work to the land in question. So three days prior to the court injunction they went in, prior to the Municipal Board hearing, which had already been structured for December, your department went in, which, I find, is fairly draconian. At least you could have done was wait for the appeal.

As it was, when I was in contact with the department asking simply to wait for the Municipal Board hearing to adjudicate, the response that I received was, we can do what we will. We do have the legal authority. It's true, under the act you do have the legal authority. I think there's a moral requirement here, to give everyone the opportunity to appeal to another appellate body.

I was told at that time, and I asked, I said, if you make the remedial repairs to the land and you're wrong and the board decides that your in fault, will you repair the work that you're going to do? My answer at that time was from the department, we're never wrong—which, I find, very arrogant, quite frankly.

The fact of the matter is, and I will table the Municipal Board order, the department was wrong and it was proven that Mr. Marvin was, in fact, right.

Now, he has to spend an additional \$1,200 to put the land back in the position that it was originally. So he spent \$1,200 that your department made him

spend on putting in the remedial work. He's spending another \$1,200 to take out that remedial work plus he spent about \$20,000 in legal fees trying to fight a department which he felt was above its authority.

I will table this. I would like a response back, but my question is: Is this a common policy of the department to go in and do remedial work, even though an appeal is in process? Do you do that work prior to the appeal? And, if so, why would you not wait until the appeal has been heard so that all parties can be adjudicated on fairness?

* (12:00)

Ms. Melnick: I thank the member for bringing this forward. There are a lot of documents that you're tabling. I haven't seen the documents myself, so I would hope that the member could leave them with me today, and I'll look into it.

Mr. Borotsik: I appreciate that, Madam Minister, and I obviously can't expect you to know all of the issues and all of the details of all of the cases.

The question I have now, is it policy of your department—because you do have the legal right under the act. There's no mistaking there. You do have the legal right under the act. Is it policy to go and perform the necessary functions under the order that's issued by your department that has no appeal to your department? Is it policy to go in and make those remedial works prior to having an appeal either by the courts or by the Municipal Board?

Ms. Melnick: Again, I'll take the information that the member is presenting today and have a look at it.

Mr. Borotsik: Thank you, Madam Minister. Then the letter that is dated to me, or is addressed to me and dated March the 17, there are two other cases in the area of similar circumstance. Again, I'm not going to mention names on the record, so if you could please respond to those as well because they're a similar situation.

I guess the other question I have and the last question I have—Mr. Gerrard is here. *[interjection]* No, I can't—the Member for River Heights is here. The other question I have at the present time: Is there opportunity in your department to reimburse this particular case for the expenses of having your department come in and do work and then have him replace that work to the original status? Is there any opportunity for reimbursement of those costs?

Ms. Melnick: Well, again, I'll look at the documents as tabled by the member. I thank him for bringing this issue to the table.

Mr. Borotsik: Thank you, Madam Minister. I appreciate that.

Ms. Melnick: Would the member care to just forward these documents to my office?

Mr. Borotsik: My preference would be to table here, if you wouldn't mind.

Hon. Jon Gerrard (River Heights): My first question to the minister concerns the goals for the phosphorus reduction in Lake Winnipeg. Now, I know that the minister has written and said in the Legislature that her goal was a 10 percent reduction in the phosphorus, but, in point of fact, I know that the minister has also publicly commented that that goal is not sufficient, a point that I've made repeatedly.

So I'm asking, what is the minister's position now in terms of a goal for phosphorus reduction in Lake Winnipeg?

Ms. Melnick: Well, then, again to clarify, I at no time made the statement that the goals were not sufficient. What I said, and I was very clear, is that we are working with the scientific community.

We continue to work with other stakeholders around the lake, and our goal is to clean up Lake Winnipeg through a multi-pronged strategy which we have had many very positive announcements on in the last little while, the first in Canada on several initiatives and are pleased to see the federal government is picking up on some of our initiatives. This is very positive because we have called for an interjurisdictional co-operative agreement, interjurisdictional regulations, national regulations, so that's very positive.

Again, we want to make sure we're doing what is best for the lake and we do rely on the science. I have great respect for people who have the tremendous expertise, Al Kristofferson on the *Namao* and various others who are working very hard on this issue. We will continue to work with the experts and take steps that we truly believe will be very effective.

Mr. Gerrard: The legislation now provides for the minister to set standards for levels of certain components in our waterways. I'm asking whether the minister has established standards for phosphorus levels in Manitoba waterways.

Ms. Melnick: Is it The Water Protection Act the member is referring to?

Mr. Gerrard: This was an act which was passed, I would think, two or three years ago, which provided for the ability to set standards in waterways for elements like phosphorus.

Ms. Melnick: Currently, there is a policy document which is available on the Web site of Water Stewardship, *The Water Quality Standards, Objectives, and Guidelines*. Again, I do believe the member's referring to The Water Protection Act. We will be going out to consultation this year to review these guideline standards and objectives and turn them into regulations, and it is through that vehicle that levels of phosphorus and nitrogen will be determined, concentrations in the—category of concentrations will be determined through these.

Mr. Gerrard: Thank you. I was at the annual general meeting of the Lake Winnipeg Foundation earlier this week. Lyle Lockhart was talking, and he was referencing the fact that he has a major difference of opinion between himself and the government, himself being a scientist, and that his conflict or battle with the government, as he described it, deals with whether you need to produce both nitrogen and phosphorus with reference to the blue-green algae.

* (12:10)

He presented scientific evidence showing that removing the nitrogen from the water does not curtail the growth of the blue-green algae because they're very happy getting their nitrogen from the air, and he spoke out strongly that, in terms of Lake Winnipeg, the approach that's needed is to dramatically reduce the phosphorus, not to worry about the nitrogen. In fact, because lowering the nitrogen as well, or removing the nitrogen as well, may actually provide empowerment in which the blue-green algae may do better and compete better with other more desirable algal forms in Lake Winnipeg.

So I am just asking the minister what her position is on removing phosphorus and nitrogen with respect to Lake Winnipeg.

Ms. Melnick: Well, I think it's important to recognize that there are across western Canada experts in all major prairie cities who agree with the position to remove both. If we don't treat both nitrogen and phosphorus, algae will continue to deprive Lake Winnipeg of the oxygen that it needs.

I'm not sure that Mr. Lockhart would have used the term "battle" with the government. We are a government that very openly consults, that welcomes voices to the table, so I might take that as a bit of an exaggeration in his description of his relationship with the government and with this department.

The Clean Environment Commission, an independent body, recommended treating both phosphorus and nitrogen and the David Suzuki Foundation has stated: Nitrogen pollutes ground water and can cause an excessive growth of plant life in surface water leading to oxygen depletion. Again, this is right on the David Suzuki Web site.

We are looking at what is being done in Calgary, Edmonton, Prince Albert, Saskatoon, Lethbridge, Red Deer, Regina, who I think it was maybe three weeks ago actually allocated, I believe it was \$120 million for the removal of nitrogen. I actually have a date here, that was in the *Regina Leader Post* on February 21, 2007. In that report, the *Regina Leader Post* reported that, for the first time, the federal government will be setting regulations under the Fisheries Act for municipal treatment plants to meet due to Environment Canada's responsibility to protect fish habitats by ensuring certain compounds don't enter the environment.

Gary Nieminen, Manager of Environmental Engineering with the City of Regina actually stated, again in this *Regina Leader Post* article: "The federal regulations coming shortly basically address the aquatic toxicity issue of it, which is in part caused by nitrogen."

Regina is actually acting on the findings of Dr. Peter Leavitt, a professor at the University of Regina, who has been studying the Qu'Appelle lakes for 15 years and in 2006 his paper concluded: First, our analysis suggests that improvements in water quality are linked to reductions in nitrogen when there is an abundance of phosphorus. Nitrogen within urban waste waters was effectively transported to downstream lakes where it resulted in a 300 percent increase in algal production. These patterns suggest elimination of urban nitrogen sources should be the first priority of ecosystem management.

I also think it's important to note that Calgary, which removes both, has received an A-plus grading by the Sierra Legal Defence Fund's National Sewage Report Card III, 2004. We believe it was due to their upgrading. So I guess the question is: Why should Winnipeg have lesser treatment, and why should the people of Winnipeg have lesser treatment, a lesser

standard of waste-water treatment, and why should the lake, the sixth great lake in Canada and the tenth largest freshwater lake in the world have lesser waste-water treatment than the rest of western Canada?

Mr. Gerrard: Well, I think it is important to point out that there are scientists who have done good work and scientific evidence which suggests that in terms of Lake Winnipeg—and remember that none of the other western cities is immediately downstream from a huge lake like Lake Winnipeg—there is an alternate view which is quite strongly held by some in the scientific community like Lyle Lockhart.

Let me move on to a smaller lake, talking about smaller lakes, Killarney Lake. For quite a number of years now, I have recommended that some intensive work be done there because they have a problem with algal blooms and that that would be helpful in terms of setting approaches that could be used in a broader framework for the whole Lake Winnipeg basin. I would wonder if the minister could provide an update on Killarney Lake.

Ms. Melnick: Certainly we have been taking action since 1999 in the Killarney Lake area. There was a construction of a series of gated culverts, allowed flows from the nutrient-rich Long River to be diverted from entering Killarney Lake. That was a major step taken, again, in 1999. Staff have met with local officials on a regular basis. So we are working with the local people on that.

Certainly, the legislation brought forward restricting the application of lawn fertilizer—some people refer to them as cosmetic fertilizers—we feel will go a long way in this area. It was a particular source of concern. We have worked on water quality monitoring in Long Lake and Killarney Lake, including regular monitoring of algae. A sanitary survey was done to determine the level of compliance with applicable regulations. Public education and awareness of water quality issues is important in this area as it is in the rest of Manitoba, which this government has been running for I believe it is over a year now, and I am getting very good feedback as the minister from individuals as to the effectiveness of that.

But, in addition to quality initiatives specific to Killarney Lake, the department has implemented a series of complex water protection initiatives aimed at improving water quality. If you like, we can go through Manitoba's water protection plan which, of course, looks not only at Killarney Lake but

waterways throughout Manitoba. So that includes advanced waste-water treatment, new regulations for septic fields, supporting the establishment and maintenance of riparian and wetland areas, working with upstream jurisdictions and stakeholders across the watersheds. So these are a few of the areas that we are looking at.

You know, there is not going to be a quick-fix solution here. The lakes that are affected with algal blooms not only locally but we know in Québec and in other areas of Canada, in fact internationally, take long concerted efforts. That is what our water protection plan is all about.

* (12:20)

Mr. Gerrard: I thank the minister. Two things: One is that on the Long River, as the minister acknowledges, there is quite a burst of phosphorus in the spring run off. That's not uncommon for other rivers but, as I was mentioning, it would be potentially valuable information to know the source of that phosphorus in the spring run off because, clearly, managing phosphorus levels in Long River would be useful information in reducing the spring run-off of phosphorus into waterways not just in Long River, but others.

In the context of activities on Killarney Lake, I'm presuming that the minister and her department have done some measurements of phosphorus in the Killarney Lake and wondered if she would make those available.

Moving on to Tobacco Creek, the Deerwood Project, which has shown some interesting results in terms of reduction of phosphorus, I wonder if the minister has any plans in terms of looking at extending the kinds of approaches that have been taken on the Tobacco Creek, south Tobacco Creek, into other parts of Manitoba.

Ms. Melnick: The water protection areas that we brought into force probably a month or two ago is the first of its kind—regulation, in Canada where buffer zones are established along all waterways in the province. Where it is a body of water, a flowing river, for example, there will not be a 15-metre buffer zone for phosphorus application. So I agree that it is important to know where the phosphorus is coming from. It's also important to make sure that we restrict the ability of phosphorus in the spring run off or in a prairie thunderstorm when there are large amounts of water travelling off the land into a living body of water.

The Killarney Lake phosphorus measurements I don't have with me. I can take that under advisement.

When we talk about Tobacco Creek, I think this is a very creative and innovative project. We have certainly been supportive of it and continue to be so. I was talking to an individual who's involved with that about a month or so ago and I asked them to send me a letter updating their progress. So certainly we're looking at that.

Our commitment to the land and to the water throughout Manitoba is certainly seen in the expansion of our conservation districts program, expansion not only in terms of the number of CDs but also our financial commitment. This budget saw an increase of 107 percent since 1999 in funding. We've doubled conservation districts. The number of rural municipalities who are now involved in conservation districts since 1999 have more than doubled in number as well. So we really believe in working through the local community. We have made sure that we have staffed up in that area, that we have outreach throughout the province and that we have communication going on between the department and MCDA and the individual CDs on a regular basis.

So we're very supportive of local initiatives recognizing the needs that—you know, I believe that people on the front lines know best their community and what the issues are and what steps will be most effective in not only looking at situations such as Killarney Lake and making improvements but also in preventative steps, making sure that we are working with local groups as we have done in Killarney Lake, as we continue to do, as we do with Tobacco Creek and as we do with our CDs.

Mr. Gerrard: I thank the minister. With regard to the Long River, it would be important to know to what extent the change in regulations eventually changed the practices along the Long River and whether they will make any impact on the phosphorus levels. The scientific work to date that I'm aware of from Steve Sheppard and Jeff Long shows that the reduction in phosphorus from buffer strips is really quite variable and, overall, was only about 4 percent from their studies. I think what's important is to actually measure changes in different waterways to see whether there are changes as a result of changes in regulation and to see whether they have any impact.

Let me move on to a question on the Seine River, a river which has had much higher

phosphorous levels than historically. I would ask the minister: What are her plans in terms of, specifically, the Seine River?

Ms. Melnick: In terms of the Long River, it's somewhat disappointing to hear the Member for River Heights (Mr. Gerrard) talk about only 4 percent as though every percent doesn't count. We believe every percent counts; that's why we have a multi-pronged strategy here.

For the water protection areas, the regs come into effect on January 1, 2009. We have the nutrient management reg which is covered under the water protection areas. We have the livestock regulations; we have the waste-water treatment standards under the Environment Act that we're working on. We're working on best-management practices in agriculture, recognizing that some of the source is natural.

The Seine River falls under this same legislative regime as, again, all waterways in Manitoba do. We believe that by looking at the whole picture, not dealing with a one-off here and there, kind of sporadic or scattered, but rather looking at the province as a whole, looking at encouragement of interjurisdictional co-operation, this is the way to move forward on dealing with phosphorus and nitrogen in the waterways.

Mr. Gerrard: One of the reasons for bringing up the 4 percent from that study is I recall that, when it was looked at statistically, it was not statistically different from no effect at all. One hopes that under particular circumstances, it may be beneficial; it's important to follow through and to see what the impact is.

I wonder if the minister can provide any update on activities to reduce the toxin levels in Kississing Lake which has had major problems with toxic metals and whether there's been any progress in terms of the fishery on Lake Winnipegosis, the walleye fishery, in particular, which has been low for quite a number of years.

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

LABOUR AND IMMIGRATION

* (10:00)

Madam Chairperson (Bonnie Korzeniowski): Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Department of Labour and Immigration.

Does the honourable minister have an opening statement?

Hon. Nancy Allan (Minister of Labour and Immigration): Madam Chair, I'm just going to do a very, very short statement this morning in regard to my Estimates so that we can get to questions and move forward with the Estimates.

I just wanted to touch base about what our Estimates look like for the year 2008-2009. There is just over a \$49-million increase. The major increases in our Estimates this year are around two particular areas in my budget. One of them is the Workplace Safety and Health around the 10 new safety and health officers to help us with our plan in regard to reducing injuries here in Manitoba. The other area, of course, is our immigration budget that has increased by about \$856,000. I think that must be wrong. I think it must be more than that because I know that we're also doing—our settlement services increases have increased substantially this year. So we can talk a little bit about that during the Estimates process.

I'm looking forward to getting the Estimates passed in the budget because what we want to be able to do, with the new budget obviously, is hire the new fair practices commissioner so that we can implement The Fair Registration Practices in Regulated Professions Act. So we're looking forward to getting that accomplished so that we can move forward with our qualifications recognition strategy that's been so successful here in Manitoba. We want to enhance that so that newcomers can get their credentials recognized and participate in Manitoba's economy.

I want to also thank all my senior staff that I've had the privilege of working with for the last four years. They're absolutely terrific. I just really want to thank them; they're really an incredible group of people in my department. It's a small department, but we really have accomplished a lot of work with about 12 pieces of labour legislation, and they have really been a support to me as minister. So I look forward to having the opportunity this morning for a couple of hours talking about the department and all of the good work that we're doing for employers and workers here in Manitoba.

Madam Chairperson: We thank the minister for those comments.

Does the official opposition critic, the honourable Member for Morris, have any opening comments?

Mrs. Mavis Taillieu (Morris): Thank you, Madam Chair. I'm looking forward to going through this Estimates process again this spring. A number of questions arise. Even just in listening to the minister's comments, there'll be a number of questions that I will have in regard to the Labour portion as well as the Immigration portion, as well as some issues in regard to labour standards and expansion of the Workers Compensation Board coverage directed by the government.

There are a number of things that will come up as we go through the Estimates process, but I just do want to also recognize the work that has been done by the Department of Labour's staff. They certainly do good work, and we always want to recognize the staff for the positive work that they do.

But, other than that, Madam Chair, I think that we have more questions than statements to make this morning, so we may as well proceed.

Madam Chairperson: I thank the critic for those comments.

Under the Manitoba practice, debate on the Minister's Salary is traditionally the last item considered for a department in the Committee of Supply. Accordingly, we shall defer consideration of line item 1.(a) and proceed with the consideration of the remaining items referenced in resolution 1. At this time, we invite the minister's staff to join us in the Chamber, and once they are seated, we will ask the minister to introduce the staff in attendance.

Ms. Allan: I would like to introduce Jeff Parr, the Deputy Minister of Labour and Immigration; Ben Rempel, the Assistant Deputy Minister of our Immigration Branch; and Ken Taylor, Financial Officer.

Madam Chairperson: Does the committee wish to proceed through these Estimates in a chronological manner or have a global discussion?

Mrs. Taillieu: I think that it would be helpful to go through on a global basis, if that is acceptable.

Madam Chairperson: Is that agreed? *[Agreed]*

We will proceed on a global discussion, and the floor is now open for questions.

Mrs. Taillieu: Just having the opportunity to go through the Estimates book somewhat last night, I'd

like to just ask some general questions. I guess basically, first of all, on the flow chart of the department, and the various groups that fall under the Minister of Labour and Immigration, can the minister list her political staff, their names and positions and whether or not they are full-time at the present time?

Ms. Allan: My political staff in the minister's office is Sharon McLaughlin, and she is full-time.

Mrs. Taillieu: Does the minister have any full-time staff in her constituency office that would be paid for through the Department of Labour or the government?

Ms. Allan: No.

Mrs. Taillieu: Are there any of the minister's constituency staff that work in her office in the Legislature?

Ms. Allan: No.

* (10:10)

Mrs. Taillieu: So there's only one political staff in the department. How many other staff are there then, in the minister's office?

Ms. Allan: We have three support staff in my office: Lorraine Leochko, Kim Topham and Peggy Anders.

Mrs. Taillieu: In each of the deputy ministers' offices, how many staff are there?

Ms. Allan: There are three.

Mrs. Taillieu: Would the minister be able to provide their names?

Ms. Allan: Leah Cole, Tammy Harper and Dorothy Schlamp, who just started two weeks ago because we had a retirement.

Mrs. Taillieu: Are there any staff that would be presently employed by the Department of Labour that are seconded to any other divisions? When I say divisions, I mean departments of the government or Crown corporations.

Ms. Allan: In regard to secondments, there is Sue Barnsley, who has been seconded to the Department of Health. She's in a policy position with the Department of Health.

Mrs. Taillieu: Is this person paid by the Department of Labour or the Department of Health?

Ms. Allan: It's paid by us, but there is salary recovery from Health.

Mrs. Taillieu: Is she listed as a staffperson in the Department of Labour, then? Is she part of the number of staff stated as the number of staff in the Department of Labour or in the Department of Health?

Ms. Allan: It is a temporary secondment and the FPT stays with the Department of Labour.

Mrs. Taillieu: How long is the secondment? When did it begin? When is it to end. What are her duties?

Ms. Allan: We expect it will be until November.

Mrs. Taillieu: What are her duties in the Department of Health?

Ms. Allan: It's a policy position with Health. It has to do with seniors' mental health. Sue Barnsley was with the Women's Advisory Council. She has a MSW. She's a long-time civil servant. She's probably been with the government for 15 years.

Mrs. Taillieu: Can the minister say, at the present time, how many staff are employed within the Department of Labour and Immigration?

Ms. Allan: Madam Chairperson, 291.5.

Mrs. Taillieu: Would there be any staff that have been seconded from other departments within the government to the Department of Labour?

Ms. Allan: We have three secondments. We have one from the Department of Justice, and we have two from the Department of Competitiveness, Training and Trade. They are in the Immigration divisions branch, and the work that they are doing is around the labour market integration strategy. It is a joint initiative of Competitiveness, Training and Trade and the Department of Labour and Immigration. It's around the whole integration and retention of newcomers, getting them trained, getting them into jobs. That's the area. That's a special project that we have developed in about the last three years.

Mrs. Taillieu: So, then, have these people been seconded for the last three years to the Department of Labour?

Ms. Allan: Yes, that's correct.

Mrs. Taillieu: And are they paid by their primary department or by the Department of Labour?

Ms. Allan: They're paid out of the Department of Labour, and they're paid with federal monies because this is a partnership with the federal government, this initiative. I believe it's HRSDC.

Mrs. Taillieu: So, just to clarify that, there are three secondments within the Department of Labour, but those are paid for by the federal government.

Does that mean that the money comes to the Department of Labour to pay them or they're paid directly from the federal government, and are they federal government employees then?

Ms. Allan: The money is transferred from the federal government to our department, to the Department of Labour, and we pay them. They are our employees.

Mrs. Taillieu: Can the minister tell me the names of any new hires since November 2007 until the present time? How many new hires have there been within the Department of Labour and Immigration?

Ms. Allan: Well, I'm going to give you all of the new hires that we have in the last year: Angele Marion in Executive Support, admin assistant, Dorothy Schlamp, Executive Support, correspondence secretary, Ken Lowe, Cory Marshall, Richard Vandekerkhove, Darrell Friesen, Brian Bage, Brenda Piec. Those are in Mechanical and Engineering. Bill Bage, Cata Unthonvith. I'm sorry. I probably didn't do that justice. Roger Mousseau and Joanne Palanycia. Roger's with pensions. Joanne is with the Manitoba Labour Board. Brenda Grouette, Manitoba Labour Board.

Then these folks are with Workplace Safety and Health: Sharon Eisler, Jason Phillips, Debra Draper, Kelly Wiebe, Tanya Ducharme, Jacques St. Hillaire, Daf Francisco, Forbes Campbell, Roland Reenders, Cheryl Lashek, Danny Banks, David Mandziuk, Jack Slessor, Scott Hildebrand, Jamey McMillan, Warren Lavallee, Jason Schoenberger, David Malo.

* (10:20)

In Mines we have Sharon Brown, Jennifer Battershell, Larry Poleschuk.

In the Employment Services Division we have Blair Barta, Jarod Beakly, Dawn Witt, Patti Hicks and Jennifer Mazur.

In the Worker Advisor office we have Mala Teeluck and David Popke.

In the Women's Advisory Council we have Yvonne Spyropoulos and Penny Kelly.

In the Immigration Division we have Ben Rempel, Sara Obaid, Chris McInnis, Daniel Arango, Ada Kasloff, Sophia Vong, Greg Pindera, Natalia Hyndyuk, Lawrence DeBlaere, Fatima Bahir, Matthias Rust, Tanya Gomez, Annette Patson, Shannon MacKay, Rosemary Chambers, Jim Bianchini, Kellie Lee, Tanya Despres, Lauren Phillips, Joanne Schick.

Karen Sharma is in the Multiculturalism branch. Maria Ilano is in the Multiculturalism Branch.

Mrs. Taillieu: I just want to clarify, I was asking for the new hires and she mentioned Ben Rempel's name in there. I'm just curious if all of those people have been hired in the last year or whether she wasn't listing off the staff.

Ms. Allan: Some of these were internal hirings, but they are classified—particularly in Ben Rempel's case, it is a new hire because he was moved from one classification to another through a competition for the assistant deputy minister position in the Department of Immigration. The branch.

Mrs. Taillieu: Are any of these people hired outside the civil service?

Ms. Allan: If the MLA means are they hired externally through competitions, yes.

Mrs. Taillieu: Then the minister is saying that every person that's been hired has been hired through a posted competition process.

Ms. Allan: No. There are some direct appointments, 12 direct appointments.

Mrs. Taillieu: Can the minister say who the direct appointments were and where they were appointed from?

Ms. Allan: Yes. Angele Marion, who is an executive support admin assistant, was a direct appointment. She went from an AO2 in Education to an AY4 in Labour. And then Ken Lowe, he is a programmer analyst Web developer, and it's a term position. He was originally going to be contracted to do work, but then he was hired on a term to replace an employee who was on maternity leave.

Another direct appointment was at the Manitoba Labour Board and it was Brenda Grouette. She applied for a previous board officer position and was unsuccessful. Then a second board officer position became available. She was appointed to it as this is a very difficult position to recruit for.

Jared Beakley is in the Employment Standards branch. He's an officer. He was a referral appointed on a term.

Then Mala Teeluck-Molnar is the acting manager of the Worker Advisor Office. She was transferred from the deputy minister's office. She was previously from Leg and Policy where she was hired through a competition and that is a temporary appointment. Madam Chairperson, it was a career development opportunity for her through the Careers program—sorry, through us.

David Popke is a worker advisor. He was transferred from the Employment Standards division where he was hired through a competition.

Tanya Gomez is an admin assistant. She was a direct appointment through the employment equity initiative. She was previously doing the job as part of the Gateway program which is a program to encourage visible minorities through the Civil Service Commission.

Annette Patson came from the Apprenticeship branch. She is the executive assistant to the assistant deputy minister of Immigration.

Shannon MacKay is a credentials assessment officer. She was a direct appointment. She was previously in a position at Red River College. This is a reciprocal agreement with the Province. She was doing the work and was converted. I don't know what that means.

Mary Maria Ilano is in the Multiculturalism branch. She is an administrative assistant. She also was a direct appointment through the employment equity initiative. She was previously doing the job as part of the Gateway program as well.

I think that's everybody.

Mr. Kevin Lamoureux (Inkster): One follow-up question. In those appointments the minister has listed off, were any of those individuals either previously employed by a minister or a caucus of the government that were actually brought in to the system without having to go through the civil service?

Ms. Allan: Of the direct appointments, no.

Mr. Lamoureux: I didn't catch the full name but it was the one just before you said, there's Shannon, the name you mentioned just before Shannon. Which person was that?

Ms. Allan: Annette Patson. She's the executive assistant to the assistant deputy minister. She was a civil servant already with the Department of Competitiveness, Training and Trade.

Mr. Lamoureux: And when would she have been hired then for that particular position?

Ms. Allan: September '07.

Mr. Lamoureux: Finally, executive assistants to ministers, are they, and you can reflect even on your own, Madam Minister, are those usually done through the civil service or are they not political appointments?

* (10:30)

Ms. Allan: Well, this person, I just want to clarify, this person is not an executive assistant to the minister. She's an executive assistant to Ben Rempel, the Assistant Deputy Minister of Immigration. There are none of these people work in my office. To be honest with you, I don't think, well, I know some of them, but they all work in the department.

Mr. Lamoureux: The only concern is, is that I wanted just to get assurances from the minister that the people that were hired were at no time appointed from any of her Cabinet colleagues or anything of that nature prior to being shifted over into the civil service.

Ms. Allan: That is correct.

Mrs. Taillieu: I just wanted to revisit the reciprocal agreement with Red River College and what—I think that bears further explanation. Is that person seconded from the Red River College, paid by the college to work for the government?

Ms. Allan: We have an agreement with Red River College to do credentials recognition—it's a general service, and she was doing that. She is a credentials assessment officer and she was providing that service. Then, when a vacancy became available in the Immigration branch, we moved her into the Immigration branch to provide that service in our department, and she is paid for now by the Department of Labour through our Estimates. There is no money that flows from Red River College to the department for that specific position. And she's going to support our Qualifications Recognition Strategy.

Mrs. Taillieu: The minister in her opening statement talked about hiring a fair practices officer. Is this the person that will be the fair practices officer?

Ms. Allan: No, there'll be a competition for the fair practices commissioner.

Mrs. Taillieu: Has that competition begun?

Ms. Allan: No, we have to wait for the Estimates to be passed before we can bulletin the position and proceed.

Mrs. Taillieu: Are there any positions right now that are vacant within the department?

Ms. Allan: We believe it is approximately 14, or maybe 15? *[interjection]* Oh, 14.5.

Mrs. Taillieu: Does the minister have any staff that are seconded or employed by any of the Crown corporations that work for her?

Ms. Allan: We have two individuals from the Workers Compensation Board. Judy Fraser—it's an arrangement that's been in place since 2002—does health and safety in the schools program. She is paid by the Department of Labour.

Then we have Gary Alexander. Gary does casework for clients, WCB clients. He works here in the Legislature and he is paid for by the WCB. He is a staffperson with WCB.

Mrs. Taillieu: So, of these two people, one is paid for by WCB, and one is paid by the Department of Labour but works for the Workers Compensation Board?

Ms. Allan: She is an employee of the WCB, Judy Fraser. She's a secondment from WCB to the Department of Labour.

Gary Alexander is an employee of WCB but works in the Leg here because we have so many clients for WCB that come here to the building that want help to understand the system and they want help with their claims. It's been a long-standing practice to have someone in the minister's office to deal with those difficult situations.

Mrs. Taillieu: But since 2002, so for six years, there's been another person paid for by the Workers Compensation Board that works for the minister?

Ms. Allan: No. Judy Fraser is paid for by the Department of Labour. She is a secondment. We reimburse the WCB for all of her salary. She does not work for the minister. She works in the Health and Safety division and she does the schools' program.

Mr. Lamoureux: Madam Chairperson, what relationship would she have with Ellen Olfert then?

Ms. Allan: Well, there's no relationship, direct relationship with the Workers of Tomorrow program. From a staff point of view, there's no relationship.

Mr. Lamoureux: Madam Chairperson, Ellen Olfert and her organization which operates through the Union Centre, from what I understand, have a worker safety program, and they go out to schools. It's interesting that the minister would be paying or that the taxpayer would be paying, for someone to work out of Workers Compensation to do the same thing that, I believe, Ellen Olfert's group is doing, or are they working together?

* (10:40)

Ms. Allan: The job description for Judy Fraser is she works with the Department of Education, she works with stakeholders, she works with the WCB as well, in regard to making sure that our government initiative within the education and schools program that there isn't duplication, that it's complementary. I'm quite sure she has interaction with Ellen Olfert in regard to what Ellen's organization is doing.

But our focus has all been around getting our SAFE Work message out and changing our culture in regard to getting our injury reductions down and having young people know their rights and responsibilities in regard to refusing unsafe work. It's been one of the things that we have done since we passed the legislation in 2002 to enhance our injury reduction strategy.

Mr. Lamoureux: The Member for Morris (Mrs. Taillieu) raises a good issue in terms of what it is that the department is actually paying for in terms of staff. One's got to be careful because the same principle of educating all sorts of things, whether it's her department or other departments, and why it is that the minister would be that directly involved, as opposed to letting Workers Compensation take full responsibility. Some might argue, and I don't have enough background knowledge on this particular issue, that it is an attempt to politicize the government's agenda because the government is supplying the person to go out and do—we're not really too sure, even though I believe what's she describing in terms of job expression, I just think it's a good point that the Member for Morris raises.

Ms. Allan: Well, when we passed our legislation, and we took on our workplace injury reduction strategy, one of the targets was young people. We decided that what we wanted to do was have someone in our department working with the

Department of Education in a joint way to access resources. We also have an arrangement where we work with the Department of Agriculture as well. That was another area where we knew that there were lots of injuries in the agricultural sector, so we've actually put some resources in the Department of Agriculture as well, an individual just to kind of look at those kinds of things. So, since we passed that legislation in 2002, there has been a concerted effort to really target where some of those high-risk areas are.

Mrs. Taillieu: Well, it seems to me that the Workers Compensation Board is the body that has been tasked with providing SAFE Work and all those initiatives around that. Now, it also appears in the school system there is, I think, a hesitancy, on some of the schools anyway, to allow any politicization into the schools. We certainly recognize why that would be, but if the minister is saying that her department works with the Department of Education to get messages to children in schools, it does sound maybe that this is politicizing the process.

I'm wondering what the message is. I understand the message of SAFE Work, Workers of Tomorrow, I understand that, but are there any other materials or messages that are going to the schools' children, any political messages that are incorporated into the fact that there's minister's staff being allowed to go into schools?

Ms. Allan: I've never met this woman. If she walked in here right now, I wouldn't have the hot clue what she looked like. She's a civil servant. She's paid for by the Workplace Safety and Health division, and there's nothing political about her job whatsoever. She has nothing to do with the minister's office, and injury prevention is not political.

So I really don't understand where the MLA for Morris is going with this question, but if you want to continue, I'd be more than happy to discuss this woman's position around injury prevention for as long as you want.

Mrs. Taillieu: Again, I say that the Workers Compensation Board is the body within the province that has been charged with the Safe Work initiatives. I mean that's part of their mandate. So it just seems to me that this Ms. Fraser, Judy Fraser, the appropriate place for her to be employed would be through Workers Compensation Board. That makes it truly accountable and transparent. I think what's happened here is it's clouded the issue and it looks—it could look as if there's a political agenda here. So it

would be appropriate to have this person—and accountable I think, and transparent—to have her employed by Workers Compensation. I don't understand why she would need to be employed by the Department of Labour.

Ms. Allan: Well, when you're the Minister of Labour and Immigration, you can get involved politically in the department and rearrange positions if that's what you want to do, but I don't do that. I let my senior management officials in my department manage their departments in the way that they see as fit, and I don't get involved in that whatsoever. I'm responsible for public policy and my senior management team is responsible for the delivery of programs and services, and they manage that. But if, when you're the Minister of Labour and Immigration, and you want to make those decisions, you're free to do that.

Mrs. Taillieu: I really don't think it's appropriate to sort of blame staff for anything that's occurred in the department. I think that there's always ministerial direction as to what happens with her department. So that doesn't seem to be the right attitude or the right approach to take.

I'm simply asking, and I'm asking for some transparency, and I just don't quite see it because, again, Workers Compensation Board is the area that is charged with SAFE Work initiatives, and so it would appear to me that that would be appropriate, but of course, I guess the minister is entitled to put staff where she wants because she does. So I mean, I guess that's what we're left with.

Ms. Allan: The WCB is not solely charged with our prevention strategy. It is a joint initiative and, in fact, we have a document, a joint prevention document, that was launched about three weeks ago, and I'd be more than happy to provide the critic with that document so that she could look through it and have a broader understanding of how we work in partnership with the WCB in regard to injury prevention.

We also work with our stakeholders, for instance, Stan Kruse at the Manitoba Heavy Construction. Stan is on our Workplace Safety and Health Advisory Council, and he is one of our partners that we work with in the province of Manitoba in regard to injury reduction. We have many stakeholders like that that we work with in the community. Mike Waite from Manitoba Safety Council is another stakeholder that we have the privilege of working with.

* (10:50)

The SAFE Work campaign is incredibly successful and a lot of the stakeholders that we work with have actually adopted the campaign and the logo and the branding. We believe that that's how we're really going to make a difference in regard to getting our injury rates down, as when everybody works together. So it isn't just the WCB's initiative. We believe we should have all employers involved in the strategy and as many workers as possible. That's how we're really going to make a difference.

Mrs. Taillieu: That raises a number of questions, again, I guess, just in regard to these partnership arrangements. First of all, none of these other people mentioned would be paid for by the Workers Compensation Board or the Department of Labour. Maybe, I should ask that question.

Are there any monies that flow to any of the people that she's mentioned here from the Department of Labour or Workers Compensation Board?

Ms. Allan: My understanding, I've just been told by my senior officials in my department, that the Manitoba Heavy Construction has a safety association and they worked out an arrangement with the WCB in regard to the levy that they are assessed. The levy that they are assessed, actually provides funding to the Winnipeg Construction Association, as well the Heavy Construction Association, and the Winnipeg Construction Association has a similar arrangement where they have a safety association so that they can work on getting injury reductions down.

Mrs. Taillieu: Is this levy assessment then paid to these various organizations from the Workers Compensation Board or the Department of Labour?

Ms. Allan: It's an arrangement with the WCB and the construction association—the Heavy Construction Association, and the other Winnipeg Construction Association. They negotiate their levy going up a little bit and then the money is transferred to the association from the WCB to pay for the work that is being done within their organizations.

Mrs. Taillieu: Again, I guess that the organizations mentioned pay premiums into Workers Compensation Board in the first place. So what does it mean when they get a levy back? I mean, it's only their own premiums coming back, it would sound like to me. I know that these organizations all pay

premiums and then they're just getting some of the money back? Is that my understanding here?

Ms. Allan: That's exactly the benefit.

Mrs. Taillieu: But they have to negotiate for that?

Ms. Allan: Yes, they make a direct arrangement with the WCB, between the organization and the WCB.

Mrs. Taillieu: How many other organizations in the province do that, have that arrangement with the Workers Compensation Board?

Ms. Allan: We're aware of the Restaurant Association, the farm implement manufacturers, and the Manitoba Heavy Construction Association and the Winnipeg Construction Association. So we're aware of four. Those are the ones we're aware of. If the critic wanted more information on that, we could get that information from WCB for her. Those are the ones we're aware of.

Mrs. Taillieu: Are there offices of the Department of Labour in rural or northern Manitoba?

Ms. Allan: There's one in Brandon. There's a Workplace Safety and Health, an M and E, an Employment Standards division and a Worker Advisor Office in Brandon.

In Thompson, there's a Mines branch, obviously, and an Employment Standards division. In Portage la Prairie, there's an M and E, which is Mech and Engineering. In The Pas, there's a Worker Advisor Office. In Flin Flon, there's a Mines and a Workplace Safety and Health office, and, in Beausejour, there's a Workplace Safety and Health office.

Mrs. Taillieu: Are the people that staff these offices moved around between offices or are they located in one office? To clarify, I mean do they circulate through various offices or do they primarily work in one location?

Ms. Allan: It's usually one location except for health officers who have the responsibility to tour around the area. But they're usually based in the home office.

Mrs. Taillieu: And these are all staff people of the Department of Labour and Immigration and not from Workers Compensation Board?

Ms. Allan: That's correct.

Mrs. Taillieu: I just want to ask the minister in regard to travel, and I know that she will say that she's one of the ministers that doesn't get to travel

very much, but I know there was a mission to the Philippines last year. I wonder if the member went on that or if any of her staff went on that trip.

Ms. Allan: Well, my beloved assistant deputy minister went without me, but I'm not bitter.

Mrs. Taillieu: I understand that there was one person, then, from the Department of Labour and Immigration. Were there any other people accompanying the assistant deputy minister?

Ms. Allan: No, not from the department.

Actually, the Premier (Mr. Doer) was questioned about who went on the trade mission extensively by your leader, and he listed a whole bunch of people that were on the trade mission from the employer community and from—mainly from the employer community, so that is on record already.

* (11:00)

Mrs. Taillieu: So we have a list of who went from the employer community. One person went from the Department of Labour. Were there any other people that accompanied the assistant deputy minister?

Ms. Allan: No, there was no one. No, no one else from our department. Ben Rempel was there to provide support to the delegation.

Mrs. Taillieu: I understand that perhaps there was no one else from the department. Was there anyone accompanying the assistant deputy minister who was not from the department?

Ms. Allan: Mr. Rempel was on his own to support the mission.

Mrs. Taillieu: Can the minister say how many trips the assistant deputy minister has taken in the last year?

Ms. Allan: Outside of the country, that's the only one he's been on.

Mrs. Taillieu: Well, that just begs the question how many inside the country of Canada. I guess, when she's saying outside the country she means outside the country of Canada. How many trips within Canada has the assistant deputy minister been on in the last year?

Ms. Allan: We'll provide those details to you. Ben sits on the—we're very fortunate in Manitoba. We have a very—how would I put this?—we have an excellent working relationship with the federal government because our Provincial Nominee Program is so successful, and there is a bureaucrat

working table and Ben Rempel is the co-chair of that table with the feds. I can see him counting on his fingers, and he thinks there's been about four meetings: Ottawa, Toronto, Edmonton and Halifax.

Mrs. Taillieu: Madam Chair, I appreciate the good work that the assistant deputy minister does, certainly. Just wondering, when he does travel if he takes other staff from the department or people that would not be in the department when he travels.

Ms. Allan: It sometimes depends what the topic is. If there were perhaps maybe conversations about settlement services or language training or something in regard to those kinds of conversations, he may take some senior person from the branch with him. So it varies. It's not always one person. It depends what the topic of conversation is. And sometimes there are side meetings of those officials from across jurisdictions. So he would take the appropriate individual from the department that would be the best person. But we could certainly get those details for you if you wanted them.

Mrs. Taillieu: Madam Chair, yes, that was my next question, if you would be able to provide the travel expenses of anyone within the Immigration portion of the Department of Labour and Immigration, all the travel expenses that have occurred in the last year, and including if there were any travel expenses paid for members that were not employees of the Department of Labour and Immigration. Would we be able to get that by tomorrow, not by tomorrow, by Monday, for the next Estimates?

Ms. Allan: Well, we'll try. It may not be Monday. It might be Tuesday, but we'll try.

Mr. Lamoureux: Madam Chairperson, to the minister, the Member for Wellington (Ms. Marcelino) also went on the mission. Who would have paid for her spot on the mission? Would it have been the Premier's office, your office, her access? How would that have been paid? If she's not aware, maybe she could report back to us on that.

Ms. Allan: We paid for it.

Mrs. Taillieu: Again, it would be helpful to have a detailing of her expenses as well as anybody that travelled with her, whether that be someone from the department, someone from her constituency or someone not employed by the department that accompanied her. It would be helpful to have that information as well.

Ms. Allan: Yes, my understanding is that she travelled alone and we will certainly provide that information.

Mrs. Taillieu: I'm looking at the flowchart in the Estimates book for Manitoba Labour and Immigration and I'm noticing, although this isn't really my critic area, that the Status of Women executive director is vacant.

Ms. Allan: Well, it just got filled. We just bulletined the position through a competition. That was one of those individuals that I read off that list. Her name is Yvonne Spyropoulos .

Mrs. Taillieu: And this person was not appointed to that position but was hired through a direct competition?

Ms. Allan: That's correct.

Mrs. Taillieu: Can the minister say what her previous position was?

Ms. Allan: She worked in the Violence Prevention program. She was a civil servant in Family Services and Housing.

Mrs. Taillieu: Just while I'm still asking about people within the department and hires and whatnot, following the defeat of the NDP government in Saskatchewan, were there any people from Saskatchewan that the minister was able to employ in her department, in Labour and Immigration?

Ms. Allan: No.

Mrs. Taillieu: I did want to talk about the Workplace Safety and Health division. Certainly in the Estimates book—I'm looking on page 12 at the present time—the number of FTEs has increased by 11. We do note that the injury rate in Manitoba has not successfully gone down in the last year, although we've employed 11 new Workplace Safety and Health officers.

I know that it's a difficult labour market, so I'm wondering where all of a sudden we got 11 new people from. Can the minister say, are these all positions that have been filled and where are they filled from?

* (11:10)

Ms. Allan: We haven't filled all of those positions yet. We're in the process of filling them, but we can't proceed with the staffing. It's very similar to the fair practices commissioner. We can't proceed until we've passed our Estimates.

Mrs. Taillieu: I know that in last year's Estimates there were a number of Workplace Safety and Health officers promised. I think it was when we did Estimates last fall, the minister said, seeking another four FTEs this year. So are those four filled?

Ms. Allan: Yes, and they were filled through a competition, a civil service competition.

Mrs. Taillieu: So there are actually then seven that are not filled.

Ms. Allan: No. These are new positions. There will be 10 new positions on top of those four.

Mrs. Taillieu: Okay, so 10 on top of four. That's 14 new positions, but is that—in the Estimates book, they've only budgeted for 11 more.

Ms. Allan: The four that were hired last year were in last year's Estimates. Very similar conversation as we're having right now. We said we were going to hire them and we couldn't hire them until we passed our Estimates and our budget, and they've been hired. The 11 positions in this Estimates are for the 10 new safety and health officers and an administrative support person.

Mrs. Taillieu: The Workplace Safety and Health officers are staff that are paid for by the Workers Compensation Board and so the money that's being expended to pay for them is reflected through Workers Compensation Board. So is the money—the revenue that's coming into the department—is there money coming into the Department of Labour, then, from Workers Compensation Board to pay for these—how many is it in total? Fourteen?

Ms. Allan: It's 11 new ones—11 new positions. Ten safety and health officers, one admin support person and yes, the money is coming from WCB.

Mrs. Taillieu: Why is it that WCB continues to pay for the Workplace Safety and Health officers and they are not paid through general revenue?

Ms. Allan: Because that's how it's done in Canada. Every jurisdiction in Canada does it that way.

Mrs. Taillieu: Madam Chair, I think if we did what every other jurisdiction in Canada did in everything we'd be having a completely different conversation everywhere. I don't think that just because somebody does something in another jurisdiction—and I think that we could say a lot of things happen in other jurisdictions in Canada. It just doesn't really make any sense to say something like that.

We know that the Workers Compensation Board funds these positions. We also know that the 2005 review recommended, among a lot of other recommendations, that these people be funded through general revenue and there's been no movement to do that. I wonder if the minister can indicate whether there is a willingness to move in that direction.

Ms. Allan: I was entirely transparent with all of the stakeholders when I received that recommendation from the review committee, and said that would not happen.

Mrs. Taillieu: I don't want to get sidetracked into that conversation right at this moment. I'm going to come back to that but, certainly, I want to ask about the Occupational Health department portion of the department. There are three FTEs. Are those funded by Workers Compensation Board as well?

Ms. Allan: Just so that we can be very, very clear, every position in Workplace Safety and Health is funded by the WCB.

Mrs. Taillieu: These three positions in Occupational Health then, are they considered Workplace Safety and Health employees?

Ms. Allan: Yes.

Mrs. Taillieu: There are actually now three more people funded by the Workers Compensation Board.

Ms. Allan: They're not new positions.

Mrs. Taillieu: I can appreciate that. I don't have the Estimates books going all the way back, but maybe the minister can say when the Occupational Health positions were hired.

Ms. Allan: We will provide that information to you; this arrangement with the WCB and the Workplace Safety and Health division goes back decades, and it is the Canadian model. We can certainly get the information on the occupational officers; we will provide that to you.

Mrs. Taillieu: Just on the same line then, Mine Safety, 10.2 positions in Mine Safety. Would these be people employed through Workplace Safety and Health and, therefore, paid by Workers Compensation Board?

Ms. Allan: Yes.

Mrs. Taillieu: Can the minister say, then, how many people that work for her are paid for by Workers Compensation Board in total?

Ms. Allan: Ninety-five point seven positions.

Mrs. Taillieu: There are 95.7 positions that Workers Compensation pays for through the Department of Labour. I just need to understand this a little more clearly. How many positions were paid for by Workers Compensation Board and employed by the Department of Labour and Immigration in 1999?

Ms. Allan: There is nothing new here. We will get that information for the MLA but exactly the same arrangement was in place when the Tories were in power for all 12 years. It is actually a formula that was established by the previous government, the Progressive Conservative government; there is nothing new here; nothing has been changed by our government. This is a standard procedure that has been in place for decades, not just here in Manitoba, but in every other jurisdiction in Canada; it is the Canadian model.

We can certainly get that information for you from 1999. We'd be pleased to. We could get it for you from 1988-1999 as well, when your government was in power.

* (11:20)

Mrs. Taillieu: I think that the minister's overreacted a bit. I'm simply seeking to find out—I'm not disputing that this has occurred over a number of years, but I'm seeking to find out if the number of positions has increased from 1999 until 2008. So, right now, in 2008, there are 95.7 positions that are paid for by employer premiums through the Workers Compensation Board that are, in fact, employed within the Department of Labour, and I'm just seeking to find out if that has increased or decreased from 1999 until 2008. So perhaps the minister would provide me with the number of positions paid for by the Workers Compensation Board, of which we know there are 95.7 today. How many positions were paid by the Workers Compensation Board for people employed within the Department of Labour for each of the years from 1999 until present time, and I wonder if she could have that for the next Estimates hearing.

Ms. Allan: We will get that information for the MLA, but I cannot guarantee we can get that information for her by Monday. I'm sorry. I not going to make my staff work on the weekend to pull that information together. We will get it for you, and I am quite confident that there has been an increase since 1999 in positions because of the focus on our injury reduction strategy.

Since 1999, we have reduced injuries by 25 percent, since the year 2000, that's when we have the time-loss injury statistics, and we have reduced injuries by 25 percent. The WCB has put a cost estimate on that of a savings of \$80 million. But, as I said in my last response, we'd be more than happy to get that information for you, but I'm not making any guarantees about when.

Mrs. Taillieu: I certainly understand that perhaps, I wouldn't want the staff to have to work over the weekend either, but the statement, I can't guarantee when, leaves it pretty open-ended so I'm going to ask the minister to provide that information to me in writing within a week's period. I think that should be sufficient.

Ms. Allan: Well, I will consult with my staff, and I will let the MLA know when she's getting that information on Monday.

Mrs. Taillieu: Then I'll ask again on Monday when that information will be provided.

But I just wanted to make a note that the minister had talked about the workplace injury rate since 2000. That might be since 2000 but actually, the workplace injury reduction has really not been 25 percent in the last couple of years. In fact, I just want to quote an article from the *Winnipeg Sun* when it said: That didn't stop the Province from fudging its numbers for the sake of good spin.

I think that's what we see here. If it doesn't exactly suit the figures that are wanted for a press release, they just juggle it a little bit to make it sound better.

We know that the workplace injury rate is significantly high in Manitoba, and it does need to be reduced. There's no question. But I'm wondering, has there been any study done to say that there is a correlation between the number of Workplace Safety and Health officers and the reduction of injuries in the workplace? Has the department undertaken any such studies?

Ms. Allan: When the review committee was put into place in 2001, and, if I recall, the review committee was chaired by Wally Fox-Decent. Chris Lorenc was the employer rep, Pete Walker was the labour rep, this was before my time as minister, and the special interest—there was no special interest, so that was the committee. They had access to studies that were done in regard to workplace safety and health, injury reductions studies. They had access. We provided support to that committee, as we always do. They

had access to studies and information from across Canada.

One of the things that became very, very clear to them, as a review committee, is that one of the most effective tools in regard to reducing injuries is enforcement. Obviously, the other areas that are critically important are awareness, education and training, and that was very clear, as well. But, without enforcement, there was just going to be no way that those injury rates were going to come down without an effective enforcement.

Mrs. Taillieu: Has the minister's department reviewed the situation, then, since 2005 to see that the increased number of Workplace Safety and Health officers is actually been effective in reducing workplace injury rates?

Ms. Jennifer Howard, Acting Chairperson, in the Chair

Ms. Allan: We believe, because we have tripled inspections since we got into government, that that is one of the reasons why we have got our injury rates down.

Mrs. Taillieu: But the injury rates are not down and that's what I'm getting at. The injury rates are high. In fact, I think it was reported, and I know that there seem to be a number of different numbers coming out, either from Workers Compensation Board or the Department of Labour, but I think the number that was reported was either 27 or 30 deaths in the workplace, which was very significant this year. The injury rate has not gone down.

So, I guess I would like to ask the minister what studies she has done to determine the correlation between the number of Workplace Safety and Health officers and the injury rate. Certainly, she talks about enforcement, but I think enforcement is something that I agree with, certainly, and I think we do need to reduce workplace injury. But the fact is, many, and I don't know about all, of course, but there are a lot of businesses that have their own safety officers employed by them to look at safety within their own organization.

So, again, if we have organizations that have safety officers, we have an increased number of Workplace Safety and Health officers going out to a variety of workplaces to check on safety regulations, but it doesn't seem to have brought the injury rate down. So what correlation can the minister—she must have done some kind of study on this, for future

reference, as to how to manage the Workplace Safety and Health division.

Ms. Allan: Well, I have a chart here, and it's the time-loss injury rates from 1994 to 2000. In 1994 to 2000, the injury rate bounced around between 5.3 per 100 workers to 5.7. The highest it ever was in those years was in 1994; it was 5.7 per 100 workers and, in 1998, it was 5.7 per 100 workers.

* (11:30)

In 2001, when we first had more Workplace Safety and Health officers, and also when we started getting more aggressive with our enforcement, we did discover in 1999 when we got elected that our Workplace Safety and Health officers weren't doing much enforcement, weren't doing a lot of inspections. I don't believe workplace safety and health was a priority.

When we started to make workplace safety and health a priority as a government, in 2001 the numbers reduced to 4.9 per 100 workers. In 2002 it went to 4.6. In 2003 it went to 4.4; 2004–4.4; 2005–4.3; 2006–4.3; and in 2007 our preliminary figure is 4.2. I'd be more than happy to share this information with the MLA.

So I think there is a correlation between a strategic initiative in regard to getting our injury rates down and Workplace Safety and Health officers in place doing more inspections and being more aggressive with enforcement. I think this chart, actually, is a pretty big indicator that that has been our philosophy as a government and that it is working.

Mrs. Taillieu: I don't have those same statistics. I don't have the staff to provide me with all of the data that the minister does, but I do recall that that 4.2 preliminary figure did have an asterisk beside it with a footnote on the bottom of that page. I wonder if the minister can read that footnote.

Ms. Allan: Well, that footnote isn't on the document that I have, but we can get it for her. We'll have the final data in June. We will be able to provide the final information in regard to that preliminary figure in June.

But I do want to go back to the deaths for a moment because one thing, of course, that we talk about when we talk about injury reduction is we talk a lot about injuries being reduced, but the other thing—the MLA is right. We did have a spike in deaths in 2007. It was a particularly difficult year for

Manitoba, and there were some reasons for that. There were the two firefighters that we lost in the fire in St. Boniface. There was a helicopter crash up north, and there were also a couple of incidents on St. Mary's Road where some workers were killed in a very difficult accident.

When you have small numbers like that, you can get spikes when you have some serious accidents and those kinds of things that occur, and 2007 was a very difficult year for us in regard to some tragic incidences that spiked that number up.

Mrs. Taillieu: Just another clarification. I just want to go back to the Workplace Safety and Health positions, 95.7. I'm sort of adding here. Workplace Safety—I'm on page 12 of the Estimates book: Workplace Safety and Health, 72.5; Occupational Health, 3; and then Mine Safety, 10.2; so that's 85.7, so there are still 10 other positions that are paid for by Workers Compensation Board. Can the minister tell which ones they are?

Ms. Allan: The Worker Advisor Office.

Mrs. Taillieu: Then I would also include in my earlier request for the number of people that have been employed from 1999 until 2008 in the Department of Labour and paid for through Workers Compensation Board premiums. Could she also provide the breakdown in the Worker Advisor Office from that same period?

Ms. Allan: No, we don't have that level of detail here with us but we'll try to get it.

Mrs. Taillieu: Actually, it's not really much of a level of detail because it's right in the Estimates book. Right now, if I add those two, it certainly adds up to 95.7. It appears that this would be in every Estimate book forever. It doesn't really seem to be too onerous a task to get that information. I would think that maybe they do have it or would be able to get it at least by Monday.

Ms. Allan: I made it very, very clear to the MLA that I would provide that information. I've always been open and transparent with my critics whenever I've been in Estimates. I know that the previous Labour critic has told the MLA for Morris that.

I will get the information for the critic, but I'm not going to promise that that information will be available on Monday. I made it very clear that I will provide the information to the MLA for Morris, and I will let her know on Monday when she's going to get it.

Mrs. Taillieu: I will await that for Monday then. Perhaps I'll be able to find it myself before then.

Again, just on the same page, on 12, I notice that there are another 12 positions in Immigration. Are these positions all filled?

Madam Chairperson in the Chair

Ms. Allan: It's not 12; it's eight. The conversion of five term positions to permanent FTEs are all filled because there were people in those positions prior to these Estimates. They're dealing with provincial nominee applications, settlement and language training.

The three new positions that we will fill when we get our Estimates passed, are for the fair practices commissioner to implement The Fair Registration Practices in Regulated Professions Act, a policy analyst and a data analyst.

Mrs. Taillieu: Sorry about those numbers, I'm a bit numerically dyslexic. Sometimes I get those numbers mixed up in my head.

I just wanted to ask about the three new positions for the fair practices office. I think the minister said three new positions for the fair practices office. Where is the fair practices office located?

* (11:40)

Ms. Allan: Well, it hasn't been established yet and, when it is established, it will be in the Department of Immigration, in the branch.

Mrs. Taillieu: By that, the minister means the offices on Notre Dame?

Ms. Allan: We're looking for space. We'll have to find space. The space that we have right now for the Immigration branch, it's busting at the seams.

Mrs. Taillieu: Who hires this fair practices commissioner?

Ms. Allan: It'll be a civil service competition.

Mrs. Taillieu: Who heads the selection process?

Ms. Allan: Well, there is a civil service—protocol, thank you.

There is a civil service protocol in place and a hiring committee will be established. There will be a civil service person on that hiring committee and senior management from the department as well will be on the committee. So it'll probably be, we're

guessing, three individuals on the hiring committee, all of them who will be civil servants.

Mr. Lamoureux: Yes, Madam Chairperson, I did have a few questions in regard to this particular issue. The minister will recall this is an issue in which the Member for Morris and I had talked about when the minister brought forward legislation. There's a lot of sensitivity in regard to how this particular individual is going to be hired. I would like to get assurances from the minister in terms of the process.

How is the minister going to assure us inside the House that it will be done as broadly as possible, that it won't be just something done in-house?

Ms. Allan: Well, I've already explained to the MLA that there will be a competition through the civil service. So a civil service competition is an external competition. I don't know how clearer I can be about it.

Mr. Lamoureux: There is the opportunity in establishing the criteria to advertise even outside of the province of Manitoba. Is the minister looking at doing it that way?

Ms. Allan: I've been informed by my deputy minister that we believe that that will not be necessary. We have every confidence that we have lots of expertise and leadership in Manitoba in this area. Our Qualifications Recognition Strategy here in Manitoba is the leader in the country, and we believe that there is lots of expertise here in Manitoba. So we don't believe it'll be necessary to advertise nationally for the position.

Mr. Lamoureux: Madam Chair, the same thing could be said in terms of the Auditor, provincial Auditor General, the Ombudsman, other positions that we rely very heavily on. I know, given the debate on this particular bill, that there are a lot of people that will be watching to see who the person is going to be. I think that it's no slight on any Manitobans as to whether or not it's opened just here in Manitoba or it goes beyond borders. That's the reason why I would suggest, much like we opened the Province for the provincial auditor. It's not because we don't have confidence in the auditors in Manitoba; it's just the process and how important it is that we be as open as possible in getting the right person.

Would the minister not agree that this is a critically important issue, and it merits having a wide-open process?

Ms. Allan: Well, the Civil Service Commission has been managing competitions for over a hundred years, and we have every confidence in them. We invite scrutiny. I know how important this position is to Manitoba, and I can guarantee you that the process will be transparent and accountable.

I'm glad you mentioned some of the independent offices because Carol Bellringer is a Manitoban, and I think she's highly regarded in the community. We know that, once we've gone through this competition, we believe that we'll have somebody who is a Manitoban in the job. I would prefer to have a Manitoban in the job. I think we have lots of expertise here in Manitoba in this very important area.

I have every confidence that the new fairness commissioner will be somebody who is hired through a process that is accountable, transparent and independent of the minister's office, and I look forward to getting my Estimates passed so we can get on with hiring that individual.

Mr. Lamoureux: Finally, Madam Chairperson, I was on the hiring committee that hired Carol Bellringer, and there were other individuals that also applied for the position that were outside the province. Manitoba did, obviously, quite well in terms of being able to get Carol Bellringer as our provincial auditor. I was also on other hiring committees for the Province. Sometimes it is a Manitoban that's hired; sometimes it's not.

My overriding concern is that this is someone that is hired that's going to really hold the government, no matter what political stripe they are, to task in regard to immigrant credentials and getting those credentials recognized. That should be their driving force. That's the reason why I suggested that that individual report not to the minister but to the Legislature. I still believe that needs to happen today, but for political reasons the minister chose to have that person report to her.

Madam Chairperson, my question to the minister is: At some point in time, will she provide the names of the actual hiring committee informally as to who would be on the selection group?

Ms. Allan: I have the opportunity to take advice from my senior management team who is responsible for the almost 300 individuals in my department that do all of the hiring and work with the Civil Service Commission in regard to this, or I can take advice from the MLA for Inkster in regard to how to

proceed. Quite frankly, my choice is to take the advice from my senior management team in regard to this.

So we will be having a competition with the Civil Service Commission, and I can guarantee you that it will be independent of the minister's office. I have absolutely no expertise as a minister in qualifications recognition. I can guarantee you the last thing I would want to do is have—and the MLA for Inkster knows full well that my department has worked really, really hard in having immigration in Manitoba non-political.

* (11:50)

There are no immigration lawyers that get meetings in my office. Recruiters do not get meetings in my office. People who have immigration cases do not come into my office. That is the responsibility of bureaucrats in my department to deal with those sensitive, sensitive matters. No one knows better than I how sensitive the immigration movement is and how complex and difficult it can be.

So I have every confidence in how we're going to proceed in regard to the fairness commissioner. Thank him for his advice. That's terrific, but I will take my advice in regard to hiring this individual from my senior management team.

Mrs. Taillieu: I am noticing on page 14 of the Estimates book, under Total Labour Executive, there are five FTEs from Workplace Safety and Health and one from Occupational Health and one from Mine Safety on the Labour Executive.

Do these people then go into the field—and by that I mean into their field of expertise—to do inspections, or are these people that work directly in the minister's department?

Ms. Allan: Well, I'm going to refer to three specific people. My deputy minister was going on and on and I thought maybe he was going to run into the lunch hour on this, so I'll just give you a concept of three individuals that would go off-site.

The director of Mine Safety is one of the senior-management-team people who might from time to time have to go and visit a mine, for instance; if there was a big issue, a problem, the director of Occupational Hygiene as well. Then we have the Chief Occupational Medical Officer, Dr. Ted Redekop, and he may have to go off-site once in a while as well.

So that's just a snapshot of three of those individuals, their positions and what they might do. I mean, we could go on and on here but I stopped him.

Mrs. Taillieu: These are called executive people. When I think about executive people, I think about people that generally work in executive-type positions in offices and not people that go to do inspections in the field. I see there's one person, Occupational Health. Am I correct to see that that person's salary is \$180,400?

Ms. Allan: That is correct. He is a medical doctor. He gets paid more than anybody else in the department, and his job isn't available.

Mrs. Taillieu: And he's paid for by the Workers Compensation Board?

Ms. Allan: Yes.

Mrs. Taillieu: I also note that there is a Manitoba Labour Board position for \$149,000. Is that one available?

Ms. Allan: Yes. That would be Bill Hamilton, the Chair of the Manitoba Labour Board. He was a unanimous recommendation of the employers and labour, and he is absolutely terrific. But his job's not available either.

Mrs. Taillieu: Is he paid for by the Department of Labour?

Ms. Allan: Yes.

Mrs. Taillieu: It's interesting to note that the provincial auditor has examined the effectiveness of the current NDP government's workplace health and safety regulations. It's interesting that—I'll just read some of the statistics here, workplace health and safety, under the NDP, 2002 to 2006—and this is coming from the Auditor General—the number of companies in violation of health and safety improvement orders, 606; number of workplace health and safety violations, 1,885. That doesn't seem too good.

But then it says the number of fines issued is zero. So I'm wondering, if you have enforcement officers that aren't enforcing, what is their duty if there's nothing that's been enforced—if you have a law that nobody pays any attention to, and nobody enforces it, it's not really a law. So I'm just wondering why there's been no enforcement, when the minister has talked about enforcement as the No. 1 issue, and the reason for hiring more safety

and health officers. Yet the number of fines issued has been zero.

Ms. Allan: Well, the Workplace Safety and Health officers do inspections, and we have tripled inspections since 1999. When they go into a workplace, what they do if they find there's something occurring that shouldn't be occurring, that is dangerous to workers, what they do is, they issue an immediate improvement order, and they provide the employer with the opportunity to comply with the order, so, to get in compliance. Then, if there is an immediate danger, they have the ability to issue an immediate stop-work order.

In 2007, there were 216 stop-work orders, and in 2007, there were three admin penalties for non-compliance. In regard to prosecutions, that is turned over to the Department of Justice, and there were nine prosecutions that resulted in fines in 2007.

*(12:00)

So we took that recommendation from the Auditor. We did review some of our practices in the Workplace Safety and Health branch. I was very open when we received that recommendation from the auditor, and we did have a look at what we were doing. Our workplace safety and health legislation was done in '02, and then we did the regs; in February 1, '07 they became effective. We had a long consultation with employers and the regs are the size of a phone book, I always say.

So we really are ramping things up in regard to inspections, in regard to getting companies in compliance, but I think we wanted to be fair to our employers at the same time as we were managing a whole legislated framework for workplace safety and health.

Mrs. Taillieu: I think that some time ago this morning when we were discussing Workplace Safety and Health officers, the minister was quick to point out that enforcement was the No. 1 issue in reducing workplace safety and health incidents or accidents in the workplace. Now she says that the enforcement is left up to the justice system, and, in fact, there have been no fines at least until early in 2007, that there were no fines issued.

Then, again, you wonder what the role of the Workplace Safety and Health officers really is if they inspect, but they really don't do any enforcement if they don't levy fines, and then if fines are levied, it's through the justice system. So you have to wonder what the role of the Workplace Safety and Health

officers is. We keep increasing them, but they're not enforcing what's happening in the workplace to reduce injuries.

In fact, the document also says that Manitoba's ranking in workplace injuries, it's worst in Canada, 85 percent above the national average. That's just astounding. I'm astounded, 85 percent above the national average, Manitoba's ranking in workplace injuries. We have more and more Workplace Safety and Health officers, but we have no fines levied. It seems that it's almost—we'll give people jobs to work in this industry, but we won't actually make them do any enforcement, and have they actually reduced the workplace injury. When you see these kinds of numbers, it's quite unbelievable.

Can the minister say why there has not been any enforcement? Why is the number of fines issued zero?

Ms. Allan: Well, I'm going to walk the MLA for Morris through this once again. We have a number of enforcement tools that we can use to get our injury rates down by 25 percent. First, there's an inspection. Then the workplace safety and health officer writes an improvement order. Then they can do a stop-work order. Then there are administrative penalties for non-compliance and then there's prosecution. Those are all tools that the workplace safety and health officer uses when they're doing their job.

We have got injury rates down. It's very, very difficult when you look at figures across Canada, because there is a different way of calculating figures from jurisdiction to jurisdiction. Some jurisdictions count their injury rates until day three that that worker is off work because a huge number of people that are injured in the workplace, 60 percent, get injured and go back to work the next day. It's very, very difficult to compare figures from jurisdiction to jurisdiction because of the way that the time-loss injuries are calculated.

The only thing that we can do here in Manitoba is keep track of our injury rate injuries from year to year. That's what guides us in regard to whether or not we're making progress. We believe we have made progress. Certainly, we've made progress,

I'm glad the member is so shocked and appalled, because the Tory government certainly didn't give a rip about safety and health when they were in government. In fact, you voted against the workplace safety and health legislation. You said the rules

would punish business and you said that it wasn't a safety bill, it was bad-for-business bill.

The Liberals didn't agree with admin penalties. Jon Gerrard said I have some concerns about certain sections of this bill. There is considerable diversity of opinion when one is looking at safety and safe processes, whether this sort of admin penalties are a plus or a negative.

I think in regard to the injury reduction strategy that we have put in place and in regard to what our safety and health officers are doing in the field with employers, I mean, I don't know, do you want us to start going out and just fining everybody? I think we have to be fair. I think we have to have processes in place that are fair. I think we have had a look at the Auditor's recommendation in the report and we've reviewed our processes. I've given you the statistics in regard to the admin penalties and prosecutions. I think we're comfortable with it.

Mrs. Taillieu: It's interesting that there were no fines up until 2007 and then after the Auditor General's report, there were fines. If she believes what's she saying, why is it all of a sudden that there were fines? Do we want people to go out and fine? Well, you know, if you have enforcement officers and that's their duty, then that's their duty. If you believe that there are injuries that are preventable and there are things going on in the workplace, that's what the safety and health officers are there to do. But, all of a sudden though, after the Auditor General's report mentions the poor track record here, all of a sudden, then there are fines. It appears that the ability is there but political will may not have been there prior to that.

The minister does talk about stop-work orders and admin penalties. I think the real issue here is reducing workplace injuries, but again, if you have a number of people hired to do the job and they're actually not doing the job, which is enforcement, then you have to wonder what the return on the investment is, I guess. I notice that—

* (12:10)

Ms. Allan: I would really caution the MLA for Morris in regard to these comments. We have Workplace Safety and Health officers in our department that work incredibly hard; they're going to be really offended by these comments. You can guffaw, but these are staff people that—

Madam Chairperson: Clarification: Was this a point of order?

An Honourable Member: No.

Madam Chairperson: I'm sorry, I thought you had a point of order. Go ahead.

Mrs. Taillieu: Thank you, Madam Chairperson. I was in the middle of asking my question; I was interrupted and I don't appreciate that.

My question is, on page 42 of the Estimates book, I just want to ask about this footnote No. 1. It says: Increases reflect establishment of one regular FTE Employment Standard Officer to re-align internal resources through the elimination of one corresponding regular FTE Worker Advisor in the Workers Advisor Office, to provide proactive enforcement of new legislation, regulation and wages related to the Employment Standards Code and Construction Industry Wages Act, also reflects general salary increases, partially offset by normal salary adjustments.

I guess my question is around the employment standards officer and the resources and eliminating one corresponding worker advisor.

Can the minister explain, is there one less worker advisor and one more employment standards officer? Is that what that means?

Ms. Allan: Yes.

Mrs. Taillieu: Thank you, Madam Chairperson. The worker advisors are those people are paid for under Workers Compensation Board. Is this employment standards officer then paid for by Workers Compensation Board?

Ms. Allan: Absolutely not.

Mrs. Taillieu: Just wanted to clarify that footnote. Thank you. Sometimes when you see these little footnotes, you have to question exactly what they mean.

Again, on page 26 of the Estimates book, I'm just going to ask on footnote No. 2: "Increase reflects the net effect of changes in desktop rates and scheduled replacement of furniture, partially offset by decreased activities related to the Minimum Wage Board."

Can I have an explanation as to what that means? I don't know what desktop rates are, and what furniture? I don't understand why that would be in here.

Ms. Allan: It's the leasing cost for computers.

Mrs. Taillieu: On page 29, under sub-appropriation 11.(2)(c) Conciliation, Mediation, and Pay Equity Services, on the second line from the above: Provide competent, well-trained conciliators to assist organized labour and management in collective bargaining, et cetera.

What does that exactly mean?

Ms. Allan: I have a Conciliation branch in my department. When employers and labour are at the table and they may be having difficulty with a collective agreement and negotiating a collective agreement, they can send me a letter, as minister, and ask for a conciliation officer from my department to get involved and help them.

Actually, I just had a beautiful letter last week from an employer, the R.M. of Springfield, actually, who said what an incredible job one of our Conciliation officers did in helping them resolve a dispute—it wasn't a dispute yet—but it helped them resolve a collective agreement that they were having trouble with. It was a really lovely letter talking about how incredible Peter Sheppit was, actually, who is one of the staff people in this branch.

Mrs. Taillieu: So this conciliator is one of the minister's staff and is paid for the Department of Labour.

Ms. Allan: Civil servant—they are all civil servants. They are not minister's staff; they're civil servants hired through the civil service processes and they work in the Conciliation branch.

Mrs. Taillieu: The Conciliation branch of the Department of Labour.

Ms. Allan: Correct.

Mrs. Taillieu: It also goes on to say that they assist public schoolteachers. Why is there a special arrangement with schoolteachers?

Ms. Allan: Because they have separate legislation.

Mrs. Taillieu: It says: Assist public school teachers and school boards in collective bargaining and grievance mediation as provided under The Labour Relations Act.

Are there no other groups that would be provided this similar service under The Labour Relations Act or is just for public schoolteachers?

Ms. Allan: The only reason that they are specifically identified is because they have their own act that governs schoolteachers. That's the only reason why

they're identified as separate. It's cross-referenced with The Labour Relations Act. Every unionized employer in the province can request assistance from my department.

Mrs. Taillieu: I'm now on page 35 and it's Workplace Safety and Health again. The very last line on the page says: "Establish partnerships to develop innovative methods of promoting safety and health in the workplace."

What partnerships does Workplace Safety and Health establish and with whom?

Ms. Allan: We have Joanna Guerra who is actually the individual, the civil service staffperson in our department, who manages these partnerships and their partnerships with the safety associations, for instance, and employers. We have lots of employers in our community that are really interested in having safe work procedures in their organizations.

Quite often, they'll call our department and want to have a dialogue with us about what they could be doing in their workplaces. They may want to have clarification in regard to the legislation or in regard to the regulations. *[interjection]* Yes, they may want to help promote safety, so she's our point person in the branch in regard to these partnerships.

* (12:20)

Mrs. Taillieu: Partnerships imply sharing of services, but they can also imply costs, sharing of costs and money. So is there any sharing of costs or expenditures or revenues?

Ms. Allan: I think I would have to get back to the—*[interjection]* Hang on a sec.

Here's some information on some of the partners that we have that we do work with, the safety associations, building construction association, heavy construction, mining and hospitality industries. So those are some of the industry stakeholders that we work with. In regard to financial arrangements, we don't believe there are any through this specific area in our branch.

Mrs. Taillieu: I wanted to ask about the revenues collected into the Department of Labour. I'm actually looking at the budget book, Madam Chair. Cost Recovery from Workers Compensation Board, is that \$8.832 million?

Ms. Allan: Yes, that's the correct number.

Mrs. Taillieu: I don't have a calculator in front of me, but the minister said there were 97.5 employees

paid for by the Workers Compensation Board. What other revenues are coming from the Workers Compensation Board to account for that almost \$9 million, or is that it?

Ms. Allan: The administration of this is a little bit different. The Workplace Safety and Health division, we pay the staff people through the Department of Labour, right? There is a formula that was established, and it is a formula that was in place when the previous government was in government. It is a formula that establishes a grant, that the WCB transfers money to the Department of Labour, and it's channelled to the Workplace Safety and Health division.

Mrs. Taillieu: Has that formula then changed or is it the same formula?

Ms. Allan: When we made changes to The Workers Compensation Act, when we did that legislation, the only change we've made to the formula was then, and we changed the formula so that we could absorb the costs of prevention initiatives.

Mrs. Taillieu: So, actually, what I'm to understand is, then, that the formula is changed so that the government actually gets more—there's more money flowing in now into Workplace Safety and Health; in fact, almost \$9 million.

Can the minister provide me with the figures, the amount that's flowed in every year since 1999 on the line, cost-recovery from Workers Compensation Board from 1999 to 2008?

Ms. Allan: Yes.

Mrs. Taillieu: Again, when can I expect to see that?

Ms. Allan: I'll let you know Monday.

Mrs. Taillieu: Thank you, Madam Chair, I'm still, you know 8.8 is \$9 million, it's quite a substantial amount of money. So other than paying for the salaries of 97.5 FTEs what is the other money used for and what is it?

Ms. Allan: It's the salaries and the operating costs for the Workplace Safety and Health division and the Worker Advisor Office. Those are the costs, all of the costs. That's what the costs are.

Mrs. Taillieu: The worker advisors, where are they physically located?

Ms. Allan: Sixth floor of the Norquay building.

Mrs. Taillieu: All of them, 10 of them?

Ms. Allan: Yes, except for the ones that are stationed outside of Winnipeg.

Mrs. Taillieu: The second line is the fees. There is \$4,140,000 in fees. What fees are recovered by the Labour and Immigration Department? What are these fees?

Ms. Allan: The fees are for amusement rides, electrical inspections and approvals for electricians, power engineers, gas and oil, elevators, elevator design, boilers, pressure valves and refrigeration, welders, affidavit processing fees, registration fee, quality assurance certificates, fees for pressure piping systems and repairs to boilers, pressure valves and pressure piping systems, employment agencies, pensions, blaster training and certified industrial audiometric technician.

Mrs. Taillieu: Can the minister tell me what would be the highest single fee charged, and for what?

Ms. Allan: We only have global figures with us today, but they're all fees that are cost-recovery, and none of them have gone up in these Estimates.

Mrs. Taillieu: That's not my question. My question is the highest fee that would be paid, and for what service?

Ms. Allan: I understood the question, and I said we didn't have that information, that we just have the figures globally. So, if the MLA for Morris wants that information, that would be another—we're looking for it and we'll get it to her.

Madam Chairperson: The hour being 12:30 p.m., the Committee of Supply will rise.

Call in the Speaker.

IN SESSION

Madam Deputy Speaker: The House is now adjourned and stands adjourned until Monday at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 2, 2008

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