

**Fourth Session - Thirty-Eighth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

*Published under the  
authority of  
The Honourable George Hickes  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Eighth Legislature**

| <b>Member</b>            | <b>Constituency</b> | <b>Political Affiliation</b> |
|--------------------------|---------------------|------------------------------|
| AGLUGUB, Cris            | The Maples          | N.D.P.                       |
| ALLAN, Nancy, Hon.       | St. Vital           | N.D.P.                       |
| ALTEMEYER, Rob           | Wolseley            | N.D.P.                       |
| ASHTON, Steve, Hon.      | Thompson            | N.D.P.                       |
| BJORNSON, Peter, Hon.    | Gimli               | N.D.P.                       |
| BRICK, Marilyn           | St. Norbert         | N.D.P.                       |
| CALDWELL, Drew           | Brandon East        | N.D.P.                       |
| CHOMIAK, Dave, Hon.      | Kildonan            | N.D.P.                       |
| CULLEN, Cliff            | Turtle Mountain     | P.C.                         |
| CUMMINGS, Glen           | Ste. Rose           | P.C.                         |
| DERKACH, Leonard         | Russell             | P.C.                         |
| DEWAR, Gregory           | Selkirk             | N.D.P.                       |
| DOER, Gary, Hon.         | Concordia           | N.D.P.                       |
| DRIEDGER, Myrna          | Charleswood         | P.C.                         |
| DYCK, Peter              | Pembina             | P.C.                         |
| EICHLER, Ralph           | Lakeside            | P.C.                         |
| FAURSCHOU, David         | Portage la Prairie  | P.C.                         |
| GERRARD, Jon, Hon.       | River Heights       | Lib.                         |
| GOERTZEN, Kelvin         | Steinbach           | P.C.                         |
| HAWRANIK, Gerald         | Lac du Bonnet       | P.C.                         |
| HICKES, George, Hon.     | Point Douglas       | N.D.P.                       |
| IRVIN-ROSS, Kerri        | Fort Garry          | N.D.P.                       |
| JENNISSON, Gerard        | Flin Flon           | N.D.P.                       |
| JHA, Bidhu               | Radisson            | N.D.P.                       |
| KORZENIOWSKI, Bonnie     | St. James           | N.D.P.                       |
| LAMOUREUX, Kevin         | Inkster             | Lib.                         |
| LATHLIN, Oscar, Hon.     | The Pas             | N.D.P.                       |
| LEMIEUX, Ron, Hon.       | La Verendrye        | N.D.P.                       |
| MACKINTOSH, Gord, Hon.   | St. Johns           | N.D.P.                       |
| MAGUIRE, Larry           | Arthur-Virden       | P.C.                         |
| MALOWAY, Jim             | Elmwood             | N.D.P.                       |
| MARTINDALE, Doug         | Burrows             | N.D.P.                       |
| McFADYEN, Hugh           | Fort Whyte          | P.C.                         |
| McGIFFORD, Diane, Hon.   | Lord Roberts        | N.D.P.                       |
| MELNICK, Christine, Hon. | Riel                | N.D.P.                       |
| MITCHELSON, Bonnie       | River East          | P.C.                         |
| MURRAY, Stuart           | Kirkfield Park      | P.C.                         |
| NEVAKSHONOFF, Tom        | Interlake           | N.D.P.                       |
| OSWALD, Theresa, Hon.    | Seine River         | N.D.P.                       |
| PENNER, Jack             | Emerson             | P.C.                         |
| REID, Daryl              | Transcona           | N.D.P.                       |
| REIMER, Jack             | Southdale           | P.C.                         |
| ROBINSON, Eric, Hon.     | Rupertsland         | N.D.P.                       |
| ROCAN, Denis             | Carman              | P.C.                         |
| RONDEAU, Jim, Hon.       | Assiniboia          | N.D.P.                       |
| ROWAT, Leanne            | Minnedosa           | P.C.                         |
| SALE, Tim, Hon.          | Fort Rouge          | N.D.P.                       |
| SANTOS, Conrad           | Wellington          | N.D.P.                       |
| SCHELLENBERG, Harry      | Rossmere            | N.D.P.                       |
| SCHULER, Ron             | Springfield         | P.C.                         |
| SELINGER, Greg, Hon.     | St. Boniface        | N.D.P.                       |
| SMITH, Scott, Hon.       | Brandon West        | N.D.P.                       |
| STEFANSON, Heather       | Tuxedo              | P.C.                         |
| STRUTHERS, Stan, Hon.    | Dauphin-Roblin      | N.D.P.                       |
| SWAN, Andrew             | Minto               | N.D.P.                       |
| TAILLIEU, Mavis          | Morris              | P.C.                         |
| WOWCHUK, Rosann, Hon.    | Swan River          | N.D.P.                       |

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 16, 2006

The House met at 1:30 pm

## PRAYER

## ROUTINE PROCEEDINGS

## INTRODUCTION OF BILLS

**Bill 27—The Tobacco Damages and Health Care Costs Recovery Act**

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, I move, seconded by the Minister of Healthy Living (Ms. Oswald), that Bill 27, The Tobacco Damages and Health Care Costs Recovery Act; Loi sur le recouvrement du montant des dommages et du coût des soins de santé imputables au tabac, be now read a first time.

*Motion presented.*

**Mr. Sale:** Mr. Speaker, this act will give the government a direct and distinct action against a manufacturer of tobacco products to recover the costs of health care benefits in tobacco-related illnesses.

It will allow government to claim both past and reasonably expected future costs of health care needed because of the same illnesses. It will allow government to file a lawsuit on behalf of either one person or all of the people affected by tobacco-related illnesses, and it will ensure that the definition of manufacturer captures tobacco companies that are resident in jurisdictions other than Manitoba but sell their product in Manitoba.

Mr. Speaker, this act is patterned very largely on the work of the government of British Columbia that has provided leadership across Canada for the provinces to work together on this very important issue which is, in essence, a product liability suit based on a great deal of evidence that has been led by tobacco control advocates in the United States, Canada and elsewhere.

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

## PETITIONS

**Crocus Investment Fund**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The Manitoba government was made aware of serious problems involving the Crocus Fund back in 2001.

Manitoba's provincial auditor stated "We believe the department was aware of red flags at Crocus and failed to follow up on those in a timely way."

As a direct result of the government not acting on what it knew, over 33,000 Crocus investors have lost tens of millions of dollars.

The relationship between some union leaders, the Premier (Mr. Doer) and the NDP seems to be the primary reason as for why the government ignored the red flags.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider the need to seek clarification on why the government did not act on fixing the Crocus Fund back in 2001.

To urge the Premier and his government to cooperate in making public what really happened.

Signed by H. Gill, W. Gill, B. Anderson and many, many others.

**Mr. Speaker:** In accordance with our Rule 132(6), when petitions are read they are deemed to be received by the House.

\* (13:35)

**Highway 10**

**Mrs. Leanne Rowat (Minnedosa):** I wish to present the following petition.

These are the reasons for this petition:

A number of head-on collisions, as well as fatal accidents, have occurred on Highway 10.

Manitobans have expressed increasing concern about the safety of Highway 10, particularly near the two schools in Forrest where there are no road crossing safety devices to ensure student safety.

Manitobans have indicated that the deplorable road condition and road width is a factor in driver and vehicle safety.

It is anticipated that there will be an increased flow of traffic on this highway in the future.

We petition the Manitoba Legislative Assembly as follows:

To request the Minister of Transportation and Government Services (Mr. Lemieux) to consider providing sufficient resources to enhance driver and vehicle safety on Highway 10.

To request the Minister of Transportation and Government Services to consider upgrading Highway 10.

This petition is signed by Jena Ménard, Faun Scott, Barry Johnson and many, many others.

#### **Funding for New Cancer Drugs**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

Cancer is one of the leading causes of death of Manitobans.

Families are often forced to watch their loved ones suffer the devastating consequences of the disease for long periods of time.

New drugs such as Erbitux, Avastin, Zevalin, Rituxan, Herceptin and Eloxatin have been found to work well and offer new hope to those suffering from various forms of cancer.

Unfortunately, these innovative new treatments are often costly and remain unfunded under Manitoba's provincial health care system.

Consequently, patients and their families are often forced to make the difficult choice between paying for the treatment themselves or going without.

CancerCare Manitoba has asked for an additional \$12 million for its budget to help provide these leading-edge treatments and drugs for Manitobans.

Several other provinces have already approved these drugs and are providing them to their residents at present time.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) of Manitoba and the Minister of Health (Mr. Sale) to consider providing CancerCare Manitoba with the appropriate funding necessary so they may provide leading-edge care for patients in the same manner as other provinces.

To request the Premier of Manitoba and the Minister of Health to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible.

This petition is signed by Dusti Fodchuk, Nicole Ziegler, Dejan Vukosav and many, many others.

#### **Point of Order**

**Mr. Speaker:** The honourable Member for River Heights, on a point of order?

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, I rise on a point of order. Today is a very special day in the history of Manitoba. It is the 100th anniversary of when the prairie crocus became our floral emblem. There should have been very clearly a ministerial statement on this subject. I would just point out, as I conclude my point of order, that last week when I raised issues around the floral emblem that you ruled then that it was not a matter of privilege, it was a point of order, so I raise it today as a point of order.

**Mr. Speaker:** On the point of order raised by the honourable Member for River Heights, he does not have a point of order.

**Mr. Leonard Derkach (Official Opposition House Leader):** Well, Mr. Speaker, I notice that the Government House Leader (Mr. Mackintosh) was rising to speak on the point of order. I was giving him the courtesy to speak first then I wanted to speak on the point of order. It seems to me that this is rather an important day if we talk about the 100th anniversary of the flower emblem of our province, and it is the crocus. I would have really appreciated to speak to the point of order.

**Mr. Speaker:** Before I made my ruling, I looked around, as I usually do, to the House leaders and I did not see either one standing so I moved on. If

members wish to ask for leave to speak to it that is entirely up to the members. But I always look at the House leaders and both were seated so that is why I made my ruling.

\* (13:40)

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today Jackie Thornton and Janet McDowell, the mother and grandmother of our legislative page, Gillian Thornton.

On behalf of all honourable members, I welcome you here today.

Also seated in the public gallery we have 22 visitors from the Department of Conservation under the direction of Ms. Dianne Arjoon.

On behalf of all honourable members, I also welcome you here today.

## ORAL QUESTIONS

### Minister of Family Services Removal Request

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I cannot overemphasize the gravity of the tragedy of Phoenix Sinclair, in the custody of child welfare agencies for most of her life, and yet her death was nine months before she was missed. Disturbingly, the tragedy of what happened to Phoenix is not an isolated situation. Last year, a 15-year-old who was in the care of the Ministry of Family Services was killed with a sawed-off shotgun. Last year, a 17-year-old who was in the care of the Ministry of Family Services and required 24-hour supervision died.

This minister has failed to fulfill her legal, her moral and her ethical duty to provide safety and care for children in need of protection. It is the responsibility of this Premier to ensure that his ministers are fulfilling their mandates. The Premier has selected the Member for Riel (Ms. Melnick) to take on the duties and responsibilities of the Minister of Family Services. The Minister of Family Services did not and is not fulfilling her duty for children in Manitoba. She has not taken responsibility for the safety of children in her care. The Premier must take immediate action to ensure that children in the care of the minister are safe.

Mr. Speaker, because of the failure of this minister, the Minister of Family Services, the Premier has no choice but to remove her from that ministry. I ask the Premier: Will he do that today?

**Hon. Gary Doer (Premier):** No, Mr. Speaker.

**Mr. Speaker:** Will members please wait. The mike is not on until I acknowledge the honourable members, just to help Hansard in their recordings.

**Mr. Murray:** Mr. Speaker, while the Minister of Family Services fails to ensure the safety of children in Manitoba, children are put into unsafe, unhealthy, dangerous and ultimately fatal situations. Children are dying under the watch of this Premier and his minister.

Last year, a little eight-year-old boy under the care of the Minister of Family Services hung himself. In 2004, a 16-month-old baby who was under the care of the Minister of Family Services was brutalized and ended up succumbing to her injuries.

Mr. Speaker, this Minister of Family Services has neglected her duty and her mandate to provide care and safety to children in need.

I ask the Premier again: Will he stand up for the safety of children in our province, relieve the Minister of Family Services from her duties and put in place someone who is able to provide safety and protect our vulnerable children in Manitoba?

\* (13:45)

**Mr. Doer:** Mr. Speaker, there are hundreds of social workers working throughout the province. There are hundreds of child care workers working throughout the province. There are hundreds of volunteers that are participating in non-profit agencies across the province. There are excellent, excellent people that get up every morning caring about our vulnerable children, caring about children at risk, trying to provide the best judgments they can make in very difficult situations.

The 6,000 children that are in care are already deemed to be in a vulnerable situation before they are even brought into care or approved to be brought into care. There is no question about the individual case that is before Manitobans today and other cases as well. We have asked the director of child welfare to review this case immediately. We are also looking at a manner in which we can have an external review of case management issues.

I would point out that the budget before this Chamber has a 17 percent increase in it and we could debate that budget, Mr. Speaker. That budget amount is for child protection. I believe the child protection budget has gone up considerably under this minister and under this government.

There is no question there are answers that need to be provided. We will have the internal review. We are looking at an external review dealing with case management issues. Obviously, Mr. Speaker, I just want to pay tribute to the social workers who are working in very, very challenging situations and working for whoever is in government and whoever the minister is.

**Mr. Murray:** Mr. Speaker, the Premier knows and I do not have to remind him, but it is his responsibility to ensure that his ministers are fulfilling their mandate. This Premier has selected the Member for Riel (Ms. Melnick) to take on the duties and responsibilities of the Minister of Family Services, but when the Minister of Family Services fails to do her job, human tragedies occur and children die.

This is a gravely serious issue, Mr. Speaker. I have mentioned four other situations where young people who were in the care of the Minister of Family Services tragically, senselessly, violently died. Sadly, there are many more. We have a minister who is unable to protect our children, a minister who has failed in her legal, her moral and her ethical duty to protect Manitoba's vulnerable children.

Mr. Speaker, because of this minister's inability to protect children entrusted to her care, because she has neglected to provide safety and support to children, because she clearly cannot fulfill the mandate she was given by the Premier of this province, the Premier must put in that place someone who is able to meet the responsibilities, the duties and the mandate of the Department of Family Services.

I ask this Premier: Will he today immediately remove the Minister of Family Services and put someone in place who is able to stand up for children in Manitoba?

**Mr. Doer:** I believe that every member of this Chamber has the ability, the capacity and the moral dignity to stand up for children. Many of us have worked with children before we were elected. Many of us have worked with children as volunteers and some have worked with children as professionals,

Mr. Speaker. We all agree that this is a tragic loss of life of a very vulnerable young person. I think all of us, whether we are a parent, an uncle, an aunt, hug our kids anytime a vulnerable kid is alleged to be murdered in this way.

I do believe that we have to get answers to questions. We want the director of child welfare, a person who has worked under both governments, to review this case very, very immediately. We also pledge to Manitobans, there were questions asked in this House, and this House and the Manitoba public deserve answers to questions on case management, the issue of opening a case and transferring a case which has happened since the establishment of Child and Family Services agencies a hundred years ago. Closing a case, the supervision levels and caseload sizes which, of course, are always a pressure point even with major increases in budget, I know, and we hear from people who are under tremendous pressure trying to make the right decisions every day. Social workers make life-and-death decisions with vulnerable children. They would not be under care if they were not vulnerable to begin with and, Mr. Speaker, we are prepared to be fully accountable, but we are prepared to be accountable for the facts. That is what we will be accountable for.

\*(13:50)

#### **Children in Care Inter-agency File Transfers**

**Mrs. Mavis Taillieu (Morris):** I have some documents to table, Mr. Speaker. In a Winnipeg Child and Family Services document entitled "Management Team Minutes," dated February 23, 2005, the case transfer policy during the devolution process is discussed. I quote: Case transfers are beginning to move to the northern and southern authorities and some transfers are being forwarded with missing documentation. End quote.

A red flag was raised by the minister's own staff about file transfers. She ignored them. I ask the Minister of Family Services: Why did she ignore this red flag and allow vulnerable children to be put further at risk?

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, we are going through an incredible transformation in child welfare in the province of Manitoba. We are the only jurisdiction in the world to devolve child welfare to the Aboriginal, to the First Nations and the Métis

people. We are the only jurisdiction in the world to work in true partnership.

Transition can be difficult. There can be challenges, but I believe that everyone who is working in this system is working in the best interests for our children. I believe everyone comes to work every day and does the best that they can. I believe that there are challenges, that we are working with these challenges, and we are working with all of our partners. We will continue to do that in a firm commitment to the children of Manitoba.

#### **Minister of Family Services Removal Request**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, on June 7, 2005, the Minister of Family Services said, and I quote: I have not been aware of any concerns in that area. End quote. This minister failed to see the problem. She failed to recognize that there was a problem. She failed to listen to her staff. She has failed to protect children in care and now children have died.

She is inept, irresponsible and negligent in her management of the Department of Family Services. Will the Minister of Family Services now tender her resignation?

**Hon. Gary Doer (Premier):** Mr. Speaker, I think we have stated that we want and we will have the director of child welfare under the act review this case internally and, secondly, we will and we are prepared to announce shortly an external group of credible people that will deal with some of the system issues that have been raised.

Mr. Speaker, I would point out, to mention the, quote, tragic case of the young girl which is a tragedy for every member of this House and every Manitoban, to mention that with the issue of devolution, so far our preliminary information is, and I would await the director of child welfare's report, but to link it as members opposite have when it was not a case of devolution I think does a misjustice to the issues of justice and must be brought before this House.

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Speaker:** Order. The honourable Official Opposition House Leader, on a point of order.

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, on a point of order. The

Premier has just gone too far. He is trying to allege that the critic for Family Services is linking the death of this child to devolution. Nothing is further from the truth. Now he may want to play politics with a lot of things but he should never play politics with the death of a child in this province. Shame on you.

**Mr. Speaker:** Order. The honourable First Minister, on the same point of order?

**Mr. Doer:** Mr. Speaker, on the same point of order. I will review Hansard, but I just wanted to make the facts clear. I said in my statement that every member of this House cares about children deeply and that is what I mean.

**Mr. Speaker:** The honourable Member for Morris, on the same point of order? No? Okay.

On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. It is a dispute over the facts.

\* \* \*

\*(13:55)

**Mr. Speaker:** The honourable Member for Morris has one supplementary question left.

**Mrs. Taillieu:** Mr. Speaker, this minister has placed children at risk because of her inability to see the red flags here. She has placed children at risk because of her unwillingness to see the danger that she has created.

There are so many tragedies, too many children dying under the watch of this minister. Susan Redhead, Henry Okemow, John Demery, Phoenix Sinclair are just four. The Minister of Family Services has failed to do her duty to protect Manitoba's children.

Will the Minister of Family Services now resign?

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, I accept responsibility for some 6,000 children who are in care in this province. When something tragic happens, as has recently happened, I make sure I get to the bottom of the situations. There are currently three reviews underway; the RCMP, the Chief Medical Examiner and a Section 4 Internal Review.

As the Premier has stated, we are looking at an external review based on case management issues. I am looking at these reviews as they go on. If there are changes to be made, we will make them

immediately. We will also wait for all the recommendations. This is what a responsible minister does.

**Minister of Family Services  
Removal Request**

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I think that all Manitobans would be surprised by what they are hearing from this Premier and from this minister. We all know that this is a very serious, serious situation, and the critic, myself, as Leader of the Opposition, have brought forward numerous cases that have happened tragically under this minister and under this First Minister's watch.

Today we are now hearing that this Premier is talking about putting a group together to have an external review. Well, Mr. Speaker, after each one of these tragic incidents where a human life is lost in the province of Manitoba, we hear from the minister about a process in place, that we have to ensure this process, that there is another process.

Now the First Minister is standing in his place and saying that we are going to get together a group of people to look at another external review. Mr. Speaker, in the meantime, children are dying. I think that this calls for some leadership from the Premier to stand up for vulnerable children in Manitoba and ask for the minister to do the right thing, step aside and put somebody in place who will immediately do something to stand up for children, the vulnerable children of Manitoba. Do the right thing, Premier.

**Hon. Gary Doer (Premier):** We have initiated an internal review immediately and the Chief Medical Examiner will review this case. Members opposite would probably ask and the public would ask that we need more than that with all the questions being raised so we are trying to satisfy the objectivity in the public interest and the children's interest with an external review.

On reports that any minister gets, and I would point out that we did receive the Sinclair report on the baby deaths at the Children's Hospital. The Sinclair report, and I have read every page of it, documents that 11 out of 12 children are dying with a preventable death. Analysis from the judge: All cases were deemed by the judge to be preventable. We have then implemented the report. We took action to implement the report. We have now got a situation where all children's cardiac surgery is conducted in a place where it is safer by having

larger numbers. In fact, Saskatchewan and Manitoba, and, I believe some cases in British Columbia, are going to Edmonton for that surgery.

When we receive a report that deals with the health and safety of children, whether it is internal or external, we act on it.

\* (14:00)

**Mr. Murray:** Mr. Speaker, I want to ask this First Minister, in light of what he just said, that they act. I want to ask him: Do they?

I want to quote what this Minister of Family Services has said. On June 2, 2004, murder of 16-month-old baby Amelia. What the Minister of Family Services said is: This government will respect those investigations and respect the proper process. We will respect the processes and we await the results of the current investigation.

The Minister of Family Services, June 7, 2005, Christopher Surbey, who died on the street, Mr. Speaker. This Minister of Family Services said then: Allow these organizations to do this thorough review, as they need to find out what we can learn so perhaps in the future ensure that anything like this does not happen again.

March 14, 2006, baby Phoenix. There are investigations that will be underway as a result of this tragic incident. We will look to the facts and determine what is appropriate. The Minister of Family Services stood in her place today and said, yes, there are challenges.

Well, that is not good enough for the vulnerable children in Manitoba. What they need is somebody who will stand up for them, not look for processes and other sorts of things to get in the way and muddy the waters. This is a serious, serious issue and this minister, this First Minister, is trying to tie a specific incident. We are saying that this minister is failing Manitoba children that are vulnerable. We ask the First Minister to do the right thing, Mr. Speaker, on behalf of the vulnerable children in Manitoba and remove this minister.

**Mr. Doer:** Mr. Speaker, as mentioned before when vulnerable children are before us in terms of recommendations, we implement the recommendations. I mentioned the preventable deaths with the vulnerable children at the Children's Hospital and the action we took. This is a very tragic situation. We have said already that we believe that the justice system must hold those accountable, the alleged individuals

accountable. I know all Manitobans will want our justice system to deal with the accountability of individuals that are alleged to have committed this tragic murder.

Some of the measures we have put in place, and it includes, and up to, we have said before, I was asked about anything beyond the Chief Medical Examiner to deal with the issues of public accountability. We are prepared to be accountable before the Chief Medical Examiner and after the Chief Medical Examiner because children are a jurisdiction of every Manitoban in terms of our responsibility, and our responsibility in government includes the children in care.

**Mr. Murray:** Well, the Premier is, I know, aware that the children whose tragic lives have come to an end are children that are under the ward of the Family Services and under this Premier's and under this minister's watch. That is the reason, Mr. Speaker, we see the pattern of processes, of meetings, of issues, rather than looking at immediately taking action. We have seen too many children die in the province of Manitoba under this Minister of Family Services (Ms. Melnick), and when asked questions in the House, very serious questions, what we get from this minister are cold responses of talking about process. We are talking about children and lives.

Mr. Speaker, I ask the Premier to do the right thing for, as he mentioned, all of us who are parents, who see children, vulnerable children. Will he do the right thing as the First Minister of this province, stand up for vulnerable children, remove his minister, put somebody in place that can do the right thing for those vulnerable children? Do it today.

**Mr. Doer:** The empathy and commitment to children is contained within the budget of a 17 percent increase proposed in this year's budget for the Child Protection Branch. Mr. Speaker, there are going to be a number of areas of accountability, including the director of child welfare, under section 4 of the act. We think that that would be perceived to be only an internal review. We think the public has a right to have some answers to some questions. We are prepared to provide those, and I think we should get the facts first.

#### Public Accounts Committee Witnesses

**Mr. Gerald Hawranik (Lac du Bonnet):** Last night at Public Accounts, the NDP refused to call

witnesses to the meeting who would provide answers under oath about political interference in the Crocus scandal. They refused to call witnesses such as the Premier, Eugene Kostyra, MaryAnn Mihychuk and the Member for Brandon West (Mr. Smith). I ask the Minister of Industry (Mr. Rondeau): What is he afraid of? Is it that they would have to swear to tell the truth?

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** No, we are not afraid to answer questions. I was there with my deputy minister to answer questions. It was the opposition who refused to ask any questions. We were there to answer questions; you did not ask any.

#### Crocus Investment Fund Minister's Advisers

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, clearly, the Minister of Industry, who only became the minister in late 2004, cannot answer questions about political interference that occurred in 2001 and 2002 when all those red flags were flying. As a result, the Public Accounts meeting was a sham.

If he believes that he can answer these questions, I will ask the Minister of Industry a very simple question. Who is the higher authority as referred to in the audited Public Accounts on page 146? Let him answer that one. Who is the higher authority?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, last night we saw the minister in front of the Public Accounts Committee. We saw the deputy minister there, a precedent that has—when I look back through the history of Public Accounts, the Auditor General, Mr. Jackson, in 1991 asked for ministers and deputy ministers to be available. It was only this government that brought that new form of accountability into place.

Last night, instead of asking questions, the members tried to use the committee to obstruct the purpose of the committee. The reason for that was the last time they asked questions they did not like the answers, Mr. Speaker. They asked if the e-mail had been made available to the minister, and the deputy minister made it very clear that the e-mail had not been made available to the ministers. They do not like the answers. That is why they are afraid to ask the questions.

**Mr. Hawranik:** Mr. Speaker, all we heard from the Minister of Industry last night was, ask me, ask me, and he could not even answer the last question. On page 145 of the Auditor's Report, the Auditor states

that the Department of Industry acknowledged that they could have intervened at Crocus but chose not to.

Again, I ask the Minister of Industry: What political advice did Eugene Kostyra give to MaryAnn Mihychuk, the Minister of Industry from 2000 to 2003, which convinced her not to intervene at Crocus?

**Mr. Selinger:** The astounding thing about the question that has just been asked is that it has actually been answered many times. It was answered by the Auditor General's Report very clearly when they said that the way the previous government structured the venture capital monitoring mechanisms was to confuse roles by putting monitoring and promotion into the hands of the same branch. It was very clear that those two roles contained within them some conflict. We have separated those roles. We have brought legislation in to separate those roles. We have responded to the Auditor General's recommendations, and the member opposite chooses to ignore that so that he can go on a witch hunt.

#### **Crocus Investment Fund Minister's Advisers**

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, leadership equals accountability in my opinion, something that is sorely lacking from what we saw a few minutes ago in the Department of Family Services and in the Department of Industry.

My question to this minister responsible for the Department of Industry is that in 2002, the Department of Industry was informed that an independent review may be needed on the Crocus operations. The question that he cannot answer and I am willing to bet he will not answer: Who did the minister receive advice from that she decided not to proceed?

\*(14:10)

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, I hope the member does pay attention to both the Auditor's Report and what was heard in the six hours of questioning and answering previously in the Public Accounts.

What was said was the e-mail did not go to a deputy minister or to a minister, which means that the e-mail from one public servant to another public servant was not sent to a deputy minister or a minister. That was confirmed in the previous Public Accounts meeting that was confirmed by the Auditor

General. I would hope that the member opposite starts paying attention in Public Accounts, hears what is said out there and stops making political issues.

**Mr. Cummings:** Mr. Speaker, that is one of the more insulting answers that the Crocus investors and the members of this Chamber have ever received. I am quoting from the Auditor's Report and he tells me to pay attention to it.

In '01, in a presentation to the Department of Industry, officials from Crocus laid out their vision for the next 10 to 15 years. Issues were raised by the department and this is the Auditor that said this. Issues were raised by the department, but they were assured that this had already been cleared by the higher authority. Answer the question: Who was the higher authority?

**Mr. Rondeau:** Mr. Speaker, the member opposite is talking about a plan that did not move forward. It is talking about plans that Crocus had as a separate entity from government to move forward into a larger scope.

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

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Speaker:** The honourable Official Opposition House Leader, on a point of order.

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, on a point of order. The question was very clear. I do not know whether the minister has a hearing problem or whether he has an understanding problem. The question was: Who was the higher authority? The question is fairly specific, very clear. I do not know what he does not understand about it, but if he needs it repeated the question was: Who was the higher authority? He said last night in Public Accounts he would answer the question. Would he do it now?

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

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I think it is quite a spectacle. These are the same members now who last night picked up their marbles, went home and would not ask questions of the minister. I think he is in a difficult position to be making his point today, and I would suggest that he actually listens to the answers.

They cannot get all worked up about how nice their questions sound. They should also listen to answers.

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

**Mr. Cummings:** On a new question.

**Mr. Speaker:** No, I have to deal with the point of order first.

On the point of order raised by the honourable Official Opposition House Leader, I did not hear a quote of a rule, but I would have to determine from the information I received that it would be under 417. There has been an agreement formed by all members of the House through their House leaders that no points of orders are raised under *Beauchesne* Citations 492, 410, 417 and 408(2) because there was agreement that the 45 seconds would deal with the issues if there is an issue between two members. That is an agreement that was agreed to by all members through their House leaders. I have to rule that there is no point of order because that rule should not even come up on the floor.

\* \* \*

**Mr. Speaker:** Order. The honourable minister to conclude. You only went seven seconds into your question, so you have up to 45, so continue.

**Mr. Rondeau:** Thank you, Mr. Speaker. What the member opposite is talking about is allegations that were said from someone from Crocus that the government approved a plan that did not go forward. This is ludicrous. What happened was there was an allegation by a third party that someone approved a plan that the government did not approve and did not move forward. That has nothing to do with valuations. It has nothing to do with governance. It has nothing to do with the shareholder value in the fund. The member opposite is trying to confuse the facts.

**Mr. Cummings:** Mr. Speaker, I do not think 33,000 Crocus shareholders are very confused about their losses. This government by the outline in the Auditor's Report very clearly indicates that the findings of a review would have provided the Department of Industry with the support to put the Crocus Fund on notice, but it did not believe it worthwhile to further pursue their concerns. Who provided the advice that it was not worthwhile? Who was the higher authority?

**Mr. Rondeau:** Mr. Speaker, what we have done is we have acted to ensure shareholder representation which was not present under the Conservative

government's laws. We acted to ensure proper representation on boards which was not present under the Conservative's system. We acted to ensure that appropriate disclosure occurs which was not present under the Conservative's system, and we assured that we are acting in the best interests of the shareholders which you did not. You walk out on the shareholders. We stand up for them.

#### Public Accounts Committee Witnesses

**Mr. Leonard Derkach (Russell):** Mr. Speaker, section 34 of The Legislative Assembly Act states, and I quote, "The Legislative Assembly may, at all times, command and compel the attendance before it or any committee thereof, of such persons, and the production of such papers and things, as the assembly or committee may deem necessary for any of its proceedings or deliberation."

Mr. Speaker, last night a letter was received by the Chair of the committee, and a motion was put forward to allow for witnesses to come forward who had and could answer questions as they relate to Crocus back to 2001. The government stalled. The government would not agree to it.

I ask the minister: Why will he not allow these members to come forward and answer the questions, because obviously he cannot answer any of these questions?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Well, Mr. Speaker, what we were just seeing last night was a continuation of the wilful obstruction and the abuse of the rules of members and that is all it was. They went there and they blew off an opportunity that was available to them under robust new rules agreed to by all members of this House.

**Mr. Derkach:** Mr. Speaker, I think people in Manitoba are getting the point. Nothing, nothing precludes the opportunity, the opportunity to call witnesses forward to answer questions on behalf of Manitobans.

Mr. Speaker, section 34 of the Assembly Act, is very clear. There was a request that was put forward by the Member for River Heights (Mr. Gerrard), signed jointly by the Leader of the Opposition, to allow witnesses who were named to come forward and ask those questions. I asked the minister of industry and trade: Why did he and his government not allow for these members to be called to answer these questions?

**Mr. Mackintosh:** All members of this House know because all members agreed, Mr. Speaker, that the Public Accounts Committee has some strong new rules, rules that have been asked for going back to 1991, and were not moved on.

Mr. Speaker, the Auditor General was sitting there last night, and apparently members opposite had questions but did not want to ask them because they did not like the answers. They did not like the answers they got in earlier Public Accounts meetings on Crocus. And so what did they do? They did like they do in the House all day long. They just abused the rules, they abused the investment of tax dollars in this institution and they walked out.

\* (14:20)

#### **Crocus Investment Fund Public Inquiry**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, as demonstrated today by the minister of industry and trade, by the Minister of Finance (Mr. Selinger), by the Justice Minister, this government is hiding from the facts. That is why a public inquiry is required. We tried everything to allow for witnesses to come forward. We used the rules, The Legislative Assembly Act, to allow to call those witnesses forward. We can also ask the Legislative Assembly to issue warrants, but it is time to call the public inquiry. Will the Premier (Mr. Doer) do the right thing and call the public inquiry?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, the members opposite are not even using the remedies, the tools available, to get answers to their questions because they do not want to hear the answers. They do not like the answers that were given by the Auditor General, by the deputy and by the minister because it does not fit with their agenda.

Mr. Speaker, there were opportunities available last night under robust new rules. These people opposite do what they do all day long in this Legislature. They walk out and abandon their responsibilities to the priorities of Manitobans on so many issues. Last night, they had a chance on Crocus. They walked out.

**Mr. Speaker:** The honourable Member for River Heights—

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

**Mr. Speaker:** Order. The honourable Member for River Heights has the floor.

#### **Minister of Family Services Removal Request**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the Hydra House scandal, the Aiyawin scandal, the tragedy of Phoenix Sinclair, all have at their centre the government's Minister of Family Services and Housing (Ms. Melnick). Much of the problems with Hydra House might have been the fault of the previous NDP ministers, but the present minister has now shown sadly her own shortcomings in protecting children and in protecting public dollars.

With Aiyawin, we ask how could the government have missed the fact that there were 175 cases where the invoice date preceded the purchase order date. With Phoenix Sinclair, how could the child have been missing for nine months?

Mr. Premier, I am sorry to have to ask you this, but I am afraid it is necessary. Through the Speaker, I ask: When will you be replacing the present Minister of Family Services?

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Speaker:** The honourable Government House Leader, on a point of order?

**Hon. Gord Mackintosh (Government House Leader):** Well, I hesitate to interrupt but I think it is important in matters that are important matters for Manitobans and this Assembly, when questions are posed that they be put in the third person and through you, Mr. Speaker. The reason for that is to ensure there is a debate on the issues, not an inflaming of passions, and there are many passions in this Assembly, and, as well, that we not personalize matters.

I ask you, Mr. Speaker, to please draw attention to it because the member seems to have purposely put together his question in the first person. Thank you.

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Well, on the same point of order, Mr. Speaker. We have seen in the House today how this government is stonewalling every issue that is coming before it and now we have the House Leader trying to run interference in a question that was legitimately asked. I have heard the Member for River Heights say, "through you, Mr. Speaker."

Those words were spoken by the Member for River Heights, so let the Government House Leader not try to derail the question. Let him sit quiet and listen to the question.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, questions are always put through the Chair. Just a friendly reminder to all honourable members.

\* \* \*

**Mr. Gerrard:** My question, through you, Mr. Speaker, to the Premier: When will the Premier replace the current Minister of Family Services and Housing?

**Hon. Gary Doer (Premier):** Mr. Speaker, the issue of Hydra House, the minister, I think, has done an excellent job of having the transfer of residents in a safe way, in a safe manner after the audit that went back prior to both or included our government and the previous government. The transfer of the residents took place to the care and custody of St. Amant.

The other issue that the member raised, when it hit the minister's desk, an operational review was initiated immediately and there was an operational review in '98. I am not sure whether it went to the former minister's desk. I assume that if he had it he would have taken action. This minister did take action and the result was the audit took place, but the minister did not wait for the audit to be completed. Before the audit was completed, the transfer of management was conducted.

There are 400 housing agencies in Manitoba under the authority of the Department of Housing. There are 400 agencies under the Manitoba Housing and Renewal Corporation; 75 percent of the money does come from the federal government and 25 percent, I believe, from the provincial government. I would point out there are a lot of excellent volunteers, a lot of excellent people working right throughout all our communities, Mr. Speaker, and I have a great deal of faith in the work of our volunteers throughout our communities. Not all 400 of them are perfect.

**Mr. Gerrard:** Mr. Speaker, the multiple shortcomings in the investigation and the follow-up of the Aiyawin case are documented here very well. The problems, even yesterday, in not immediately committing to transfer this to the RCMP, the problems in not protecting honest whistle-blowers are there.

It is quite clear that it is time, sadly, to ask the Premier through you, Mr. Speaker: Will the Premier replace his current Minister of Family Services and Housing?

**Mr. Doer:** The member opposite talks about the RCMP. The operational review, as I understand it, was reviewed with the RCMP. I am not sure after the department did their operational review whether there are any substantive changes from the Auditor General's report that was, as I say, dealing with the operational review. The RCMP reviewed all the findings of the operational review. It is customary for the Deputy Minister of Justice to have access to all Auditor General reports, and I think that the fact that the minister reviewed the matters with the RCMP before it even went to the Auditor General should be given some consideration by the honourable member.

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

#### Point of Order

**Mr. Speaker:** The Member for Inkster, on a point of order?

**Mr. Kevin Lamoureux (Inkster):** On a point of order, Mr. Speaker. I am very much aware that there was an agreement in terms of Question Period and the length of questions and the length of answers. I am concerned. If you were to check the length of responses that this Premier (Mr. Doer) has been giving in his answers, I believe it is being done intentionally in order to prevent the number of questions that could be asked for Question Period. I think that it would be most appropriate if, in fact, the Leader of the Liberal Party (Mr. Gerrard) would, in fact, be able to finish his question, given the very nature of the question and the fact that the Premier quite often lately is becoming very long-winded in his answers.

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, on the same point of order. Just prior to us going into the last question that I posed, I think there were about 11 minutes or 10 minutes left in Question Period. It is right. Question Period is a time to get answers, but this government is under such disarray that it cannot answer questions anymore. It is hamstrung. It is tired. It is time for it to leave office.

Mr. Speaker, the Premier tries to burn up his time, he tries to burn up Question Period time by talking about unrelated issues, not answering a question. He and his ministers are abusing this House and the privileges of members in this House.

**Mr. Speaker:** The honourable First Minister, on the same point of order?

**Mr. Doer:** On the same point of order. The member opposite comes to an agreement. He obviously writes it in invisible ink. He has done that before and, Mr. Speaker, he does not keep his word.

We know that in terms of answering questions, we were there to deal with the questions last night at committee. I would point out it was the Conservative Party and the Liberals that wanted to go home at 8:30 at night and put on their pyjamas because they were too tired to do any work.

\* (14:30)

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

**Mr. Speaker:** Order. On the point of order raised by the honourable Member for Inkster (Mr. Lamoureux), I will remind the House that, when we met to revise our rules, we had come to an agreement of 45 seconds for members during questions. Also, if a question is directed to a minister and if the First Minister (Mr. Doer) rises to answer it, then the honourable First Minister is limited to 45 seconds.

But we did not come to address agreement of leaders' latitude. Unless there is specific time, I am bound by the agreement that was come to by all House leaders and the independent member when we looked at revising the rules. Leaders' latitude, as of today, is still in place and there is no time limit set by the members of that committee.

So I have to rule that the honourable member does not have a point of order.

\* \* \*

**Mr. Lamoureux:** With respect, Mr. Speaker, I would challenge the ruling.

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

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

**Mr. Speaker:** All those in support of sustaining the ruling of the Chair, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to—

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

**Mr. Speaker:** Order. Does the honourable member have support?

**Some Honourable Members:** Yes.

**Mr. Speaker:** The honourable member has support. So the ruling of the Chair has been challenged.

#### Voice Vote

**Mr. Speaker:** All those in support of sustaining the ruling of the Chair, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to sustaining the ruling of the Chair, say nay.

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Lamoureux:** Mr. Speaker, I would request Yeas and Nays, please.

**Mr. Speaker:** Does the honourable member have support?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Okay, the honourable member has support. A recorded vote having been requested, call in the members.

\* (15:30)

Order. Sixty minutes has expired. Please turn the bells off.

The question before the House is shall the ruling of the Chair be sustained.

#### Division

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

#### Yeas

*Aglugub, Allan, Altemeyer, Ashton, Bjornson, Brick, Dewar, Doer, Irvin-Ross, Jha, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.*

#### Nays

*Cullen, Derkach, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Hawranik,*

*Lamoureux, Maguire, Mitchelson, Penner, Reimer, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29, Nays 16.

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

#### MEMBERS' STATEMENTS

**Mr. Speaker:** We will now revert to Routine Proceedings and we will now go to Members' Statements.

#### St. James Collegiate Community Outreach

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, I stand today to praise the efforts of St. James Collegiate teacher, Tom Dercola, and his students. On several occasions Mr. Dercola has initiated community outreach projects and has encouraged his students to get involved and help others.

Last December, under Mr. Dercola's initiatives, students collected boxes of macaroni and cheese for Winnipeg Harvest, exposing St. James Collegiate students to the work of a worthy and valuable Winnipeg charity. More recently, Mr. Dercola and his students were spotted at Brooklands School cooking and serving pancakes, reading and distributing books. This is the third year in a row that Tom Dercola has brought Brooklands grads back from the collegiate to act as role models. The day is financed by United Way and corporate donations. It features a pancake breakfast followed by the collegiate students reading aloud to the children and then the distribution of a book to each child that they can take home.

I applaud Mr. Dercola for his efforts in bringing his students into direct contact with community outreach activities. Acting as role models to younger children and engaging in activities that benefit the less fortunate in Winnipeg is a lesson that is not easily taught in a classroom. The education in caring and community service that students receive as a result of these projects is invaluable for the development of a responsible and engaged citizenry.

Mr. Speaker, I salute Mr. Dercola and the students of St. James Collegiate for their spirited efforts in reaching out to their communities and for cultivating positive attitudes towards community service among our youth. Thank you.

#### Crocus Investment Fund

**Mrs. Myrna Driedger (Charleswood):** Over the past number of years under this Premier's (Mr. Doer) watch there has been a black eye on Manitoba's venture capital markets. The Auditor General has been very clear in stating that countless red flags were brought to this NDP government surrounding the Crocus Fund and were simply ignored. The Workers Compensation Board report that was delivered by the Auditor General again mentioned red flags that were ignored by this NDP government. The Premier has talked about the Auditor General. The one thing that is very clear is the Auditor General did not have the ability to ask questions of this Premier under oath. That is a fact, Mr. Speaker.

To further insult all Manitobans at last night's Public Accounts, the NDP refused to call witnesses to the meeting who would provide real answers under oath about political interference in the Crocus scandal. More than 33,000 Manitobans have been negatively impacted, all taxpayers have been negatively impacted, and venture capital in Manitoba has been unfairly tarnished.

Opposition parties are asking for an independent public inquiry, the media outlets are asking for it, but, most importantly, Manitobans are demanding a public inquiry.

Mr. Speaker, this Premier has a responsibility to call for an independent public inquiry and finally put to bed what went wrong and why more than 33,000 Manitobans, in fact all Manitobans, are being punished because this Premier does not have the courage to call an independent public inquiry. He is more interested in protecting his own political skin than in doing what is in the best interest of this province.

Mr. Speaker, the essence of good government is to tell the truth. Since this government has become such a poisoned environment, is not prepared to tell the truth and is stonewalling, I move that this House now rise.

#### St. Norbert Heritage Trails

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, on February 11, I had the pleasure of attending the fourth annual—

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

**Mr. Speaker:** Order.

### Point of Order

**Mr. Speaker:** The honourable Member for Inkster, on a point of order?

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, I clearly heard a motion that it was the intent of the Member for Charleswood to see this adjournment today, and I think that that question then should be put.

**Mr. Speaker:** Two things—*[interjection]*

On the same point of order?

**An Honourable Member:** On the same point of order.

**Mr. Speaker:** Okay. The honourable Member for Charleswood, on the same point of order.

**Mrs. Driedger:** I would like to rephrase that, then, to say that I move, seconded by the Member for River East (Mrs. Mitchelson), that the House now rise.

**Mr. Speaker:** Well, on the same point of order, I was going to address that. But, also, adjournment of the House, under our Rule 35(2), "a motion to adjourn the House shall not be made until the Orders of the Day have been entered upon." That is right in our rule book.

\* \* \*

**Mr. Lamoureux:** Mr. Speaker, again, with respect, I would challenge the ruling.

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

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

**Mr. Speaker:** Order. Does the honourable member have support, first of all?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Okay, the honourable member has support.

The ruling of the Chair has been challenged.

\* (15:40)

### Voice Vote

**Mr. Speaker:** All those in support of the ruling of the Chair, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to the ruling of the Chair, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** The Yeas have it.

### Formal Vote

**Mrs. Driedger:** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

\* (16:40)

**Mr. Speaker:** Order. Sixty minutes have expired. Please turn the bells off.

The question before the House is shall the ruling of the Chair be sustained.

### Division

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

#### Yeas

*Aglugub, Allan, Altemeyer, Bjornson, Brick, Dewar, Doer, Irvin-Ross, Jha, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.*

#### Nays

*Cullen, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Penner, Reimer, Rowat, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 27, Nays 16.

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

### Introduction of Guests

**Mr. Speaker:** I would like to draw the attention of all honourable members to the public gallery where we have with us 10 recipients of the International Nuffield Agricultural Scholarship. There are seven scholars from Australia, two from New Zealand and one from France. They have been visiting agricultural enterprises in Manitoba for the past week. They are being accompanied today by Wally Doerksen of Steinbach, a recipient of the scholarship in 1989, and Brent Wright of Portage la Prairie, a recipient of the scholarship in 1991. On behalf of all honourable members, I welcome you all here today.

We will now revert to where we left off.

### St. Norbert Heritage Trails

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, on February 11, I had the pleasure of attending the fourth annual Prairie Pathfinders/St. Norbert Heritage Trails Association Winter Adventure Hike in my constituency of St. Norbert. Joined by over 80 people that day, we explored the history of our province and region in a beautiful winter setting. The walk was a great success, so much that a second day had to be added to accommodate the incredible interest displayed by residents.

Organized by Prairie Pathfinders in partnership with St. Norbert Heritage Trails Association, the walk began at the St. Norbert Arts Centre. An eight-kilometre hike took the group up along the La Salle River weaving through the historic community of St. Norbert all the way to the Pollock estate on the banks of the Red and La Salle rivers where hikers could explore a 16-acre property that was recently donated to the City. Located in a naturally occurring river bottom forest, the estate will soon serve as a community park for residents and as a natural area for local habitat. I would like to commend Iris Pollock and her family for the generous donation of land to the City of Winnipeg.

Mr. Speaker, these types of activities are important because they create the bond that ties all Manitobans to our living past and to our natural environment. Both require preservation, and it is through the hard work of volunteers such as Janice Lukes, the education director of St. Norbert Heritage Trails Association, and Bob Roehle and Chris Lockyer, committee members of the Friends of Pollock Island Conservation Group, that these hikes are possible. I would also like to thank them for their efforts, and the many citizens of St. Norbert and Winnipeg who came out to bask in the beauty of our community as we walked along the La Salle River and enjoyed a fabulous lunch at the St. Norbert Arts Centre. Thank you.

### Crocus Investment Fund

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, over the past few months, voices both inside this Legislature and outside these walls have demanded the public inquiry into the Crocus Investment Fund scandal. But the only individual with the power to call that public inquiry is the Premier (Mr. Doer), and he does not have the courage to do so. What is he afraid will be disclosed? Why is he afraid to testify or put his ministers on the stand?

Mr. Speaker, last night a letter came forward to the Public Accounts Committee that I was at, from the Progressive Conservative Leader, the Member for Kirkfield Park (Mr. Murray), and the Liberal Leader from River Heights, which asked the committee to allow persons to come before the committee to testify as has already been done in the past. The opposition moved a motion so this letter could be dealt with. The government's amendment clearly was to derail the intent of the letter, and the government turned the whole process into a sham. They did not want the Premier (Mr. Doer), they did not want the Member from Brandon West (Mr. Smith), the former Minister of Industry, Economic Development and Mines, and they did not want MaryAnn Mihychuk or Eugene Kostyra and others to testify.

Countless red flags have been noted by the Auditor General on this Crocus file, only to be ignored and dismissed by this NDP government. How can they ignore the injustice that has been done to over 33,000 wronged shareholders and all Manitoba taxpayers?

In this government's continuing attempt to stonewall at the Public Accounts meeting held last night, the NDP refused to call witnesses who, under oath, would provide legitimate answers about political interference in the Crocus scandal. We need answers from the government officials that were in place at the time these red flags were raised, Mr. Speaker. Call for a public inquiry. What are this minister and this Premier hiding?

### Inwood Manor Fire

**Mr. Tom Nevakshonoff (Interlake):** Mr. Speaker, I rise today to tell of a very happy event I attended on the 26th of February. I refer to the reopening of the Inwood Manor, which was extensively damaged by a fire that started at 1:26 a.m. on the 16th of May last year.

The Inwood Fire Department was first on the scene, soon to be followed by the crews from Fraserwood, Teulon and Gimli, whose automatic assistance was a result of preplanning and participation in the North Interlake Mutual Aid District. The preplanning system was instrumental, not only in saving the building but also in saving the lives of the residents, who were in extreme peril given the lateness of the hour.

The residents had been trained not to exit their suites into smoke-filled hallways but to wait by their

windows instead. The firefighters then broke the windows and evacuated them from the building by this route. The plan worked beautifully and goes to show that anticipating and preparing for emergencies before they occur is critical if lives are to be saved.

Municipalities have been required by law since 1987 to have emergency response plans in place. In 2002, this government amended The Emergency Measures Act as part of the new Security Management Act, and municipalities are now required to submit their plans to government for review by the Emergency Measures Organization to see that they conform to provincial standards and guidelines. This higher level of scrutiny and co-operation will lead to a better response province-wide when disasters occur in the future.

Mr. Speaker, I raise the story of the Inwood Manor fire as a prime example of how to respond to emergencies. I commend all involved for their actions and foresight, which undoubtedly prevented this unfortunate event from turning into a tragedy. I congratulate the residents of the manor on their return to their homes, and praise them as well for following the emergency plan and having faith in their rescuers. Truly, from the ashes, a new phoenix has arisen. Thank you.

\* (16:50)

#### Point of Order

**Mr. Speaker:** The honourable Member for River Heights, are you up on a point of order or a matter of privilege? [*interjection*] Order. The honourable Member for River Heights, are you up on a point of order or a matter of privilege?

**Hon. Jon Gerrard (River Heights):** I am on a point of order.

**Mr. Speaker:** The honourable Member for River Heights, on a point of order.

**Mr. Gerrard:** Mr. Speaker, earlier today, I had raised a point of order, and you had said that it needed to have leave, so I am raising a point of order. This relates to the fact that we have a very important historic day today, the 100th anniversary of the provincial emblem, the flower the prairie crocus in Manitoba. I just thought, since there were no members' statements which dealt with the provincial flower, that I would see if there might be leave for one member from each of the three parties to provide a small statement at this juncture dealing

with this important anniversary. So, I would ask if there is leave to do that.

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

**Hon. Gord Mackintosh (Government House Leader):** On the same point, I would ask if the members opposite would be interested in debating the budget, Mr. Speaker, which is of concern to Manitobans.

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

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, on the same point of order. I just want to respond to the House Leader who said that there is nothing more that they would like to do than debate the budget. I think that members on this side of the House would really love to get into the debate on the budget; however—

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

**Mr. Speaker:** Order.

**An Honourable Member:** First of all, get your numbers right.

**Mr. Speaker:** Order. Would members rise to give their word on the point of order that is raised when responding to others' comments, that probably would be considered as getting into debate. The honourable member was recognized to respond to the honourable Member for River Heights' point of order, so the honourable Official Opposition House Leader, on the point of order.

**Mr. Derkach:** On the point of order, Mr. Speaker. I know that if we could deal with the inquiry on the Crocus, then I am sure that we would all enjoy debating the budget. But until that inquiry is called, that will not be possible.

Mr. Speaker, with regard to the member's point of order as it relates to the 100th anniversary of the floral emblem of our province, I think that this should be allowed. How often is it that we celebrate a 100th anniversary? Once every 100 years. If the government—

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

**Mr. Speaker:** Order. The honourable Official Opposition House Leader.

**Mr. Derkach:** Mr. Speaker, the 100th anniversary is a celebration, I think, that should be noted in our historic books. Our crocus goes back to the prairies, and in my constituency, the crocus is a flower that we will be seeing in the next month or month and a half. It is the floral emblem of our province. It is found throughout the province. One Belle Busch, who lived in my constituency, was known throughout Canada and throughout North America for the painting of the provincial emblem flower and that is the provincial crocus.

So, Mr. Speaker, I am happy that the Member for River Heights (Mr. Gerrard) rose in his place today, not because he could make a member's statement, not because he could do anything else in this House but raise it through a point of order, and at least raise to the government's attention that this is an important date, that this is an important celebration, that we should mark this day as the 100th anniversary of the crocus.

I notice that the Member for River Heights is wearing a crocus, and he has been wearing a crocus for some time, not only to celebrate the floral emblem of our province, but to remind the government that when this Crocus Fund was established to mark the floral emblem of our province, if you like, in terms of honouring it, this government has tarnished it by the way that they have conducted themselves—

**An Honourable Member:** Desecrated.

**Mr. Derkach:** —and the way in which they have, as my colleague says, desecrated this beautiful floral emblem by, Mr. Speaker, their attitude and their meddling in the Crocus Fund of this province. And so I think the Member for River Heights should be allowed to have his point of order acknowledged in this Chamber.

**Mr. Speaker:** I have already heard from representatives of the official opposition, government and one of the independent members. So if the honourable member is going to give new information, I would allow him, but very, very, very briefly.

**Mr. Kevin Lamoureux (Inkster):** I will try to keep my comments brief and, as much as possible, to the

point because I recognize that you have been very patient over the last little while, Mr. Speaker, in trying to understand what it is that we are trying to do. The Member for River Heights—*[interjection]*

**Mr. Speaker:** Order

**Mr. Lamoureux:** Mr. Speaker, the Member for River Heights used the rules of our Chamber earlier today, just prior to Question Period, immediately following Ministerial Statements. He stood on a point of order because he believed that the significance of a 100th anniversary of one of Manitoba's treasured emblems was worthy of note. At the time, you had ruled that the Member for River Heights did not have a point of order, and I sat and listened to what you had indicated to the Member for River Heights, and what you had suggested to the Member for River Heights is that he might want to consider doing this in the form of a request for leave. And we have seen, on numerous occasions inside this Chamber, where leave is requested and granted where government believes that there is some value to it.

So, in following your suggestion from Question Period, Mr. Speaker, the Member for River Heights—*[interjection]* Well, I am glad the minister knows that.

Mr. Speaker, in following your advice from Question Period, the Member for River Heights stood in his place, after listening to each member's statement to see if, in fact, there was going to be any comment on the crocus flower. Having seen no comment or heard no comment on the issue, the Member for River Heights, my leader, had stood in his place, in essence following your direction from Question Period, in the only form in which we can. As you have talked about earlier, it is either a point of order or a matter of privilege. He had stood on a point of order because we recognized the importance of it. Having said that, that is when he had posed the question to the government if, in fact, there would be leave.

**Mr. Speaker:** Order. I have heard enough to make my decision here.

Order. I want to remind the House that points of order are to be raised to point out to the Speaker a breach of a rule or a departure of practice, and—

**An Honourable Member:** Departure of practice.

**Mr. Speaker:** Departure of practice. The honourable member was rising on a point of order to ask leave to make a last statement on the crocus. I will remind all honourable members that you do not need to get leave of the House to ask for leave. Any member can ask for leave of anything anytime, and then it is up to the House to decide if the member would be granted leave. For example, if the member wanted to add a sixth member's statement, he asks leave to make a member's statement, and if the House agreed, then he would be allowed to make his member's statement. But you do not need to use a point of order to ask for leave to do something. And that is my ruling because

you do not need a point of order to ask leave for a member's statement.

**An Honourable Member:** I did not know that.

**Mr. Speaker:** Yes. So that is information for the House. So the honourable member's point of order does not have a point of order.

\* \* \*

**Mr. Speaker:** Now we are past 5 p.m. The House is adjourned and stands adjourned until 10 a.m. tomorrow (Friday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 16, 2006

## CONTENTS

| <b>ROUTINE PROCEEDINGS</b>  |            |   |            |
|---|------------|---|------------|
|   |            | Children in Care<br>Taillieu; Melnick   | 1254       |
| <b>Introduction of Bills</b>                                      |            | Public Accounts Committee               |            |
| Bill 27—The Tobacco Damages and Health Care<br>Costs Recovery Act |            | Hawranik; Rondeau                       | 1257       |
| Sale  | 1251       | Derkach; Mackintosh                     | 1259       |
| <b>Petitions</b>  |            | Crocus Investment Fund                  |            |
| Crocus Investment Fund  |            | Hawranik; Selinger                      | 1257       |
| Lamoureux   | 1251       | Cummings; Rondeau                       | 1258       |
| Highway 10  |            | Derkach; Mackintosh                     | 1260       |
| Rowat   | 1251       | <b>Members' Statements</b>              |            |
| Funding for New Cancer Drugs                                      |            | St. James Collegiate Community Outreach |            |
| Stefanson   | 1252       | Korzeniowski                            | 1263       |
| <b>Oral Questions</b>   |            | Crocus Investment Fund                  |            |
| Minister of Family Services                                       |            | Driedger                                | 1263       |
| Murray; Doer  | 1253, 1256 | Maguire                                 | 1265       |
| Taillieu; Doer  | 1255       | St. Norbert Heritage Trails             |            |
| Taillieu; Melnick   | 1255       | Brick                                   | 1263, 1265 |
| Gerrard; Doer   | 1260       | Inwood Manor Fire                       |            |
|   |            | Nevakshonoff                            | 1265       |