

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*

Vol. LVII No. 41 - 10 a.m., Friday, March 17, 2006

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

| Member | Constituency | Political Affiliation |
|--------------------------|---------------------|------------------------------|
| 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. |
| JENNISSEN, 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

Friday, March 17, 2006

The House met at 10 a.m.

PRAYER

ROUTINE PROCEEDINGS

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 the 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 did happen.

Signed by G. Scott, J. Scott, M. Davis and many, many more.

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

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 in Manitobans.

Families are often forced to watch their loved ones suffer the devastating consequences of this 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 Alex Vitt, M. Sevian, N. Mouldan and many, many others.

TABLING OF REPORTS

Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade): Mr. Speaker, I am pleased to table the Third Quarter Report for the Nine Months ended December 31, 2005, for the Manitoba

Lotteries Corporation, and also pleased to table the Nine Month Report for the Manitoba Liquor Control Commission for the period April 1 to December 31, 2005.

ORAL QUESTIONS

Minister of Family Services Accountability

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, my question is to the Minister of Family Services. I am sorry to say that this incompetent Minister of Family Services has seen the loss of a number of children who were abused and died under her watch. Little Phoenix Sinclair is the most recent and the worst example of her mismanagement. Now we know that the front-line workers have consistently warned the Minister of Family Services—

An Honourable Member: Wrong.

Mr. Cummings: Did I hear a member of the government say "wrong?" What an astounding statement, Mr. Speaker. They are denying that the front-line workers were warning them of impending problems.

My question is to the Minister of Family Services (Ms. Melnick). Why did she not listen to them?

*(10:05)

Hon. Dave Chomiak (Acting Premier): Mr. Speaker, every single member of this Legislature takes on the responsibility for lives and for laws in this province on a daily basis. Every minister undertakes their duties to be responsible in their particular portfolio. In the case of Family Services, there are thousands of children who are under care. There are systems in place to deal with situations. There are human beings and human lives that decisions are made on a daily basis.

Mr. Speaker, there is presently an investigation underway with respect to the tragic, awful, horrible situation with respect to that child. There is an investigation by the director of child welfare beginning immediately.

Mr. Cummings: Well, Mr. Speaker, of course, we collectively accept responsibility for management of government, but when a minister is assigned responsibility, specifically in the area of Family Services and the very heavy burden that goes with that, we would expect that responsibility would be

taken for mismanagement and for problems that appear within the department.

Front-line workers, Mr. Speaker, were horrified when they learned of what happened in the case of Phoenix Sinclair. She lost her life and, in all probability, it appears no one knew. How could that possibly have happened when the front-line workers and numerous other individuals were warning this minister of problems that were impending in her department and, frankly, had already been demonstrated through previous losses?

Will she explain that?

Mr. Chomiak: There is very, very little that we can do to help Phoenix Sinclair, unfortunately. What we can do is take a look at the case, take a look at the terrible circumstances, try to look at what went wrong and try to make sure that what went wrong in that particular case never happens again, or at least hope it never happens again. To that end, the director of child welfare is conducting an independent review. The Chief Medical Examiner will conduct an investigation under section 10 of the fatalities act. The RCMP is investigating the situation. Our goal is to—

Mr. Speaker: Order.

Mr. Cummings: Mr. Speaker, the opposition has a burden of responsibility to find out what happened in this department; how through the incompetence of the administration of this minister and this government could this have occurred. They did not know where she was for nine months. That is appalling.

We do not have the Premier (Mr. Doer) answering the questions. We do not have the minister, for some reason, answering the questions today. Where is the accountability in this government? Will she stand up and indicate how she could possibly have missed all these warnings and left Phoenix in the terrible state that she was in?

Mr. Chomiak: Mr. Speaker, in my capacity as Acting Premier, I want to point out to the member opposite that all of us in this Chamber bear some responsibility with regard to this particular situation. Our duty in this Legislature is to get the facts as to what went wrong, to find out and to ensure that it does not happen again. That is our responsibility.

Mr. Speaker, there will be plenty of time to point fingers and there will be plenty of time to assess blame. Our job now is to find out what went wrong, make sure it does not happen again, and I hope

members opposite join me in that sentiment as well, as I think—

Mr. Speaker: Order.

**Minister of Family Services
Removal Request**

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the minister has been cautioned repeatedly by social workers, by the MGEU and by opposition members in this House of the danger that children may face. The MGEU indicated they provided recommendations to the minister and, yet, these warnings and cautions went unheeded.

Mr. Speaker, because the minister failed to act on these cautions, because she ignored the recommendations of front-line social workers, she has put children at risk and little Phoenix Sinclair has died. The minister must step aside before any more children are put into harm's way.

Will she step down and let someone who is capable of protecting children in Manitoba administer Family Services?

* (10:10)

Hon. Dave Chomiak (Acting Premier): There is a system in place that was in place in the 1980s and the 1990s, and was put in place now with respect to protecting children in the province of Manitoba. There are issues that occur on a daily basis. There are judgments that are made by people, by professionals, on a daily basis, and we hope that all of the judgments are correct.

Mr. Speaker, decisions are made. In the case of Phoenix Sinclair, from the tragic, awful results of her final days and perhaps months, it is clear that something went wrong. Our job as a government, the minister's responsibility to the people of Manitoba and to the children in care is to find out what went wrong and make sure it does not happen again.

Mrs. Taillieu: Mr. Speaker, the minister has compromised the ability of front-line workers to do their jobs. She has not provided them with the framework, the policies and the tools to make decisions about safety of children. We understand that there are no provincial-wide risk assessment standards, leaving front-line social workers to make these decisions themselves because the minister has failed to provide the appropriate framework for workers to do their job. Children have fallen through the cracks.

She is responsible and she should resign. Will she step aside and let someone who will protect children step in?

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I take responsibility for some 6,000 children who are in care in Manitoba. One of the things that we did when we started to work on the Aboriginal Justice Inquiry Child Welfare Initiative, which members opposite let sit on the shelf for 11 years, was we included our partners, and one of our partners was the union. The union has made several recommendations that we have acted on. We have continued to work with the union, and we will continue in the future to work with the union. We are listening to all of our partners. We are not pointing fingers at front-line workers. We are not pointing fingers anywhere. We are jointly accepting our responsibility.

Mrs. Taillieu: Mr. Speaker, I would like to caution this member about putting misinformation on the record. There may be other children at risk in the system right now because of the neglect of this minister. We need to know where the children were and where they are now. This minister has proven that she is incapable of doing her job. She has not accounted for all the children in care and, consequently, children have died.

Will this minister now resign and allow someone who is competent to take over the portfolio?

Ms. Melnick: Mr. Speaker, I am glad the Member for Morris is starting to realize the importance of putting misinformation on the record. I hold up the document that she tabled yesterday where she presented misleading information to the House, and I will read the full quote so the House gets the context: "Some transfers are being forwarded with missing documentation thus requiring further work to track down the information before the transfer takes place."

She is undermining the workers. She is undermining all of the partners, Mr. Speaker, and she is misinforming this House inside and out.

* (10:15)

**Children in Care
Worker's Concern**

Mrs. Heather Stefanson (Tuxedo): The president of the MGEU has stated that front-line social workers expressed concerns to the Minister of Family Services repeatedly over the last number of

years and offered recommendations to address their concerns. Yet, Mr. Speaker, the minister failed to acknowledge these recommendations. We have been asking this minister questions and all we keep hearing is that there are processes in place. Now we learn that the minister received recommendations to strengthen those processes and completely ignored them.

I would ask this minister how confident can she possibly be with the current processes when front-line workers are expressing concerns and children are falling through the cracks, Mr. Speaker.

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, again the union has been our partner from the beginning. We, on several of their recommendations, have made changes. A joint management committee was established between labour and management and the department from the beginning.

In particular, on advice from the union, a concession was made to maintain the stability of the after-hours unit. All new intakes were redirected. The agency also responded to a concern around case summary workload based on union concerns. During the devolution process, the child protection branch has had many discussions with the union around the transfer of cases. They have acted on the union's concerns with the agencies and the authorities. We are listening and we are working with them.

Mrs. Stefanson: Mr. Speaker, if the union was truly a partner in this process then why did they not listen to the recommendations the union made?

Tragically, children have died while in the care of this Minister of Family Services. Each of these deaths should have served as warning signs, but this minister and this government seems to have ignored these signals.

My question is to the Minister of Family Services: Why has she refused repeatedly to take immediate action to ensure that no other children fall through the cracks? Why did she ignore these cautions and recommendations of the front-line workers?

Ms. Melnick: Well, I will repeat for the member opposite what I said yesterday. There are several reviews underway in which we are working with the investigators, the RCMP, the CME, a section for internal review. Next week, Mr. Speaker, we will be announcing an external review based on the opening, closing and transferring of cases. If there are more

questions that arise we will be dealing with those questions as well.

Minister of Family Services Removal Request

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I do not know how many more warning signs that this Minister of Family Services needs before she will take action for the children in Manitoba. This minister has demonstrated neglect and disregard of her responsibility to offer the children in her care the protection they need and deserve by blatantly and repeatedly ignoring warning signs and failing to take immediate action on behalf of the children in this province.

Will the Minister of Family Services admit that she has neglected her responsibility, do the right thing today on behalf of the children of Manitoba and resign?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the member has asked the question—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Selinger: The member has asked a question. The minister has given an answer but I do not believe the answer has been heard. The minister indicated that there were responses to the concerns raised by the front-line workers.

The first one was the stability of the after-hours unit that was maintained so that unit could function fully through any devolution or transition process. As well, no new intakes flowed to the Family Services worker units of the agency. This was done to minimize additional pressure on Family Services workers who were involved in the transition process. As well, there was an agency, a pool of workers that were redeployed and additional staff hired to assist with workload pressures. This is clear evidence that the minister did respond to the concerns raised.

* (10:20)

MATTER OF PRIVILEGE

Mr. Leonard Derkach (Russell): Mr. Speaker, on a matter of privilege.

Mr. Speaker, what we have heard today—

Mr. Speaker: The honourable Member for Russell, on a matter of privilege. Sorry, my mike was off. Sorry. I need to repeat it for Hansard to pick it up.

Mr. Derkach: Thank you, Mr. Speaker. What we have heard here this morning is embarrassing to begin with. It is astounding and it is hard to believe that a government could be so insensitive to matters that are of such great importance to Manitobans.

I rise in my place because, after having listened to the answers this morning, one cannot help but believe that there is an urgency to what is before us. Mr. Speaker, when I speak about urgency, I speak about the urgency to ensure the protection of children who are in care of a minister who is responsible for a portfolio. This minister is almost defiant when she gets up in her place to answer questions. She seems to have no remorse for what has happened to these children under her care. Now, I say that because of the attitude that has been displayed by this minister in this House. I say that because of the attitudes that I hear that are being spoken from the seats of members around her.

Mr. Speaker, this is no laughing matter. There are families out who are watching and are worried and are fearful for the safety of children in this province. Today we witnessed the rising of different ministers to protect the Minister of Family Services (Ms. Melnick), acting as human shields for the Minister of Family Services and when she got up, she got up in defiance.

Now, Mr. Speaker, the headlines in the newspapers say it clearly. You know, these are not red flags any more. These are warnings, warnings that were given to the government, warnings that were given to the Minister of Family Services about what might happen if things did not change. The MGEU, who rarely speaks out against the government, today indicated clearly that they gave this government and this minister warnings about what could happen.

Now, Mr. Speaker, we have witnessed the deaths of a number of children in the care of Family Services. Which lives may not have been lost had the minister acted on the warnings that were given to her? We can no longer continue to simply listen to the rhetoric of the minister and her colleagues in this House. Action must be taken so that no other child is in fear of losing its life because this minister cannot carry out her responsibilities.

Mr. Speaker, it is a rare occasion in this House when we feel as strongly as we do about a minister stepping aside because of the gravity of the issues that are before us, and this is a grave issue.

The Member for Morris (Mrs. Taillieu) has laid out the case. We are getting phone calls coming in to us and to the critic on a daily basis telling us about the warnings that were given to this minister, Mr. Speaker, and about processes which could have been put in place but were not because this minister felt she knew better. The time has come for this minister to do what is right. You must put pride aside and do what is right for the children of this province. The incompetence of this minister can no longer be tolerated. There are other members on that side of the House, on the government side of the House, who can assume that responsibility, take charge and immediately correct what is wrong in the system.

* (10:25)

You cannot blame front-line workers. Today, the Member for Morris laid on the table in the House that, indeed, a concern was raised about standards. The front-line workers have no standards to work by. Now, Mr. Speaker, who then ensures that is corrected? It is the minister's responsibility, but once again, aloof as she is, she would not adhere to even those warnings.

These are not red flags. These are not cautions. We are beyond that, Mr. Speaker. We are talking about warnings and those are not our words. Those are words that we read in the newspapers.

Now, we do not take this lightly. This is not a day for jubilation on either side of the House. We do this with regret and we do this with concern. We do this because we do not want to see another name added to this list of children who have died in the care of Family Services, and it will happen from time to time, Mr. Speaker. The minister cannot protect every single situation, but we have a pattern here, and if you look at the number of children who have died over the course of time, it almost seems that every six months we have a fatality under this minister's watch, or six weeks, I should say.

How much longer must Manitobans tolerate this? Now, Mr. Speaker, if there was not another person on that side of the House who we felt was able to assume this responsibility, then we would probably sit back and say, well, it would not matter who you give that to because they are all the same. I know that on that side of the House, there are people who are capable. There are ministers who can take this matter and do the right thing. It is up to the

Premier (Mr. Doer) to assign that responsibility to one who is capable.

Mr. Speaker, on this side of the House we have asked questions over the last six months and longer of this minister. She has a rehearsed statement that she gives to the House to every answer and regrettably, we see that from other ministers too, but in other cases, it does not involve the safety and the lives of children. This is the most serious and the most grave, and this is why it cannot be tolerated anymore.

I listened carefully to the deputy leader ask his questions. I listened carefully to the Member for Morris ask her questions and the Member for Tuxedo (Mrs. Stefanson) asking her questions, and in every case, they brought forward information that the minister could have listened to the question and responded yes. She should have said or should say that it is time for her to step aside. Swallow your pride, Madam Minister.

An Honourable Member: The right thing to do.

* (10:30)

Mr. Derkach: The right thing to do is for the safety and the concern for children and their families, and that is why, Mr. Speaker, I will not go on and on, but I will move a motion at this time.

Mr. Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings), that the Legislative Assembly no longer has any confidence in the Minister of Family Services and Housing (Ms. Melnick) in discharging her duties and therefore recommends to the Lieutenant-Governor-in-Council and the Premier that she be relieved from her duties immediately.

Hon. Dave Chomiak (Acting Premier): I rise to speak to this matter of privilege, the fourth or fifth, I think, that has been in this Chamber in the last several weeks. I rise in my role as Acting Premier and I rise in my role as someone who has been a member of this Chamber for 16 years.

This issue, the issue of a death of a child, is bigger than any of our egos. It is bigger than any of our politics. It is bigger than any of us, Mr. Speaker. It is a responsibility that we owe to the public of Manitoba to deal with and to resolve.

I have a rule. I have some principles that I try to adhere to. One of them is to avoid personal references both personally and otherwise, but I am going to break that slightly in today's context. The first week that I was minister I was asked to resign within a month, within a month of being minister. I had some experience, as Minister of Health for five years, with being accused of being irresponsible with respect to issues. I can tell you that the philosophy that I chose and the philosophy that we chose was to not be in a situation of blaming anyone, but to be in a situation of looking at what the problem is and seeing if we could do, as imperfect human beings in an imperfect world, to try to do the best we can to solve the particular problem.

I recall, Mr. Speaker, during the 1990s when I was in opposition and some deaths occurred of children under care, the issue was not public. The media and myself, as critic, brought it forward to this Chamber. At the end of the day, the Sinclair report came out, and while we did not solve the tragedy of the 12 deaths, we did some justice to the system. I was not minister responsible; members opposite were ministers responsible in the Cabinet. But the Sinclair report took place, and as a result of the Sinclair report the system has now improved. We found out that, perhaps, Winnipeg was not a good place to do child cardiac surgeries because there was not a big enough volume. As a consequence, child surgeries were moved to Edmonton where there was a higher volume, less likelihood of less experience; therefore better results.

Now, Mr. Speaker, that result occurred because we had the courage to undertake a review of what the system was and we were public, as we are today in this Chamber, with a terrible tragedy that has occurred. When the tragedy occurred, the minister, the government, the members of the opposition said, what do you do? We said, we launch investigations, we do follow-ups, we make it public, we try to find what went wrong and we try to ensure that it never happens again. That is the issue.

We all feel, all of us are parents, grandparents, we have constituents, we all feel. But what do we do? We try to act to resolve the problem. When we find out what went wrong and there is an examination by the director of Child and Family Services, there is an examination by the Chief Medical Examiner. There is an examination by the RCMP. There will be a further examination on issues that relate to that, and when we find out what went

wrong in this instance, it is our duty and our responsibility to the people of Manitoba to act on those findings. When those findings come out and when fault and mistake is attributed, it is our duty to deal with that.

Mr. Speaker, in the case of the child deaths, there were all kinds of errors that were made. There were human beings that made mistakes. We could not undo those mistakes. We could not undo those deaths. What we could do and we have is put in place different systems to prevent that from happening in the future.

I was a minister. This government was a minister. During that period of time, there were several ministers responsible. I assumed ministership and assumed the responsibility of implementing those recommendations. I did not call for the heads of those that were responsible, Mr. Speaker. I simply tried to do what we should do in this Chamber and that is improve the situation so that it does not happen again.

The minister has responded to the questions by pointing out what was done, what information is on the record that may be incorrect and what will be done to improve the situation in the future. What more can a minister do except respond to the questions and do what we all do in this Chamber? Go back and grieve, because we all do, over what went wrong, accept responsibility and try to improve the system and then grieve, as we all do, as to what went wrong. Then when the results come out from those investigations, as soon as possible, make sure that that does not happen again, Mr. Speaker.

Every day we in government and opposition as MLAs get letters and concerns and our duty is to follow up. Then we make judgments and we ask our officials and our experts to review the warning, the concern, the judgment. Is this something we should follow up on? We follow up on it. Sometimes we get it right. Perhaps sometimes we get it wrong. Our duty is to follow up. Our duty is to ensure that we are doing the best to our ability.

There are members opposite who had the same responsibilities. They know what those responsibilities entail. They know what it is like to have to follow up in these situations. They know how difficult it can be sometimes, and they know that our duty is to try to ensure that when concerns are raised, or problems are raised, we do everything that is possible within the ambit of government and the

ambit of us as imperfect beings to try to make the situation better, Mr. Speaker.

There is no cover-up. It is public. There is no denying responsibility. We said we will be responsible. There is no lack of review going on. There are three reviews going on, Mr. Speaker, by experts, people that are not political, people that are outside of this Chamber, people that care as much as we do and who are professionals. They will provide us with information. Those results will be made public, and the system will have to be accountable and will have to improve.

*(10:40)

There will be more, Mr. Speaker, that we will hear of because there are 6,000 children in care. Some of those people that take care of those children in care are friends of mine, friends of all of ours. We know how difficult, how extremely difficult, those situations are. We know those people go home at night and grieve sometimes and worry about the decisions they made and hope that their training and experience will ensure that they did not make a wrong call. On occasions, it happens there, here and everywhere, but at the end, the end is to take a system that the public relies on, look at the faults and the errors that were made and make sure that we do not repeat that in the future. That is what our job is here in this Chamber.

I say to the Member for Russell (Mr. Derkach) whom I have had many conversations with and worked with a long time, I think he understands, as do members, what our roles and responsibilities are. Mr. Speaker, it is not about politics, and I think members opposite agree. It is really not about individuals in this Chamber. It is about what the roles and responsibilities are and how we follow up on those roles and responsibilities. And, in the end, it is really the children and the parents of Manitoba who rely on us in our imperfect nature to do the best we can. That is what the minister has done, that is what the government is doing. We are launching, we have launched inquiries into what went wrong and how it can be improved.

Mr. Speaker, I know for a fact that this has occurred in other provinces: British Columbia, Alberta, Saskatchewan, Ontario. British Columbia has put in place different systems as a result of children in care. We should look to other provinces and other jurisdictions, as they look to us, as to how we solved the cardiac situation that occurred in the

1990s under the previous administration. I am not saying that with any political malice or intention, but to point out that the goal in this Chamber is to learn from the mistakes and ensure they do not happen in the future.

I do not think the member has a matter of privilege, Mr. Speaker. I believe that our responsibility is to listen to the public, to listen to the care providers, to listen to those involved, to listen to those who are investigating the situation and ensure that we follow their advice to prevent this from happening in the future. Thank you, Mr. Speaker.

Mr. Speaker: The honourable Member for Ste. Rose, on the same privilege.

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, we have just heard two very strong statements in this House, on our side talking about why we feel a stronger responsibility and appreciation of responsibility needs to be taken.

I rise, in part, because the Acting Premier for the government somehow thinks that we are simply playing politics or that our role is not to ask for accountability when there is such a serious situation as we are dealing with today. It is true that everyone in this House feels personally aggrieved when something of this nature happens, in the loss in this case of Phoenix Sinclair, but Mr. Speaker, I know that—and I will use my own numbers—I have been here for close to 20 years, and I will not take a lecture from the government about whether or not the opposition has a responsibility to hold them responsible.

The ultimate responsibility in the parliamentary system is that the minister is held responsible for what happens in their department. If they are not, the system does not work well. If they are not held accountable for errors that may have occurred under their leadership, and if they are not willing to be held up as accountable, then the system does not necessarily serve the public.

I am concerned that the minister would put on the record, in asking questions, and in this case feeling aggrieved to raising a matter of privilege, that somehow that is inappropriate or somehow that we are not playing nice. That is wrong, Mr. Speaker, that is just wrong.

This is a situation where it appears the system has failed horribly. The system is being changed, but nevertheless the first responsibility is to the young people in care. When warnings that we are now

being made aware of were brought forward, then why was action not taken? Why were they not heard? Why was there not a better way of dealing with it? It is not wrong to hold the minister and the government accountable for the failure of the system, and if they deny that, then they are denying responsibility. If they deny that, they should not be held accountable.

The system is, as I believe Winston Churchill once said, pretty messy, but it is a heck of a lot better than any of the other systems, and it means that we must be held accountable for ministries that we are entrusted with.

Mr. Speaker, it is strange and yet very understandable that Family Services has engendered some of the strongest debate in this House that I can ever remember. I would tell you I have seen men and women driven to tears in this House upset about things that have happened, and the government must be responsible. They must take the actions that are necessary to deal with the situation, and I ask that this House consider my House Leader's recommendation on this matter of privilege because if we do not take this seriously, if we somehow—and the analogy was made to the baby cardiac deaths. There was a system failure, but what happened there? I believe we now contract out to other expertise to deal with those problems.

We cannot do that with Family Services. We cannot contract this out to Saskatoon. We need to take responsibility and show some leadership and if anybody on that side takes anything from what I am saying, do not take this as a matter of thinking that there is no respect for each other in this House. It is a matter of making the system work. If it does not work, then what will that do for Susan Redhead or Henry Okemow or baby John Demery? What will it do for Phoenix? Obviously, nothing can rescue them at this point but the system has to be made better.

The process that we have embarked upon is an important one and deeply felt on this side of the House. It should be on that side as well.

Mr. Speaker: The honourable Minister of Finance, on the same privilege?

Hon. Greg Selinger (Minister of Finance): I actually rise to agree with the sentiments just expressed by the Member for Ste. Rose (Mr. Cummings), that the objective has to be to make the system work better to ensure that nobody is a victim like the young child whom we have been debating in

this Legislature in the last few days. That is exactly why the facts have to be determined before somebody is specifically asked for their head.

That is exactly why the minister has taken the actions she has taken under the act to have an internal review. That is why the RCMP have been brought in to the investigation, and that is why the Chief Medical Officer is moving on this case, and that is why those offices are put in place and funded to do the work they do.

If any other measures are required to follow up on the specifics of this or any other case like this, this government has said and the minister has said that they will take responsibility for the tragedy that has occurred and they will take the action necessary to ensure that it does not happen again.

The minister has put on the record the actions that she has taken in order to try to address the concerns raised by the front-line workers. The front-line workers are the closest people to what is going on, and they see every day the stresses that are experienced by families and themselves in the kind of work they have to do.

That is exactly why we have to follow an orderly process of determining exactly what went awry here, why this gap occurred in the supervision of this child and then ensure, under whatever system that we put in place, whether it is one that flows out of the recommendations of the Aboriginal Justice Inquiry or the existing systems as they exist now, that these oversights can be corrected, that these oversights will in the future do their job properly so that children have the proper care in this province, the proper oversight, the proper protection.

That is why, Mr. Speaker, with all respect, this is not a question of privilege. The member's rights have not been impaired. This is just another dimension of the debate that should be going on in this Chamber. It should not be done under a question of privilege. It should be done through the proper procedure of questions and answers and the kind of accountability that we come here to provide to the members of the public, to Manitobans every day.

* (10:50)

I submit, Mr. Speaker, this is not a question of privilege, but really another dimension to a very important debate that is going on here and we have to recognize that this minister has taken her

responsibility, has never for one second tried to deny the responsibility of the minister for this department and has put in place several very specific actions to follow up on this and to ensure it did not happen in the first place and, therefore, I submit it is not a question of privilege.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I stand in support of the matter of privilege. Primarily, yesterday my leader had the opportunity through Question Period to also call for the resignation, and he spoke in terms of the cumulative reasons as to why, whether it is Hydra House, Aiyawin, baby Phoenix. There are issues that are there, and today what we see in the minds of the public is, I believe, a gut-wrenching feeling to the point in which there is so much anger that people are actually turning off the TV, not reading the articles, tuning out of their radios when they start hearing some of the details of this particular case. It is hard for us to imagine how something of this nature could have happened, how a baby could have been murdered and months later finally detected that she was murdered. It is gut wrenching and I think it is taxing upon all of us to do what we can.

The Member for Russell (Mr. Derkach) has brought forward a motion through a matter of privilege that addresses the issue head-on, Mr. Speaker. It is, indeed, about responsibility. All of us, each and every one of us has the capability of being a minister. There is no doubt in my mind. Each and every one of us has a passion for the children of our province, has a passion for wanting a healthy health care system and so forth, but at times, because of situations, maybe because of personalities, whatever it might be, you are not there to be able to do or to perform a specific role that allows for certain things to occur, i.e., protection of our children in this particular case.

I have no qualms that the minister is a nice person. I like to think we all are, Mr. Speaker, but this goes beyond a person being a nice person. We have a responsibility in this Chamber to protect the children. We are not talking about one case here. What we are talking about, and it has been alluded to, there are 6,000 cases out there. To what degree was the government wanting to be politically correct in expediting the devolution of authority? To what degree did they match the proper resources that would have ensured that the job was going to be done properly, correctly, in the best interests of the child as opposed to what is in the best interest of politics or wanting to be politically correct? I am not

convinced that the children's interests were put first. I do believe that the government's agenda was put first, and the minister ultimately was responsible to ensure that there were adequate resources in place, to ensure that there was a transition that would have guaranteed that the child would, in fact, be taken into consideration.

Mr. Speaker, we are talking about a tragic death, a murder of an innocent child, but there are still thousands of other children who are affected when government makes a decision of devolution and, quite frankly, might not have put in the resources that were necessary. We need to feel confident. This Legislature needs to feel confident that the minister who is responsible ultimately knows what he or she is doing and is advocating within that Cabinet to ensure that the proper and adequate resources are there. Again, red flags were brought to the attention of the government in terms of concerns in resources which the official opposition has alluded to.

These are, indeed, serious allegations. This goes beyond baby Phoenix, and I think that the motion that has been brought forward from the Opposition House Leader addresses the issue head-on. It is about responsibility and taking responsibility. Something serious went wrong here.

I can tell you that the couple of discussions that I have had with constituents of mine is that people do not understand why so many months lapsed and there was no contact made with this child, whether the case was closed or not closed. That is another issue and is part of the complexities. What they do not understand is how can a child be apprehended and be held in custody for so long, surrendered, and there is absolutely no follow-up for how many months, Mr. Speaker? It is hard to imagine that and I think that those constituents and others, all Manitobans, are feeling angry about this issue and they want to understand what went wrong.

Mr. Speaker, the government can do a lot by acknowledging that, yes, they have made some mistakes on this file. When I am talking about the file, I am talking about the 6,000 children, that it was not properly resourced or they were pushing it maybe a little too fast because they wanted to be politically correct.

Government needs to take responsibility. We have seen a government that does not want to take responsibility, and at some point in time you are

going to see a public very upset because of this continual denial of wanting to take responsibility for the types of things that have been taking place in our province.

Mr. Speaker, I find it very difficult to say that a minister has to resign because of a situation like this. It is very difficult because I truly do believe, as all members, that we are all nice people and we all try to do our best. We all love our children. We all want to make sure that they are safe, but it does not necessarily mean, as much as their intentions might be good, it does not necessarily mean that they are the right person for that particular position for whatever circumstances that might have led to it. It is far too important. We recognize the importance. That is the reason why we have a Child Advocate. That is the reason why we have all parties doing the hiring of the Child Advocate, because we recognize the treasure of our children.

What I am asking, following my leader from yesterday or the combined opposition from yesterday, Mr. Speaker, that the government recognize that, in fact, a resignation is in order, and it is with regret that I would call for that resignation.

Mr. Speaker: On the matter of privilege raised by the honourable Official Opposition House Leader, a matter of privilege is a serious concern. I am going to take this matter under advisement to consult the authorities and I will return to the House with a ruling.

Mr. Speaker: I will revert to Question Period. We were on question No. 4.

Water Regulations Farmer's Concerns

Mr. Jack Penner (Emerson): Mr. Speaker, I rise today dealing with the water regulations that the minister has presented during eight public meetings in the province of Manitoba and attended by hundreds of people. Those regulations are causing serious alarms amongst the farm community. Many farmers, especially small operators, are saying that if these laws are implemented they are finished.

Mr. Speaker, I ask the Minister of Water Stewardship or anybody who is responsible here to answer for him: How many operations will be shut down as a result of these reckless regulations?

Hon. Stan Struthers (Acting Minister of Water Stewardship): Mr. Speaker, very clearly this government has a mandate to protect the water of

Lake Winnipeg, Lake Winnipegosis, Lake Manitoba, the streams, the rivers that flow into them.

We do not have a mandate to close down farms. That is not the intention and, quite frankly, I think the Member for Emerson needs to settle down, go through their draft regulation in terms of water quality management zones, look at the draft regulation dealing with phosphorous and understand the impact on that. Understand that the impact will not be to run every farmer off the land. That is not our intention. We went out and consulted in good faith with everybody who wanted to talk to us—

Mr. Speaker: Order.

Mr. Penner: I want to say to you, Mr. Speaker, that I have practised agriculture from a practical standpoint for 41 years. The changes, the massive changes that we have seen in agriculture that farmers have made, the virtually billions of dollars of expenditures by farmers to change the way they do business and to protect the soil and the land. Many of these farmers are today asking where is the scientific evidence that we as farmers are degrading Lake Winnipeg.

I want to ask the minister and I want to ask the members opposite in government: What proof can you give to the people of Manitoba that there is scientific evidence that demonstrates the farmers are responsible for the degradation of Lake Winnipeg?

* (11:00)

Mr. Struthers: Mr. Speaker, first of all, we are not saying that farmers are responsible for the complete devastation and degradation of water. We understand on this side of the House that there are many sources of phosphorus, many sources of nutrients and of nitrogen. Our approach is that everyone who contributes to the growth of algae in our lakes and streams needs to take their responsibility for that. We have taken that even-handed kind of approach with all the sources of nutrients in this province of Manitoba.

I want to say, too, Mr. Speaker, that I do not think the Member for Emerson gives farmers near enough credit. In the meeting in Steinbach, after the Member for Emerson tried to rile up the crowd, one of the farmers stood up and said to the Member for Emerson—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Penner: I want to say to the Assembly here that we are all dependent on clean water; farmers, urban people. We are all dependent on it, but no one more so than the very farmers who produce the food for the nations of the world and for the people of the world. Many of our farmers or all of our farmers have been the best stewards of the land and of their water. They know they cannot raise livestock or grow crops with polluted water. That is impossible.

Why is this minister forcing harsh, unreasonable regulations that attack the very people who have dedicated their lives to good stewardship and the protection of land and water in this province?

Mr. Struthers: In recent years, we understand that the farm communities have been under a lot of challenges; weather conditions, low commodity prices, high input costs, but we also note—

An Honourable Member: That is false information you are putting out there.

Mr. Struthers: It is not false information. The farm community has been challenged, Mr. Speaker. That may be the opinion of the opposition that it is not challenging out there for farmers, but I understand that it is.

Mr. Speaker, the Member for Emerson talks about basing this on science. That is what we are doing. We put together a committee of phosphorus experts who spent their lives looking into this. Our draft regulation that is being consulted on by farmers across this province is based on the scientific evidence that was brought forward by that committee.

Livestock Industry Slaughter Capacity

Mr. Ralph Eichler (Lakeside): Mr. Speaker, we have all heard about the lengthy government delays that have stagnated the development of Ranchers Choice and Natural Valley processing facilities. Now it has come to my attention that the Province intends to add a \$3 backdoor tax for each animal sold in the province. Another fee like this would be a terrible setback to the industry that is already under intense pressure.

Mr. Speaker, I ask the minister: When will she become accountable to the commitments of this NDP government and expedite increased slaughter capacity instead of exercising crippling taxes on our farmers?

Hon. Stan Struthers (Acting Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, it is evident to me from that question that the member does not know the difference between a—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Struthers: —that the member does not know the difference between a tax and a proposal that has been put—

An Honourable Member: Just another tax.

Mr. Speaker: Order.

Mr. Struthers: Mr. Speaker, it might be politically expedient for the members across to say that this is "just another tax," but we need to be serious about increasing the slaughter capacity in our province, which is what this government and our minister have been doing.

I would encourage members opposite, instead of being the naysayers and doom-and-gloomers they have been on this file, to get on board with Ranchers Choice, to get on board with the Natural Prairie Beef in Neepawa, to get on board with the good work that our minister has been doing, increasing from 16,000 to 28,000 the number of cows that we slaughter in this province, instead of wandering around, poking holes at every good initiative, even the ones initiated by cattle producers in this province.

Get on board. Quit being doom-and-gloomers.

Mr. Eichler: Mr. Speaker, it was reported in the *Winnipeg Free Press*, on March 11, that Ranchers Choice Co-op is facing further delays due to actions of this Province. Farm families are struggling to survive and this NDP government is taking \$1.8 million in increased backdoor taxes from farmers while neglecting the commitments to increase slaughter capacity.

Mr. Speaker, when will the minister commit to expediting the long-delayed construction of the Ranchers Choice and Natural Valley instead of continuing this pattern of increased taxation?

Mr. Struthers: First of all, our Minister of Agriculture (Ms. Wowchuk) has met with the Manitoba Cattle Producers Association, has met with the dairy producers, has met with the Keystone Agricultural Producers to talk about this \$3 levy. Remember, Mr. Speaker, this is equity. This is equity for the farmers. That is what I do not think the

members across the way either understand or want to understand.

Mr. Speaker, we have in this province the largest cattle herd, an old cattle herd, the largest we have had in this province's history. We need to be doing something to make sure that those animals do not end up in our landfills. We are taking it seriously—

Mr. Speaker: Order.

Mr. Eichler: When you dig into your pocket and you dig out three bucks, that is tax. I do not care how you want to try and camouflage that. Our farm families are already suffering from the lingering effects of BSE, depressed crop prices and the lack of slaughter capacity. This \$1.8-million backdoor tax could be the final blow to push many great Manitoba farm families out of business. This NDP government not only has no interest in helping Manitoba producers, but they want to punish them, Mr. Speaker. This Minister of Agriculture (Ms. Wowchuk) has once again failed our producers.

Will the minister commit today on record that there will be no additional \$3 backdoor tax on Manitoba cattle sold, and will the minister call an end to it today, Mr. Speaker?

Mr. Struthers: Mr. Speaker, a tax was in the 1990s, when that former government offloaded all its costs on to school divisions and they raised property taxes 68 percent. That is a fact. A reduction in taxes is what this government did in its budget to decrease farmland taxes by 60 percent, and then we wonder why they do not have the courage to debate our budget in this House.

CentreStone Ventures Government Investments

Mr. Gerald Hawranik (Lac du Bonnet): In late November 2004, just two short weeks before the Crocus Investment Fund ceased operations, this NDP government invested \$5 million of taxpayers' money into CentreStone Ventures at the same time as Crocus invested \$2 million. At the time, the Crocus ship was taking on water.

I ask the Minister of Industry: As part of their due diligence in this investment why did he not check into the solvency of his investment partner?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I am pleased to say that the Manitoba government is a partner as far as the Manitoba Science and

Technology Fund, CentreStone Ventures and other funds. Now what these funds are is private equity funds that place money in life sciences, place money in investments that expand the Manitoba government. That is no different under the former government or under government. In fact, James Umlah, who was appointed as the chairperson, he was a vice-president at Crocus, and a person called Merv Tweed appointed him as a private equity fund just before the Crocus Fund went down. You crowed that it was a good investment and a good person was taking charge of the fund.

Mr. Hawranik: Mr. Speaker, this NDP government co-invested with CentreStone, with Crocus just before the Crocus Fund went under. Wally Fox-Decent, as a member of the Crocus board, acknowledged that the investment was done during turbulent times at Crocus. Those were his words.

I ask the Minister of Industry: As part of his due diligence before investing \$5 million of taxpayers' money why did he not, at the very least, call Wally Fox-Decent to determine whether his investment partner was solvent?

* (11:10)

Mr. Rondeau: Mr. Speaker, I am shocked by the member opposite.

We have done investments with appropriate due diligence throughout the Conservative government and our government. In fact, and I quote, James Umlah, who is the CEO and the Crocus vice-president of investments, was the manager and set up as the manager of the Science and Technology Fund.

What is interesting about that is the former government crowed about his managerial expertise and his exemplary record. Mr. Umlah was at the time an executive of the Crocus Fund. Your government invested \$10 million in the Science and Technology Fund which was managed by James Umlah, a vice-president of the Crocus Fund. Pay attention to history, sir.

Mr. Hawranik: Mr. Speaker, in late November of 2004, CentreStone and the Minister of Industry issued a joint news release that notes that \$25 million in private equity was invested in CentreStone.

The release lists investment partners that include Teachers' Retirement Allowance Fund, Province of Manitoba, Workers Compensation Board and

Manitoba Public Insurance. This is not private equity; these are public funds.

I ask the Minister of Industry: If he cannot even do his homework on the content of a joint news release, how does he believe that he can do his due diligence with respect to Crocus, his investment partner?

Mr. Rondeau: Throughout history, throughout every province, throughout any investment deal, what happens is investors get together, invest money in enterprises to grow the economy to get a return on investment. This is no different from under the previous government or under our government. There is no difference in any province. In fact, if the member opposite knew anything about finances, this is the basic premise of mutual funds and retirement funds. People pool investments. They get a return and, hence, that is the whole industry. The member opposite should know that was done under the previous government. In each case people do their own due diligence, their own research and make appropriate investments.

Crocus Investment Fund Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, under oath, Pat Jacobsen said, I believe that had the government conducted an independent—*[interjection]*

Mr. Speaker: Order.

Mr. Lamoureux: Is that your imitation of a baby, or what?

Mr. Speaker, under oath, Pat Jacobsen said, and I quote: I believe that had the government conducted an independent audit in 2001 of Workers Compensation Board and, as I requested from the minister responsible for Workers Compensation Board in 2001, both Crocus and Workers Compensation Board would not have lost millions of dollars. One could ask why.

MaryAnn Mihychuk is quoted as saying: The NDP government's close ties to organized labour hampered its ability to effectively monitor the Crocus Investment Fund.

Mr. Speaker, combined, I believe that these two statements are condemning this government of being corrupt on the Crocus affair. I am asking the government to call for a public inquiry.

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): It is important to note, Mr. Speaker, that there have been independent government investigations. If you take note, there has been an independent Auditor who is the servant of this Assembly who went in and did a 245-page independent report that had recommendations we reacted on.

If you take note, Mr. Speaker, look at the losses. Westsun: Crocus lost \$21 million. The investment was made between 1995 and that was when the Conservative government was in charge. Winnport Logistics: Crocus lost \$6.7 million, and that investment was made under the former government, the Conservative government, when they were in charge. If you look at all the Westsun, Winnport, Isobord—

Mr. Speaker: Order.

Mr. Lamoureux: Mr. Speaker, I truly believe that the government needs to wake up on this issue.

When you have individuals like MaryAnn Mihychuk, a former New Democratic MLA, who is the minister that was responsible at the time, making allegations of union connections possibly being a conflict; when you have former NDP Premier, Ed Schreyer, saying, call for a public inquiry; when you have Crocus shareholders calling for a public inquiry; when you have independent media outlets calling for an inquiry; the time is now to call for a public inquiry. The public does not want to hear the minister rant about this type of investigation and that type of investigation. Manitobans want a public inquiry.

Why will the government not call a public inquiry?

Hon. Nancy Allan (Minister of Labour and Immigration): I think it is very important, Mr. Speaker, to clarify some of the inaccuracies that have been put on the record in this House over the last 10 days. The allegations in regard to the investments in Pat Jacobsen's letter were that the former chair refused to fire the real estate consultant and that the former chair refused to transfer the investment functions to the CEO.

The Auditor has concluded very clearly in his report, very clearly, that the real estate investments were being managed properly, and the responsibility for the WCB investments that were invested in the investment committee since 1961 until we passed Bill 25 in this House, clarified the governance

structure and made it the strongest governance structure of any jurisdiction in Canada. Those are the facts.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I remind the House that the clock is ticking, and we are trying to get as many questions and answers in as we can.

Mr. Lamoureux: Mr. Speaker, this minister has the guts to quote Pat Jacobsen? Pat Jacobsen is the one that says your government was irresponsible in not having the investigation. You lost millions of dollars for the Crocus Fund. That is Pat Jacobsen under oath.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I just want to caution the honourable member, the term "has the guts" or "does not have the guts" has always been ruled out of order by all Speakers. I ask the honourable member to withdraw that one comment.

Mr. Lamoureux: I withdraw that, Mr. Speaker.

Mr. Speaker: You have the floor.

Mr. Lamoureux: Mr. Speaker, Pat Jacobsen, a well-respected civil servant for many years, says under oath that the Crocus Fund would have saved millions had the government done what she was suggesting the government do and have an independent inquiry into the issue back in 2001.

Imagine the millions of dollars the shareholders could have saved, but what did this government do in turn, Mr. Speaker? They had her fired. That is what this government did. They allowed for it to occur. How does this minister justify what Becky Barrett did? That is the question.

Does this minister support Becky Barrett's irresponsible actions by handing back that letter to Wally Fox-Decent and the board of Workers Compensation?

Ms. Allan: Well, Mr. Speaker, I think it is very important to clear up further allegations, excuse me, inaccuracies that were put on the public record in this House. Last week, the MLA for Turtle Mountain (Mr. Cullen) said, I want to read a quote, an affidavit signed by Pat Jacobsen, the CEO of the Workers Compensation Board back in 2001.

Mr. Speaker, the affidavit he was referring to was tabled in this House on December 7. It was signed by Pat Jacobsen on December 6, 2005, and the fax transmission on the letter was faxed to the Tory caucus office on December 6, 2005.

Mr. Speaker: The honourable Member for St. Norbert—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for St. Norbert has the floor.

* (11:20)

Highway Infrastructure Government Initiatives

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, bridges and highways are a priority for this government, and I understand that the Minister of Transportation and Government Services announced a \$15-million investment in bridge construction yesterday. Would the minister please tell us what is planned for this investment?

Hon. Ron Lemieux (Minister of Transportation and Government Services): Mr. Speaker, we are making a lot of investments in transportation infrastructure and bridges is just one. Take a look at the bridge crossing the Red River for which the Member for St. Norbert was in attendance. Also, we are looking at doing work on the 18th Street bridge in Brandon.

We have invested \$257 million, an unprecedented amount in transportation. We wait to see the members opposite debate the budget, and we will see how they vote with respect to transportation and dollars put into transportation in this budget.

CentreStone Ventures Government Investments

Mr. Glen Cummings (Ste. Rose): Maybe the government should consider the advisability of having an inquiry into the Crocus Fund if they are worried about their budget.

I would have a very simple question to the minister responsible for Industry. In investing in CentreStone Ventures, he did not answer the question whether or not he considered the teachers' pension fund or WCB to be public funds at his dispense or are they private funds.

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, the member opposite does not understand. Each organization does its own due diligence. Each organization has its own investment criteria and its own investment rules and the minister does not, the Minister of Industry would never get involved in their investment decisions.

What happens is each organization does its own due diligence. Each organization sets its own criteria for investments and they make their own decisions. We do not direct it here just as we did not direct the investments of Crocus. Thank you, Mr. Speaker.

Mr. Speaker: The time for Oral Questions has expired.

MEMBERS' STATEMENTS

Minister of Family Services

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I rise today to honour the life of a little girl, Phoenix Sinclair, who died tragically last summer. She was only five years old. Little Phoenix was under the care of the Minister of Family Services (Ms. Melnick) throughout most of her short life. Sadly, this minister failed to provide the necessary care, protection and safety in order for little Phoenix to live a full and happy life.

There are so many questions about what happened to Phoenix and why it happened. Why did she have to experience such tragedy? How did this government fail to protect her? Why is the minister not doing her job to protect children like little Phoenix? How many other children have been placed in harm's way? What is being done to ensure that nothing more happens to any more children?

There are approximately 6,000 children under the care of this minister. These are vulnerable children who need protection. These children trust that someone will take care of them when their families are not able to. A trust was broken and now little Phoenix is not with us. The minister has not protected children, and, as a result, she has not fulfilled her mandate. She has been charged with the responsibility of providing safety and protection for children and she has failed that mandate.

Mr. Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings), that the House now rise.

Mr. Speaker: I have to deal with the motion first. Then, if the honourable member is up on a point of

order, I will entertain that. I have to deal with the motion first.

Point of Order

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

The honourable Government House Leader, on a point of order.

Hon. Gord Mackintosh (Government House Leader): I do not think the motion is worthy of response except to this extent: it is a contempt of this House. Your ruling yesterday, I think it is very unfortunate that the member would use this tactic as part of their plan for wilful obstruction of this House. It undermines the integrity of your office and what you said just yesterday, ruling on this clearly. You cannot get up on an adjournment motion unless the person legitimately has the floor under Orders of the Day.

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

Mr. Kelvin Goertzen (Deputy Opposition House Leader): Mr. Speaker, on the same point of order. I am dismayed to hear the words of the House Leader who suggests that this is not a worthy motion. I think that the Member for Morris (Mrs. Taillieu), as she has done over the last number of days, has eloquently put the case about the difficulties that we have been dealing here in the House regarding this tragic death. For any member of this Legislature, in particular the Government House Leader, to rise in his spot and say that this is not worthy and to consider it contemptuous, I think, does a disservice to all of us as legislators and certainly to all Manitobans, I think, who are watching what is happening here in this House and hoping that there would be better responses than what we hear from this particular member.

Certainly, I think that the motion that has been put forward by the Member for Morris is in order. I noticed yesterday that the Government House Leader cited Rule 70 under the motions of debate and listed the reasons why we could not put forward this particular adjournment motion. He listed the exceptions that were there but did not think any of them applied. But, when I look at Rule 70, I see that under 70(g) one of the exceptions where a motion could be made is to adjourn the House. So I think, in fact, this is in order, Mr. Speaker, and I hope that you will rule accordingly.

Mr. Speaker: On the point of order raised, I would like to draw the attention of the honourable member to 35(2), "A motion to adjourn the House shall not be made until the Orders of the Day have been entered upon." We have not reached Orders of the Day.

Orders of the Day is when we start the business of the House, whatever the House instructs us to do. In other words, if we get into Orders of the Day and we start the debate on the budget, then when a member properly receives the floor, that is where the motion could be made, not before. So that is the ruling of the House.

Mr. Goertzen: I respect your role and the importance that you need to make a ruling. I would—*[interjection]* I am trying to speak to a point of order—

* (11:30)

Mr. Speaker: Order. When a Speaker has made a ruling, it is not up for debate or discussion. There are only two ways to handle a ruling of the Chair: either you accept it or you challenge it. It is not up for debate or discussions whatsoever.

Mr. Goertzen: Thank you, Mr. Speaker. I accept your admonition, and I would respectfully challenge your ruling.

Mr. Speaker: 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. Goertzen: Mr. Speaker, I would respectfully ask that we have a recorded vote on this matter.

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

* (12:30)

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, Bjornson, Brick, Caldwell, Chomiak, Dewar, Irvin-Ross, Jha, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan.

Nays

Cullen, Dyck, Eichler, Faurshou, Lamoureux, Maguire, Penner, Reimer, Stefanson.

Madam Clerk (Patricia Chaychuk): Yeas 28, Nays 9.

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

* * *

Mr. Speaker: The time being past 12:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, March 17, 2006

CONTENTS

| ROUTINE PROCEEDINGS | | | |
|---|------|--|--------------|
| Petitions | | Children in Care Stefanson; Melnick | 1271 |
| Crocus Investment Fund Lamoureux | 1269 | Water Regulations Penner; Struthers | 1278 |
| Funding for New Cancer Drugs Stefanson | 1269 | Livestock Industry Eichler; Struthers | 1279 |
| Tabling of Reports | | CentreStone Ventures Hawranik; Rondeau | 1280 |
| Manitoba Lotteries Corporation, Quarterly Report, Nine Months–April 1 to December 31, 2005 Smith | 1269 | Cummings; Rondeau | 1283 |
| The Liquor Control Commission, Quarterly Report, Nine Months–April 1 to December 31, 2005 Smith | 1269 | Crocus Investment Fund Lamoureux; Rondeau Lamoureux; Allan | 1281 1282 |
| Oral Questions | | Highway Infrastructure Brick; Lemieux | 1283 |
| Minister of Family Services Cummings; Chomiak | 1270 | Matter of Privilege Derkach | 1272 |
| Taillieu; Chomiak | 1271 | Chomiak | 1274 |
| Taillieu; Melnick | 1271 | Cummings | 1276 |
| Stefanson; Selinger | 1272 | Selinger | 1276 |
| | | Lamoureux | 1277 |
| | | Members' Statements | |
| | | Phoenix Sinclair | |
| | | Taillieu | 1283 |