

**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. 48 - 1:30 p.m., Wednesday, April 12, 2006**

**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.                       |
| 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**

**Wednesday, April 12, 2006**

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

*PRAYER*

**MATTER OF PRIVILEGE**

**Mr. Speaker:** The honourable Member for Portage la Prairie, on a matter of privilege?

**Mr. David Faurshou (Portage la Prairie):** On a matter of privilege, Mr. Speaker.

Mr. Speaker, I rise, regrettably, today, however. I observed conduct within this Chamber that is not befitting honourable members. Yesterday, during a vote, we were present in the Chamber and the page was called upon on behalf of the Clerk to call roll. During the entire time to which the page was recognizing individual members and their participation in the vote, there was a dull roar in this Chamber. There was constant discussion going on throughout the calling of the roll. This is not only disrespectful to the Chamber in general, it is disrespectful to the Clerk's office, who is called upon to do a duty of this House, and I believe it is imperative that we conduct ourselves in the best possible fashion to which we as respected individuals are privileged to serve in this House.

Now on a matter of privilege. This is the earliest opportunity that I have being that it was the conduct of this Chamber at the close of yesterday's proceedings. As well, I do believe that the matter of a prima facie case involves the infringement upon the activities, responsibilities and duties of individual members within this Chamber because it was difficult at times to hear the page and the responsibility of calling the roll.

So, I would like to draw to your attention, also, another notable breach of the House rules to which all of us are supposed to be respectful of, and that is that members of this Chamber left their places prior to your exit, Mr. Speaker. It is one of our rules that dictates that when you rise all honourable members are to remain in their seats until you have exited the Chamber. I would like, at this point in time, to respectfully request that you remind all honourable members that the conduct in this Chamber is respectful of the Chamber and respectful of all

colleagues to which we have the privilege of being members of the Assembly. Thank you.

**Mr. Speaker:** The honourable Government House Leader, the same privilege?

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, we join the member opposite in his observations, and I think it is a worthwhile reminder. It is important, as well, that we not interrupt the concentration of the pages when they do their job. I think it is a worthy reminder.

\* (13:35)

**Mr. Speaker:** On the matter of privilege raised, I am going to rule that it is not a matter of privilege.

But I want to take this opportunity to address all members of the House. The honourable member has made some excellent points, and I think it is incumbent upon all of us as members that we follow the rules and procedures that are before us. The member is absolutely right; when the Speaker is standing, all members should be seated and that the Speaker should be heard in silence. No member should leave their seats when the Speaker is standing.

Also, I would like to take this opportunity to remind members and reflect back on your first opportunity you had to address this House. I think back of my own experience and the first speech I made. I was not that comfortable. It was very scary.

We ask the pages, who do a wonderful job, and we ask them to do the votes on memory alone. So I know I cannot speak for them, but I would assume that at times they would be a little bit nervous, such as we were when we made our first speech. I think in respect of that we should maintain our silence at least for the vote so that way they can concentrate on the duties that we have assigned them.

I thank the honourable member for raising these issues, and I think it is very important that we all try our best to follow and maintain decorum in this Chamber. So, I thank the honourable member, but I have to rule that there is no matter or privilege, but I thank the opportunity to address the House.

**ROUTINE PROCEEDINGS**  
**INTRODUCTION OF BILLS**

**Bill 35—The Public Schools Finance Board  
Amendment and The Public Schools  
Amendment Act**

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** I move, seconded by the Minister of Industry, Economic Development and Mines (Mr. Rondeau), that Bill 35, The Public Schools Finance Board Amendment and The Public Schools Amendment Act; Loi modifiant la Loi sur la Commission des finances des écoles publiques et la Loi sur les écoles publiques, be now read a first time.

*Motion presented.*

**Mr. Bjornson:** This bill amends The Public Schools Finance Board Act in several respects. There will be new accountability provisions added for the Public Schools Finance Board requiring it to consult regularly with school divisions, develop multi-year operating and capital plans, conduct an organizational and operating review every five years and adopt a conflict-of-interest policy. The mandate of the Finance Board in administering the capital support program for schools with the passing of this amendment will now be fully described in the act. The board would also be required to consider specific factors in making decisions about capital support. The amendment also would require an annual funding plan to the capital support it will provide.

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

**Bill 36—The Youth Drug Stabilization  
(Support for Parents) Act**

**Hon. Theresa Oswald (Minister of Healthy Living):** I move, seconded by the Attorney General (Mr. Mackintosh), that Bill 36, The Youth Drug Stabilization (Support for Parents) Act; Loi sur la stabilisation des mineurs toxicomanes (aide aux parents), be now read a first time.

*Motion presented.*

**Ms. Oswald:** This bill will help parents deal with a child who has a severe and persistent drug problem. Parents and guardians who have exhausted all other options available to them can apply to have the young person taken to a safe and secure facility for up to seven days where his or her condition will be assessed and stabilized, and a plan for treating the

drug abuse will be developed in consultation with the youth. This will provide parents and service providers an opportunity to engage with the young person and enable them to participate in their own treatment plan.

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

\* (13:40)

**Bill 37—The Labour-Sponsored Investment Funds  
Act, 2006 (Various Acts Amended)**

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 37, The Labour-Sponsored Investment Funds Act, 2006 (Various Acts Amended), be now read a first time.

*Motion presented.*

**Mr. Rondeau:** Mr. Speaker, this act implements the recommendations of the implementation team with respect to labour-sponsored funds. Pacing requirements are clarified, boards must approve and report on annual plans, reporting requirements are enhanced and shareholder representation is increased. Thank you.

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

**PETITIONS**

**Funding for New Cancer Drugs**

**Mr. Jack Reimer (Southdale):** 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 consequence 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 underfunded 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 the 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 that 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 is signed by Heather Gammie, Colin Hall, Sylvie Strickland and many others, Mr. Speaker.

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

**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 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 Jeff Snell, J. Richert, J. Moore and many, many others.

\* (13:45)

#### **Crocus Investment Fund**

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

These are the reasons for this petition:

The Auditor General's *Examination of the Crocus Investment Fund* indicated that as early as 2001, the government was made aware of red flags at the Crocus Investment Fund.

In 2001, Industry, Economic Development and Mines officials stated long-term plans at the Crocus Investment Fund requiring policy changes by the government were cleared by someone in "higher authority," indicating political interference at the highest level.

In 2002, an official from the Department of Finance suggested that Crocus Investment Fund's continuing requests for legislative amendments may be a sign of management issues and that an independent review of Crocus Investment Fund's operations may be in order.

Industry, Economic Development and Mines officials indicated that several requests had been made for a copy of Crocus Investment Fund's

business plan, but that Crocus Investment Fund never complied with the requests.

Manitoba's Auditor General 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 ignoring the red flags, more than 33,000 Crocus investors have lost more than \$60 million.

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.

The people of Manitoba want to know what occurred within the NDP government regarding Crocus, who is responsible and what needs to be done so this does not happen again.

We petition the Legislative Assembly of Manitoba as follows:

To strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal.

Submitted on behalf of Harvey Boyle, Bob Ramrattan, Ed Baskier and many, many others.

**Mr. David Faurshou (Portage la Prairie):** Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

The Auditor General's *Examination of the Crocus Investment Fund* indicated that as early as 2001, the government was made aware of red flags at the Crocus Investment Fund.

In 2001, Industry, Economic Development and Mines officials stated long-term plans at the Crocus Investment Fund requiring policy changes by the government were cleared by someone in "higher authority," indicating political interference at the highest level.

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The people of Manitoba want to know what occurred within the NDP government regarding Crocus, who is responsible and what needs to be done so this does not happen again.

We petition the Legislative Assembly of Manitoba as follows:

To strongly urge the Premier to consider calling an independent public inquiry into the Crocus Investment Fund scandal.

The following names signed by Leah LaPlante, Sam Rodericks, Robin Genaille and many, many others.

**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 did happen.

Signed by M. Lagace, E. Olchowik, A. Olchowik and many, many others.

\* (13:50)

### TABLETING OF REPORTS

**Mr. Speaker:** I am pleased to table the Annual Report of the Ombudsman on Administrative Accountability for the period January 1, 2005, to December 31, 2005. In addition, I am also pleased to table the Annual Report of the Ombudsman on Access and Privacy for the period January 2, 2005, to December 31, 2005.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today the Honourable Rona Ambrose, the federal Minister of the Environment. She is the guest of the honourable Minister of Conservation (Mr. Struthers).

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

Also in the public gallery we have from Ste. Rose School 19 Grades 9 to 12 students under the direction of Mrs. Lee Boerchers. This school is located in the constituency of the honourable Member for Ste. Rose (Mr. Cummings).

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

### ORAL QUESTIONS

#### Whistle-Blower Legislation Introduction

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I am eagerly awaiting this government to introduce The Public Interest Disclosure (Whistleblower Protection) Act.

This legislation was announced on January 18 of this year in response to one of the most scathing Auditor General's reports. These reports from the Auditor General, scathing reports, are something that this NDP government is getting used to. This legislation was announced only after the Auditor General's review of the Workers Compensation report was presented to this NDP government, Mr. Speaker.

Prime Minister Harper was sworn in on February 6, weeks after this Manitoba government announced its whistle-blower act, and, yet, the federal government has already introduced the Federal Accountability Act.

My question is to the Premier (Mr. Doer). Why is his government dragging its feet on introducing whistle-blower legislation?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, the Leader of the Official Opposition knows full well that the bill is on the Order Paper. It will be introduced very soon, and we commend the federal government for the bill they have introduced. We think there are some interesting features in it, and we are analyzing them with respect to our own legislation. I can assure the member that very soon we will introduce a bill on whistle-blower legislation which will put Manitoba at the forefront of all the provinces in Canada with respect to whistle-blowing.

**Mr. Murray:** Mr. Speaker, we have seen the lack of common sense demonstrated by this NDP government time and time again. One day the Minister of Labour (Ms. Allan) said that firing a whistle-blower was the right thing to do. The next day the NDP government is deep into damage control, announcing that they will bring forward legislation to protect themselves from themselves.

When Pat Jacobsen, the then-CEO of WCB, expressed her concerns about the problems related to the WCB chairman, what happened? She was fired. If a president and CEO was fired after expressing her concerns, it must be a terrifying prospect for any civil servant to bring forward to light problems to this NDP government. However, it is clear that somebody must be the conscience of this NDP government.

This Premier (Mr. Doer) has said, and I quote, that there are many whistle-blowers in government. Well, Mr. Speaker, the Premier is correct because in January of 2001, a senior account manager within the Department of Industry observed that unless Crocus divested sufficient investments to fund redemptions they would run into liquidity problems in the year 2002-2003.

On March 22 of 2001, Pat Jacobsen sends an eight-page letter to then-minister Becky Barrett expressing concerns on the investment, the governance and the human resources practices at the WCB. Barrett sends the letter back to the WCB and three days later Ms. Jacobsen was fired.

In January of 2002, an official in the Department of Finance suggested that Crocus' continuing request for legislative amendments might be a sign of management issues, Mr. Speaker, and that an independent review of Crocus operations might be in order.

Mr. Speaker, I would like to ask this Premier: How will this legislation protect, as he has said, the many whistle-blowers that they have? How will this protect those who attempt to uncover the many indiscretions of this NDP government?

**Mr. Selinger:** The member is asking questions about legislation, but I note members opposite are refusing to debate any legislation before this House right now.

If the members seriously want to debate legislation, I suggest they start with all the bills that have been introduced that we have on the Order Paper and that we have in front of the Legislature as we speak. We are happy to debate legislation.

I can assure the member opposite that when we bring forward our whistle-blower legislation it will be a piece of legislation that puts us in the forefront and it will cover a broad range of Crown corporations, including the Workers Compensation Board.

**Mr. Murray:** Well, I do not have to remind that minister that, in order to debate it, it has to be introduced, Mr. Speaker. We agreed—

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

**Mr. Speaker:** Order. I need to be able to hear the questions and the answers in case there is a breach of the rule.

\* (13:55)

**Mr. Murray:** Thank you, Mr. Speaker. We agree with the Auditor General that when serious concerns are raised in the public sector, they should be fully and appropriately addressed. We believe that this should happen regardless of what legislation is on the books at the time.

The Auditor General's 2006 review of the Workers Compensation report stated, and I quote from that report: "It is our opinion if whistle-blowing legislation was in effect in the province of Manitoba, WCB's former CEO would have had an avenue to address these concerns as well as assurance that the concerns would be investigated," from the Auditor General's report. Once again, this NDP government was unable to determine what actions were needed to

be taken without recommendations from the Auditor General.

Mr. Speaker, I would like to ask the Premier (Mr. Doer) why the Auditor General was once again given the task of telling this government how to do its job.

**Mr. Selinger:** First of all, I actually enjoyed the member's riposte as he got up on his last question. I encourage him to stay involved in the Legislature. I think he has a lot to offer.

Now I note that the member is demanding we table whistle-blower legislation, but I also note that the PC caucus, on April 8, 2004, that is two years ago last week, promised whistle-blower legislation. They have not yet tabled their own bill in this Legislature. If they want to be timely, they should put their bill in front of us. We have been waiting for it for two years.

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

**Mr. Speaker:** Order. The clock is running. We are trying to get as many questions and answers in as we can.

#### **Workers Compensation Board Investigation of Allegations**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, in March of 2001, Pat Jacobsen, the chief executive officer of the Workers Compensation Board, brought forward very serious allegations regarding management interference and governance problems at the board. Eight pages of issues were taken directly to the minister responsible in this NDP government. Instead of dealing with the issue the minister passed the letter back to the board. Three days later, Ms. Jacobsen was fired.

Does this minister believe this was the appropriate outcome?

**Hon. Nancy Allan (Minister of Labour and Immigration):** I do believe, Mr. Speaker, that the appropriate thing was done in regard to the fact that there were no guidelines—[interjection]

On page 5 of the Auditor's Report, the Auditor General said very clearly in Manitoba there is little guidance available to ministers and chairs of public sector boards of directors to assist them in determining an appropriate response when situations like this arise. We said that we would accept the recommendations of the Auditor General's report,

and we take this situation very seriously and that is what we will do, Mr. Speaker.

**Mr. Cullen:** Well, Mr. Speaker, it appears now that we are going to be legislating common sense.

Clearly Ms. Jacobsen was and is a very credible civil servant. When senior management bring forward serious issues, government should at least investigate the allegations. In this case, the NDP government simply turned their letter back to the individuals who were named in the allegations.

The ethical and moral responsibility of a government should be to investigate these allegations and protect their own employees. Does this NDP government believe it can actually legislate morality?

\* (14:00)

**Ms. Allan:** Well, Mr. Speaker, I believe that the decision in regard to how to deal with the letter was a decision that was made in good faith by the previous Minister of Labour, and it was referred to the board of directors. I just want to remind members opposite that Pat Jacobsen's employment relationship was determined by the board of directors, which is an arm's-length board of directors, and they have the responsibility under section 59(1) of the act. We believe that, in absence of those guidelines, that was the appropriate and the reasonable thing to do.

**Mr. Cullen:** We see this government in damage control time and time again. We witnessed the introduction of Bills 35 and 37 today, more damage control.

Mr. Speaker, not only was CEO Pat Jacobsen fired, at least eight other senior management people were fired at WCB. The Auditor General has said that when serious concerns are raised in the public sector they should be fully and appropriately addressed. Instead of fulfilling its moral duty to fully and appropriately address Ms. Jacobsen's concerns, the NDP government ran her out of town.

Will the proposed legislation really protect whistle-blowers given this NDP's past history?

**Hon. Greg Selinger (Minister of Finance):** I thank the member for another opportunity to put on the record some of the things we have already done. The members in Ottawa, the new Conservative government in Ottawa is—

**Some Honourable Members:** More.

**Mr. Selinger:** I am astounded because the members in Ottawa are going to ban corporate and union donations, something that we did, I cannot resist, something that we did when we came to office and you still are opposed to it. When will you get in sync with your own federal government?

### **Youth Drug Stabilization Treatment Follow-up**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, members of the Manitoba Progressive Conservative Party are happy that the New Democrats have gotten in sync with our policy and finally introduced legislation on drug rehab that we asked for a year ago.

Unfortunately, they only got half the story right because they did not bring in our policy in ensuring that there were true detox facilities, that there were youth stabilization facilities, that there were mobile treatment facilities. It is false hope to say you can have help for a young person when there are not really treatment facilities to get that help. I say we should provide real hope not false hope. Why have they offered false hope to young people?

**Hon. Theresa Oswald (Minister of Healthy Living):** I thank the member for the question and am delighted to hear the enthusiastic support that this bill is going to receive from members opposite and the Member for Steinbach, in particular. I am delighted about that.

I am not delighted, however, about the fact that the member is putting false information on the record. What we are doing today, Mr. Speaker, is introducing a bill addressing the issue of stabilizing youth, ensuring they can participate in their own treatment plan. There are beds available for such an arrangement today. There were beds available yesterday. Families in crisis, youth in crisis can get the help that they need now. The member opposite is simply wrong.

**Mr. Goertzen:** The goal of allowing a young person to go into a five-day detox program is to ensure that they go into real treatment after that. It is not to have five days of detox and then go out, Mr. Speaker. It is to get treatment, and that is treatment that is not available after those five days.

I quote from a report about a week ago. There were 10 government-funded treatment programs called. Eight had waiting lists and two had no answer at the phone. When a crystal meth addict wants to get treatment, no answer is not a solution.

Why do they not put the resources in place to get them real treatment when they need it, Mr. Speaker?

**Ms. Oswald:** Mr. Speaker, I will not fault the member this time for not having his facts correct because he just received the bill and not understanding, first of all, that it is not five days and seven days is not perhaps the fault of the member opposite. Another example, of course, of details not really being a priority.

I will say to the member opposite again, when we are talking about a youth addicted to something like crystal methamphetamine or any other drug and they are in dire circumstances, we need to ensure that there are opportunities for that young person to be stabilized, to have those parents have a tool of last resort when all other avenues have been exhausted. That is what this legislation will do. We have facilities for that today. We will enhance our capacity to make sure that these young people are on a road to recovery, and their families can reunite in happiness and health.

**Mr. Goertzen:** Mr. Speaker, I have held 20 meetings across this province talking to parents and young people, and that kind of an arrogant, flippant answer from somebody who sits in their glass house and says that they are going to help is not what people are looking for.

After seven days, where are these young people to go? If they are hooked on crystal meth, are you just going to send them back onto the street and say: Well, we tried. There needs to be long-term treatment facilities available in this province or this is nothing but smoke and mirrors. I should have expected better, but I guess maybe I should not have from this government.

**Ms. Oswald:** It is just poppycock. The proposed legislation that is being listed here is for stabilization of young people. That is exactly what is going to occur.

I commend the member opposite and any member in the House that takes a passion to work with their communities on issues like drug abuse. In fact, I commend the member opposite for ordering reams and hundreds and metric tonnes of our government pamphlets on crystal meth to pass out at his presentations. I really appreciate that.

Our young people are going to be stabilized. Our young people, in fact, are going to have the treatment they need. Our young people are going to participate in their treatment plan which the research tells us

absolutely is critical to their health. They are going to participate, join in and they are going to go into the beds that are available now.

### **Wuskwatim Dam Project Development Agreement**

**Mrs. Bonnie Mitchelson (River East):** The project development agreement for the Wuskwatim Dam has taken eight years and is now estimated to cost over \$1.2 billion. The community is being asked to contribute a significant amount to this project but have not been given the opportunity to see the financial impacts or the details of the project development agreement.

Mr. Speaker, I would like to ask the Minister responsible for Hydro: Will he ensure that the full agreement with all of the details will be available to all of the community prior to any ratification vote taking place?

**Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Hydro Act):** I am glad the member has recognized that the community is entitled to a ratification vote and to make its own decision. Opposition, that never happened because they never developed any hydro dams under members opposite, a position that never happened until we proceeded to work with First Nations people to develop hydro-electric and spread employment around.

So, Mr. Speaker, I am pleased that finally the member is agreeing that a ratification vote by people in the community will be useful. The people in the community, the band and the individuals involved are conducting the vote under the guidelines of the Indian Affairs Act to provide all of the information in a two-month period in order for them to make the decision about their future.

\* (14:10)

**Mrs. Mitchelson:** Mr. Speaker, the project development agreement is a 1,300-page document. This document has been signed. Members of the Nelson House band have requested copies of the document but they are unable to get a copy. They are being asked to vote on something they have never seen.

I ask the minister: Will he table a copy of the project development agreement today? Mr. Speaker, I have not been able to get a copy either. The agreement has been signed, the consultations are starting today up in Nelson House, and there are no

copies of the agreement for members of the community.

Will the minister direct that those copies are available to every member of the community so they can see the details and they will not be asked to vote blindly on an agreement they have not seen?

**Mr. Chomiak:** Mr. Speaker, unlike members opposite, we think the people in the community have the right to make a decision on northern developments, on their own life.

Mr. Speaker, during the five hours of committee when the member opposite asked questions, she asked questions about all kinds of issues with respect to hydro and had opportunity, and there will be opportunity in committee. The community is providing information and are making their own decision. All information will be available to community members, and we will not let it be blocked by members opposite whose goal is to stop hydro development in this province. Has been and always will be.

**Mrs. Mitchelson:** Well, thank you, Mr. Speaker, but my only purpose in asking these questions is to ensure that there is a fair, democratic process and that people are voting based on information that they have. If the minister does not want to allow members of the community to have the information before he rams a vote down their community then there is something wrong with this government and their process.

Mr. Speaker, open houses and dinner events are being planned today. They are happening today as we speak, but there is no meaningful consultation and there is no project development available to members of the community.

I am asking this minister today: Will he ensure that before anyone is asked to vote on this agreement that there will be a fair, open and honest process whereby members of the community will have the availability of having full access to the document that should be available to them?

**Mr. Chomiak:** Mr. Speaker, there have been two votes in the community. I know members opposite do not go up north and do not care. There have been two votes on this concept. The members of the First Nations community are conducting their own vote on their own future.

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** Mr. Speaker, the member just said to the Minister of Aboriginal and Northern Affairs (Mr. Lathlin) to stand up to your people. We are standing up for our people, all of the people of the province of Manitoba. The only time members opposite talk about the North, about First Nations, is when they oppose something and I think it is disgusting—

**Mr. Speaker:** Order. The honourable member up, on a new question?

**An Honourable Member:** On a point of order.

**Mr. Speaker:** On a point of order.

#### Point of Order

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

**Mrs. Mitchelson:** On a point of order, Mr. Speaker. We have in this Legislature a minister who is responsible for northern and Native affairs. There are women in the Nelson House community who are wanting open access to documents that are going to impact their lives.

I am asking this government to stand up for all members of those communities and for the minister who is responsible, has specific responsibility within Cabinet, to stand up and say to his colleague, release the document today.

**Mr. Speaker:** The honourable Minister of Energy, Science and Technology, on the same point of order?

**Mr. Chomiak:** Mr. Speaker, on the same point of order. I would just ask the member to consult the Web site, to look at the dozens and dozens of pages, to attend one of the dozens of meetings that are being conducted by First Nations on behalf of First Nations in the First Nations community, to attend one of the dozen meetings, to look at the CD and to look at all of the documentation. It is all there for the community to make the decision, not for the member sitting in her seat in River East to tell them what to do.

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

**Mr. Speaker:** Order. On the point of order raised, I just want to remind members that a point of order should be a breach of a rule or a departure of practice. Points of order should not be used for means of debating. So the honourable member does not have a point of order.

**Nursing Profession  
Full-time Employment**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, in a report released today by CIHI on health personnel trends in Canada, it found that less than half of Manitoba nurses are working full time. On September 24, 2003, in this Chamber, the Minister of Health promised to increase the number of nurses working full time to 65 percent. He said, and I quote, "We put in place a council to work with the nurses and with management to increase full-time jobs to 65 percent by April 1 of 2004."

Mr. Speaker, can the Minister of Health explain why more than two and a half years later less than half of Manitoba nurses are working full time?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, I would be delighted to give the member a bit of a history lesson in this regard. The reason that there are so many nurses working part time is because in the 1990s, the government opposite, when it was government of the day, laid off over 1,800 nurses. In order to save jobs and provide some employment for as many nurses as possible, they went to part-time work.

We are reversing that and the number of full-time nurses has increased. The reason we have so many in Manitoba is because when the Filmon government was in power, they laid off 1,800 nurses. To save work for the remaining nurses, many went part time. That is why we have part-time nurses, Mr. Speaker.

\*(14:20)

**Mrs. Stefanson:** Well, Mr. Speaker, the Minister of Health seems to like history lessons so perhaps I will provide him with one. He promised two and a half years ago that he would increase the number of full-time nurses to 65 percent and today it is less than half. That was a promise they made and they did not keep.

According to Statistics Canada, last year Manitoba had a net loss of 8,218 people to other provinces across Canada. Under this NDP government, the lack of full-time work has been cited by nursing graduates as one of the main reasons for seeking jobs in other provinces.

Mr. Speaker, how can the Minister of Health convince young nursing graduates to remain in Manitoba when he cannot even offer them full-time work when they graduate?

**Mr. Sale:** Mr. Speaker, 872 nurses have relocated to Manitoba through the Nurses Recruitment and Retention Fund that was put in place by the previous minister, the honourable Minister of Energy, Science and Technology (Mr. Chomiak), an outstandingly successful program; 872 nurses have come home to Manitoba.

Mr. Speaker, 1,304 nurses more are registered today in Manitoba than there were in 1999. Again, a legacy of the former minister who put in place the diploma nursing program again in Manitoba. Every other health minister in the country envies the work that was done here. We brought them home. We are training them. We are recruiting them, and more and more have full-time jobs.

**Mrs. Stefanson:** Yes, Mr. Speaker, and less and less have full-time jobs. That is what we are asking about today.

When asked about the low number of nurses working full time in Manitoba, the Minister of Health stated, and I quote: We have made a little bit of groundwork, but not much. Well, clearly that is an understatement for the day. He even disbanded the task force that his government struck to increase the number of full-time nurses in Manitoba.

Has the minister given up on his goal of having 65 percent of Manitoba nurses working full time? Why has he broken his promise to nurses in Manitoba?

**Mr. Sale:** Well, Mr. Speaker, a couple of other bits of history. The Manitoba Nurses' Union and the Government of Manitoba worked together on this question. It was agreed ultimately by the nurses' union and by the government that we could not force part-time nurses who were, in most cases, senior nurses who worked through the dark days of the 1990s and stayed at work, we could not force them to give up their jobs in order to hire full-time people at the other end.

So what we are doing is creating new positions that are no less than 0.6 so that we can move the ratio of full-time nurses up time after time after time, year after year after year. That is what we are doing. There are more full-time nurses in Manitoba today than there were in 1999, and a lot more than there were in the 1990s when we laid off nurses and forced many of them into part-time work.

### Child Welfare System Public Inquiry

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, 31 children have died in the last six years while under the care of this NDP government or shortly after being released from care. Nine died last year. At this moment we do not know how many more are out there at risk.

The Minister of Family Services has received two judicial reports, one with eight recommendations and one with 71 recommendations. She has received warnings from the Children's Advocate, from the Chief Medical Examiner, from MGEU, from social workers and from families. She has done nothing and children have died.

Why has she failed to implement these recommendations? She could have saved children's lives, Mr. Speaker.

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, when we look at the period from 1995 to 1999, there were approximately 700 cases that were transferred from the Winnipeg agency to Aboriginal agencies. The work was transferred with only one-half of the necessary resources. This government has corrected that inequity that was perpetrated during 1995 to 1999 by providing an additional \$6.8 million to the system to provide equitable funding to Aboriginal agencies who received those transfers from 1995 to 1999. We are working with the community. We are working with equity around the best interests of the children in Manitoba.

**Mrs. Taillieu:** Mr. Speaker, this minister's time would be better spent looking to the future to protect children in care rather than spending her time looking back through 10-year-old information. What is she talking about?

This government arrogantly claimed that they had already implemented most of the recommendations of Judge Conner's 2003 inquest before they even got the report, but Judge Conner responded by saying: What a blatant lie.

Mr. Speaker, more children died after that report than before it; 19 children of those 31 died between 2003 and 2005. It is clear she did not implement the recommendations, and Judge Conner was right. Why did she not do her job? Why did she allow 19 more children to die?

**Mr. Speaker:** Order. Before recognizing the honourable member, I want to draw attention to the House. When quoting from another source or from a newspaper, parliamentary language is still required in the House. I would ask members to pick their words carefully in the future.

**Ms. Melnick:** Mr. Speaker, we are implementing the Child Welfare Initiative received by the members opposite in 1991. They did not even bother to remove the cellophane wrapper.

We are working on Judge Conner's recommendations, as others. Our plan is to first roll out the devolution of child welfare before looking at The Adoptions Act and the other Child and Family Services Act. Now, when you talk about looking forward in caring for the children, during the 1990s the child protection budget increased by an average of under 6 percent. We have put in over 75 percent more dollars, some \$87 million. When we look forward, we look at the budget that has close to a new \$1 million for the authorities.

Members opposite refuse to talk about the budget in this House, Mr. Speaker. They are ringing bells and they are playing games while we are getting on with the devolution of child welfare.

**Mrs. Taillieu:** Mr. Speaker, the mantra of this government: Spend more, get less. Eight recommendations in this report; 74 recommendations in this report. The Minister of Justice (Mr. Mackintosh) got the Chief Medical Examiner's report with the same recommendations. You have done nothing.

Thirty-one children have died. In 2004, four children died. In 2003, five children died. In 2004, five children died. In 2005, nine children died. This minister has failed to address the problems in the child welfare system.

Will she now call on her Premier (Mr. Doer) to do what is morally right and call the public inquiry?

**Ms. Melnick:** Well, I think, Mr. Speaker, we have seen the true focus of the members opposite. It is another cheap political trick. It is another attempt to exploit the very serious situation—[interjection]

**Mr. Speaker:** Order.

#### Point of Order

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

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I refer to—

**Mr. Speaker:** On a point of order?

**Mr. Goertzen:** Yes, on a point of order. I refer to *Beauchesne's*, section 481(e). The issue that was raised by the member is a very serious issue. All members, I think, have acknowledged at some point in the debate in this Legislature that this is a serious issue. It deals with a young girl who has lost her life and many other young children who are in the care of this government, this department, and who also lost their lives. It is significant enough and a serious enough issue that I do not think the member should be playing politics with it and saying that the motives of the member are other than what they are.

Section 481(e) of *Beauchesne's* says: To impute bad motives or motives different from those acknowledged by a member is against our rules. I would caution that member because this Member for Morris has raised this with all the right intentions, and that is to protect children today, tomorrow and in the future, Mr. Speaker.

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

**Hon. Gord Mackintosh (Government House Leader):** What the minister stated in this House, I believe, Mr. Speaker, are simply some observations, not just from members on this side but constituents who are increasingly concerned the way that members opposite have been addressing this challenge and the challenges of raising Manitoba youth is more about votes than a child.

Mr. Speaker, that is her belief. She is entitled in this Chamber to put her belief on the record. It is a belief of many more far beyond this Chamber.

**Mr. Speaker:** On the point of order raised by the honourable Member for Steinbach, he does not have a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Speaker:** The honourable member, you were at 13 seconds, so continue.

**Ms. Melnick:** I think it is very important, Mr. Speaker, that members of this House focus on the very serious nature of what we have been talking about around this child and that they stop playing the games of candles on desks and putting forward all the other little ploys that they have been doing, that we focus and we support—*[interjection]*

I am asking members opposite to support the external review, to support the section 4 reviews, the

Chief Medical Examiner's review, the RCMP review and the agency review. Look at how we can make things better for the children in Manitoba.

Again, while I am attempting to answer, there is heckling coming from the other side of the House, Mr. Speaker. It is not respecting the serious nature of what has happened here. This side of the House respects that. We will find the answers to make things better for our children.

\* (14:30)

### **Crocus Investment Fund Shareholder Compensation**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, in a quick look at Bill 37 that the minister has brought forward today, it would appear as if the government now is opening the door for some form of financial compensation. I think it is important for the Crocus shareholders and the public as a whole that the government be honest and transparent in terms of what its intentions are with regard to the Crocus shareholders.

I ask the Minister of Industry: Would he confirm what it is that I am saying, that the government is, indeed, looking at that, and that would include the tax credits?

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, I hope that the member reads the bill carefully. I would offer him a briefing on the bill, and I hope that the whole House looks at it. What it is doing is implementing the implementation team report which—*[interjection]* I repeat, it looks at the better monitoring, it looks at the governance, it looks at shareholder control.

Read the bill carefully. I would be pleased to have staff and myself brief you on the bill. We are open to debate to make sure that we have the best governance of labour-sponsored venture capital and create confidence in this asset class.

**Mr. Lamoureux:** Mr. Speaker, I ask for the Minister of Finance (Mr. Selinger) or the Minister of Industry, either one of them, to be very clear and tell this Legislature and through here tell the Crocus shareholders what is the financial compensation package that this government is looking at. We have a right to know that. I am asking for the government to be more transparent on the issue of compensation.

What specifically is this government doing in regard to financial compensation?

**Mr. Rondeau:** I know the member has not had a lot of time and has not had the briefing yet, but, please, come and ask for the briefing. As I explained, and as you look at the explanation notes on the first three pages, what it says is we are following the implementation team's report. As the Auditor said, what we did was we set up an implementation team. They looked at all the issues, they gave us recommendations. They gave us recommendations on better governance, monitoring and compliance as well as shareholder control. We are acting on those reports.

We discussed it during Public Accounts where the Auditor General had looked at it and said he looked at the independent implementation team report, and we are implementing those recommendations.

#### **Crocus Investment Fund Compensation Cost**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, my question is for the Minister of Finance. I would ask the Minister of Finance what he anticipates as the compensation cost to deal with the Crocus tax credits. I suspect that the Ministry of Finance has done something in regard to this, and I believe that the Minister of Finance would have. If he has not, I would argue that he is very irresponsible.

What I am asking for the Minister of Finance to do is to tell us what is the estimated cost of compensation that the Ministry of Finance is looking at.

**Hon. Greg Selinger (Minister of Finance):** First of all, Mr. Speaker, the member opposite wants to discuss a bill, but he is not prepared to call the bill. He is not prepared to debate the bill in the Legislature. He is not prepared to deal with the budget. He is asking questions about compensation.

His question is entirely hypothetical. We know under the rules of *Beauchesne* and the rules of the House that hypothetical questions are not even legitimate questions. The member is trying to debate something he will not debate in terms of the bill. He is trying to ask about money. He will not debate the budget. He is asking a hypothetical question which is not allowed under the rules.

**Mr. Speaker:** Order.

#### **Point of Order**

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

**Hon. Jon Gerrard (River Heights):** Mr. Speaker—

**Mr. Speaker:** On a point of order?

**Mr. Gerrard:** I am rising on a point of order.

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

Order. I want to clarify for the House. The reason I ask that is not because I am hard of hearing. It is to make sure that it is recorded according to the member's wishes in Hansard. That is why I have to make sure the member states why they are rising. It is because of Hansard.

The honourable Member for River Heights is rising on a point of order.

**Mr. Gerrard:** When a question is posed to the government, there is a responsibility on the part of the government to try, at least, to provide some sort of a legitimate and understandable answer instead of gobbledygook. I mean, the fact of the matter is we have had three legitimate questions with a simple answer in terms of what the cost is going to be to the government. Manitobans deserve to know what the cost of this legislation is going to be to the government, and we deserve to have an answer instead of this kind of gobbledygook. That is my point of order, Mr. Speaker.

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

**Hon. Gord Mackintosh (Government House Leader):** Well, the good news is that the member opposite and his colleague are, strangely now, interested in legislation before the House. It is great that we have questions from both the Conservatives and the Liberals on bills that are being tabled. Maybe they are starting to get some, you know, there is some glimmer of hope that they are going to understand that Manitobans have some priorities on the Order Paper.

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

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

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** I understand that the Government House Leader is sometimes slow to pick up issues that are happening in this House and does not always quite understand what is happening on the floor of this Legislature, so I will clarify to him. We are quite willing this afternoon, if he calls a public inquiry we

are willing to start debating this afternoon. Call the inquiry. We are ready to go.

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

**Mr. Speaker:** Order.

On the point of order raised by the honourable Member for River Heights, I did not hear a rule that was quoted that was supposedly breached, so I have to rule that the honourable member does not have a point of order. I remind members that points of order are to be used to point out to the Speaker the rule, and which rule is being broken so I can have a chance to decide if the rule or procedure of the House is being deviated from or not. I ask the assistance of—

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

**Mr. Speaker:** Order. I ask the assistance of honourable members. I have to rule that the honourable member does not have a point of order.

\* \* \*

**Mr. Lamoureux:** Mr. Speaker, I would challenge your ruling.

**Mr. Speaker:** Okay. The ruling of the Chair has been—does the honourable member have support? The honourable member has support?

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

**Mr. Speaker:** Order. 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?

Okay. The honourable member has support. All those—

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

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

Order. Sixty minutes has expired. Please shut 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, Caldwell, Chomiak, Dewar, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.*

#### Nays

*Cullen, Cummings, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Lamoureux, Maguire, McFadyen, Mitchelson, Reimer, Rowat, Schuler, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 33, Nays 17.

\* (15:40)

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

\* \* \*

**Mr. Speaker:** We will now revert to Question Period and we are now on question No. 8.

#### Rural Infrastructure Water Treatment Upgrades

**Mr. Gregory Dewar (Selkirk):** It is my pleasure to ask a question regarding rural infrastructure, an issue that our colleagues over here in the opposition have ignored over the last number of days in this Question Period.

Mr. Speaker, the R.M. of St. Clements will benefit from a recently announced \$4.6-million project that will address the boil water issue in East Selkirk. Can the minister tell the House what other communities in this province will benefit from this important initiative?

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

**Mr. Speaker:** Order.

**Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade):** The members opposite may not be interested in rural and northern Manitoba, but I certainly thank the Member for Selkirk for asking the question.

Mr. Speaker, this \$120-million program that we have, the Manitoba Municipal Rural Infrastructure Fund, certainly has benefited rural and northern Manitoba. This latest series with the \$17-million investment with our partners takes our total up now to \$56 million for 29 projects in rural and northern Manitoba. To name a few; certainly the East Selkirk water and sewer project for \$4.6 million is a positive one, helps the business and the community in and around that area.

Certainly, I know that the Member for Minnedosa (Mrs. Rowat) would be interested in this project, the water treatment plant upgrades. These upgrades are needed to meet the water capacity and quality needs for the \$125-million expansion of the Husky Energy plant in Minnedosa, Mr. Speaker.

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

#### Speaker's Ruling

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

Following the prayer on Tuesday, March 21, 2006, the honourable Member for River Heights (Mr. Gerrard) raised a matter of privilege regarding the comments put on the record by the honourable First Minister (Mr. Doer), comments which the honourable Member for River Heights alleged were misleading. At the conclusion of his comments, the honourable Member for River Heights moved "that a standing committee of this Assembly be asked to investigate this matter and report back to this House." The honourable Government House Leader (Mr. Mackintosh), the honourable Official Opposition House Leader (Mr. Derkach) and the honourable Member for Inkster (Mr. Lamoureux) also offered advice to the Chair. I took the matter under advisement in order to consult the procedural authorities.

I thank all members for their advice to the Chair in this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has

sufficient evidence been provided to demonstrate that the privileges of the House have been breached in order to warrant putting the matter to the House.

The honourable Member for River Heights asserted that he was raising the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue of whether a prima facie case was demonstrated, I would like to inform the House that this is clearly a dispute over the facts. Past Manitoba Speakers have ruled on several similar occasions that a dispute between two members as to allegations of fact does not constitute a breach of privilege. *Beauchesne* Citation 31(1) advises that "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." Joseph Maingot on page 223 of the second edition of *Parliamentary Privilege in Canada* states "a dispute between two Members about questions of facts said in debate does not constitute a valid question of privilege because it is a matter of debate."

I would, therefore, rule that the matter raised is not in order as a prima facie case of privilege.

#### Point of Order

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

**Mr. Kelvin Goertzen (Steinbach):** On a point of order.

**Mr. Speaker:** On a point of order.

**Mr. Goertzen:** Mr. Speaker, I appreciate you bringing your ruling back. I believe that, when you stood up to address your ruling, the Minister for Family Services (Ms. Melnick) left her seat and left the Chamber. It is my understanding, at least the rules that I understand, is that when you stand to bring forward a ruling, all members are to remain in their seats and to hear that ruling in silence. I know the Minister for Family Services might not respect the rules of this House, but certainly I hope that we all would.

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

**Mr. Kevin Lamoureux (Inkster):** On the same point of order, Mr. Speaker.

I think that it is especially worth note, and given that the Member for Portage la Prairie (Mr. Faurchou), just prior to Question Period got

underway, Mr. Speaker, brought up some concerns and then after that, you complimented the Member for Portage la Prairie for doing that. You emphasized that when the Speaker was standing up that members should, in fact, be sitting in their seats.

Mr. Speaker, I know that you had already indicated to the House, got the attention of the House, and had indicated that you had a report to the House. So, I stand in support of the point of order that has been raised by my colleague from Steinbach.

**Mr. Speaker:** On the point of order raised, the rule is very clear that when a Speaker is standing the member should be seated, and the Speaker should be heard in silence. For the information of all honourable members, that is why when time has expired I stay on my feet just to ensure that the members are in their seats. I will discuss this with the honourable member. So I thank the honourable member. He does not have a point of order, but I thank him for pointing it out because I was reading the paper, and I did not observe it. But I will mention it to the honourable member.

## MEMBERS' STATEMENTS

### Agriculture Industry

**Mr. Ralph Eichler (Lakeside):** I wish to rise once again to bring to the attention of the Legislative Assembly of Manitoba the continuing financial crisis facing our farm families. The lack of full and effective support from the provincial government has continued, an economic situation that is literally crippling the agricultural industry in Manitoba. Federal forecast for this year predicted 67 percent reduction in farm income from 2005. We are facing the lowest returns ever in the farming industry in this province, conditions that have not been seen since the Great Depression.

\* (15:50)

In addition, the unending delays in the distribution of the CAIS payments, the complexity of the calculation, has forced farmers to spend hundreds and sometimes thousands of dollars on administrative costs to complete the paperwork. The end result has been little or no money reaching farmers. Fifty percent of recipients in Manitoba who actually received money found the CAIS payment utterly inadequate. Meanwhile, the provincial government was able to withhold \$42 million from desperate farm families.

The opposition has encouraged the provincial government to live up to its promise to support Manitoba farm families and have provided no end of assurances that they are taking steps to relieve our producers of their economic pressures. However, we have seen little in the way of specific actions or clear-cut strategies. What we have seen are new loan programs for environmental improvements that do not take into account the stewardship efforts already undertaken in the farming industries. These loans often mean more money owed by farmers who have to comply with every burdensome regulation. We have also seen a provincial government take steps to force a check-off for cattle sales that amounts to a backdoor tax, taking even more money away from our desperate farm families.

What we need from the provincial government is leadership. We need a game plan before it is too late. We need a proactive investment in the future through exploration of new opportunities from markets and value-added agriculture. Our farm families in Manitoba need leadership and they need it now. We need to see further consultation between farmers and the government on new opportunity and solutions to the problems of agriculture.

**Mr. Speaker:** Order.

**An Honourable Member:** Leave.

**Mr. Speaker:** Is the honourable member asking for leave?

**Some Honourable Members:** No.

**An Honourable Member:** Leave.

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

**An Honourable Member:** Leave.

**An Honourable Member:** No.

**Mr. Speaker:** No? I heard a no. It has been denied.

The honourable Member for St. Norbert—

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

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

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

**Mr. Speaker:** Order.

### Lorne Weir

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, I rise to recognize the passing of an exceptional

Manitoban and long-time resident and active citizen of St. Norbert, Lorne Weir. For over 30 years Lorne and his wife, Geri, worked tirelessly at the Behavioural Health Foundation of Manitoba with those who coped with addiction. Their commitment to helping people achieve a better life helped provide a cornerstone for the foundation.

Lorne himself once entered the foundation beset with personal difficulties. Along with his wife, they sold their home and turned the proceeds over to the group in order that they could start again and dedicate their lives to a new direction. With the help of those at the centre, Lorne himself became a model and provided a path upon which others could follow. Through perseverance and dedication, Lorne helped build what was a budding addiction centre into an impressive corporation with over 130 treatment beds and over 100 full- and part-time staff.

With these resources in place the foundation has been able to offer a wide variety of services to all types of people with addictions. The programs range in scope from adult education and training to cultural activities for Aboriginal residents. The work Lorne did at the foundation has made it an internationally accredited organization, a trailblazer in the world of addictions treatment. More importantly, his work touched many people's lives and helped them confront the challenges they faced. His leadership and efforts created a community in which many could come, heal and then could leave as they continued on their journey.

Mr. Speaker, it is an honour to recognize a man who I and many others will dearly miss. Thank you.

#### **Association of Manitoba Municipalities**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it is my pleasure to pay tribute in this Manitoba Legislature in the form of this private member's statement to the hardworking councillors, mayors, reeves and their staff members across the 199 municipalities throughout the province of Manitoba.

This morning our Progressive Conservative members were happy to accept the Association of Manitoba Municipalities' invitation to meet individually with the members of the executive and board of AMM. I must add that while the same request was offered to the government, Mr. Speaker, the NDP refused to meet individually for the second consecutive year with the AMM board members. It begs the question, the one I hear quite often out in

rural Manitoba and throughout Manitoba: Where is the NDP Doer government's commitment to working collaboratively with the level of government which represents itself as being most closely on the ground and closest to the citizens of Manitoba?

Mr. Speaker, AMM representatives do a great service to their citizens across Manitoba. AMM's board and staff work extremely hard to develop policy and represent the broad base of citizens from all diverse regions of Manitoba, but they cannot work alone. Municipal members across Manitoba require a government that cares about their concerns and works with them in a co-operative manner, that includes support to coincide with the plethora of regulations this NDP government is offloading on them, thereby increasing the municipal costs and further offloading of costs on the regulatory end of their municipal budgets. In other words, AMM is in need of effective provincial leadership, leadership that can establish a level of predictability and planning, something they have not received from this government. Our rural communities do not deserve to have their priorities dictated to them through greater costs and ever-burdensome regulations.

Mr. Speaker, the opposition continues to laud the efforts of the AMM and to value our working relationship with them. We wish the government would do the same. Thank you.

#### **Provincial Exhibition of Manitoba**

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, it gives me great pleasure to rise in the Manitoba Legislature today to commend the Provincial Exhibition of Manitoba for their excellent work in building this province. Tracing its origins to 1882, the Provincial Exhibition of Manitoba is a national jewel celebrating Canadian agriculture and those who labour in the agricultural field.

I recently had the pleasure of attending the 99th annual Royal Manitoba Winter Fair in Brandon. This world-class event is one of the largest agricultural shows in Canada. The fair features agriculture, livestock, equestrian events and entertainment. The Royal Manitoba Winter Fair was established March 13, 1908, and was granted royal patronage by Queen Elizabeth II on July 12, 1970. In 2005, the Royal brought together 120,000 patrons from across the province, the nation and the world to the Keystone Centre in the heart of western Manitoba. I am proud that my government is a full partner in ensuring future greatness for the Provincial Exhibition of Manitoba by its investment in the new Keystone

Centre of Agricultural Excellence. I am equally proud that the Keystone Centre of Agricultural Excellence will be the most comprehensive facility of its kind in Canada.

Mr. Speaker, I would like to formally recognize in the Manitoba Legislature the board of directors of the Provincial Exhibition. They are: Jim Ferguson, Terry Payne, Dale McKay, Stanley Cochrane, Kevin Cameron, Ron Denslow, Bill Henderson, Terry Klassen, Elvi Molsberry, Neil Thomson and Jim Wilson. On behalf of the Government of Manitoba, I congratulate the Provincial Exhibition of Manitoba and commend them for their contribution to the future of this province.

### Child Welfare System

**Hon. Jon Gerrard (River Heights):** Thirty-one children have died from homicide while in the care of Manitoba's Child and Family Services or shortly after leaving care. These 31 children who were killed represent a crisis which must be addressed, a crisis which is very disturbing to all of us in this Chamber.

There is no doubt that the Minister of Family Services (Ms. Melnick) should do the honourable thing and resign her post for her inability to adequately protect children in care. But I know that you cannot make someone do what should be done; they have to do it themselves. What I can do, though, as an opposition leader, is try to find a way for all of us to work together, regardless of our differences, to prevent the killing of our most vulnerable children. So I suggested yesterday that all party leaders work together on this most critical of issues, the life and health of our children, as part of a legislative task force to seek and implement solutions. My approach in all of this has been mindful of the importance of Jordan's principle, that the life, health and well-being of the child should always be considered first. I am willing to work co-operatively with the Premier (Mr. Doer) on this issue because it is so important to me and to all Manitobans.

We three leaders stood shoulder-to-shoulder on Monday in response to a flood in Manitoba. We should be equally ready to work together to help prevent the further killing of children in Manitoba. I was very disappointed yesterday when the Deputy Premier (Ms. Wowchuk) rejected out of hand my offer of an all-party task force led by the three party leaders. Perhaps this should not surprise me. I have been consistently disappointed by the government on this crisis.

I was also disappointed when the government refused my reasonable request for an emergency debate on child welfare in Manitoba. If the homicide of 31 children in six years is not a matter of urgent public importance, I do not know what is. On Monday, I was disappointed when the government would not even allow me to put a candle on my desk in remembrance of the 31 children who have died and in hope of a better future. Many are asking me why this government is turning its back on an offer to work together and why the Premier is so opposed to a co-operative effort to address this problem. I am troubled by the Premier's approach.

\* (16:00)

**Mr. Speaker:** I just need to address something first. On the honourable Member for River Heights, in your member's statement, I would be careful on reflecting on rulings of a Speaker. It was I that ruled it. Anything that is drawn to my attention that is a breach of the rule in the Chamber, I do address it. That is my job, to address it, and I addressed it. I think we should be careful reflecting on Speaker's rulings. I would just like to caution the members on that.

The honourable Government House Leader, you are up on a point of order?

**Hon. Gord Mackintosh (Government House Leader):** It was that matter, Mr. Speaker. I regret that manipulation of the facts. It is unfortunate.

### Point of Order

**Mr. Speaker:** The honourable Deputy Official Opposition House Leader, on a point of order or a matter of privilege?

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** No, on a different point of order.

**Mr. Speaker:** On a point of order?

**Mr. Goertzen:** Yes.

**Mr. Speaker:** Okay.

**Mr. Goertzen:** Thank you very much, Mr. Speaker. I rise to raise a point of order on the transgression of our rules through *Beauchesne*. I refer to the sixth edition of *Beauchesne*. It is a point of order that I could have raised during Question Period, but I chose, in respect of our new tradition not to raise too many points of order during Question Period, to withhold. But it will be a brief explanation. I expect that my citation of Rule 636 in *Beauchesne*, and also I will be referencing Rule 638, will be compelling

and will certainly be one which you will quickly see is in order. I am sure you will rule accordingly.

Today, during our Question Period, and I refer to 636 in *Beauchesne* which deals with blank or imperfect bills, the standing orders forbid the introduction of a bill which is either blank or in imperfect shape. I note Bill 36, Mr. Speaker, we have raised the issue. It deals with youth detoxification, the ability for parents to get young people help for drug addiction or treatment. I know that this is a bill that I have suggested and brought forward, but not just in that. I also suggested that there needed to be the treatment facilities in place along with the bill, that you simply could not put young people or allow parents to place their young people within their—*[interjection]* That might be my next point of order. To allow young people to go into youth detoxification without allowing the long-term treatment facilities, it simply would not work. The bill would not work; in fact, it would be imperfect because of that.

I know that there are a number of definitions available for what "imperfect" would stand for. But, certainly, when I look at 636, I have not alleged this bill is blank. But I would allege, in accordance with *Beauchesne*, that it is, in fact, an imperfect bill because it does not allow the substance of the bill to truly take hold and to truly work. When we introduce legislation, of course, we need to ensure that it does work.

I would quickly refer, I think it is important, to Rule 638 because it does in fact allow the Speaker to alter or to correct errors that are contained in the bill. I would ask that you correct the bill to ensure that there are proper treatment facilities for young people, Mr. Speaker.

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

**Mr. Mackintosh:** Mr. Speaker, the members opposite carry around *Beauchesne* and consult it rather than the priorities of Manitobans, let alone our agenda. I am afraid they are not doing a service to the public interest. Of course, the matter raised is simply mischievous, another wilful obstruction of the House, abuse of the rules. If the member opposite was indeed concerned about addictions treatment in Manitoba, he would pay attention to the budget, which has in it a proposal for \$2 million investment more in addictions. But he does not care about that. It is wilful obstruction; that is what he cares about.

**Mr. Speaker:** On the order raised by the honourable official Deputy Official Opposition House Leader, first of all, I want to thank the honourable member for stating the rule number because it makes it a lot easier for me when members get up on points of orders to quote the rule number so that way I can follow it. It makes it a lot easier. I thank the honourable member for that. *[interjection]* Well, it is really a citation, not a rule.

But, for the information of the House, 636, when it refers to a title, that means just a title and blank piece of paper. Also, when it says "partially drafted" that means that there are parts of it that are—for example, I have a copy of the bill. The bill title is there; the number is there; and the contents of the bill are there. I think the member is referring to the contents of the bill that maybe the member—we will even go to House of Commons Procedures and Practices, which has been pointed out to me—the drafting of which has not been completed. The bill, as we see it, that is the way the government introduced it. I have to rule that the honourable member does not have a point of order. That is my ruling.

**Mr. Goertzen:** Well, Mr. Speaker, because of the importance of the bill itself, and not as a reflection of your good office, I would challenge your ruling.

**Mr. Speaker:** For information of members, when a Speaker has made a ruling, you have two choices: you either accept it or you challenge it. You do not add any debate to it. So I just want to remind all the members of the House.

But 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:** I might request a recorded vote.

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

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, Caldwell, Chomiak, Dewar, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.*

**Nays**

*Cullen, Cummings, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Lamoureux, Maguire, Mitchelson, Reimer, Rowat, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 32, Nays 14.

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

\* \* \*

**Mr. Speaker:** The time being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 12, 2006

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