

Fourth Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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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

Wednesday, April 19, 2006

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Funding for New Cancer Drugs

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

These are the reasons for this petition:

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

Families are often forced to watch their loved ones suffer the devastating consequences of 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 Doreen Winsor, Susan Maniate, Daughy Tharayil and many, many others.

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

* (13:35)

Mr. Cliff Cullen (Turtle Mountain): 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.

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

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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 Josi Johns, Greg Johns, Lydia Zacharias and many, many more.

Crocus Investment Fund

Mr. Jack Reimer (Southdale): 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 with 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 these requests.

Manitoba's Auditor General states, "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 therefore 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.

This is signed by Roland Unger, Sandra Unger, David Abbott and many, many more.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, a petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by P. Derksen, S. Derksen, J. Huston and many, many others.

Mr. Peter Dyck (Pembina): 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 the 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.

This is signed by Ed Penner, Lynn Ferguson, Scott Andrew and many, many others.

* (13:40)

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 from Glenlawn Collegiate 19 Grade 12 students under the direction of Mr. Wilf Entz and Ms. Sarah Redfern. This school is located in the constituency of the honourable Minister of Labour and Immigration (Ms. Allan).

Also in the public gallery we have Ed and Anne Janzen who are from Elie, Manitoba. They are the guests of the honourable Member for Rossmere (Mr. Schellenberg).

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

ORAL QUESTIONS

Devils Lake Outlet Filtration System Installation

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, both yesterday and last week, I asked the Premier (Mr. Doer) and the Minister of Water Stewardship to table a signed agreement between Canada and the United States for the construction of an advanced filtration system to protect Lake Winnipeg from contamination by the Devils Lake outlet. Yesterday, the Premier himself also asked his Minister of Water Stewardship to table that agreement.

The Premier stated yesterday that the agreement was signed between Canada and the U.S. and that it clearly stated that Canada and the U.S. will design and construct a filter system. This agreement is obviously an important document for addressing the issue of protecting our water in Manitoba from invasive foreign species.

Therefore, Mr. Speaker, I would ask the Premier again: Will he table the signed agreement in the House today?

Hon. Rosann Wowchuk (Deputy Premier): Mr. Speaker, if you recall what the Premier said yesterday, he said that the Minister of Water Stewardship would table the studies that had been done with regard to the issue rather than tabling an agreement.

It is very interesting that members opposite are asking about the filter system for Devils Lake when I recall the Member for Emerson (Mr. Penner), at

meetings I attended, talking about no issues with Devils Lake. We were just putting up barriers. I want to quote to the members opposite that both the U.S. and Canadian ambassadors have praised the agreement, and Ambassador David Wilkins said, on August 5, and I—

Mr. Speaker: Order.

Mr. Murray: We are now less than two weeks away from the opening of the Devils Lake outlet. The Premier has assured us that it is up to the federal government to construct a filtration system according to a signed agreement between the U.S. and Canada. The Premier has repeatedly referred to this agreement as his justification, the justification of his government, for refusing to construct the filtration system for Devils Lake.

Mr. Speaker, I have spoken to the United States Consul for Manitoba, and I asked him specifically if there was a signed agreement between Canada and the United States. He said there is no such agreement that he is aware of. I repeat: The U.S. Consul for Manitoba said there is no signed agreement that he is aware of. In fact, the only document that exists on this issue is a press release, one that this government continually waves around, that indicates Canada's and their interest in determining a need for a water filter. The last time that I checked, a press release was hardly a legal, binding document.

So, Mr. Speaker, my question today is: Why did this Premier mislead this House? Why did he mislead Manitobans by sloughing off his responsibility onto an agreement that does not exist?

* (13:45)

Hon. Steve Ashton (Minister of Water Stewardship): I think it is very obvious that members opposite have some difficulty in accessing information that is part of the public record. Yesterday, Mr. Speaker, and the day before, the Member for Emerson (Mr. Penner) talked about the biota work and had asked for copies of that to be released; so did the Leader of the Opposition. This has, by the way, been on our Web site since October.

Mr. Speaker, if the member would care, I would like to table this. If the member opposite needs some assistance in operating his search engine on his computer, I do not know if the member is technologically challenged, but he may wish to look at the announcements that were made, whether it be the provincial announcement—

Mr. Speaker: Order.

Mr. Murray: Mr. Speaker, I have asked the question on the agreement that the Premier has referred to that is signed between Canada and the U.S. about the filtration system. That is the question. The question is about the signed agreement that this Premier has made reference to time and time again in this House.

As a matter of fact, Mr. Speaker, we both know that the Premier and the Minister of Water Stewardship are on record repeatedly saying over the past five years and stating that water coming from Devils Lake is dirty, it is contaminated and it is dangerous to Winnipeg's ecosystem and fishery. They have clearly concerns about the Devils Lake outlet for quite some time. Nevertheless, they have continued to stall over the construction of an advanced filter to remove foreign biota. We are almost out of time in Manitoba.

Given that there is no binding agreement between Canada and the U.S. to construct this filter, I would ask this Premier: What steps is the Premier taking to address the concerns that he has raised and to ensure the construction of the permanent filter system that he says is so vitally important? What steps are they taking?

Mr. Ashton: Well, first of all, Mr. Speaker, we are not going to take the advice of the Member for Emerson (Mr. Penner), who seemed to think that we could drive into North Dakota some weekend and put up a filtration plant. Once again, one of the most absurd suggestions I have heard on this issue, and I have heard many from the Member for Emerson.

Mr. Speaker, I want to put on the record what the U.S. Ambassador to Canada said because this does carry significant weight. August 5: This is a triumph for democracy. It is a wonderful example of how our two countries can work together for the benefit of our shared environment and our shared resources. Here in Manitoba, on November 29, the same Ambassador Wilkins said: As far as I am concerned, the understanding that was reached in August remains in place, and it is being talked about and discussed in detail to work out the implementation of that. This was clearly committed to by the U.S. federal government, announced in a State Department press release. We trust in the word of the United States, and we expect them to follow through.

Highway 75 Closure Alternate Routes

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, several alternative routes for travel to and from the U.S. border are facing large volumes of traffic as a result of the closure of 75 highway.

Can the minister provide this House with a report on these traffic flows and any delays faced by our exporters, importers and the general travelling public of Manitoba?

Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade): Mr. Speaker, this is an issue that is certainly important to Manitobans. We have dealt with this issue working with the municipalities, working with the trucking industry and certainly looking at the detour that has been set up presently. The Premier (Mr. Doer) and this side of the House have said that we will look at alternatives down the road, working with communities, but it is to connect I-29 not just on this side of the border, but certainly going through Canada Customs and going down there.

Mr. Speaker, when you deal with a flood of this magnitude, the fifth largest that we have seen in Manitoba's history, we have put together a package dealing with the industry, dealing with our Transportation Department that has done an excellent job working through 24 hours a day, certainly 7 days a week, to provide an alternate route for our trucking industry. It is an important issue. We will continue to work with our partners on it.

* (13:50)

Mr. Maguire: Well, Mr. Speaker, there is no doubt that the department on the roads are doing the best they can, but every day that Highway 75 is closed and drivers are forced to take alternate routes imposes a cost on our economy in terms of restricted access to our largest trading partner.

Mr. Speaker, the flooding is no surprise. In fact, it has happened twice in the past year. Both times the government has been unprepared for it, and our economy is left at the mercy of rising water.

Can the minister in charge of highways tell Manitobans when the Premier and the minister will settle on an effective plan for ensuring our access to the United States is not cut off?

Mr. Smith: To start with, Mr. Speaker, the Member for Arthur-Virden puts absolute nonsense on the

record that this Province is not prepared, and fully prepared, for the emergency that we are now facing.

Mr. Speaker, we have dealt with many of the municipal officials, we have dealt with the AMM, and we have dealt with the communities that have been involved. We have got excellent communications working with those communities. They have done a fantastic job and certainly done a fantastic job through their preparedness that we have had in place working with the EMO in this province and all our departments. An alternative route is something for our consideration down the road. We have said we will look at best practices and look at alternatives.

Mr. Speaker, as the members opposite stick their fingers in their pockets and saunter into restaurants, they are writing things on the back of a napkin. We are prepared and working with communities.

Mr. Maguire: Well, Mr. Speaker, no wonder Manitobans are frustrated. It is vital to our economy that we maintain access to the largest trading partner that we have, the United States. So far, we have received mixed messages from this NDP government. The Premier and this minister from Brandon West indicate that they are prepared. Well, the Premier indicated that money will be invested in alternate routes to the U.S. border. Meanwhile, his Minister of Transportation (Mr. Lemieux) has indicated they will upgrade Highway 75. There appears to be a distinct lack of co-ordination, as in a bunch of other areas, in the plans of this government.

Can the minister tell Manitobans if he has made up his mind or whether he even has a plan to resolving the problems of flooded highways in our province?

Mr. Smith: Mr. Speaker, we do have an alternate plan. The plan is being utilized right now. The impact of the flood is something that we are dealing with right now. The action on communities and working with our communities is a priority right now. There is an alternate route right now. It is the fifth-largest flood that this province has ever seen, and the mitigative measures that we have seen have certainly helped our communities in the last while.

Mr. Speaker, members opposite like that game, tuck their fingers into their pockets, saunter in with a toothpick in their mouth into the local restaurants. The reality is we spent over a billion dollars on our highways and highways improvements. The Trans Canada Highway is a good example, right through

the member's backyard. They talked about it, we are doing it, and we are working with AMM to get that information.

Colorectal Cancer Avastin Accessibility

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, Manitoba's health care system is ranked dead last in the country, and yet spending on health care has increased by nearly \$1.5 billion since this NDP government came to office. Unfortunately for Manitobans and Manitoba patients, this government is spending more and patients are getting less.

One of the things that Manitobans want from their government is hope, hope for the future. Manitobans suffering from colorectal cancer are looking to this government for hope. We have a number of them in the gallery today with their families.

Mr. Speaker, I would like to ask the Premier (Mr. Doer): Can he offer these people some hope that they will be able to obtain Avastin in Manitoba?

Hon. Tim Sale (Minister of Health): First of all, Mr. Speaker, I think all of us in this Chamber including those in the gallery have had the experience of having cancer strike our families. We have all suffered through watching a loved person, either a very close friend or a family member, dealing with one or other forms of the many cancers, including members of families of this House. So we all have that same feeling that it is tragic, it is absolutely devastating, when you have to hold somebody's hand and offer compassion and you are not able to say that you can offer a cure. Unfortunately, there is no cure at this point for colorectal cancer and a number of other cancers. It is critical that we work towards a cure, and it is critical that we show as much compassion as possible to those who suffer from this disease.

* (13:55)

Mr. Murray: Mr. Speaker, all Manitobans expect hope from their government. It is a difficult issue, and clearly it is a very difficult issue for those families and their patients that are suffering.

Avastin is a life-extending drug for patients with colorectal cancer. It is a drug, Mr. Speaker, that is part of a standard treatment for patients in the latter stages of this disease in over 25 countries throughout the world.

Mr. Speaker, we just heard from the Minister of Health, and I would like to ask this Premier: Would he give that same hope and offer this drug that gives Manitoba patients not only an ability to improve their quality of life but to extend that quality of life?

Mr. Sale: Mr. Speaker, no government in Canada has provided permanent funding for this drug. The board of CancerCare and the medical staff of CancerCare Manitoba have considered many drugs and we cover 97 cancer drugs at this point.

Mr. Speaker, CancerCare Manitoba has not recommended coverage of Avastin to us and that was after difficult debate. It was after a board discussion that took a great deal of time and it was after medical consideration of the priority of drugs that have a high proportion of effectiveness. It is an agonizing decision. It was one that was taken by CancerCare Manitoba with a great deal of difficulty.

Mr. Murray: Well, Mr. Speaker, then I would ask this Minister of Health to do the right thing, to do the right thing that he himself has said is so important to Manitobans. If he truly understands, and we have heard the minister talk about difficulty this morning, we heard the Premier say that he is going to think about this with his head and with his heart.

Well, Mr. Speaker, Morris DePiero is hoping that the Premier will be true to his word and move quickly to ensure that Avastin is available in Manitoba. Morris's wife, Maureen, is battling colorectal cancer and Avastin could give her that extra time that she is asking for so that perhaps she could enjoy her grandchildren this summer.

Can the Premier, Mr. Speaker, give the DePieros the hope they are looking for by committing today to ensure that Manitobans have access to this drug, a drug that clearly would ensure the quality of life and extend that quality of life? I ask the minister: Will he do the right thing today?

Mr. Sale: Mr. Speaker, I have spoken with the head of CancerCare Manitoba, Dr. Dhaliwal. I have spoken with him on a number of occasions and most recently in the last few days. I am told that CancerCare Manitoba has a process for reviewing exceptionally difficult cases. Dr. Dhaliwal has offered to review this case and he will do so, I believe, in a very speedy manner.

So I am prepared to certainly ask him to do that. I have done so and he has ensured that there will be a speedy review of this particularly difficult case, Mr. Speaker.

Colorectal Cancer Screening Program

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, the Canadian Cancer Society estimates that 780 Manitobans will be diagnosed and 350 Manitobans will die this year of colorectal cancer. Caught early, colorectal cancer is 90 percent curable. In 2002, the national commission of colorectal cancer recommended screening programs and Manitoba had a representative on that commission, yet nothing has been implemented in the last four years.

Mr. Speaker, according to Dr. Malcolm Moore, an oncologist at Princess Margaret Hospital in Toronto, he says and I quote: If you are looking at overall economic picture, I think it would be fair to say that investing more money in screening is probably going to be actually cost-effective and cost-savings in the long run.

So, if it is not about money, Mr. Speaker, why will he not implement some sort of a plan? Why has he failed to implement a colorectal screening program in Manitoba?

* (14:00)

Hon. Tim Sale (Minister of Health): First of all, Mr. Speaker, most general practitioners, family practitioners do recommend that anyone over 50 years of age have an annual fecal occult blood screen done. I think anyone in this Chamber that is over that age and has a regular medical will have had that recommendation. I hope they have taken it seriously. The blood screening process is effective at detecting cancers a large proportion of the time at the early stage. If it is repeated annually, its effectiveness rises because the false negatives reduce over that period of time.

You cannot make people have a screening process they do not want to have. We do not have 100 percent pap smears. We do not have 100 percent mammograms. We offer that program. I think any physician that is doing her or his job is offering that occult blood screen to all men and women over 50. I hope everyone listening today will take the advice of their physicians in that regard.

Avastin Accessibility

Mrs. Stefanson: Mr. Speaker, what Manitoban would possibly turn down an opportunity that could possibly save their lives? That is ridiculous what this minister is saying and it is not true.

Thousands of Manitobans have signed petitions that I have been presenting in this House, and some of my colleagues, calling on this government to cover various cancer drugs including Avastin. According to the Colorectal Cancer Association of Canada, Avastin has been shown to extend the life of colorectal cancer patients by a mean of five months. In Canada, Avastin is covered in B.C., Québec, New Brunswick and is available for purchase in Ontario and Saskatchewan where those governments will infuse it for you.

Mr. Speaker, will the Minister of Health act now to ensure that patients who could benefit from Avastin have access to it? Why is this government denying them access?

Mr. Sale: As I told the member opposite, Dr. Dhaliwal and CancerCare have offered to review this particular case, as they do other difficult cases, with a view to determining whether there are specific circumstances, specific issues that a particular drug regimen will be effective in, Mr. Speaker. I understand that they are prepared to do that very quickly in this particular case.

The issue of colorectal screening is a very important issue, Mr. Speaker. Unfortunately, many people do not fulfill that test when they are given the opportunity because they are squeamish about it. It can prevent colorectal cancer from advancing and allow early detection and early cure, and I urge all Manitobans to make use of that test when they are offered it.

Mrs. Stefanson: This is not about reviewing cases. This is about implementing a plan for people who are suffering in Manitoba with colorectal cancer, something that this government has neglected to do since the national commission came out and recommended that early screening take place. Shame on them.

Mr. Speaker, upwards of 5,000 Manitobans have signed petitions asking for this Minister of Health to take action. Why will he not stop making excuses and start taking action? Avastin is administered along with the chemotherapy that these patients are already receiving so the professional resources are already there.

Will the minister provide hope to the Manitobans and their families in the gallery today and to the hundreds of others out there who are suffering with this illness? Will he agree to fast-track

this drug to provide hope for Manitobans with colorectal cancer?

Mr. Sale: Mr. Speaker, this government has tried always to respond to the recommendations of those who are skilled and knowledgeable in any particular field, but particularly in medicine. Neither my predecessor nor I have ever stood and made a medical judgment about a case. CancerCare Manitoba has made recommendations. Their skilled staff and their board have agonized over those recommendations. They have agreed to review special cases and to make those reviews in a speedy fashion. I believe we have to follow the advice of one of the best cancer organizations in our country.

Teachers' Retirement Allowance Fund Investment Practices

Mrs. Myrna Driedger (Charleswood): In Question Period yesterday, the Minister of Education put some very erroneous information on the public domain about a question I asked several months ago. I posed this question after the Auditor General's report into WCB raised a caution about investing pension money in downtown revitalization. Yesterday the Minister of Education played petty politics with the question and twisted my question into a statement of fact when I asked him: Is teachers' pension money at risk?

It was a question; it was not a statement. So I am going to ask the Minister of Education again: Will retired teachers lose any of the \$10 million that was invested into the Manitoba Property Fund?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, yesterday I stated that it was the member opposite who was putting erroneous information forward, and the people that were making those suggestions about the erroneous information were the stakeholders in the teachers' pension. The Manitoba Teachers' Society had sent a letter to the member opposite talking about the fearmongering around the pension and the fact as the member stated—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: I tabled the letter yesterday which showed that it was the Teachers' Society admonishing the member opposite for the fearmongering about the teachers' pension fund.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: The rate of return for the TRAF fund at one-, five- and ten-year measures has been above the industry benchmark. Teachers' pension funds are not at risk, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, the minister is again twisting this information. A question was asked and it was specific to the Manitoba Property Fund. That was the question asked before and it is a question asked now. There is a lot of manipulation going on by this minister about this question. In fact, retired teachers are asking me to ask this minister the question. Mr. Ulrich raised this as a concern and because of that, as a whistle-blower, he lost his job.

I would like to ask this Minister of Education: Tell us what proof does he have that the retired teachers will not lose any money of that \$10-million investment into the Manitoba Property Fund? Where is his proof to back up that this was a good investment?

Mr. Bjornson: Mr. Speaker, the TRAF board is charged with the responsibility to oversee the investments. I have mentioned to the member opposite, the rate of return for teachers' pensions in all facets of the portfolio have been at or above the industry benchmarks. It is really curious that the members opposite are suddenly the champions of teachers' pension when they have opened the act four times in six years, they open at zero.

We made 17 significant changes to The Teachers' Pension Act, they made none. We have increased contribution rates to the teachers' pension. They did not do that in their term in office and here we had a dozen members of the Tories standing outside rallying with teachers. That, Mr. Speaker, was priceless.

Mrs. Driedger: Mr. Speaker, retired teachers are concerned out there about this minister's answers. When Mr. Ulrich wrote an 18-page letter concerned about what TRAF is doing and about this investment into the Manitoba Property Fund, even the Auditor General said that Mr. Ulrich's concerns received insufficient action on the part of this minister. Mr. Ulrich feels that this minister indeed dropped the ball on looking at these concerns. Yet, as a whistle-blower, he was let go from his job.

The minister is not answering the question now. What evidence can he put forward to support this investment into the Manitoba Property Fund? Was a valuation done of this investment and who did that

valuation? Where is the evidence he can put forward today that supports TRAF's investment into the Manitoba Property Fund? Where is his evidence to back this up?

Mr. Bjornson: Once again, Mr. Speaker, the Province does not direct TRAF on how to invest their money, but I will share for the member opposite—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: The TRAF real estate portfolio has earned a rate of return above benchmark over the past one, five and ten years; 13.9 percent in year one rate of return, 11.6 percent in year five, 11.5 percent in a 10-year measure for rate of return. Mr. Speaker, these have all been in excess of the benchmark set by the industry.

MATTER OF PRIVILEGE

Mr. Speaker: The honourable Member for Russell, on a matter of privilege.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, I rise on a matter of privilege because repeatedly in this House questions that are posed to ministers have been dealt with by the government in not a forthright manner. As a matter of fact, they have been dealt with in a way to mislead Manitobans and this House deliberately. I refer to the questions that were posed by the Leader of the Opposition (Mr. Murray) this afternoon regarding the alleged, if you like, agreement that exists between the United States and Canada regarding the filtration system of water from Devils Lake.

* (14:10)

Now, Mr. Speaker, for several days now the Leader of the Opposition and the opposition itself have been asking, both parties have been asking, about the Devils Lake water that is coming to Manitoba that the Premier (Mr. Doer) himself has said is polluted with biota that is dangerous for Manitobans. Now Devils Lake water is supposed to flow on May 1, and to try to deflect the issue the Premier has referred to an agreement between the United States and Canada that was established to construct a filtration system.

Now, we, as members of the opposition and as all Manitobans have to take the word of the First Minister and his Cabinet in terms of answers that are

given to questions. We have to take it that the word of the Premier, the word of the Minister of Water Stewardship (Mr. Ashton) is, in fact, factual. I know that you, as Mr. Speaker, have no other choice but to take a member, a minister, the Premier, whoever it may be, at his or her word.

Now, repeatedly we have questioned the existence of an agreement between Canada and the United States. The Premier has reiterated the fact that there is an agreement. Today, when the Leader of the Opposition asked the government, once again there was denial by the Deputy Premier (Ms. Wowchuk) and by the Minister of Water Stewardship that an agreement did not exist. They did not acknowledge that one did not exist. When we have checked with officials at the highest level, if you like, of diplomacy from the United States, what did we find? We found that they have no record of any agreement between Canada and the United States.

Now, Mr. Speaker, the reason I rise on this matter, I understand that I have to satisfy two conditions to ensure that, in fact, there is a prima facie case and that I have done this at the earliest possible time. Well, I had to ascertain two things: one was the word of the Premier and the second was the news release that was delivered regarding this agreement.

Yesterday, the honourable Premier (Mr. Doer) said in this House, and it is all recorded in Hansard, he maintained that there is an agreement signed between Canada and the United States to design and build a filter for the Devils Lake water. There was a news release issued on August 5, 2005, that also indicated that an 18-foot deep gravel filter would be designed and constructed by Canada and the United States, and it made reference to some agreement, an agreement that does not exist. There is no agreement.

Now, Mr. Speaker, this is serious business. We are at the mercy of the government who has the power and has the ability to have knowledge that some of us in the public, some of us on the opposition, do not have. When we come into this House and ask questions, we expect that we will not be lied to by government, by the Premier or anyone else. Now, the Deputy Premier is asking, who was lying? I ask her, who is lying?

Mr. Speaker: Order. I want to caution the honourable member, the words "lied," "liar," "lied to" have never been accepted in this House. We have always treated members honourably and I would

expect the same from all honourable members. I caution the honourable Member for Russell.

Mr. Derkach: Mr. Speaker, I will withdraw the word "lied," if I used it inappropriately. I withdraw it unconditionally because all of us have to have some decorum and respect for this House.

But this was a wilful and a blatant misleading and twisting of facts. When I say it was wilful, it is obvious by the public record that there was an intent to mislead not only the opposition but all Manitobans. That is unfair. That is not only unfair, but it is unjust to mislead Manitobans, to mislead the House into believing that there is some sort of an agreement, a signed agreement between the United States, the government of the United States and the Government of Canada to construct a filtration system for Devils Lake water which is supposed to flow on May 1.

Now, Mr. Speaker, we have questioned what there is in that water that is going to cause a problem to Manitobans because we want to know; Manitobans want to know. Our water is an important treasure. The water in this province is a very important resource. We should do what it is we can to protect that water. We should know what is in water coming across our borders.

Now, it was the Premier (Mr. Doer), the Premier himself, who raised the fear in the minds of thousands of Manitobans about what was contained in that water. He said on some occasions that he had an army, an army of people looking at the water. They were on the water, under the water, in the water, examining. What we found at the end was all of this was so far exaggerated that it made the Premier look a little bit foolish because, indeed, when we started checking with officials in the United States how many Manitoba biologists, how many Manitoba scientists were out there examining this lake, nobody could find any of them. There were a few who were there consulting with the Americans, but they were not on the water, in the water, under the water. This was all foolish.

Mr. Speaker, there is no greater master of deception than the Minister of Water Stewardship (Mr. Ashton) himself. I call him the master of deception because that is exactly what he has been doing. Now, this may also be unparliamentary.

Point of Order

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

Hon. Gord Mackintosh (Government House Leader): On a point of order, Mr. Speaker, the member opposite, in our view, is not only in contempt of this Legislature but in contempt of the constituents who sent those members opposite to do business in this Legislative Assembly. But what we are seeing is another obstruction of this House, an abuse of the House. They are stalled. They are stuck in their strategy. They are neutral. We are trying to get on with the business of Manitobans while they get up on this nonsense.

Mr. Speaker, what the member just put on the record was clearly unparliamentary. He cannot refer to a member that way in our view. All members in this House are honourable members. I ask members opposite to get with the public business of Manitobans, pay attention to what their constituents sent them here for, roll up their sleeves and get to work.

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

Mr. Derkach: Mr. Speaker, to respond to that point of order raised by the Government House Leader, we are sent here by Manitobans to keep the government honest, to keep the government accountable, to keep the government trustworthy. But I submit that, because of the actions of this government and the way they have been conducting themselves with the public of Manitoba and here in this Legislature, Manitobans have absolutely lost their trust in this government, and it is up to us as an opposition to ensure that that message is brought forward.

* (14:20)

Mr. Speaker, the Government House Leader can get up in his place and do whatever he likes, but the point of the matter here is that Manitobans cannot trust this government any longer to do the work because they do not bring factual information to the House. They do not put factual information on the record and they simply cannot be trusted.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised by the honourable Government House Leader, we do need to be careful in choosing our words. We must always respect each other as honourable members. I will just throw a caution out to all members to pick their words carefully, to have the respect and treat each other in an honourable fashion in this Chamber.

* * *

Mr. Speaker: The honourable Member for Russell, to continue with your matter of privilege.

Mr. Derkach: Thank you. Matter of privilege, Mr. Speaker. I acknowledge and I thank you for that advice, but at times as this, when we have been blatantly misled in this Chamber and Manitobans have been, it is difficult to control sometimes the emotion and the language that goes along with that. But I will certainly attempt to do that.

Mr. Speaker, this matter of privilege is a serious one because there are many people in the city of Winnipeg here who will be concerned about what is flowing through their city when that Devils Lake water enters Manitoba after May 1. The reason they are going to be concerned is because the Premier (Mr. Doer) himself has raised a lot of fears. He has engendered a lot of fear in the minds of Manitobans. He has been fearmongering about what is going to happen when the water enters Manitoba.

Now, last year, Mr. Speaker, last year I believe it was, that the Premier had some filter constructed that was washed away in the first flush of water. But, nevertheless, that was a public image thing. All it was was a publicity stunt. He threw some sand in front of the water that was coming from Devils Lake and thought it would be a substantial filter. Well, we have found how this government is all about window dressing. But when it comes to substance, there is absolutely nothing there. What they do is they deceive the people of Manitoba. They deceive the House because they are not truthful in their statements.

Mr. Speaker, today we had another example of that when the Member for Charleswood (Mrs. Driedger) stood in her place, asked about a specific investment, was very specific, no one could misunderstand the question, but did the Minister of Education (Mr. Bjornson) understand it? Well, we are not sure whether he understood it. But we do know that in his answer he, once again, misled and deceived the way that his answer came out to the detriment of those people whose pension money has been lost.

Now, Mr. Speaker—

Mr. Speaker: Order. When members rise on a matter of privilege, it is not the time for a debate. It is to convince the Speaker that there is a prima facie case and that we need to hear it immediately. That is the purpose of matters of privilege. I ask the honourable Official Opposition House Leader to

point out to the Speaker and deal with the prima facie case.

Mr. Derkach: Well, Mr. Speaker, indeed, I want to paint the complete picture when I am doing this. So I want to refer and bring your attention to Hansard, dated Tuesday, April 18, 2006, and it is on page 1515. It is the question that was asked by the Leader of the Official Opposition (Mr. Murray) to the Premier, and within that the response from the Premier. I would like to quote, actually this is on page 1516. The Premier of the province responds in this way: "I would point out that the wording in the agreement," in the agreement, "is between Canada and United States." Then he goes on to say, and I quote—

Mr. Speaker: Order. I hate to interrupt members when they are on a point of order or a matter of privilege, but I have to take this opportunity to remind all honourable members that electronic devices are not to be used during Question Period.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We are still in Question Period. That is the agreement we have of the House. So, if anyone is using electronic devices, please put them away and shut them off until Question Period is over.

Mr. Derkach: Well, Mr. Speaker, that could be communication between the Premier and his Deputy. I do not know.

But, Mr. Speaker, I want to go on to page 1516 and quote again the Premier, who says "the agreement"—and he refers to this agreement—"states that Canada and United States will design and construct an advance filter system." Then he refers to the news release which he says coincided with the time of the agreement. The press release was released at the time of the agreement.

So what he is saying is that, at the time of this press release, there was a signed agreement between Canada and the United States. Now he is talking about a signed agreement. We have asked that that agreement be tabled in this House. When we check with other sources to see what that agreement says, everyone tells us there is no agreement, there is no signed agreement. Well, Mr. Speaker, when you have—

Mr. Speaker: Order.

I have allowed a lot of leeway in a matter of privilege. I know matters of privilege and points of orders do not have time limits, but we have to stay

within reason. There is a lot of comment that I interpret as being debate. I have heard the honourable member's arguments. We have gone now over, I have been watching the clock, about 17 minutes on a matter—[interjection] Order.

A matter of privilege is to draw attention to the Speaker and to convince the Speaker to deal with the matter immediately. That is why we must stick to the prima facie case. We have been getting into a lot of the debate. I would encourage the honourable member to deal with why it is important that I need to deal with it immediately and to convince me that there is a prima facie case.

Mr. Derkach: My attempt, in quoting what is in Hansard, is to establish the prima facie case because what has been quoted in Hansard, these are the direct words. The direct record of this Assembly does not parallel with the truth. It does not parallel with reality. It does not parallel with, in fact, what is out there in the public domain.

Now, Mr. Speaker, Manitobans who are listening to the words of the Premier take comfort in knowing that their water is going to be safe because the Premier (Mr. Doer) of the province has stated that there will be a filter constructed as agreed to by Canada and the United States, and this agreement is written and signed. Well, I think we have established the fact that there is no such agreement and that the Premier has wilfully, deliberately misled Manitobans and this House. So I know that I have to end with a motion, but I think it is suffice to say that Manitobans have very quickly lost their trust in the stewardship of this government because we cannot believe them any more. That is a sad day in the province of Manitoba.

So I move, seconded by the Member for Ste. Rose (Mr. Cummings), that this matter be referred to the Committee on Legislative Affairs and be reported back into this Chamber.

Thank you, Mr. Speaker.

*(14:30)

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Minister of Water Stewardship, on the same prima facie case?

Hon. Steve Ashton (Deputy Government House Leader): Yes, Mr. Speaker, you know, there are times that this Chamber takes on Pythonesque dimensions and this matter of privilege, I think, is probably the most Pythonesque moment I have seen

on such an important issue, because, let us be up front here, we traditionally had an approach in this province when it comes to matters such as Devils Lake of working co-operatively. That has been a tradition going back with Premier Filmon. That has been a tradition that goes back through Premier Pawley, even with Premier Sterling Lyon and Premier Schreyer in the 1970s in terms of the Garrison Diversion which is very much related to Devils Lake.

I find it extremely regretful that members opposite have increasingly over the last number of months taken a very partisan approach that has taken away from the traditional Manitoba approach, that when it comes to issues such as Devils Lake we stand together, Mr. Speaker. We stand united.

Now, Mr. Speaker, I realize it might be unfair to mention the words of the Member for Emerson (Mr. Penner) who, throughout the last number of years, has questioned the very real concerns that have been expressed about Devils Lake. You know, he has run around the province saying that he has spotted striped bass in the Red River system, one of the issues that was a concern. No such thing happened but he was convinced that that was the case.

You know, he has read into the record, Mr. Speaker, editorials from U.S. newspapers calling for a boycott of Canada because we have stood up on the issue of Devils Lake. So, time and time again, we have the lead critic for the members opposite really taking the same position that I might expect from Joe Belford, a very fine citizen of the Devils Lake area in the United States. One problem: You are supposed to be representing Manitobans when you are elected to the Manitoba Legislature.

Mr. Speaker, we heard again today the Official Opposition House Leader (Mr. Derkach) mock the efforts of Manitoba to document what has been well-documented and supported by many environmental groups. I know members opposite do not have any time for environmental groups, but by the State of Minnesota and by North Dakota citizens, such as the Save the Sheyenne group, that have said repeatedly there are real concerns in terms of foreign biota and the quality of water from Devils Lake.

Mr. Speaker, I had a very good meeting with Stockwell Day as minister; he would probably make a fine minister of emergency measures but I remember when Stockwell Day needed a geography lesson when it came to Niagara Falls. They have got Stockwell Day geography in mind because they keep

forgetting that Devils Lake is in North Dakota, and that is where the filter has to be put in place.

Well, Mr. Speaker, I realize that members opposite are technologically challenged, and I realize that doing sort of a Web search might be sort of difficult for them, but if they want to see, and this is referenced yesterday by the Premier (Mr. Doer), who mentioned specifically the agreement was reached back in August, and there are numerous articles. The point of the fact is that it is a political agreement. In fact, Ambassador McKenna on August 5 and August 9 again stated that—

Mr. Speaker: Order. We have clearly got into debate here. I cautioned the honourable Official Opposition House Leader, now I am cautioning the honourable Minister of Water Stewardship. When a member rises on a matter of privilege, it is to deal with a prima facie case, not to get into debate. So I ask the honourable member to address the prima facie case.

Mr. Ashton: Thank you, Mr. Speaker. The members opposite, if they would care to do a Web search, would find that indeed on August 6, a joint statement was issued by U.S. and Canada. In fact, you can go either to the U.S. embassy site, you can go to various media sites, you can go to the Canadian site. You know, this is how we do business with United States.

The United States government, the federal government, has committed to a number of things. I can indicate very clearly that we have seen progress indeed in those very areas. There was a commitment in terms of design and construction of an advanced filtration system. That design is not only underway but the U.S. federal government has put in place funding for that filtration.

We have seen the biological surveys and, contrary to what the House Leader of the opposition referred to, Manitoba scientists were part of a joint biological survey of Devils Lake that did identify, and this is public information, I tabled it earlier and you can get it off our Web site. It has been there since October that points to algae, plankton and three fish parasites, two of them not previously identified, that are not known to be in Lake Winnipeg. That is part of the study, so—

Mr. Speaker: Order.

Point of Order

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

Mrs. Bonnie Mitchelson (River East): It is not a point of order but some clarification because the minister has referred several times to the Web site. I just want to ask: Is the agreement on the Web site? The agreement that we are asking for, is it on the Web site? Because he keeps referring to the Web site. Obviously, we should be able to find it there. Would he lead us to the Web site that includes that signed agreement?

Mr. Speaker: The honourable Minister of Water Stewardship, on the same point of order?

Mr. Ashton: Yes, www.canada.usembassy.gov. Then from that point, you can find it. It is called the Internet. Welcome to the year 2006.

Mr. Speaker: On the point of order raised by the honourable Member for River East, she does not have a point of order. It is clearly a dispute over the facts.

* * *

Mr. Speaker: The honourable Minister for Water Stewardship, to deal with the prima facie case.

Mr. Ashton: The prima facie case, Mr. Speaker, I could continue. I appreciate your advice in terms of what has happened, but I think it is most important to recognize what this is. Can I make predications when I talk about a matter of privilege? At some point in time you will rule on the prima facie case, and as experienced the last number of weeks is the case, there will be bells ringing.

But, you know, at a time when we are dealing with record flooding, the fifth worst in a century, when we are dealing with that, the absurdity of ringing the bells and these matters of privilege at a time when we are taking very seriously the issue of Devils Lake and saying to North Dakota that the U.S. federal government and the Canadian federal government have said very clearly that the need is there for filtration, the money has been identified, the biota work was done last fall. We should be standing united, defending Manitoba's interests, not playing this petty, partisan political game on this matter of privilege.

Mr. Speaker: Order. The honourable Member for Inkster, if you have anything to add to the prima facie case, I will listen, but very shortly.

* (14:40)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I do truly believe that there needs to be a consequence to

actions. It is not acceptable in a home environment, let alone other environments, where there is inappropriate behaviour. There are unparliamentary words that I do not want to use but were alluded to earlier.

I know you have made a number of rulings in the past in regard to a dispute over the facts or, in order for someone to establish that they were intentionally misleading the House, they virtually have to come and confess to the Chamber that they are intentionally misleading the House. I, for one, do not believe that that has to be the case. I think most members—I would like to think all members—would acknowledge that you do need to see a consequence. When someone takes an action to the detriment of this province, it is important that we raise that issue, and the matter of privilege is indeed an appropriate way to do that, Mr. Speaker.

I want to be very clear. A prima facie case would indicate—and here is a definition—in Latin, expression meaning "at first sight;" used in common law, reasons to denote a case that is strong enough to justify further discovery and possibly even a trial or discussion within a standing committee. That is what the motion is, in fact, suggesting, Mr. Speaker.

Let us be very clear, you have the Premier (Mr. Doer) of this province and others, who talked about some sort of a signed agreement. You have the official opposition who has clearly indicated that there is no signed agreement and that they have requested that signed agreement. I have seen inside this Chamber, even within this matter of privilege, even within the point of order that was raised, the government has been challenged on numerous occasions to show a signed agreement.

On the other hand, Mr. Speaker, we have evidence, what would appear to be evidence, that there was no signed agreement. So what does the government have to lose to table that signed agreement unless, of course, there is no signed agreement? So, if there is no signed agreement, I can understand why they would not table it. That brings me back to the initial point. There has to be a consequence. There has to be a consequence when something of this nature occurs. Time and time again, and this goes especially to the Minister of Health (Mr. Sale), especially to the Minister of Health, you cannot constantly mislead this House and believe you can get away with it because you do not state in a true confession: I have intentionally

misled the House. That is not an appropriate consequence.

Manitobans deserve a government that is going to be more transparent and honest with what has actually taken place, Mr. Speaker. I believe there is a prima facie case here because serious allegations have been levelled at the government that dictate there has to be a response, and there has not been a legitimate response because the government has not been prepared to table, or if they do not want to table it, but it is a signed agreement, let us get an independent third party to take a look to be able to say yes, there is a signed agreement. As of today, I do not believe there is a signed agreement. I believe that there needs to be clarification, and that is why it is a prima facie case.

Mr. Speaker: Order. I have listened very carefully to all the comments and I have allowed a lot of leeway. I will deal with the matter of privilege, and I will give you some different references.

First of all, I want to draw your attention to what is a matter of privilege. A privilege for individual members is the freedom of speech, freedom from arrest in civil actions, exemptions from jury duty and exceptions from attendance as a witness. That is individual privilege rights of members.

Then I want to draw your attention to my responsibilities as the Speaker when privileges are raised, and I want to draw your attention to *Beauchesne* Citation 416(1): "A minister may decline to answer a question without stating the reason for refusing, and insistence on an answer is out of order, with no debate being allowed. A refusal to answer cannot be raised as a question of privilege, nor is it regular to comment upon such a refusal. A Member may put a question but has no right to insist upon an answer."

Then I want to draw your attention to Marleau and Montpetit, which is one of our new references that is used in the House of Commons and other jurisdictions across Canada and in the Commonwealth countries. If you look on page 433 of Marleau and Montpetit, it advises, the *House of Commons Procedure and Practice*, that the Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or the content of replies to questions. That is my responsibility as the Speaker.

On the matter of privilege raised by the honourable Member for Russell (Mr. Derkach), I would like to inform the House that this is clearly a dispute of the facts. Past Manitoba Speakers have ruled on several—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I am making a ruling.

An issue has been raised in this House, and it is my duty as the Speaker to deal with the matter, and I am dealing with a matter, and I ask the co-operation of all honourable members. Once I have made my ruling, members have two choices, and it is very clear in our rules. The two choices: if you are not satisfied, if you figure I ruled wrongly, the ruling can be challenged, or it can be accepted. It is not up for debate, and I would ask the members to hold off on their comments until I have completed my ruling that I am trying to undertake here.

On the matter of privilege raised by the honourable Member for Russell I would like to inform the House that this is clearly a dispute of 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 honourable member does not have a matter of privilege.

Mr. Derkach: I challenge your ruling, Mr. Speaker.

Mr. Speaker: Okay. 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. Derkach: Yeas and Nays, Mr. Speaker.

Mr. Speaker: 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, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.

Nays

Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Faurschou, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Murray, Reimer, Rowat, Schuler, Stefanson.

Madam Clerk (Patricia Chaychuk): Yeas 31, Nays 17.

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

MATTER OF PRIVILEGE

Mr. Speaker: The honourable Member for Portage la Prairie, on a point of order or matter of privilege.

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

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

Mr. Faurschou: Mr. Speaker, I rise with regret on a matter of privilege this afternoon. As most honourable members know in this Chamber, I try and pride myself in respect for this time-honoured tradition and the Assembly of Manitoba. It is truly an honour and a privilege to serve in this Chamber, and

I know that the different members across the way think, perhaps, serving this Chamber is a joke, and that is why they are treating the rules of this House as a joke.

Mr. Speaker, you ruled earlier in regard to the use of electronic devices as an observation by the Sergeant-at-Arms. You made a ruling. There were members of this Chamber on the government side of the House that continued to use electronic devices in spite of your observation, in spite of the recognition by the Sergeant-at-Arms, a clear affront to you as the Speaker of this Chamber and your responsibility to carry forward with enforcement of the rules through your officer, the Sergeant-at-Arms. *[interjection]* Obviously, this is continuing to be a joke from the government side of the House because conversations continue. Maybe you guys think that being in this Chamber is just a rite of passage, instead—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Matters of privilege and points of order are very serious matters, and I need to hear every word that is spoken. I am asking the cooperation of members. The honourable Member for Portage la Prairie has the floor on a matter of privilege.

Mr. Faurschou: Mr. Speaker, I treat service in this Chamber as truly a privilege that few Manitobans have the opportunity to experience. There are members that continue to serve in this Chamber perhaps because they really truly want to serve in the best public interest. But then again there are persons in this Chamber that are disrespectful of the time-honoured traditions to which all of us, all of us, came into this Chamber acknowledging their existence.

One of these rules is in the rule book. It is Rule 19(4): that we do not use electronic devices while in Question Period during the sitting of the House.

Mr. Speaker, I would like to move the motion, seconded by the honourable Member for Arthur-Virden (Mr. Maguire), that the Speaker remind all honourable members about the use of electronic devices in the Chamber, as mentioned in Rule 19(4): "Except during Question Period, Members may use laptop computers and other electronic devices in the House and in Committee in a silent mode." Further, that the Speaker instruct the Sergeant-at-Arms to

confiscate the electronic devices that are being used in contravention of said rule.

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

Hon. Gord Mackintosh (Government House Leader): On the point of order and matter of privilege—

Mr. Speaker: Matter of privilege. I am sorry. The matter of privilege, not point of order.

Mr. Mackintosh: Mr. Speaker, in another context, perhaps the member would have some weight attached to his concern. The rule, perhaps some in this House call it the Luddite rule, but it is a rule, and I know that it certainly should be adhered to.

But, Mr. Speaker, the context here is a member standing up saying, it is a privilege to serve in this House, he says, and to pay attention to the traditions and the purpose of the Legislative Assembly of Manitoba. But it is members opposite who have abandoned their duties to the public, to their constituents, and I have never seen, in my years in this Chamber, such a disregard for this institution as members opposite who refuse to allow this Legislature to go to work for Manitobans.

They are standing up and stopping the Legislature from fulfilling its public purposes and walking out. They walk out. I say, is that not ironic to hear this concern from that member?

Mr. Speaker: Order. The honourable Opposition House Leader, on the same matter of privilege.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, on the same matter of privilege, I cannot help but respond to the Government House Leader. I know that he and his government are significantly embarrassed, especially in front of the eyes of all Manitobans, when here we have a majority government that cannot get a budget passed in eight days. I would be embarrassed. The Minister of Finance (Mr. Selinger) should be hugely embarrassed because he had to cancel all of his consultations because he cannot get his budget through. Now, what an embarrassment. But an embarrassment, why? Because they refuse to call a public inquiry and be accountable to the people of Manitoba for their involvement in the Crocus scandal.

Now, Mr. Speaker, yes, they should be embarrassed, and I think it speaks volumes when the Government House Leader (Mr. Mackintosh) stands up and desperately tries to encourage us to get back to debating the budget when we have made it very clear: Call the public inquiry and we will get on with the agenda of government and of the House. But until such time as they call a public inquiry, we will exert every bit of pressure we can and make them accountable to the public of Manitoba.

Mr. Speaker, with regard to the matter of privilege that was raised by the Member for Portage la Prairie (Mr. Faurichou), I am thankful that we have a member in this Chamber who does keep an eye on government who tried to get messages back and forth during Question Period on their Blackberries. Now, I know they do not have the answer because they cannot even put a truthful answer on the record, so they have to rely on their lackeys and their hacks outside of this Chamber to give them their responses.

But, Mr. Speaker, it is clearly against the rules. The Member for Portage la Prairie identified the Minister of Finance, I think, as being one who was using his Blackberry. The Deputy Leader was using an electronic device during Question Period. This is clearly against the rules. I think the Member for Portage la Prairie has a matter of privilege because we have all been told in this Chamber that during Question Period, electronic devices are not to be used to send messages back and forth to our offices.

Mr. Speaker, it is unfortunate that once again this government chooses to ignore those very important rules that have been established for all members, not just the opposition, but for all members in this Chamber. But they think they are above the law, they are beyond the rules in this Chamber, and that is how they conduct themselves with Manitobans. It is arrogance to the fullest extent.

Mr. Speaker: On the matter of privilege raised by the honourable Member for Portage la Prairie (Mr. Faurichou), allegations of breach of privilege by a member in the House that amount to complaints about procedures practised in the House are by their very nature matters of order.

But I want to take this opportunity to once again remind all honourable members that this was negotiated by the House leaders and also one of the independent members, that any electronic devices are not to be used during Question Period. They are allowed before or after, but not during Question

Period. That was negotiated and I hope all members will respect that decision that was made by the House.

So I will once again remind all members that during Question Period there be no electronic devices.

* * *

Mr. Speaker: So we will revert to Question Period. We are on Question No. 6.

*(16:00)

MIOP Loans Due Diligence

Mr. Glen Cummings (Ste. Rose): Well, Mr. Speaker, at four o'clock in the afternoon, I hope I can make this interesting.

My question is for the Minister of Finance and I see he has brightened up already. I am sure he does not want to talk about whether or not the Premier (Mr. Doer) was telling the truth about the agreement on Devils Lake, but I would like him to tell the public of Manitoba whether or not, as Minister of Finance, and I would argue the one minister in government, the head of the Treasury bench, has the levers of control on all of the financial activities in government. I would expect that he, as Finance Minister and the Treasury bench, would have got regular reports on the status of MIOP loans. This would have been necessary for the government to assess what risk factors there might be and be able to look at the relative risk of any situation that the government has been faced with. I see already the minister is nodding in agreement.

I wonder if he would explain that process to the public.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the one thing we have noted is the MIOP loan portfolio has made money since we have been in government; whereas when the members opposite were in government they lost over \$37 million. I think those numbers speak for themselves.

Mr. Cummings: Well, Mr. Speaker, so far the Minister of Finance seems to be right on the money. I wonder if he would also confirm that due diligence needs on a continuing basis to be done around these MIOP loans, and if he would have been regularly briefed, as it seems to imply, apart from his answer. I think he agreed that that would be the case.

Was he aware that money was being moved regularly with cheques of about a million dollars at a time between Protos and Maple Leaf Distillers on a very regular basis?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, when the Department of Industry does due diligence on a loan, what they do is they look at the business plan. They then get appropriate security. They then make sure that the appropriate investments are made. That is what has happened in the case of Maple Leaf Distillers. That is what has happened in all the cases of MIOP loans.

That is why, Mr. Speaker, under our program we have made \$183,000 profit and invested in CanWest Global, Motor Coach, New Flyer and lots of jobs. Under yours, you invested in Winnport, Westsun, Isobord and it cost or lost \$39 million. Our record is good, sir.

Mr. Cummings: Well, Mr. Speaker, our concern is whether or not this government, in fact, was doing its due diligence, and whether or not they understood what was happening in Crocus-related investments. MIOP loans and Crocus were both involved in the growth and the ultimate fall of Maple Leaf Distillers.

Did this government, and I ask the Minister of Finance again. He should be in the best position to answer this because he would be the central recipient of all information about why they did not see some red flags, when, in fact, the Tribal Councils Investment Group invested in three tranches of money with this investment and decided within six months to pull out.

Do the Tribal Councils do better due diligence than this government?

Mr. Rondeau: Mr. Speaker, what I would like to inform the member is when we do due diligence what we do is we look at the business plan. We look at the whole company. We make sure that we have appropriate security, as is done in most cases, on all cases in the MIOP program.

In fact, in the case of Maple Leaf or any investment, every single entity, whoever invests the money does do their own due diligence. We do not represent the Tribal Councils Investment Group. They have their own investment people. We looked at our own investments. We made sure that it created jobs. We made sure that it created opportunity, and

we made sure that our loan and investment was appropriately secured. Thank you.

Health Care System Emergency Rooms—Overcrowding

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, it was seven years ago that the NDP made a commitment to all Manitobans that they would end hallway medicine. Manitobans bought into that promise, and when I reflect on when I was first elected in '88, we spent roughly \$1.4 billion on health care. Today this government spends an additional \$2 billion more than that, somewhere around \$3.6 billion.

In 1988, I did not hear the types of health care problems that we are hearing today. Just over the last weekend, I was in an emergency ward and I saw people lined up in hallways, in the hallways.

My question to this government is: How can you spend so much money, yet deliver such a sloppy service when it comes to health care in the province of Manitoba?

Hon. Tim Sale (Minister of Health): First of all, Mr. Speaker, I would not insult our health care workers for a start. Secondly, I would tell the member that last year, on average through the year, there were 4.7 people in emergency. That is less than one per hospital overnight; not 28, 29 and 30 as there were in 1998.

Thirdly, Mr. Speaker, I would tell the member opposite that there is a new hospital in Brandon. There is a new hospital down in southern Manitoba. There are CancerCare sites all over Manitoba. There are 160 new ambulances on the road. There are 200 more doctors, there are 1,300 more nurses and if he does not think that money is well spent, let him tell his constituents that.

Mr. Lamoureux: Mr. Speaker, my constituents do not want to hear the gobbledygook from this minister.

The bottom line is this government promised, back in 1999, to get rid of hallway medicine in our hospitals. They have failed, they have failed and failed. Just this last weekend, we are still getting people in the hallways. It is degrading. It is humiliating as a patient to be sitting in there. This government has failed in recognizing the problem. They have funnelled their money in terms of health care bureaucracy.

What I am asking this government to do is to overhaul the bureaucracy, put the money into health care workers. That is what is needed, Mr. Speaker. We need more money for health care workers. It is this minister and it is this government that have failed Manitobans; not the health care workers, this minister and this government. I am asking the government to take action.

Mr. Sale: Once again the member confuses volume with substance. They supported, the Liberal Party supported the cuts to nurses made under the previous government.

There is no record that is better than the record of this government in terms of more doctors, more nurses, more ambulances and fewer people spending time in emergency.

Mr. Speaker, I am proud of our health care system. It placed third in Canada by the Conference Board. I am proud of a system that has 1,300 more nurses than it had when the previous government was in power and when the Liberals supported their cuts, the Connie Curran cuts to nursing.

Mr. Lamoureux: Mr. Speaker, the Minister of Health knows not what he speaks. Quite frankly, actions speak louder than words, and there are patients that are still in our emergencies. This government, the NDP, made a commitment to get rid of it. They have failed in doing so.

My question to the minister or to this government or to this Premier is: Does this government have any intentions on being able to deal with the commitment they made back in 1999? Do they have any plan, any strategy that is going to get rid of hallway medicine in our hospitals? Is there a plan?

Mr. Sale: Well, Mr. Speaker, I might refer the member to the final report of the Emergency Services Task Force which has triage nurses in every emergency, which has advanced practice nurses in most emergency departments now and will have them in all of them shortly, which does not have people admitted in the hallway with little numbers over their beds saying this is actually a room.

Yes, there are still sometimes people in the hallways. They are not there the next day at noon, Mr. Speaker. Under the previous government, they were there for a week, and the Liberal Party of

Manitoba supported the cuts that were made to nursing.

So I need no lessons from this member about an advanced health care system. We have .6 weeks wait time for radiation therapy now. We sent people to the United States when we formed government because of the wait times. We meet the national benchmarks for cardiac surgery. They had an extensive waiting list which we cut by 60 percent.

*(16:10)

Operation Clean Sweep Funding

Mr. Andrew Swan (Minto): Mr. Speaker, I had the opportunity yesterday to attend an important policing announcement at a very successful business on Main Street. Could the Attorney General inform the House of recent steps being taken to make Manitobans safer and more secure?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I thank the member for that important question, Mr. Speaker. We take the issue of the safety of Manitobans seriously, as a priority, and in response to a concern from Manitobans that speeding was indeed their No. 1 concern in terms of road safety. Given the lives that have been lost, I understand that 31 percent of road fatalities in 2003, the RCMP report, is due to speeding.

We have enhanced the deterrent message when it came to speeding, and that will allow municipalities and the City of Winnipeg to make Operation Clean Sweep a permanent hotspot squad in the city, and as well allow other municipalities, other cities like Brandon, Portage and Dauphin, other cities like that to use the enhanced revenues from the fines to offset investments in law enforcement and other municipal services to reduce the burden on law-abiding taxpayers.

Health Care System Emergency Rooms—Overcrowding

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I find it interesting that this Minister of Health would stand before Manitobans today and be proud of his mismanagement of our health care system. The fact that we are dead last in Canada should send a signal to this minister, a very important signal, that obviously they are mismanaging health care.

When it comes to this administration's promise to end hallway medicine in six months with

\$16 million, they promised to fix the health care system. What they have done, the answer to the Member for Inkster's (Mr. Lamoureux) question, what is their plan to end hallway medicine, Mr. Speaker, the plan is highway medicine. To us that is absolutely unacceptable.

What is this minister's plan to do away with hallway medicine, highway medicine, to treat people in their own communities?

Hon. Tim Sale (Minister of Health): Mr. Speaker, the plan is to fulfill our word to build a hospital in Brandon, to build a new emergency department and a four-slot emergency garage so that ambulances unload people in a heated space and not out in 40-degree weather. Our plan is to move 1,600 surgeries to Selkirk so that people get treatment sooner. Our plan is to put nine new CT scanners in rural Manitoba so that they do not travel to Winnipeg for care. Our plan is to put the first community MRI outside of Winnipeg in Brandon and the second one will go in Boundary Trails. They may be against that, just as they appear to be against any advance in health care, including 160 new ambulances on the street.

Some Honourable Members: Oh, oh.

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

Speaker's Ruling

Mr. Speaker: I have a ruling for the House. Order. Following Members' Statements on March 23, 2006, the honourable Official Opposition House Leader (Mr. Derkach) rose on a point of order concerning *Beauchesne* Citation 459, and asserted that answers provided during Oral Questions were repetitive and were not relevant to the questions that were asked. He asked the Speaker to take the matter into consideration. The honourable Government House Leader (Mr. Mackintosh) and the honourable Member for Inkster (Mr. Lamoureux) also offered advice to the Chair on the matter.

I took the matter under advisement in order to peruse the questions and answers from Oral Questions. I would note for the House that *Beauchesne* Citation 319 indicates that the Speaker's attention must be directed to breach of order at the proper moment, namely, the moment it occurred, while Citation 321 states that a point of order against procedure must be raised promptly. Marleau and Montpetit, on page 538 of *House of Commons Procedure and Practice*, also advise that members

should be raising points of order as soon as the irregularity occurs. I would note for the House that the point of order was raised after Members' Statements, when the alleged infractions complained of took place during Oral Questions.

Concerning this specific issue raised in the point of order regarding the relevancy and repetition of answers provided by government ministers, I would note that the citation referenced by the honourable Official Opposition House Leader, Citation 459, deals with relevancy and repetition in debate and does not refer to proceedings in Oral Questions. Also, as members may be aware, Marleau and Montpetit advise on page 433 of *House of Commons Procedure and Practice* that the Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or content of replies to questions. I would therefore rule that there is no point of order.

MEMBERS' STATEMENTS

Right Honourable Stephen Harper

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I rise today to acknowledge the first official visit of the Right Honourable Stephen Harper, the Prime Minister of Canada, to Manitoba.

Mr. Speaker, I am sure that I speak for all Manitobans when I say we are honoured to have the Prime Minister in our province today. I, together with several of my colleagues, had the privilege of attending the luncheon organized by the Manitoba Chambers of Commerce and hearing Prime Minister Harper speak about his five priorities to make Canada a stronger and better nation. This was a sold-out, well-planned event, and I would like to thank all those involved in making it a great success.

I know that we as Manitobans value every opportunity for our Prime Minister to experience first-hand some of the issues our province is facing. Farmland and other areas that have been devastated by floodwaters and concerns surrounding Devils Lake water flowing into the province as early as May 1 are indeed at the forefront of the minds of many Manitobans. We are further concerned that access to our biggest trading partner continues to be restricted as Highway No. 75 is flooded for the second time of the year.

Mr. Speaker, Prime Minister Stephen Harper cares about Manitoba and he cares about Canada.

Clearly, these are two great qualities. Caring is something that runs in the prime ministers of Canada, particularly two prime ministers, that I would like to point out: Prime Minister Harper, and I would also like to remind other members on the other side of the House, and I would like to take this opportunity to congratulate former Prime Minister Brian Mulroney, who is being honoured—and I am sure that this will make members opposite green with envy—but he is being honoured by the *Corporate Knights* magazine as the greenest prime minister in Canadian history. This will take place in a gala dinner tomorrow evening in Ottawa in honour of Earth Week. I commend Prime Minister Harper for visiting Manitoba, and I commend former Prime Minister Mulroney for all his efforts to improve Canada's environment. Thank you.

*(16:20)

SEED

Mr. Doug Martindale (Burrows): Mr. Speaker, I rise today to recognize the important work done on our inner city by SEED, otherwise known as Supporting Employment and Economic Development. This group works with low-income earners in the community to provide them with economic tools and resources necessary for the flourishing of any strong community. A non-profit organization, SEED has committed to realizing economic development in Winnipeg's inner city for nearly 25 years now. It offers a variety of services and programs to low-income individuals, free of charge, that range from information on how to compose a business plan and to start a small business, to how to build assets for the future. Their efforts are complemented by in-depth research and pilot programs which keep SEED on the forefront of community economic development, ensuring that those marginalized in society can overcome barriers blocking their path.

Mr. Speaker, it is this commitment to the principles of community economic development that mark SEED as such an exceptional organization. These principles articulate a vision of communities that are self-sufficient, able to satisfy their particular needs, all the while looking toward the possibilities of future development and prosperity. Their work fosters an atmosphere in which a community can emphasize its local strengths and build upon those strengths for the benefit of all its diverse members.

Mr. Speaker, I ask that all members of this House recognize the efforts made by SEED in

helping revitalize our inner city. In helping local residents rejuvenate the inner city, SEED has also helped to develop a vision of a sustainable community that builds from the inside out. For this, they are to be commended.

Souris Elks Women's Hockey Team

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I rise today to recognize the efforts of the Souris Elks women's hockey team as they gave their greatest efforts in the Western Canadian Female Midget Hockey Championships. The Elks hosted this tournament on home ice and were both great hosts and great competitors to the visiting teams in the tournament. Olympian Jennifer Botterill was also available to meet with the players and discuss her Olympic success which was a great experience for everyone.

For many, the perceived role of the host team is to provide fans with some fun and post a respectable result in the face of competition from much stronger visiting teams. While they provided a great experience for their fans, the Elks were not content to simply host the tournament; they were committed to winning it. The Elks fought hard and came out with a back-to-back win against heavily favoured opponents early in the tournament and at one point found themselves tied for first place.

The Elks' round robin play secured a playoff spot in the bronze medal game, eventually falling to the Edmonton Thunder, an extremely close game that went into overtime.

I would also like to commend the work of Eleanor Muir, a Russell resident and a long-time friend who broke gender barriers to become a highly respected and experienced referee in a sport that has been traditionally male-dominated. She presented as the guest speaker at the Saturday night banquet and was an extremely enjoyable speaker.

Mr. Speaker, I would like to congratulate the Souris Elks women's hockey team on hosting a tournament that was a great success. While it may not have been the final result that they would have preferred, they can be assured that the entire town of Souris is very proud of them and looks for them to continue to excel in the future. Thank you.

Manitoba Book Week

Ms. Bonnie Korzeniowski (St. James): Mr. Speaker, this year from April 23 to 29, the Association of Manitoba Book Publishers will

celebrate its ninth annual Manitoba Book Week, a week-long celebration of local books, publishers and writers during which the excellence of Manitoban and Canadian literature is recognized. It is held in conjunction with Brave New Words: Manitoba Writing and Publishing Awards gala which will be held April 29 at the Hotel Fort Garry in the Crystal Ballroom.

Other Manitoba Book Week events include readings and slide presentations, a drama workshop, a literary evening held at Gimli's Aspire Theatre and a reading/art display at the Art Gallery of Southwestern Manitoba in Brandon. Most events are free and there is something for all age groups in both English and French. I encourage all MLAs to take advantage of this opportunity to explore the multitude of literary talent this province has to offer.

Some of the authors short-listed for awards this year include David Bergen, who won the 2005 Giller Prize; Jim Blanchard, whose book entitled *Winnipeg 1912: Diary of a City* is up for five awards; Carol Matas, who has written engaging and award-winning books for young people for over two decades; and Lori Cayer, who last year won for Best First Book by a Manitoba writer and is one of many emerging talents to be recognized this year.

Of course, literature cannot be appreciated without literacy which is why I have been involved over the years with the Stevenson-Britannia Adult Learning Centre, a non-profit agency committed to providing a supportive, accepting learning environment that is appropriate for adult learners. The centre offers basic literacy, pre-GED and GED and employment skills training. It also offers high school credits and mature student diplomas. This program provides small classes, certified teachers, individual help and on-site counselling. Every year, my colleague the Member for Assiniboia (Mr. Rondeau) and I sponsor the Stevenson-Britannia Literacy BBQ complete with guest readers, a book swap, clowns, face-painting and, of course, great food.

Mr. Speaker: Order. The honourable member's time has expired. [*interjection*] Order.

Does the honourable member have leave?

Some Honourable Members: Yes.

Mr. Speaker: Yes, the honourable member has leave.

Ms. Korzeniowski: Musical entertainment from jazz bands to youth choirs—

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

An Honourable Member: Yes.

Mr. Speaker: Yes. The honourable member has leave.

Ms. Korzeniowski: Musical entertainment from jazz bands to youth choirs is provided by students from local schools. The event is bolstered by wonderful volunteers and members from the Optimist Clubs. All proceeds from the event go towards funding of Stevenson-Britannia programs.

Mr. Speaker, each generation of Manitoba writers deserves a generation of avid readers. Through literacy promotion programs and special events like Manitoba Book Week we can raise the profile of great Manitoba writers and spread the joy of reading. Thank you.

Electoral Reforms

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, even though the temptation is to talk about hallway medicine as the Member for Selkirk (Mr. Dewar) thought I would talk about, but there is another important issue in which I do believe that the Premier (Mr. Doer) has no credibility in terms of addressing in this Chamber, and that is the issue of electoral reform.

Mr. Speaker, I truly believe that the Premier of our province has done a disservice to our entire province by making the changes he has done to The Elections Act and particularly The Elections Finances Act. Ultimately, what Manitobans want and what Manitobans deserve is an electoral playing field that is fair, a financial playing field that is fair. It is not appropriate to bring in legislation that works to the disadvantage of all other political parties, but with the exception of the party that happens to be in power. This government has brought in lopsided legislation in the past that has had a very significant impact on the way in which political parties can compete inside this Chamber.

My recommendation to this Premier, Mr. Speaker, is that if he is going to be changing election laws, whether it is The Elections Act or The Elections Finances Act, he start working with other political parties. I would like to let the Premier know that he is a premier, not a dictator, and when the

Premier starts dealing with The Elections Act, his behaviour is more of a dictator than it is of a premier.

I resent that and I trust, Mr. Speaker, that the Premier will reflect very seriously on the types of ways in which he has reformed legislation in the past and is proposing to do it in the future in regard to what are important critical fundamental pillars of democracy, our two election acts. Thank you.

Point of Order

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

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

Mr. Speaker: On a point of order.

Mr. Derkach: Well, Mr. Speaker, it is unfortunate that this Assembly has degenerated to what it is. We have four Cabinet ministers in the House right now. On that basis—

Mr. Speaker: Order. We have dealt with this many times. No member should be—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We have dealt with this many times. It is not appropriate to mention the presence or absence of honourable members. That has been ruled many, many, many times.

The honourable Official Opposition House Leader, are you on a point of order, or was that your point of order?

Mr. Derkach: On a point of order.

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

Mr. Derkach: Mr. Speaker, it is on that basis that I say we have lost the trust and the confidence in this government, and I move this House do now adjourn.

Mr. Speaker: Order. You cannot move a motion until we are into Orders of the Day. That is our rules. You cannot move a motion to adjourn the House on a point of order. It can only be done when we are into Orders of the Day, so the honourable member does not have a point of order.

Mr. Derkach: Mr. Speaker, I am sorry, I have to 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. Derkach: Mr. Speaker, I regret to call for Yeas and Nays.

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

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

* (17:00)

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, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.

Nays

Cullen, Derkach, Dyck, Faurschou, Hawranik, Maguire, Mitchelson, Reimer, Rowat, Stefanson.

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 10.

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

Mr. Speaker: The hour 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 19, 2006

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