Fourth Session - Thirty-Eighth Legislature

of the

Legislative Assembly of Manitoba

DEBATES and PROCEEDINGS

Official Report (Hansard)

Published under the authority of The Honourable George Hickes Speaker

MANITOBA LEGISLATIVE ASSEMBLY Thirty-Eighth Legislature

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| 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. |
| Vacant Fort Whyte | P.C. |
| WOWCHUK, Rosann, Hon. Swan River | N.D.P. |

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 6, 2005

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Crocus Investment Fund

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

The background to this petition is as follows:

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

As a direct result of the government ignoring the red flags back in 2001, over 33 000 Crocus investors lost over \$60 million.

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

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.

Signed by Jeff Kilgour, Susan Graham, William Graham and many, many more.

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

Highway 10

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

These are the reasons for this petition:

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

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

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

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

We petition the Manitoba Legislative Assembly as follows:

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

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

This petition is signed by Natasha C. Miller, Lawrence Ruddeck, Allison Bardsley and many, many others.

MINISTERIAL STATEMENTS

National Day of Remembrance

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I have a ministerial statement for the House.

On December 6, 1989, 14 young women were killed in a vicious mass attack against women at l'École Polytechnique in Montréal. Even though this event happened 16 years ago, the shock and the horror will remain with us forever.

Every year on this day we pause to remember the names of these women and the tragic loss experienced by their families and their friends.

* (13:35)

At the time, Canadians were stunned to learn that these young women were murdered for only one reason, because they were women.

Their murderer blamed women for his inability to cope with life and took out his rage and frustration on 14 innocent young women attending university in Montréal. This event was so horrific that this date has become a national day of mourning, not only for the victims of the Montréal massacre but for all women who are victims of violence.

Today, as we commemorate the loss of these 14 young lives, we must pause and reflect on the phenomenon of violence in our society against women. This morning's ceremony at the Legislature was held in the presence of the Silent Witness Project, a unique exhibit presented by the Women's Resource Centres/Service Coalition of Manitoba, 11 red silhouettes with the names of 10 Manitoba women who were murdered by their intimate partners and the 11th representing the uncounted women whose murders have been unsolved and unnamed. This is the first time this project has taken place in Manitoba.

I regret this year we still have to read out the names of five Manitoba women who were killed since December 6, 2004. They are Kathleen (Kay) Hirsekorn, Colleen Hirsekorn, Sabrina Darichuk, Tatia Ulm and Melissa Ivey Chaboyer. These women were mothers, daughters, sisters and aunts. They were loved by their families and friends. They were a treasured part of our community, and a vicious act of violence has taken them from us forever.

Our government is committed to advancing the protection of women against violence through our innovative and advanced supports for victims of domestic violence, our comprehensive funding of shelters for women and children and our justice initiatives to address crimes against women.

We must always remember December 6 in order to move forward toward our goal of eliminating violence against women, making our society a safe place for women and children to live. We must continue to advance the cause of women's rights and safety in our society. We must honour the memory of these women, and we must never waiver in our goal to eliminate violence against women.

Please join me in renewing our commitment to keeping women safe. Mr. Speaker, I would ask that following the statements by my colleagues, that we join together in a moment of silence. Mrs. Myrna Driedger (Charleswood): Today the flags fly at half-mast in front of this Legislature in recognition of the National Day of Remembrance and action on violence against women. December 6 has been set aside as a day to remember the 14 young women murdered at Montréal's École Polytechnique. These are the young women who died because one man decided to act out his misogynous thoughts and attitudes. Our hearts go out to the families, friends and loved ones of these women.

In Manitoba, we have also lost women to senseless violence which is why the touring Silent Witness Project is so important. There is also a quilt that women from different parts of Canada, but particularly Manitoba, have helped to make. This quilt also serves as a reminder of the women who have been victimized by violence. Acknowledging the women who have suffered or who continue to suffer as a result of gender-based violence is one way of honouring the lives and memory of these women as well as to raise awareness of violence against women.

As a nation and as individuals we continue to grieve the tragic and senseless loss of life. We also grieve each and every day that a woman falls victim to violence. Today we want to acknowledge those women who have suffered, those women who have died violent deaths and those women and men who continue to fight to stop violence against women. Gender-based violence cannot be tolerated in our society, and though we have much work to do to eradicate violence against women, we applaud the efforts of community groups and individuals for their work toward this end.

Our goal must be to create safe, non-violent spaces for all women, men and children to learn, to live, to grow and to work. Without these spaces, women continue to be victims. Without these spaces, women are marginalized. Without these spaces, women cannot fully participate in our communities. Without these spaces, women's abilities, talents and contributions cannot be used to better our society. Without these spaces, women's lives are brought to a violent and tragic end.

With sadness, we join the many women and men commemorating the December 6 tragedy of 16 years ago. With sadness, we acknowledge the many women who have been and who continue to be victims of violence.

It is with hope that we look to a future that is free of violence against women. It is with hope that

we look to a future that has safe, healthy and nurturing environments for all women, men and children. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): I ask for leave to speak to the minister's statement.

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

* (13:40)

Mr. Gerrard: Mr. Speaker, at the sunrise ceremony this morning in the Legislature, I joined others to remember the tragedy of December 6, 16 years ago, when 14 young women were tragically shot at l'École Polytechnique in Montréal. I join other members of the Legislature now in remembering this event.

This remembrance has special meaning for me because, once upon a time, I was a student in Montréal who had come from western Canada, and I can think from personal experiences of students who have come from across Canada to be in Montréal. This remembrance has special meaning because I have visited on more than one occasion l'École Polytechnique and have seen the excellent institution that it is.

This remembrance is most important because it is an opportunity to rededicate ourselves to our efforts to reduce and to eliminate violence against women, and, indeed, to dedicate ourselves to reduce and eliminate violence in our society, for we need to dedicate ourselves to finding peaceful ways of achieving solutions and getting along with one another to achieve a better world. Thank you.

Mr. Speaker: Please rise for a moment of silence.

A moment of silence was observed.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Samantha Holland who is a student at the University of Manitoba and who is also a friend of our page Gillian Thornton.

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

ORAL OUESTIONS

Rural Ambulance Service Inter-Facility Transfer Costs

Mr. Stuart Murray (Leader of the Official Opposition): Physician shortages throughout rural Manitoba have resulted in the closure of emergency rooms and the downgrading of health care services in rural communities. Rural Manitobans, Mr. Speaker, are being shipped on Manitoba highways to Winnipeg and other urban centres to receive health care services that are not available at home.

To add insult to injury, these patients are then stuck with ambulance costs and are billed simply because they are shipped on Manitoba highways, Mr. Speaker. They are stuck with this bill because of this NDP government's failure to maintain health facilities and health care services in our rural communities.

My question is to the Premier (Mr. Doer). Why does he continue to offload these costs of ambulance transfers to Manitoba patients?

Hon. Tim Sale (Minister of Health): As the member well knows, under the Canada Health Act, which I presume he supports, there is a range of fully insured services and there is a range of services that are not insured. Personal care homes, for example, drug costs, home care, ambulance charges are not insured under the Canada Health Act but are provided in part through budgets that are provided to the regional health authorities.

In fact, currently somewhere in excess of 70 percent of the costs of ambulances are, in fact, funded throughout a publicly afforded, publicly supported health care system, Mr. Speaker. As in many other provinces and with many other services, we do not have the resources available to fully fund every last thing that might need to be funded in the most ideal health care system that we could imagine. There is the case under their government when they did nothing about ambulances—

Mr. Speaker: Order.

Mr. Murray: We have heard this Premier (Mr. Doer) on other occasions try to convince Manitobans that they listen. Well, Mr. Speaker, if that is the case then I would like to remind this minister that, almost a year ago at the Association of Manitoba Municipalities, this Minister of Health was urged to fully fund the ambulance costs of inter-facility transfers of patients across regional health

boundaries, yet there has been no action by this government.

A week ago, members of the Association of Manitoba Municipalities met in Brandon and, again, they told this minister and I quote, "The cost of ambulance services is putting a heavy burden on the Manitoba population. The 24-hour clause is outdated and very discriminatory. It means patients have collection agencies at their doorstep or they are being taken to small claims court." That is what AMM is telling this NDP government.

I would ask this Premier when will he stop treating Manitobans as second-class citizens and fully fund inter-facility ambulance transfers.

* (13:45)

Mr. Sale: I would just remind the member opposite, Mr. Speaker, that when we formed government we inherited the oldest ambulance fleet in the country. There are now 160 state-of-the-art coaches on our highways providing safe, effective, high quality care because the back end of an ambulance—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Sale: Clearly not interested in the answer, Mr. Speaker. The back end of an ambulance today is the front end of our health care system. When we formed government there was no integrated dispatch. In September of 2006, there will finally be an integrated dispatch system across Manitoba for all ambulance and air flight transport. When we formed government there were no standards for the paramedics or ambulance attendants that were anything like the 21st century requires. There are now such standards. We are continuing to strengthen our ambulance system. We will continue to take further steps in the future.

Mr. Murray: What this minister fails to tell this House is that when the previous government was in power, they were not closing rural hospitals and rural facilities. That is the difference, Mr. Speaker.

This NDP Premier and the Premier's Minister of Health have stated and I quote, this is the Minister of Health's statement, "Not to put too fine a point on it, but the 24-hour rule is really stupid. It is dumb." That is what the Minister of Health said. Well, Mr. Speaker, stupid is as stupid does.

Under this NDP Premier, rural Manitobans have seen the access to their health care system erode for the last six years. Emergency rooms are closed. Doctors are leaving this province and those who remain are incredibly stressed and overworked. This Premier has had six years to change this policy. What have they done, Mr. Speaker? They have done nothing.

Will this Premier offer rural Manitobans an early Christmas present? Will he commit today to funding inter-facility ambulance transfers?

Mr. Sale: I am not going to descend to the member opposite's level of rhetoric, Mr. Speaker. I just simply remind him—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Sale: Thank you, Mr. Speaker. I just simply remind them who made the rule. It was their government in opposition. Ashern is open, Gimli is open, Deloraine and Hamiota are open. Ambulances are moving patients to where they need to get care. Emergency rooms are open in rural Manitoba because there are more than 200 more doctors here in this province practising than there were when we formed government in 1999.

Rural Ambulance Service Inter-Facility Transfer Costs

Mr. Leonard Derkach (Russell): Mr. Speaker, ambulance transfer fees are simply an unfair user cost to rural Manitobans. The Minister of Health has admitted that these fees are discriminatory and unfairly penalize rural Manitobans. A simple change in policy can mean an enormous impact on individual Manitobans.

Why is this minister stalling and not moving immediately ahead with the required change since he thinks that this policy is discriminatory and stupid?

Hon. Tim Sale (Minister of Health): Mr. Speaker, as I have said, and as was indicated in our Throne Speech, there are four elements that comprise a modern ambulance system. There is the quality of the coaches and we have dealt with that issue. They did nothing in 11 years. We have 160, very specifically equipped, with competent staff, being dispatched, starting this September, electronically, across all of our province. They had no dispatch capacity, they had no modern coaches. In terms of training and paramedic competency levels, they had no standards. They had no requirements for training levels. We put requirements in place.

In terms of the access to our system, yes, there is work to be done. They had the opportunity but they put in the 24-hour rule. It is their rule not ours.

* (13:50)

Mr. Derkach: Mr. Speaker, fancy coaches do not address the needs of rural Manitobans who are charged inter-facility fees. Patients in rural Manitoba cannot abide by the 24-hour rule because sometimes, today, surgeons or specialists that they are visiting are called out to emergencies and, so, therefore, patients cannot return within the 24 hours. Now the minister himself said that the 24-hour rule is stupid and dumb. If he cannot change the general policy, well, then, at least change immediately this policy which he says is simply stupid and silly.

Mr. Sale: Mr. Speaker, inter-facility transport of patients in our health care system is increasingly a necessity if we are going to make good use of the overall skills of our physicians, nurses and technical facilities, but as I have said the 24-hour rule is a rule that needs to be carefully examined.

It is clearly in our Throne Speech that we are in the process of examining that question, but let me simply remind people again, the 24-hour rule was not our creation. The old ambulance system, so-called, which used hearses or converted hearses to transport people, which the member opposite well knows was a feature of ambulances in rural Manitoba when they were in government, has been addressed. We have addressed dispatch, and we are addressing the question of trained and competent staff. We will address the questions of equity of access.

Mr. Derkach: This is not a policy that has to be studied for months, Mr. Speaker. This is simply a user fee on rural Manitobans who do not have access to facilities. It is not a fee that is faced by northern Manitobans. It is not a fee that is faced by people living in the city. It is only a fee that is faced by people living in rural Manitoba.

Now I ask the minister why is he stalling. Why is he simply not changing the rules when he says that the rules today are stupid and silly? Will he change them today?

Mr. Sale: Let me correct the member opposite who clearly is misinformed on the issue. The inter-facility and ambulance fees are charged in Thompson; they are charged in Brandon; they are charged in Winnipeg; they are charged in all cities and rural areas in Manitoba. That is not new. That is the way it has been long before they were in government, while

they were in government and while we have been in government.

It is a service that is partly paid for by the public sector, about 70 percent, and it is partly paid for out of either Blue Cross or some other form of insurance or out-of-pocket costs by patients. That is the system that has been in place for more than 30 years. It is the system that we are examining today in terms of its adequacy, but let them not suggest that somehow people were not paying for ambulance costs when they were in government. They have been paying since medicare was started.

Morris-Macdonald School Division Auditor General's Report

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the RCMP investigation into Morris-Macdonald School Division found no fraud, no charges to be laid. The Auditor General in his report said, "We believe that the absence of an effective policy framework for adult learning in Manitoba likely contributed to problems encountered in Morris-Macdonald School Division."

The buck stops at the minister's office, Mr. Speaker. Will this failing NDP government now admit that they were responsible and pay back the money they took from the innocent people of Morris-Macdonald?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Well, Mr. Speaker, the RCMP decision to not take legal action is an independent decision. We asked for an Auditor's report and we received an Auditor's report. The Auditor is pleased with the action that has been taken in this regard. We had to keep all taxpayers' interests in mind when following through on the recommendations made by the Auditor.

Mrs. Taillieu: Mr. Speaker, the Auditor General reported that Agassiz School Division was not required to refund approximately \$500,000 of that adult learning centre's funding for overstated FTE enrolment.

Why did the Minister of Education demand that one school division pay back the money while another was allowed to keep the money? Was it purely a political move to penalize people in Morris-Macdonald for not voting NDP?

* (13:55)

Mr. Bjornson: Mr. Speaker, when we found out about the irregularities, we asked the Auditor to

examine the issue, and the Auditor did. The Auditor found that an overpayment was made, and made recommendations with respect to the amount of money that should be recouped by the government. Now we are merely following on the Auditor's recommendations, and that was our commitment to address the recommendations as raised by the Auditor, and we have addressed the recommendations as raised by the Auditor. I would remind the member opposite that a decision not to pursue legal action was an independent decision made by the RCMP.

Mrs. Taillieu: Mr. Speaker, the Auditor General's report also stated that \$80,000 paid in salary to each of the owners of a relatively small adult learning centre, the Orlikows and the Cowans, may not represent an effective use of public monies.

Why did the Minister of Education allow this to happen with his political bedfellows and at the same time penalize the people of Morris-McDonald? Shame on this government. Why will they not now correct this injustice, pay back the money and apologize to the people whose reputations they tarnished?

Mr. Bjornson: Mr. Speaker, the Auditor's findings were very clear. The ratepayers of Morris-Macdonald School Division had enjoyed artificially low mill rate and subsidization of schools by adult learning centres. The Auditor's statement is very clear on that. The Auditor determined a range—

Some Honourable Members: Oh. oh.

Mr. Speaker: Order.

Mr. Bjornson: Thank you, Mr. Speaker. The Auditor determined the range of overpayment, and we chose to recover the lowest figure in fairness to the ratepayers of the Morris-Macdonald School Division. We could not have not acted, because we had the interests of all Manitoba ratepayers in mind for this particular issue. The Auditor made recommendations. We followed through on the recommendations, and the Auditor was satisfied with the actions taken based on those recommendations.

Transportation Infrastructure Renewal Shortfall in Spending

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, last year this government passed The Gas Tax Accountability Act which stated clearly that all revenues from provincial fuel taxes were to be reinvested into transportation infrastructure in

Manitoba. In 2004-2005, the shortfall in spending from the amount of fuel taxes collected was over \$15 million by this very minister who passed the bill. Why did this Minister of Transportation and Government Services break his own law?

Hon. Ron Lemieux (Minister of Transportation and Government Services): As a government, we are very, very proud of our record in transportation. You know, Mr. Speaker, last year we introduced approximately \$15 million more into the transportation budget. Members opposite all voted against it, and they think nothing of asking all kinds of questions related to transportation, but, yet, when an opportunity comes forward to put more money into transportation, do they support it? No. What they do is they vote against it and then they raise all kinds of different projects, millions upon millions of dollars worth of projects in Manitoba, that they want to see addressed in their constituencies.

* (14:00)

Mr. Maguire: Mr. Speaker, Manitobans are not very–just pick the number of the highway–they are not very proud of what is going on with the infrastructure of Manitoba. In 2004-2005 fiscal year the minister collected \$217.5 million in provincial road use fuel taxes and spent only \$201.8 million, leaving a \$15.7-million shortfall in his own budget.

The Minister of Transportation is breaking his own law, but it is simple, Mr. Speaker. Why did the minister leave a \$15.7-million shortfall in transportation infrastructure from taxes he collected in his own department?

Mr. Lemieux: Mr. Speaker, it is Tory math again as we continually hear not only from that member, but the member from Lac du Bonnet as well.

I have to tell you, Mr. Speaker, we have the Public Accounts from '04-05. In the Public Accounts, it shows that net gasoline and motive fuel tax is \$217 million, approximately. It also shows that our investment is \$299 million, an excess of \$81 million more motive fuel tax, gasoline tax, that we collect.

Mr. Maguire: Well, Mr. Speaker, the Tory math comes from his own department and industry leaders in Manitoba. All these fuel taxes, under The Gas Tax Accountability Act passed just last year, were to be used for road construction and maintenance, but it is very clear that this NDP government is not doing that. Industry leaders and his own department have been crunching the minister's numbers and the evidence is clear. The minister is breaking his own

NDP law by failing to use all the tax money he has collected for road maintenance and repair of this crumbling infrastructure. When will this Minister of Transportation stop breaking his own law?

Mr. Lemieux: Mr. Speaker, when we talk to the opposition about what kinds of ideas and suggestions they have, they talk about putting toll booths on roads. They talk about increasing taxes. The only suggestions they have—[interjection]

I wonder if the member opposite has ever driven on that No. 1 highway we are currently paving to Saskatchewan. We made comments often that he should get out there and see where the money is actually being spent on the highway between Neepawa and Minnedosa, the northeast Perimeter, the south highway on 59, the twinning of highways. We are open and transparent with regard to our accounting, Public Accounts '04-05. Maybe the member opposite should take a look at this book, and it clearly shows legally what we are spending in transportation.

Wally Fox-Decent Professional Conduct

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, red flags were raised back at the Workers Compensation Board in March of 2001. Specifically, this government received a letter of complaint from the president and chief executive officer at the time. Her concerns outlined management interference and corporate and governance problems at the Workers Compensation Board. The letter also outlined her concerns about the professional conduct of the chairman at the time, Wally Fox-Decent. These allegations are very serious and very troubling.

My question for the Minister responsible for Workers Compensation: Why did her government not investigate these very serious allegations when they were raised?

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, as the member opposite knows, the office of the Auditor General is conducting a review into the Workers Compensation Board, and the Workers Compensation Board has all of the information that it requires to do a complete and thorough investigation. We will be looking at the recommendations for government very seriously and I am sure there will be recommendations. I understand that that report is being finalized and will be released shortly. We look forward to that report. We made governance changes in our legislation, and we

will continue to look at any recommendations that can strengthen our governance at the Workers Compensation Board.

Mr. Cullen: Mr. Speaker, these serious allegations were raised in March of 2001 to the minister responsible at the time, Becky Barrett. The CEO who raised these issues was subsequently fired. This government obviously ignored these very serious complaints because this government went on to name Mr. Fox-Decent to mediate a number of high profile labour disputes. The red flags that this CEO raised in March of 2001 makes me question why this government did not follow up on these very serious allegations.

My question to the minister: Could she tell the House if a higher authority intervened and prevented her department from properly investigating this very important allegation?

Ms. Allan: Wally Fox-Decent was appointed chair of the WCB in 1992 and was reappointed in 1995, 1997, 1999 and 2003, serving under ministers Allan, Barrett, Radcliffe, Gilleshammer, Toews and Praznik.

The MLA for Kirkfield Park has been very complimentary of Wally Fox-Decent. He said in Hansard on the 29th of April, 2004, "Mr. Wally Fox-Decent, a champion of Manitoba, frankly, somebody who has served both governments extremely well." Mr. Speaker, I also wanted to inform the members that Mr. Fox-Decent's services were regularly employed by the Filmon government. In their last year in office, they used him several times including appointing him as mediator for the Tory labour dispute with the nurses.

Mr. Cullen: Mr. Speaker, the former CEO who raised these serious allegations in March of 2001 is now the CEO for one of the largest transportation agencies in North America, an organization with 5000 employees, a billion dollars in annual operating revenues. In other words, this woman had the credentials to move on to a larger organization after being fired at WCB. This woman was fired because she questioned the professional conduct of the chairman of the board at the time and a good friend of the NDP government.

My question to the minister: Why did this government not take these allegations seriously in 2001 when they were brought forward?

Ms. Allan: I think it is important that we allow the Auditor General to do his work in regard to the

review that is being done at the WCB, Mr. Speaker. We believe that review is certainly going to be done shortly and will be public in the near future. We look forward to any recommendations in the report for government that might strengthen our governance structure at the WCB. We have a WCB in this province that serves our employees, our employers and the public interest very well.

Workers Compensation Board Investment Decisions

Mr. Gerald Hawranik (Lac du Bonnet): Wally Fox-Decent was chair of the investment committee for the Workers Compensation Board and was also chair of the Crocus investment committee. Sherman Kreiner, the founder and CEO of Crocus, was also an adviser to the investment committee of the Workers Compensation Board. Cosy relationships come in handy when decisions are to be made regarding coinvestments for both WCB and Crocus. Why was the Minister of Labour not concerned about this obvious conflict of interest?

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, in Bill 25, that was supported unanimously in this House, we made governance changes to the governance structure in regard to the investment committee. The investment committee at the WCB used to be a statutory committee. It is now a committee that reports to the full board and, in the past, that statutory committee, with the Department of Finance oversight, the new act enables the board to appoint outside members with relevant expertise to the audit and the investment committees. We believe in strengthening the investment committee at the board, and we made those changes to make sure that we had a governance structure that would continue the good work of the WCB.

Mr. Hawranik: Mr. Speaker, the government knew about this cosy relationship between Crocus and the Workers Compensation Board. It created a situation where investments by Crocus were matched by investments by the Workers Compensation Board. Conversely, investments by the Workers Compensation Board were matched by investments by Crocus. We all know that Crocus investments were written down by more than \$60 million.

Because the Workers Compensation Board invested in some of those same companies, can the Minister of Labour advise how much money was lost by the Workers Compensation Board on these same investments?

Ms. Allan: Prior to the new legislation that we passed unanimously in this House, Mr. Speaker–

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Allan: Thank you, Mr. Speaker. Well, prior to our legislation that we passed unanimously in this House, Mr. Wally Fox-Decent chaired all of the key board committees, and he chaired those committees when the previous government was in power, including—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Allan: –including the investment committee. He was chair of the investment committee since 1992. Under our legislation, Mr. Speaker–

Mr. Speaker: Order.

* (14:10)

Mr. Hawranik: Mr. Speaker, because the Minister of Labour turned a blind eye to the obvious conflict of interest of Wally Fox-Decent and Sherman Kreiner, she also ignored a 2001 letter which called for an independent review of the conduct of Wally Fox-Decent and continually ignored all the red flags. A review was not ordered and the obvious conflict continued until 2004. In the meantime, more than 33 000 Manitobans lost more than \$60 million in this Crocus scandal and who knows how much the WCB lost

I ask the Minister of Labour why did the minister ignore the red flags. Why did the minister not intervene on behalf of the 33 000 Crocus shareholders?

Ms. Allan: Mr. Speaker, once again, I just want to remind members opposite that Mr. Wally Fox-Decent was appointed to the investment committee in 1992 by the previous government. We made changes in our legislation. The investment committee is no longer a statutory committee. It is a committee of the board and there is an audit. We look forward to those recommendations, and we will act on them promptly. We will be more than happy to clean up the mess that we inherited from members opposite.

Waverley West Subdivision MHRC Plans

Hon. Jon Gerrard (River Heights): Mr. Speaker, the NDP government's Manitoba Housing and Renewal Corporation is planning a huge housing

development in Waverley West, but the design of this housing development is being kept secret until after the Fort Whyte by-election is over.

Is this because the government is scared that the plans will draw lots of opposition? What is in these plans that the government is trying to hide? Why is the government keeping the plans for its housing corporation for Waverley West secret? Why will the government not release the plans before the byelection?

What is the government's secret agenda? Mr. Speaker, I ask through you to the Premier (Mr. Doer): What are you trying to hide?

Hon. Christine Melnick (Minister of Family Services and Housing): The cornucopia of questions I will answer first, Mr. Speaker. We are not trying to hide that we are having an open house. We are not trying to hide that this will be environmentally friendly. We are not trying to hide that we are hiring an accessible consultant, the first in the history of Manitoba. We are not trying to hide that we are consulting with people, that we are working with developers, that we are working with the City of Winnipeg. If the member can just hold on until the open house, he too can go and find out what will be one of the best subdivisions developed in the country of Canada.

Gerrard: Mr. Speaker, I Mr. table the announcement for the open house which is to occur two days after the by-election. A by-election is going on right now in Fort Whyte constituency, and yet the government is hiding critical plans for the future of this community. The government must be very scared that there will be a lot of opposition to hide plans like this. We have one of the most secretive governments in Manitoba. This should be a major issue in the by-election, but the government is not even holding the open house to release the draft area structure plan until two days after the by-election.

Why will the government not come clean and release the plans today?

Ms. Melnick: Well, Mr. Speaker, maybe we can talk a little bit about differentiation in government levels. There is the municipal government, which is the one that is leading the program here. There is the provincial government, which is working with individuals, and then there is the federal government, of which the member was a Cabinet member in, and in which he cut back on social housing. I do not know, the member seems to be really off kilter today.

I thank the member for tabling this. I would like to invite each and every member of this House and of the community to our open house.

Fort Whyte Constituency New High School Plans

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, in an attempt to get votes in the Fort Whyte by-election, you know, there was an all-candidates forum, and the NDP candidate made a commitment that we were going to see a new high school within a year and a half, in the Fort–[interjection] If she wins, as the member from Selkirk says.

I hope that is not the standard of the government. The issue is will there be a new high school. It affects hundreds of children, hundreds of families that live in the Fort Whyte constituency. You now have an NDP candidate saying yes, within a year and a half.

My question to the Minister of Education is my best guess is that she is likely not going to win, but she is attempting to get the votes by teasing with this carrot. That is a disservice to the residents of Fort Whyte. My question is to the minister. Is there going to be a school built in Fort Whyte within a year and a half, no matter who wins the by-election? That is the issue.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, I would like to thank the member for an opportunity again to talk about the very ambitious capital program. Yes, there is significant growth in the area, and growth is a good problem to have. We have to manage that growth within the resources that we work with every year in our annual budget and, of course, we committed an unprecedented \$45 million every year for the next three years for the construction of schools.

We do build schools in ridings all over Manitoba, including both the Liberal ridings. We have had a lot of capital projects on the schools in the Liberal constituencies. We have opened new schools in Steinbach, and the member from Steinbach was there to cut the ribbon. I know the member from Minnedosa was celebrating the major renovation that was undertaken in Souris. [interjection] Yes, Mitchell School in Steinbach. Thank you very much.

A school is underway in Winkler. We build for all Manitobans, and our ambitious program is going

to address the needs of all Manitobans with our capital plan.

Brandon University Rural Development Program

Mr. Drew Caldwell (Brandon East): Mr. Speaker, Brandon University is one of the finest institutions of learning in this country, and I am very proud to be a graduate of that institution. Brandon University is also home to one of the finest rural development programs in Canada. Recently, the Minister of Agriculture made an announcement in regard to that program.

I would like to ask the minister if she would inform the House as to the content of this announcement.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): I thank my colleague for the question because it gives me the opportunity to share with this House that on Friday I was at the University of Brandon and announced a \$250,000 grant in funding to provide new provincial scholarships to students who will take part in programs that will help us with growth in rural Manitoba. So, Mr. Speaker, this is a program for undergraduates and graduate students who are attending the university.

We have growth in rural Manitoba. We have need for more people to be skilled in order to work as we have growth in wind energy, in biodiesel, in ethanol energy, alternate energies, value-added processing in all those areas. I am very proud to make this announcement.

* (14:20)

Turtle River School Division Labour Dispute

Mr. Glen Cummings (Ste. Rose): Despite the breathless bragging from the Minister of Education about what he is doing for education, we still have a number of students in Turtle River School Division who are unable to regularly attend classes. We have an ongoing labour dispute, Mr. Speaker, and that means that many students are unable to attend regularly because alternate transportation is not available.

My question is to the Minister of Education, Mr. Speaker. When will he take an interest on behalf of these students?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, rest assured this government is taking an interest on behalf of all students in Manitoba and all issues pertaining to education. We have a situation where there is a labour dispute between the school board and the local CUPE chapter and, as such, there is a process in place for negotiations. That is the reality that they are dealing with right now. I would like to thank the teachers, the staff and the parents who are working together to try and make this very difficult situation as tenable as possible given the circumstances. There is a process in place, and we respect that process.

Mr. Cummings: Well sadly, Mr. Speaker, that process may be followed at the expense of some of my constituents' children. We now have an issue that has arisen from this dispute that is now before the Labour Board, again another process that is going to take some time. We are still not going to have any decisions made to the benefit of the students. There are children missing classes because of transportation issues and other reasons that I do not have time to talk about.

Will this minister or the Minister of Labour take an interest in the education of these young people?

Hon. Nancy Allan (Minister of Labour and Immigration): I sympathize with the member opposite because this is an unfortunate labour dispute, Mr. Speaker. No one enjoys these kinds of situations, and it is a difficult situation. In my conciliation branch in the Department of Labour, officials from my staff have been in close touch with both of the parties to offer any support and services in regard to this difficult labour dispute. The officials in my department will stay in touch with them, and if there is anything that we can do throughout the process we will be there.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Ruling

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

During Oral Questions on November 29 2005, the honourable Member for Tuxedo (Mrs. Stefanson) rose on a matter of privilege regarding answers provided during Oral Questions by the honourable Minister of Health (Mr. Sale). She contended that the remarks of the honourable minister were obstructing debates in the House and interfered with her duties as the official opposition critic. She further asserted that the minister was deliberately putting factually incorrect information on the record.

She concluded her remarks by moving THAT "as a result of the seriousness of this breach of privilege that this matter be referred to the Standing Committee on Legislative Affairs and that the Minister of Health be requested to apologize to Manitobans and to the honourable members of the Chamber for purposely and knowingly putting false information onto the public record and, in doing so, misleading Manitobans and the honourable members of this Chamber."

The honourable Government House Leader (Mr. Mackintosh), the honourable Official Opposition House Leader (Mr. Derkach), the honourable Minister of Health (Mr. Sale) and the honourable Member for River Heights (Mr. Gerrard) also offered contributions to the Chair.

I took the matter under advisement in order to consult the procedural authorities. I thank all members for their advice to the Chair on this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege: first, was the issue raised at the earliest opportunity and, second, has sufficient evidence been provided to demonstrate that the privileges of the House may have been breached in order to warrant putting the matter to the House.

Regarding the first condition, the honourable Member for Tuxedo asserted that she was raising the matter at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second condition, whether there is sufficient evidence that the privileges of the House have been breached, it is important to determine whether parliamentary privilege has been breached in the actions complained.

The issue of whether or not a member has deliberately misled the House is not a new issue and has been raised in the Manitoba Legislature numerous times. The first test that a Speaker must apply when such a claim comes up is whether or not the member raising the matter of privilege has provided specific proof of intent to mislead on the part of the member in question.

Speakers Phillips, Rocan and Dacquay have in previous rulings cited the necessity for specific proof to be provided on the record that the member purposefully and deliberately set out to mislead the House. Speaker Dacquay went as far as to advise the House that without a member admitting in the House

that he or she had the stated goal of misleading the House when putting remarks on the record, it is next to impossible to prove that, indeed, a member had deliberately intended to mislead the House. In the words of the federal Standing Committee on Procedure and House Affairs in its 50th report, "Intent is always a difficult element to establish in the absence of an admission or a confession."

In the case raised by the honourable Member for Tuxedo, I have perused Hansard and found no admission by the honourable Minister of Health that he had intended to mislead the House.

The procedural authorities also offer commentary on the issue of misleading the House. Joseph Maingot makes the point on page 241 of the Second Edition of *Parliamentary Privilege in Canada*, "that alleges that a member has misled the House are in fact matters of order and not matters of privilege."

In addition, when Manitoba Speakers have been asked to rule on whether matters of privilege involving the alleged misstatements by members or the provision of misinformation or inaccurate facts by ministers, Speakers Phillips, Rocan and Dacquay have ruled that such situations appeared to be disputes over the facts, which according to *Beauchesne* Citation 31(1) does not fulfil the criteria of a prima facie case of privilege.

Furthermore, it has been ruled in the Canadian House of Commons and also in this Legislature concerning cases of whether or not answers offered by ministers are false in comparison with other information, it is not the role of the Speaker to adjudicate on matters of fact. Instead, this is something that is left up to the House to form an opinion on.

Therefore, with the greatest of respect, I must rule there is no prima facie case of privilege.

* * *

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, with the greatest of respect, I must 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. Chair, I respectfully request a recorded vote.

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

* (15:30)

Mr. Speaker: Order. The one hour of time has expired, so we will now proceed with the recorded vote.

The question before the House is shall the ruling of the Chair be sustained. All those in support of sustaining the ruling of the Chair, please rise.

Division

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

Yeas

Aglugub, Allan, Altemeyer, Ashton, Bjornson, Brick, Caldwell, Dewar, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Reid, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.

Nays

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

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 20.

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

Point of Order

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, a point of order, please.

I would like to apologize to the House and the page for my action during Question Period. I have

already apologized to the page involved, and I assure all members and the staff involved that I will always treat people with the utmost respect in the future. Thank you, Mr. Speaker.

Mr. Speaker: Order. I want to take this opportunity to address the issue with our pages. Our pages are no different than any one of us here. They are the servants of the House. If there is a message for any individual member, their duty is to deliver that message to that individual member. That is their job. If members do not want messages sent in to them, stop it at your caucuses. It is very simple. Their job is not to filter the messages. Their job is to deliver the messages and if there is a message for the member, their job is to deliver to that member. I just want to make sure we are all on the same page.

Point of Order

Mr. Speaker: The honourable Official Opposition House Leader, on?

Mr. Derkach: Well, Mr. Speaker, at first I rose on a matter of privilege, and I will still do that. Before I begin on my matter of privilege, I want to rise on a point of order as it relates to the comments that have just been made in this House.

Mr. Speaker, today we witnessed something that was very unfortunate and I know that the minister of industry and trade has dealt with his portion of it because he has apologized. However, the same action was taken by the Minister of Health (Mr. Sale), and those of us who were sitting in this Chamber witnessed the way he approached the page and began to direct the page as to what was appropriate, in his view, I would imagine, and what was not. This action is being picked up not only by the media who are here with us, it is being picked up by the television cameras, and it is being picked up by the people who visit us in the gallery.

Mr. Speaker, our pages are servants of this Legislature who report to you directly as the Speaker. These people do not take direction from any one of us, except to serve the needs of the Chamber. They do not take direction as to their conduct by any minister because they are in government. A government should not presuppose that it has any authority over a page in this Chamber. That is not appropriate, and the minister of industry and trade has apologized for his actions.

But, equally, an individual who has on more than one occasion conducted himself in this manner did so again today. He needs to apologize to the pages in this Chamber and to this Chamber because that does not do anything for the respect that this Chamber should have with regard to its table officers, to those people who are not elected but are here to serve the needs of the Chamber.

So, Mr. Speaker, I think this is unfortunate. I think it is, indeed, an act of disrespect, let me use that word, and it should be corrected. This is not the first time. So I say that the minister of industry and trade, who had a message delivered to him about his action, he did not do this voluntarily at first. He was cautioned about his actions and then he decided to do the honourable thing, and I congratulate him for it.

But, equally, the Minister of Health has a responsibility in this regard and should abide by what you just said in this Chamber and should also apologize for his actions. Thank you.

Mr. Speaker: The honourable Minister of Health, on the same point of order.

Hon. Tim Sale (Minister of Health): I certainly want to echo the comments of the honourable Minister of Industry (Mr. Rondeau). I meant no disrespect to either yourself or the officers of the Chamber. I was simply suggesting that the message be given to the minister when he was finished speaking. I recognize that that is not perhaps what is sometimes done, but I recognize many times messages being brought in for various ministers and given to someone beside them while they were speaking.

Some Honourable Members: No.

Mr. Sale: Well, Mr. Speaker, that is what I have observed. I recognize that that is not appropriate, and I am apologizing to the House and to you and to the page for that comment.

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

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, on the same point of order.

The order that I would rise on is the fact that immediately following the vote there was a minister that stands up and apologizes. You know, there was no context in terms of actually why it is that the minister was apologizing. Then I hear through the Opposition House Leader a bit more of the context as to what actually took place. Prior to that you actually had stood up and indicated something in regard to the pages.

I think that we need to get some sense of actually what has taken place and the context in which it had taken place, Mr. Speaker. I, for one, and I am sure all members recognize the valuable contributions that our pages make to this Chamber. I do not think any one of us would want to cause disrespect, whether it is to a page or a table officer. You know, sometimes in the heat of a moment something might happen that you regret, you stand up, you apologize for it. We recognize that. But it seems to me that there might be a need for you to give a very clear indication as to what has taken place here and what the process–[interjection] No, that did not happen–[interjection] No, he did not.

I was listening to what the Speaker was saying. I was listening, Mr. Speaker, as to what you were saying. There was no context in terms of exactly what had taken place. All I know is we have one minister standing up, giving an apology. Then you said, "Treat the pages with respect."

I think that all members should be informed as to what took place and what ramifications or what sort of rectifications should be taking place and then, Mr. Speaker, an explanation as to what your position is in regard to our pages.

Mr. Speaker: On the point of order raised, I will make it very, very clear here, okay? It was brought to my attention—[interjection] This is a clarification for the House. [interjection] Order.

This was brought to my attention on the circumstances that happened. As I do, in my duties, I observe the member who has the floor. So I was looking in that direction. I saw what happened myself. When it was brought to my attention, when we were out waiting for the hour or the bells to ring, I asked to see the honourable member. I instructed the honourable member he would be very, very wise to stand and apologize to the House.

I saw him come here to apologize to the page. He did that. But I advised him he would be wise to apologize to the House because the pages are the servants of the House. Any action that is taken to any of our staff members, and if there is an apology that is required, it not only should be to the member, but to the House, because they are the servants of the House, no different than I or the Clerks or anybody else in this House.

The honourable member recognized, and I am very, very happy he did, and he said, "I would be more than willing to stand up and apologize." I said,

"Thank you." I said, "I will recognize you as soon as I deal with the ruling," because nothing precedes when we are in the process of making a ruling.

I thank the honourable member for making his apology to the House, and I also heard the honourable Minister of Health (Mr. Sale) make his apology to the House. [interjection] Order.

I heard him state very clearly that he apologized to the House when he had the floor. I will, once again, reiterate that the staff of the Chamber are all of our staff, that they should always be treated with respect. Sometimes people get a little overeager and maybe they do something that is probably not appropriate. But if that happens, they should accept the responsibility and fix the issue up.

As far as I am concerned, this issue has been dealt with. I heard the apology from the honourable Minister of Industry, Economic Development and Mines (Mr. Rondeau). I heard the apology from the honourable Minister of Health (Mr. Sale). I accept both apologies and that should be the end of the matter.

MATTER OF PRIVILEGE

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, I rise on a matter of privilege.

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

Mr. Derkach: At the outset, Mr. Speaker, I want to acknowledge that I am very troubled by what I am doing because of how unusual this matter is. Secondly, I am troubled because I do not want this kind of a situation to be viewed as a precedent in the Chamber of this province for future actions that might be used by a government or by opposition as to provide accurate information in this Chamber.

Mr. Speaker, it is incumbent upon each and every one of us to assure that, whatever information we are putting on the record in this Chamber, it is accurate information, it is information that is truthful, and it is information that we are not going to contradict at a later time. That is why we have the availability of a recorded record of every word that is spoken in this Chamber. That is to assure the public, Manitobans, the people who watch us on television, the people who watch us from the gallery, to have some credibility as to what you say, words are recorded. You have to stand by them. You have to stand by them here in this Chamber, and you also

have to stand by them in the hallways and in front of the public of this province.

Mr. Speaker, politicians have, over the years, had difficulty to maintain integrity sometimes because of things that are said and things that are said that are less than truthful and then can be proven to be less than truthful. If we want to maintain the credibility, the integrity of this Chamber, we have to assure ourselves that every word that is spoken here is going to be as truthful as we possibly can give, and that we do not contradict what we have said at one point in our statements by a statement that we make an hour later, a day later or even a week later.

But that is what we have witnessed here, Mr. Speaker, and that is what offends us on this opposition side of the House, but it also is an affront to every single elected member in this Chamber, because, when we pose a question to a minister, when we pose a question to the government, we expect that the answer that is going to be given to us is factual, and we give the opportunity to that minister to take a question as notice because, if the minister does not have the information at his or her disposal in front of them, that minister may take that information back for further research to ensure that there is clarity in their response and to ensure that there is accuracy in what is put on the record. That is the obligation of every elected individual, but, more importantly, that is the obligation of every Cabinet minister, every Executive Council minister on the side of the government.

Now, Mr. Speaker, rulings in this House by Speakers over the years have had to deal with the information that the Speaker and his staff, of course, have before them. Sometimes, in words that are spoken in this Chamber, there is some ambiguity as to where that statement may have come from and where the source that that person is quoting from originated.

So, from time to time, we may get a ruling in this House that we perhaps object to, and when we object to a ruling, we have a choice. We can say nothing and let the ruling go by. We can challenge the Speaker and simply let it go at that. We can challenge the Speaker and have a recorded vote. It is not necessarily a reflection on the Speaker. It is a reflection of what we feel has been interpreted from the information that has been provided or, perhaps, misinterpreted.

So that is where it has to end unless we want to move a motion of non-confidence in the Speaker, which I would never do because our Speaker in this Chamber, Mr. Speaker, in my view, has been one who has ruled impartially and has ruled with great respect and has, I think, the respect of all members in this Chamber.

So, Mr. Speaker, I do not want to go there at all. I do not want to even point in that direction. I want to make it very clear that that is not where I am going. But I do want to find in our system, in our legislative process here, an ability to perhaps look at a situation which may have occurred which could set an ugly precedent in the minds of Manitobans, in the minds of the viewing public, in the minds of the readers and in the minds of our voters about what is allowed and what is not allowed in our Chamber. I am seeking for the alternative to be able to re-examine an issue that I think could have grave consequences for the future of our Chamber.

* (15:50)

So, Mr. Speaker, that is why I said I rise here very troubled, because I am in a quandary as to how I should proceed with what I have before me. The issue that I have before me is a response from the Minister of Health (Mr. Sale), a response to a question which asked the Minister of Health whether or not he had received a specific letter. The specific letter was one that was received from the Maples Surgical clinic, which was dated on May 12, 2005. The minister knew exactly the letter that we were referring to, and, in his response-as a matter of fact he volunteered it-he said that, although his department had written to the Maples Surgical clinic, no response was received, but we had the evidence before us that, in fact, a response had been received. It was received on May 12, 2005. When a subsequent question was asked regarding this very specific letter, the minister then quoted from this very letter in this very Chamber.

So, Mr. Speaker, you have that evidence before you. First, you have the Minister of Health indicating that no response was received, and, then, when the response, in fact, was tabled, the minister then quoted from it. But the problem is that the minister did not retract the statement that he made previously that he had not received a response from the Maples Surgical clinic.

So, Mr. Speaker, what that does in this Chamber is it sets a precedent where an individual can make a statement knowing full well that the statement is erroneous, knowing full well that the statement is false, knowing full well that the statement can

mislead the media, the public and other Manitobans, and then, days later, can quote from that very same letter that he said he did not receive, and then go on with life.

The ugly precedent here, Mr. Speaker, is that if we allow that kind of thing in this Chamber, we do all of us a great disservice because our questions have to be based on information that we receive from the government. Nobody on this side of the House, I know, wants to be embarrassed by the fact that we have brought misinformation to the House, that we have brought erroneous information to the House, that we are basing our questions on erroneous information, so we do a great deal of research to ensure that what we put on the record is factual, and that what we are examining in terms of accountability of the government is, in fact, based on truth, based on fact and based on positive and important research.

So, Mr. Speaker, I find that this matter is very troubling. I know that my matter of privilege cannot be the same as the one that you have just ruled on, so what I have attempted to do was to refine my matter of privilege in such a way that would allow perhaps the re-examination of the record, of Hansard here, and perhaps would allow for the minister even to come forward and say, "You know, I did have the wrong information in my hand when I made that statement, and I would like to correct the record." If we could do that, we would do a great service to the public of Manitoba and to this Chamber by ensuring that we do not leave any shred of doubt about what it is we have said and how we have said it.

So, with regard to this whole issue, and because I want the government to make sure that its members do not in any way leave in the minds of the public or opposition or whoever it is a shadow of doubt about the truthfulness, the factualness of an issue, I would like to move that this entire matter be referred—I am sorry, I have to read it correctly so that it can be properly recorded.

So, Mr. Speaker, I move, seconded by the Member for Tuxedo (Mrs. Stefanson), that the matter of the Minister of Health's statements as not receiving a letter from Maples Surgical clinic, dated May 12, 2005, and then his quoting from the very same letter in this Chamber and as recorded in Hansard, be referred to the Committee on Legislative Affairs.

Hon. Gord Mackintosh (Government House Leader): Well, just most briefly, Mr. Speaker, this is

the same matter, I understand, that was just dealt with by the House by way of a Speaker's ruling, a challenge and a recorded vote.

Mr. Speaker, what was just put on the record was, indeed, a reflection on a Speaker's ruling, which is most unfortunate. There are ways to deal with that kind of discontent. They are both, in terms of political discourse, in a substantive motion presumably in private members' hour. But this is a matter that has been fully dealt with by a vote of the House. I heard nothing different to distinguish the matter of privilege from the one that had just been dispensed with. The minister has provided explanation, and you, Sir, have found that there was no evidence of intent as required by a long succession of Speaker's rulings here and in Ottawa.

Mr. Speaker: The honourable Member for Inkster, with new information?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker. I just want to raise, more on a cautionary note, that when you have a minister that makes a very strong affirmative statement to the extent that the Minister of Health (Mr. Sale) did the other day regarding not having correspondence, it at times can have a huge impact on the follow-up questions that members might ask, to the whole debate on a particular issue, to what takes place outside of this Chamber. For that reason, I believe that it is of critical importance that ministers in responding to questions, at times they might misspeak themselves, and the corrective action would then dictate to acknowledge that.

I suspect if the Minister of Health did at least make some sort of an acknowledgment, then it would help out immensely to resolve this issue. I think that what you are sensing is a great deal of frustration from an opposition perspective, because we recognize just how critically important it is when a minister responds to something that what they say is, in fact, accurate, Mr. Speaker.

So, with those few words, we just ask that you take that into consideration in whatever ruling you may come down with. Thank you.

Mr. Speaker: Okay. A matter of privilege is a serious concern. I am going to take this matter under advisement to consult the authorities, and I will return to the House with a ruling.

MEMBERS' STATEMENTS Grant Cassils

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I rise today to recognize the accomplishment of a friend of mine, Mr. Grant Cassils, who also happens to be a constituent of the Member for Arthur-Virden (Mr. Maguire).

Mr. Cassils was recently named Citizen of the Year in an event held in Deloraine on November 3 of this year. Grant has made great contributions to his community and is truly worthy of the recognition he has received. The Citizen of the Year award is given out by the Deloraine and District Chamber of Commerce and is designed to recognize substantial contributions that a citizen of the area makes to help promote the community, make it a better place to live.

Grant more than met the requirements of this award, and the list of contributions he has made to the Deloraine area is one that is quite extensive. Just of few of Grant's many activities and community projects are his heavy involvement in promoting Deloraine at Rural Forum, his instrumental work in the development of the Deloraine tourism booth, his dedication of a great deal of time promoting Deloraine's Flags of the World attractions and he was also responsible for welcoming Peter Nygard back to Deloraine, with Nygard subsequently donating \$25,000 to the town for the development of a community park.

Grant, with his family beside him, was, of course, very humble in his acceptance, simply saying that he enjoys volunteer work, and complimenting the efforts of others involved in the promotion of Deloraine. Mr. Speaker, it pleases me to see that Grant Cassils is being recognized by the community of Deloraine for his tireless work. It is my pleasure today to offer congratulations to a dear friend and outstanding citizen for his great accomplishments. Thank you.

* (16:00)

Winnipeg Mennonite Elementary School

Ms. Kerri Irvin-Ross (Fort Garry): Mr. Speaker, I rise today to recognize the community spirit and the commitment to improving Fort Garry displayed by students at Winnipeg Mennonite Elementary School. On October 19, over 40 students from the school went around the neighbourhood raking lawns for free.

Inspired by stories in the media of contentious disputes between neighbours, 11-year-old student Olivia Peters led the charge to form Love-thy-Neighbour project. This project was meant to give the students the chance to interact with the community surrounding the school in a positive way. By offering the service to their neighbours, the students were able to further integrate the school into the community as well as to demonstrate the positive effects of good neighbours. In this manner, the fences that separate school from home and neighbour from neighbour could be seen in a different light, as bringing people together in one community.

However the students did not simply rake leaves that one day. Ms. Peters delivered 120 notices to homes in order to get permission to rake leaves from the lawn. To encourage the efforts, school administrators and Principal Cindy Thiessen publicized the students' work and also organized where the students would rake that day. In compensation for the yard work, the students asked for a small cash donation so the school can send aid to the victims of Hurricane Katrina. Through the efforts of the students, teachers and administrators at the school as well as citizens of Fort Garry the day was a glowing success enjoyed by all.

Mr. Speaker, I call on all members of the House to recognize the exceptional initiative and selfless attitude shown by the students of Winnipeg Mennonite Elementary School, as well as the school's administration. Their work helps build the community of Fort Garry and ensures that it continues to be a strong and vibrant community. Thank you.

International Day of Disabled Persons

Mrs. Mavis Taillieu (Morris): On behalf of my caucus, I would like to take this opportunity to express the importance of disability issues in Manitoba and to recognize the International Day of Disabled Persons as declared by the United Nations for December 3.

As the critic for persons with disabilities, I realize that people facing a disability confront numerous challenges in just leading their day-to-day lives. There are many things we easily take for granted each day that can present immense challenges to a person with a disability. Because we often take these simple things for granted, it can lead to a lack of regard for disability issues, as people simply do not realize the challenges that disabled

persons face and cannot see the world from their point of view.

That is why, Mr. Speaker, the creation and recognition of the United Nations International Day of Disabled Persons is so important. I would like to commend the United Nations for their effort to increase awareness of disability issues and the promotion of the idea that disability issues are human rights issues and that disabled persons deserve and demand the same rights of equality and participation as the rest of us.

Mr. Speaker, I ask that the next time my fellow members perform some seemingly simple task, be it climbing a flight of stairs, reading a newspaper or driving a car, that they take a moment to recognize the immense challenge that this task may present to a person with a disability and then do what they can to help promote disability issues and assure that persons with disabilities enjoy the same rights as the rest of us. Thank you.

Les Alexander

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, I pay tribute today to a good friend who recently passed away at age 82, Les Alexander of Flin Flon. I met Les in 1972 when he helped me fix my dilapidated '64 Meteor. He was a veteran, a businessman, an entrepreneur who valued his friends, his family and his community. Les Alexander was born in 1923 in a log cabin on the banks of the Allen River near Oakville, Manitoba.

After high school in Winnipeg, he joined the Air Force in 1941. As a pilot, he trained in Dauphin, Regina and Virden. He participated in the Commonwealth Air Training Program based in Portage la Prairie. The twin- engine Avro Ansen bomber he flew, and his log books are on display at the Western Development Museum in Moose Jaw, Saskatchewan.

Les loved the technical aspect of flying. Numerous times I met Les at the Flin Flon airport where he would drive me to one end of the runway to observe takeoffs and landings. He was such an expert that he knew which pilot was flying by the way the plane landed.

After the war, Les and his wife, Betty, started a taxi company. Later, he became an agent for the British American Oil Company, and in 1953 they opened the "Gas Bar" on the edge of Ross Lake. The "Gas Bar" became a model for stations across Canada. As well, he built up Alexanders Auto Ranch

to one of Flin Flon's most flourishing businesses. Today the Auto Ranch is owned and operated by his children, employing 34 people and expediting auto parts across North America and overseas.

Les was an active member of his community and a team player supporting and encouraging others in setting up small businesses. He was an ethical and modest man who always encouraged and praised the contribution of others. I value his friendship and with many others I mourn his passing.

Mr. Speaker, my condolences go out to his wife, Betty, sons Rick and Rod, twin daughters Brenda and Barbara, and his many friends and relatives. Les was one of a kind. He will be greatly missed.

Provincial Road 340

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I rise today to bring forward an important issue for many of my constituents and, as well, many people in western Manitoba, an issue we raised in the House through petitions and through other discussions in the House. The issue pertains to the paving of Provincial Road 340 and, in particular, the remaining 13 kilometres which have been left unpaved. I would like to refer to the text of the petition for an explanation.

We feel that the hard surfacing of the unpaved portion of PR 340, south of Canadian Forces Base Shilo towards Wawanesa, would address the last few neglected kilometres of this road and increase the safety of motorists who travel on it. Heavy traffic has increased on PR 340 due to the many large farms involved in potato and hog production, agriculture-related business, Hutterite colonies and the Maple Leaf plant in Brandon. A fully paved road would support local business and lessen the damage to vehicles. Annual average traffic volumes on PR 340 are increasing with commuter traffic from Wawanesa, Stockton, Nesbitt and surrounding farms to Shilo and Brandon.

The arrival of the Princess Patricia's Canadian Light Infantry in 2004 and increased employment at the Maple Leaf plant in Brandon means there has been an influx of new families in the area. Improving the rural highway infrastructure in this location will be an additional reason for these families and others to settle and stay in the area.

Access to the Criddle-Vane Homestead Provincial Park would be greatly enhanced. PR 340 is also an alternate route for many motorists travelling to Brandon coming off PTH No. 2 east and to Winnipeg via the Trans-Canada No. 1 highway. This upgrade would also ease the traffic congestion on Provincial Trunk Highway No. 10. Mr. Speaker, all Manitobans deserve a safe and well-maintained rural infrastructure.

Mr. Speaker, due to the changes in the rules governing petitions, I have a few petitions here that I would like to table at this point in time. So I would like to table those outstanding petitions. Thank you.

GRIEVANCES

Mr. Speaker: The honourable Member for Morris, on a grievance?

Mrs. Mavis Taillieu (Morris): Yes.

Mr. Speaker: The honourable Member for Morris, on a grievance.

Mrs. Taillieu: A grievance is a very serious issue and one I take very seriously, and a very serious incident that I want to grieve on today, Mr. Speaker.

Several years ago, the Auditor General investigated the program, the Morris-Macdonald School Division and, subsequent to that, also went and examined the Department of Education.

What the Auditor General said in his report on the Morris-Macdonald School Division, the program and the Department of Education was that, and I will quote: "We believe that the absence of an effective policy framework for adult learning in Manitoba likely contributed to the problems encountered in Morris-Macdonald School Division and 'The Program.'"

Mr. Speaker, there was a conclusion that there was a lack of a policy framework within the Department of Education which led to the problems encountered in "The Program" and at Morris-Macdonald School Division, and I simply say here today that the buck stops at the minister's office. The minister is ultimately responsible for policy framework for anything that occurs within his department and, therefore, any school division within the province.

But what happened here, Mr. Speaker, is, once the Minister of Education at the time felt that there was some heat being thrown his way, that he had not really done his job, he had not done his job at all, that he would deflect the issue, and it is a simple trick that we see magicians or illusionists do all the time. Create something over here so that you can do something over here when no one is looking, and this is what exactly happened.

When things got hot within the Department of Education for the Minister of Education at the time, when he knew that he was ultimately responsible for the problems that had arisen, he decided what he would do is he would fire the school board over here, poor innocent people only trying to serve the students and the communities in the former Morris-Macdonald School Division. He decided, I will fire them, and I will go and do whatever I have to do over here while no one is looking, and that is exactly what he tried to do. He succeeded in some way in that the media and the attention became focussed on the school board and on the school division, and it was taken away from the inactions and the inability of the Minister of Education to handle the situation. He did not properly do his job. That is the ultimate in smoke and mirrors.

* (16:10)

The Morris-Macdonald School Division grew quickly. The adult learning centres grew very quickly over a time in need of adult learning in the province. They offered many educational courses to people to either upgrade their education, their high school education, or get their educational high school diploma, Mr. Speaker. The superintendent, the principal at Sanford Collegiate and the trustees in the Morris-Macdonald School Division aided people in achieving their high school education and their diploma. Therefore, when we think of what has actually happened here, there were a lot more people that were receiving an education and had the opportunity and the ability to enter into the workforce at a higher level and, therefore, contribute to the economy and the general revenues, then, through taxation into the province. So I think in many ways, what happened within Morris-Macdonald served the province very well, and there was much more revenue coming into the province.

But, instead, the Department of Education, the then-Minister of Education decided that what was needed to happen is he felt that the people in Morris-Macdonald had in some way benefited from the adult learning centres that were operating around the province and decided that they should be punished for this and decreed that they would have to pay \$1.8 million back to the Province, Mr. Speaker.

Now, there were adult learning centres operating through a variety of other school divisions, Mr.

Speaker. There were adult learning centres that we know in the Agassiz School Division where there was also determined by the Auditor General that one adult learning centre had overstated its full-time equivalents enrolments and actually was awarded \$500,000, and that was deemed not necessary by this Minister of Education. He did not feel that was necessary to recover that money from that school division. So, on one hand, we have \$1.8 million trying to be recovered from one school division and in another school division, saying, "Well, that is okay, it is all right. You did exactly the same thing, but, you know, we are going to look the other way, as far as you are concerned, and you can keep the money."

I think, Mr. Speaker, there was another incident where the Auditor General said there was \$80,000 paid in salaries to owners of a small adult learning centre, and we know that these were political bedmates of the NDP government, and, again, the Auditor General said that this did not appear to be an effective use of public monies. There was no attempt to recover any monies from these adult learning centres as well. In fact, they just looked the other way.

What happened, Mr. Speaker, is that, when the minister decided that it would be necessary to fire the school board, he left that school division with no elected representation. These folks had actually been looking over what was going on with the adult learning centres and had determined that perhaps there was a problem, and they actually had ordered an audit on their own. But, when this happened, this is when the then-Minister of Education decided that it was time to deflect the issue and fire the school board. These people, the school board, are people, many of whom I know personally-they are dedicated people, and they certainly felt that they were doing all that they could do for the students and for the people and the ratepayers in the Morris-Macdonald School Division. I feel that there has been a great disservice done to these people by firing them and casting aspersions on them and casting doubt on their character and their reputation.

Mr. Speaker, at the time, Sanford Collegiate was a leader amongst the high schools in this province. In fact, they had a waiting list for students to come to that school. Many students from the city of Winnipeg, many parents wanted their child or their young adult to go to this school, so it was a very, very good program at that school. I want to

commend everybody that has been involved with education in the Morris-Macdonald School Division.

I just want to say that I think that what has happened here is a travesty. They were actually tried and found guilty before the RCMP report came out. The RCMP report has found there is no fraud, there is no guilt. Nothing has been done that has been wrong in the Morris-Macdonald School Division, and I would urge this government to reconsider, to pay back the money that they have taken from the residents of Morris-Macdonald, and also to apologize to those whose reputations they have tarnished throughout this whole process, Mr. Speaker. I would urge and encourage the minister, the Premier (Mr. Doer) to take action on this and set it straight. Thank you very much.

ORDERS OF THE DAY GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call debate on second readings, Bill 11, and then the remaining bills under debate for second reading, and then would you please go to Bills 5, 6, 8 and 10. That is the third reading stage.

DEBATE ON SECOND READINGS

Bill 11-The Winter Heating Cost Control Act

Mr. Speaker: Resume debate on second reading of Bill 11, The Winter Heating Cost Control Act, standing in the name of the honourable Member for Russell (Mr. Derkach).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Russell? Agreed? [Agreed]

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, it is a pleasure to rise in the House today to speak about this bill, a bill that has generated a great deal of controversy and, probably to the government's surprise, some negative reaction within a variety of different groups that they probably were not expecting to receive that reaction. [interjection]

Of course, as the Member for Springfield (Mr. Schuler) says, that is just from the NDP. They got a shot over the bow from the former Premier Ed Schreyer, a true environmentalist, some might say, and certainly, I imagine, even within their own

caucus of the NDP they probably have some difficult discussions. I know that there are some members like the member from Wolseley, who has put himself out as an environmentalist, and now has to be silenced on this particular bill and has to find a way to justify to his constituents how it is that he is supporting legislation that truly is not environmentally friendly. I wonder how those meetings go when the concerns are raised by members. The alternative is perhaps those concerns are not raised. Perhaps the Premier has such a Svengali-like hold over his caucus, that those sorts of concerns are muted within the caucus, within the government, and they never have a chance to see the light of day.

But I know that Manitobans who are concerned about this issue of cross-subsidization within the legislation will not be muted. They will continue to raise their concerns and recognize this as bad public policy, Mr. Speaker, and I think that all Manitobans would expect us to look at things in a responsible way and to set a good precedent for legislation and how things are done. When the Premier himself admits that this is a bad policy, it certainly raises a lot of concerns with people, about how it is that this came forward and how it can be justified, both in the short term and the long term. All of us as legislators here in the province need to look at that long-term effect and the impact of what it is we do because, at some point, there will be new representatives for our various areas, and we leave for them, we leave for them the legacy of our decisions that are made here today in the Legislature. So, for those who will come after us, I think that they would expect, as well as all the voting public, Manitobans, would expect that we would ensure good policy is put forward, ensure that things are handled properly.

* (16:20)

We know that when it comes to Crown corporations, this is a government that has an exceedingly poor record in how Crown corporations are operated. You know, just today we heard more questions regarding the operation of the Workers Compensation Board that were raised by the Member for Turtle Mountain (Mr. Cullen), some of the problems that may have existed there.

Of course, the minister suggested there is an Auditor General's report. I sometimes feel sorry for the Auditor General, he deals with so few resources, and yet he is one of the busiest men in all of Manitoba. Unlike the Maytag repairman, who was always looking for work to do, the Auditor General,

under this particular government, is never short of work because there are always enough problems within the areas of government that he has enough tasks to do. In fact, if there is any complaint, I suspect that the Auditor General would put forward or has put forward in the past, it is that he has too much to do to investigate the government's operations with too few resources.

So, when we look at Crown corporations, I think that most Manitobans are right to always have sort of a sceptical eye when this government brings forward any kind of legislation in regard to the operation. We do not have to think back too far regarding the Manitoba Public Insurance Corporation and how the rates were—

An Honourable Member: The Howard Pawley government.

Mr. Goertzen: The Howard Pawley government, as is mentioned by the Member for Springfield (Mr. Schuler). Certainly, these Pawley-Doer New Democrats here, today, have not learned the lesson of trying to be involved with some of these issues and the problems that it causes.

Mr. Conrad Santos, Deputy Speaker, in the Chair

We remember not too far back when the government tried to rob from ratepayers in Manitoba Public Insurance funds and put them into another part of government. It was sort of a back-door way to try to subsidize another part of government on the backs of ratepayers in Manitoba Public Insurance. When you do that, Mr. Speaker, I think that you weaken the overall Crown corporation system, and it is very much a disservice to the Manitobans.

Members on this side of the House, the Manitoba Progressive Conservatives, are very supportive of Manitoba Hydro, for example, and of Manitoba Public Insurance. We brought forward issues like no-fault insurance during our time in government that strengthened the corporation and put it back into a profitable position which it was not prior, under the former NDP administration. So we have shown our confidence in Crown corporations by ensuring that good policy is put forward for those Crown corporations that they exist in those ways. [interjection]

You know, I hear the Member for River East (Mrs. Mitchelson) talk about transparency in a process, and I commend her, because certainly as a minister within the former government, she often set the standard for procedure and transparency for how

things could be done. [interjection] Now, I know, the Member for Wolseley (Mr. Altemeyer) is chirping from his seat there. I wish that he would have chirped as loud within his own caucus, that he would have raised his voice when he is in his caucus with concerns on behalf of the residents of Wolseley. He, too, then may have had more of a voice and could have ensured that there would have been good policy.

Ed Schreyer would have cosied up to the Member for Wolseley and said, "You have done the right thing," and supported the fact that he would have then represented his constituents in that way. But now Ed Schreyer is left out in the cold by the NDP government. Not to use a pun, Mr. Speaker, but he is left out in the cold and not getting support from the government, the caucus that he used to lead.

Well, again, reverting back to the issue of Manitoba Public Insurance and how it is that they see this corporation as something they can manoeuvre around and take money from one part and move it to the other. Those are the sort of things, when you do that, I think you weaken all Crown corporations. When there is no transparency to these processes, you do not have real confidence from Manitobans.

I think all of us, certainly on this side of the House, I will not speak for the New Democrats on the other side, but on this side the Manitoba Progressive Conservatives want to see strong Crown corporations. We think that they can be the jewel for our province. Whether it is Hydro, which some have referred to as being the equivalent of Alberta's oil or whether it is Manitoba Public Insurance or the Workers Compensation Board, we believe that strong corporations, when they are operated in a way that is transparent and effective and when due process and procedures are followed, we believe that strength will give confidence to Manitobans in the long term, Mr. Speaker.

So never let the members opposite who cast aspersions on the motives of all members in this House, never let it be said that those are correct, because I think when we look at having good Crown corporations put in place, and procedures, we are truly the defenders of those Crown corporations. We are truly the promoters of the good work that they do within those systems, because we are trying hard to ensure that they are run in a proper and efficient way. There is no more disservice that is ever done to a Crown corporation than when processes and procedures are put in place or when they try to

maneuver around within certain areas. That sort of disservice, Mr. Speaker, shows to Manitobans, and the government needs to be cautious. So, when we talk about this cross-subsidization, that is truly what it is, where you have Manitoba Hydro ratepayers who are paying to subsidize the gas costs for those who are dealing with natural gas.

There are, of course, a number of other alternatives, and I think it is important that all governments, when they bring forward legislation, look at what other alternatives could have been done first. Yesterday in speaking at some length, it was regarding some other legislation, I talked about alternatives, and I think it is incumbent upon all governments when they bring forward legislation to look at what other alternatives could have been done, whether or not there were other ways the same thing could have been put forward, whether or not there is another way to redress the issue that the legislation is trying to solve.

So let us talk about the issue of trying to ensure that energy-efficient furnaces are used in certain homes and what kinds of programs could have been put in place. We have heard the Premier (Mr. Doer) at different times try to use excuses about the financial difficulty of converting over to a high-efficiency furnace in the short term, but there are certainly programs that are currently available and that could possibly be created that would allow that conversion to take place, Mr. Speaker, without this sort of a policy decision that really has long-term ramifications and really has long-term difficulties.

So I would ask the government, I think, to reconsider. We know that they are busy trying to spin this issue, and they are probably to their own surprise very concerned about how it is going, because, as they look at the different commentaries that are coming out not just from the typical sorts of places where they might expect not to get support, not just from areas that they might consider not to be friendly to them more naturally but even within those groups of interest groups who normally would support what this government might do, they, too, have said, "This is bad policy."

If we are not here to set good policy and set good precedent, Mr. Speaker, then why truly are we here as legislators, as elected officials? It must be very difficult for members opposite to go back into their constituencies and to say, "Yes, our Premier, our leader, has said that this is truly bad policy, but we are still going to go ahead and pass it." It is a

difficult justification. It is a difficult sort of juxtaposition for the members on the opposite side.

I know that there have been alternatives and suggestions that have been put forward by a number of people in this House. Yesterday I heard the Member for Inkster (Mr. Lamoureux), I think supported by his leader, the Member for River Heights (Mr. Gerrard), talk about a travelling committee. Well, there are a lot of different ideas that can be put forward in the ways to get public input, Mr. Speaker, but it does not seem that this government wants to hear that kind of feedback from Manitobans, that they are scared that the feedback will not be what they were hoping it would be.

I would challenge the government. I do not think they should be scared of Manitobans, that Manitobans truly have good input. Maybe it is a sign of a government that has been there too long, that they start to close off in terms of who they start to talk to and they begin to think that all of their ideas are just simply good in and of themselves and they do not need to be vetted through Manitobans. Maybe that is what happens when a government has been there too long and exhibits the signs of being a tired government like we see with the NDP government here in Manitoba, that they do not want to go back to Manitobans and ask about policy.

We do not know who it is they have consulted regarding this particular piece of legislation, but they clearly do not want to talk to Manitobans and ask what their feedback is. [interjection] Well, certainly, Ed Schreyer is mentioned again here in the Legislature, that they do not want to consult with Ed, and I would not normally ask that they consult with Mr. Schreyer. Certainly, they would probably talk to Eugene Kostyra because I know members opposite do not sneeze on that side of the House without first getting approval from Eugene Kostyra, and then, only then, can they truly get a heartfelt Gesundheit about their sneeze so long as Mr. Kostyra signs off on it.

* (16:30)

So maybe the consultation did not go beyond Eugene Kostyra's office, but I would recommend to all members—you know, it would not hurt whether it is this time of the year or another time of the year—to go out and ask Manitobans, talk about this issue because Hydro is really for Manitobans. It is about Manitobans. It is not something that the government owns. It is not something that we as individual

MLAs here in the Legislature own. It is for Manitobans. It is about Manitobans.

I see that the Member for Radisson (Mr. Jha), I think he was in prayer there. That is what I saw. He was praying. I know he probably is praying for guidance to ensure that he gets the right sort of direction on this sort of thing. I would say that it is never wrong to consult Manitobans. It is also not a sign of weakness. I think that is part of the problem, that this government feels that if they go out and ask Manitobans for input on the legislation, that it will be a sign of weakness. I say the opposite, Mr. Speaker. I say, in fact, going to Manitobans and putting an idea before them and saying, "This is what we feel we need to do as a government," that is a sign of strength. I do not think that the government should shy away from that sort of thing on this kind of a piece of legislation where I think it is appropriate because you are dealing with a Crown corporation. So they certainly should not be concerned about their image by doing that. In fact, they do more harm to their image by trying to ram legislation through without true consultation from Manitobans.

Mr. Speaker in the Chair

Maybe that is the way of the NDP this day. They talk a good show about being grass roots, but really when you look at things, it is always a top-down approach, this kind of top-down approach from government. They try to shut the little people out of decision making, but then on the same hand they try to go out and talk about how they are defending people who maybe are not advantaged in Manitoba. I certainly see a couple of the members nodding their heads about that.

But, you know, I think that when you really want to respect Manitobans, you go and you talk to them and you consult with them. It is not enough to come to them and say, "This is what is good for you. This is what we as government are saying you need to do. This is what we believe you should do." I do not think that that is protecting people who might not have the same advantages as all of us in Manitoba. That is not showing true respect of them. I think that, when you try to include people who might not have all that we have, whether it is at this time of the year or any other time of the year, that is truly how you build a better Manitoba.

I look to the example of other jurisdictions, how they have taken things back to their respective residents and asked for input and asked for direction. I think, by and large, the residents look at that as a favourable thing. We hear too often about the cynicism regarding politics and politicians, and that crosses all party lines. It is not about members on this side of the House and it is not about members on the other side of the House. It really affects all of us. [interjection]

Apparently, the Member for Rossmere (Mr. Schellenberg) does not agree. He wants that to be qualified. If he is exempt from that, then I will let him go and talk to his constituents. He can go on his soapbox and tell everyone how he has never done anything wrong and there is no cynicism there. But I think for the rest of us who are not so disingenuous about this particular issue, we would go and say that all of us can learn from Manitobans. I mean, it truly is. Is that not how each of us was elected, by going and talking to people and sharing their ideas and saying, "This is what we believe in"? But it seems that that kind of motivation stops when the government, the New Democratic government, the NDP, come into power. Then that consultation, that feeling about trying to get input from people is replaced with more of a heavy-handed approach and a top-down "we know best about how things should be run."

So it is no surprise, perhaps, that the members opposite have not gotten the response that they would like to get on this particular piece of legislation, because they did not do their homework, Mr. Speaker. I know that members of the government–I have not had the opportunity to serve as an elected member within government, but I know that the previous government certainly set the example at times for consultation and saying that these are the sorts of things that we want to discuss with Manitobans.

I would encourage members opposite not to shut out their constituents and not to shut out other Manitobans because this is really a trust. Manitoba Hydro, I think, is very much a trust when we say that this is something that we are going to protect for the future of all Manitobans. It is not about doing what we think is good for us and necessarily just today, what is good for us as a political party, what might be good politics, but not necessarily good policy. I think that there is a higher expectation among Manitobans that there needs to be that further view, that longer-term view about what is good in the long run for the Crown corporation and for our children and for our children's children, to ensure that this corporation is still there and is strong and is there with good policies and good precedents that have

been set. Clearly, the Premier (Mr. Doer) agrees that this is not the way things should be going.

It is not too late for the Premier and for this government to do the right thing, as the Member for Inkster (Mr. Lamoureux) indicates. I do not think a politician is ever too late to do the right thing. I do not think there is ever harm to stand up and say, "You know what, maybe this was not the right way to go," and to admit that it needs to be reviewed. I do not think that Manitobans would look less favourably upon the government. In fact, I think, maybe they would look more favourably upon all of us, as politicians, if they took that approach and said, "Okay, this may be a mistake."

I am glad that the Member for Rossmere (Mr. Schellenberg) now is listening attentively because I know that within his constituency, the good people of Rossmere, whom I have occasion to meet with at different times, that is the kind of approach that they are looking for from their representative. They may not always feel they get that these days. But, certainly, I know that they would expect that governments–[interjection]

Well, I welcome the Member for Rossmere to come to Steinbach at any time.

An Honourable Member: It is worth the trip.

Mr. Goertzen: It truly is worth the trip, Mr. Speaker.

Certainly, I take my lead from the residents of the Steinbach constituency who say that we need to address government and issues in a bipartisan way and there needs to be more discussion within the constituencies. The residents of Steinbach say to me, if you come back to us with ideas, if you come back and want to discuss certain ideas, they appreciate that, they see that is how government should operate, it does not always have to be them against us, does not always have to be green against blue, that there truly can be a time when all people who are elected work together. They ask for that kind of co-operation and say, "We want to be part of that process. We want to be a part of that inclusionary way of doing politics, a different way of doing politics that happens under the NDP government where it is all a top-down approach and there is no ability for anybody else to have input."

The attitude that the government has taken on certain issues, to say that our way is the right way and there is no other way to do things, I think is disrespectful. It is disrespectful for us here, as

individual MLAs. It is disrespectful for all Manitobans because they know that issues are not always that black and white, that there are different ways to do things, that there are different ways that we can approach an issue. It can be the same problem, but it can be approached from a number of different ways.

So I relate that to the legislation, when I talk about different ways to approach the same problem. If there is a problem in regard to the rate hike for natural gas, there are different ways that it can be addressed, whether it is programs for conversion or other things. It needs to be considered. But we do not get that response from the NDP government. Instead, we get a very closed-door, closed-minded, closed-eared response to the legislation. They bring it in one day. Then, if you do not support it the next day, they start to put out all their minions, their spin minions out into the area and trying to say why it is bad that the—[interiection]

Well, and one of the minions goes to Steinbach. The Member for Rossmere, I guess, shows up once in a while. It is kind of a drive-by wave. You know, I had that experience. Somebody said they thought the Queen was driving through Steinbach. It was a Cadillac. I said, no, that was just Harry Schellenberg, you know, just doing a—[interjection]

Yes, I apologize, Mr. Speaker. I meant to say the Member for Rossmere. Although it is a rare time that the Member for Rossmere gets his name in Hansard, but now is one of those times.

* (16:40)

But, no, certainly, Mr. Speaker, as I say, the Member for Rossmere kind of drives through Steinbach and waves at the people. Sometimes he lowers that darkened window enough so that people can see more than the hand and the arm. Then he returns to the Legislature and tries to say that they had the opportunity to talk to other Manitobans. That is unfortunate. But it is that kind of an attitude that the NDP government takes on a number of different issues. It is not a genuine sort of approach to a problem. It is not the kind of approach that is inclusive. It is not the kind of approach that Manitobans would expect.

I think if we did have the opportunity to meet with Manitobans throughout the province, from the far northern parts of Manitoba which all of us respect—[interjection] Well, and where, the Member for Inkster (Mr. Lamoureux) raises a point, that there

is propane and heating fuel used in those particular areas, that the problems are quite different.

But it might be that the members opposite, some of whom represent northern ridings, do not want that sort of feedback because they are scared about what they might hear, that they do not want to include their own communities, their own communities, Mr. Speaker. I suppose that is what really motivated me to stand up and speak on this particular piece of legislation, that they would not want to have their own communities involved in this kind of decision, that they have been given the direction from the Premier's office. Instead of taking their direction from Thompson, they take their direction from the second floor of the Legislature, from the Premier's office. Instead of taking their direction from the constituents who sent them to the Legislature, they take their direction directly from the Legislature, from the Premier's office.

I know that certainly others would be disappointed by that. They would be disappointed by that approach. But, even as we near possibly the last days of this legislative sitting—

An Honourable Member: We are going to miss you.

Mr. Goertzen: I certainly will miss the Member for Selkirk (Mr. Dewar) as well. He indicates that he is going to miss me, just like people in his riding are missing those RCMP officers, you know, the missing RCMP officers, Mr. Speaker, that show up on paper, but cannot really show up on the street because they are not truly there. But I digress.

I want to say that—[interjection] Well, I appreciate the Minister of Water Stewardship's (Mr. Ashton) support for me on this particular issue. I think he is heading back to Thompson now or sometime soon, Mr. Speaker, and he needs to. He needs to sit down and talk through some of these issues, and not just people who he would consider to be clear supporters.

You know, I have had the opportunity on several occasions to travel to northern communities and I am always very happy with the welcome that I get. I spent some time recently in The Pas, and I actually commend the Member for The Pas (Mr. Lathlin), who was very warm in welcoming me to that community and shared with me some of the concerns and issues that they had. I thought that was a useful exercise. You know, you put aside some of these bipartisanship issues at times, and you say, "How can

we, all of us, whether I am representing Steinbach, and the Member for The Pas, find a way to come together and come up with good solutions that will help, not just his community or my community, but all communities in the province of Manitoba?"

That is really what we are looking for here. We are not looking for the government to do anything more than to try to ensure that there is a full hearing for all Manitobans in different areas of the province, to listen. You wonder what the harm is in listening, Mr. Speaker. What are they scared that they are going to hear?

We know they have heard from Ed Schreyer already and they did not like what they heard back. He might not come to a public hearing, but maybe he would. Maybe Mr. Schreyer would come to a hearing, and that is why they do not want to have that kind of an open forum. But, you know, I think if there was the opportunity to have these sorts of forums, I would be happy to go to Thompson and sit down with the member for Water Stewardship and have those sorts of hearings to listen to his constituents, Mr. Speaker.

I know that there are many members here who are in deep thought about this particular issue. They are concentrating in a very astute way about these sorts of issues. I appreciate the kind of attention that is happening, Mr. Speaker.

But, you know, there is no reason, I think, that the members opposite should not take this suggestion that has come forward regarding getting input from Manitobans because, again, it is not our Crown corporation. It really is something that all Manitobans have a stake in, that all Manitobans deserve to have a say in.

There are few things in Manitoba, I think, that can have the kind of impact that Manitoba Hydro can in the long term for the future of the province and for our young people. I think that there are many Manitobans who look toward Manitoba Hydro as being that future, as being something similar to what we have with oil in Alberta. While there is not a direct parallel to it—one is certainly not a renewable resource and one is a clean form of energy—I think that there can be some parallels. For the government opposite not to want to hear all those different ideas that Manitobans have is kind of an approach that I think governments take when they feel that they know everything about everything and when they feel that they do not need to have lessons anymore.

They do not need to hear from people except, I suppose, at election time.

But, with those few words, Mr. Speaker–I know my time is running short–I would encourage the government to truly do the right thing and listen to Manitobans, that I believe in the value of Manitobans and I believe in their ideas. I believe that their input is instructive in virtually all the things that we do here in the Manitoba Legislature and out in our constituencies, and if you cannot believe in Manitobans and their ideas, then I think you really have to examine what it is that you are doing here in the Manitoba Legislature.

So I would encourage members opposite to put aside their fears, to put aside their worries, about looking Manitobans in the eye and talking about this particular piece of legislation. I would encourage them to do the right thing and embrace the ideas that Manitobans from the northern part of the province to the southern part might bring forward on this particular piece of legislation. Thank you very much, Mr. Speaker.

Mr. Speaker: Any other speakers? When this matter is again before the House, it will remain standing in the name of the honourable Member for Russell (Mr. Derkach).

Bill 4–The Dangerous Goods Handling and Transportation Amendment Act

Mr. Speaker: We will now move on to Bill 4, The Dangerous Goods Handling and Transportation Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? Agreed? [Agreed]

Any speakers?

Bill 12–The Highways and Transportation Amendment Act

Mr. Speaker: We will move on to Bill 12, The Highways and Transportation Amendment Act, standing in the name of the honourable Member for Pembina.

What is the will of the House? Is it the vwill of the House for the bill to remain standing in the name of the honourable Member for Pembina? Agreed? [Agreed]

Bill 13–The Conservation Districts Amendment Act

Mr. Speaker: Bill 13, The Conservation Districts Amendment Act, standing in the name of the honourable Member for Pembina.

What is the will of the House? Is it the will of the House for it to remaining standing?

Some Honourable Members: Stand.

Mr. Speaker: It will remain standing in the name of the honourable Member for Pembina.

Bill 15–The Emergency Measures Amendment Act

Mr. Speaker: Bill 15, The Emergency Measures Amendment Act, standing in the name of the honourable Member for Pembina.

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? Agreed? [Agreed]

Bill 16–The Corporations Amendment Act

Mr. Speaker: Bill 16, The Corporations Amendment Act, standing in the name of the honourable Member for Portage la Prairie (Mr. Faurschou).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Portage la Prairie? Agreed? [Agreed]

Bill 17–The Securities Amendment Act

Mr. Speaker: Bill 17, The Securities Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House?

An Honourable Member: Stand.

Mr. Speaker: Stand? It will remain standing in the name of the honourable Member for Pembina. It has been agreed to? [Agreed]

Bill 19–The Agri-Food and Rural Development Council Act

Mr. Speaker: Bill 19, The Agri-Food and Rural Development Council Act, standing in the name of the honourable Member for Pembina.

An Honourable Member: He is a busy boy.

Mr. Speaker: Yes, very busy. Is it the will of the House for the bill to remain standing in the name of the honourable Member for Pembina? Agreed? [Agreed]

DEBATE ON CONCURRENCE AND THIRD READINGS

Bill 5-The Dental Hygienists Act

Mr. Speaker: Now, we will move on to resumed debate on concurrence and third reading of Bill 5, The Dental Hygienists Act, standing in the name of the honourable Member for Tuxedo, who has 20 minutes remaining.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, unfortunately I cannot recall where I left off yesterday, so I will start over again and get that back on the record.

Well, Mr. Speaker, this bill creates a college for dental hygienists which will be responsible for the regulations, scope of practice, supervision and resolution of complaints for dental hygienists. I mentioned yesterday in my remarks previously that we are one of the last provinces to actually bring this in for dental hygienists across Canada, and, certainly, it is time that we recognize their profession and that they have the ability to regulate themselves. It is time for that, so we are pleased to see this.

* (16:50)

As I mentioned before, I had the opportunity to sit on committee and listen to some wonderful, fantastic, unbelievable presentations by a number of dental hygienists. As well, we were privileged with the presence of dental hygienist students. It was wonderful to see them come out and see how the democratic process works in the Legislature.

An Honourable Member: What did they think?

Mrs. Stefanson: Well, you know, the Member for Steinbach (Mr. Goertzen) asks, "What did they think?" I did have an opportunity to speak to a few of the students after. They were quite excited to be a part of this process, Mr. Speaker, and to be here where history is being made for their profession. So they were quite excited and very happy to be an integral part of this process. So I congratulate those students and I wish them well. I look forward to the day where they do graduate and are able to go on and become dental hygienists and have the opportunity to be regulated under their own college.

But, Mr. Speaker, now I do recall where I did leave off last time. I think I was talking about pediatric dental surgeries and the government's incredible mismanagement of this issue in Manitoba. I think it is unfortunate that there are so many children out there right now all across our province who are waiting in pain for pediatric dental surgery.

Again, this government had an opportunity, an opportunity placed before them where they could have contracted out with a private clinic, the Maples Surgical Centre, and all of those people would no longer be on a wait list in Manitoba waiting in pain for pediatric dental surgery, Mr. Speaker. The list would have been depleted and those children would be free to live the lives that they should be living right now, doing the things that children do, playing with their friends, going to school and so on.

I think it is unfortunate that because of this government's ideology, they allow their ideology to get in the way. I think, you know, because of their ideology, children are waiting in pain, Mr. Speaker. I think that is unfortunate.

An Honourable Member: At Christmas time.

Mrs. Stefanson: Yes, as the member from Steinbach notes, it is the Christmas season coming up. I think it is unfortunate that these young children, Mr. Speaker, are waiting in pain. You know, all they are asking for is to get the surgery done so that they can live through the Christmas season free of pain and through this holiday season. I think it is unfortunate that there are thousands of children waiting in pain on this list, on a wait list.

See, this government sort of manages by wait lists and manages by crisis. Well, I would suggest that this is somewhat of a crisis in Manitoba. I think any time you leave children in pain waiting on wait lists, Mr. Speaker, it is an absolute crisis. I think the government has an obligation to these children to get them off that wait list, to get their surgery done and completed. Again, they had an opportunity to do the right thing here, to contract out with Maples Surgical Centre, to get these children back doing the things that they can do in their lives.

I think it is unfortunate that now they are going to have to live through the Christmas season in pain at a time when they should be celebrating in their different faiths. Perhaps, some of them are waiting for Santa Claus to come with his reindeer and dropping off presents for them. But, unfortunately, they will not be looking forward to that this

Christmas season, this holiday season, Mr. Speaker. Unfortunately, they will be waiting in pain for when this government decides to wake up and realize that this is a very serious issue in Manitoba.

So I think it is unfortunate, Mr. Speaker. They had an opportunity to do the right thing here and they have not.

As many members have said before, it is never too late to do the right thing, Mr. Speaker, and I would strongly encourage the Minister of Health (Mr. Sale) and, indeed, other members of the government who are here today, those Cabinet ministers who are with us in the Chamber today, go back to your Cabinet and encourage the Minister of Health to do the right thing for these children waiting in pain. I encourage all of the other members on the government side of this House to go back to their caucus and encourage the Minister of Health and, indeed, the Premier (Mr. Doer) and their colleagues to do the right thing on this issue.

Indeed, I would challenge everyone in this Chamber to go out into their communities and talk about this issue because it is a very serious issue, Mr. Speaker. Children are waiting in pain. There are children in the communities of members opposite. There are children in our communities. There are children all across this wonderful province of ours that are waiting in pain and this is absolutely unacceptable. You know, some members opposite may think that this is funny, but I really do not think this is funny at all when one child, if there is even one child waiting in pain out there, it is one child too many.

I will tell you the wait list is much longer than one person, Mr. Speaker. It is in the thousands. I think that, when thousands of children across this wonderful province of ours are waiting in pain, it is unacceptable, and this government needs to wake up and realize the crisis situation that we are in in this province and that they should do the right thing here and contract with the Maples Surgical Centre. Let us get these people, get these children off the wait list and back into their communities and playing with their friends and so on.

But I just would like to also just say a few words about dental hygienists and, indeed, dental assistants, as well, and all of those that help us lead healthy lives. Of course, there are a number of different aspects to dental hygiene, and, Mr. Speaker, I just want to say that I have had a wonderful experience with the dental hygienist that I see and the dentist

that I see. Indeed, all the dental assistants in this office are absolutely wonderful, where I go in my community in Tuxedo, where I had a great experience and I took my daughter to the dentist. She saw—

An Honourable Member: What is her name?

Mrs. Stefanson: Victoria is her name, and Victoria for the first time last year went to see a dentist. They usually start them around three years old, and she just turned four, Mr. Speaker. So we took her a year ago for her first appointment with a dental hygienist, and you know what, it was a wonderful experience for her. We walked in the front door. We got greeted by these wonderful dental assistants. She got to go back and sit in this really wild chair that she just loved, that goes up and down. You have got your little sink beside you to spit into when you are ready for it. She just thought it was wonderful. She had some X-rays taken. The dental hygienist could not have been more wonderful. She was just so helpful to my little Victoria who was having her first experience in a dentist office.

You know, these first experiences for children are very important to them. She was a little nervous at first but the dental hygienist really, really helped her through this process, Mr. Speaker, the whole time she was there and she was there for a good, I am thinking it was about an hour.

An Honourable Member: Long time?

Mrs. Stefanson: Yes, it was quite a while sitting in this chair and having the X-rays done and getting her teeth cleaned. You know what, Mr. Speaker, it was just such a wonderful experience for her that she was excited to go back yet again six months later.

An Honourable Member: But did she have a root canal? She will not be so excited.

Mrs. Stefanson: No, she has not had a root canal, and I hope she will not be having a root canal anytime soon, Mr. Speaker. As a mom, I want to do what the best thing is for our children and to make sure they—

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Tuxedo (Mrs. Stefanson) has nine minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Wednesday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 6, 2005

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