

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

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

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

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 8, 2005

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

### ROUTINE PROCEEDINGS

### INTRODUCTION OF BILLS

#### Bill 21—The Public Health Act

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, I move, seconded by the honourable Minister of Finance (Mr. Selinger), that Bill 21, The Public Health Act; Loi sur la santé publique, be now read a first time.

#### *Motion presented.*

**Mr. Sale:** Mr. Speaker, I want to draw attention to the work that has been done over the past decade under the previous administration and under the current administration to draft a new Public Health Act. I want to pay tribute to staff. In the gallery are Dr. Greg Hammond, Dr. Joel Kettner and their respective staffs who have worked tirelessly over a great length of time and with many communities throughout Manitoba and across Canada to put together a strengthened and clarified new Public Health Act.

I hope all members will join me in thanking our staff who work on all our behalves to protect the health of Manitobans and increase the overall wellness of our population. I want to thank you very, very much on all our behalves for the tremendous work that you have done.

Mr. Speaker, most advances in the health of our population over the centuries have come entirely, or almost entirely, from public health, whether it is clean water, whether it is the understanding of the disease passage from a bacteria to a person, how that would happen, for example, in the historic fight against smallpox and polio.

Public health is essentially the mechanism by which our economy prospers because, as the public has become healthier, so our economy becomes stronger, our abilities to deal with the complexities of our world become better. So the underlying thing that makes us a competitive and healthy society is our public health system. This act strengthens that system, clarifies responsibilities, creates a number of provisions which will make it easier to deal with threats to our public health, as well as to strengthen

the underlying capacity of our system to provide wellness for all. Thank you very much, Mr. Speaker.

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

#### Bill 14—The Water Rights Amendment Act

**Hon. Steve Ashton (Minister of Water Stewardship):** Mr. Speaker, I move, seconded by the Minister of Transportation and Government Services (Mr. Lemieux), that Bill 14, The Water Rights Amendment Act, be now read a first time.

#### *Motion presented.*

**Mr. Ashton:** This bill brings about mechanisms to ensure proper application and enforcement of our licensing process, Mr. Speaker. It is something that has been raised by many municipalities, by conservation districts, many Manitobans, and this bill will bring in a number of provisions that will ensure that we can protect the integrity of our licensing system. Thank you, Mr. Speaker.

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

#### Bill 207—The Personal Information Protection and Identity Theft Prevention Act

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, I move, seconded by the member from Lakeside, that Bill 207, The Personal Information Protection and Identity Theft Prevention Act; Loi sur la protection des renseignements personnels et la prévention du vol d'identité, be now read a first time.

#### *Motion presented.*

**Mrs. Taillieu:** Mr. Speaker, this bill governs the collection, use and disclosure of personal information in organizations in the private sector, something that is lacking right now. It also establishes a duty for those organizations to notify individuals who may be affected when their personal information that the organization has collected is lost, stolen or compromised. This last portion in this legislation is the first of its type in Canada.

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

**Bill 209—The Audiologists and  
Speech Language Pathologists Act**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I move, seconded by the Member for Portage la Prairie (Mr. Faurichou), that Bill 209, The Audiologists and Speech Language Pathologists Act; Loi sur les audiologistes et les orthophonistes, be now read a first time.

***Motion presented.***

**Mr. Maguire:** Mr. Speaker, this Bill 209 replaces The Manitoba Speech and Hearing Association Act and provides for the regulation of the professions of audiologists and speech language pathologists. It includes provisions continuing the Manitoba Speech and Hearing Association under the title of the College of Audiologists and Speech Language Pathologists of Manitoba as the professions' governing body. It also includes provisions establishing a governing board with public representatives as well as requiring the registration of audiologists and speech language pathologists and, as well, creating a process for handling complaints and discipline.

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

**Bill 208—The Highway Traffic Amendment Act**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, I move, seconded by the Member for Arthur-Virden (Mr. Maguire), that Bill 208, The Highway Traffic Amendment Act, be now read a first time.

***Motion presented.***

**Mrs. Rowat:** Essentially, this bill promotes safety for passengers while travelling in or on a vehicle. This bill prohibits people from riding on the outside of a vehicle or any other part of it that is not designated to be occupied except in specific instances where certain exemptions have been outlined. Thank you.

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

\* (13:35)

**PETITIONS**

**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 Darwin McTavish, Ralph Lamine, D.J. Schofield and many, many others.

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

**Crocus Investment Fund**

**Mr. Kevin Lamoureux (Inkster):** 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 Homer Gill, Nancy White, Kelly Drayson and many, many more.

## COMMITTEE REPORTS

### Standing Committee on Justice

#### Second Report

**Ms. Marilyn Brick (Chairperson):** Mr. Speaker, I am requesting leave to present the committee report from the Standing Committee on Justice.

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

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave has been granted.

\* (13:40)

**Ms. Brick:** Mr. Speaker, I wish to present the Second Report of the Standing Committee on Justice.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Justice presents the following as its Second Report.

**Mr. Speaker:** Dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*Your Standing Committee on Justice presents the following as its Second Report.*

#### Meetings:

*Your committee met on Thursday, December 8, 2005, at 10 a.m. in Room 254 of the Legislative Building.*

#### Matters Under Consideration:

*Bill 9 – The Farm Practices Protection Amendment Act; Loi modifiant la Loi sur la protection des pratiques agricoles*

*Bill 18 – The Highway Traffic Amendment Act (Countermeasures Against Impaired Drivers and Other Offenders); Loi modifiant le Code de la route (contre-mesures visant les personnes ayant conduit avec les facultés affaiblies et d'autres contrevenants)*

#### Committee Membership:

*Committee membership for the December 8, 2005, meeting:*

*Mr. Aglugub*

*Ms. Brick*

*Mr. Caldwell*

*Mr. Cullen*

*Mr. Dewar*

*Mr. Eichler*

*Mr. Faurschou*

*Mr. Goertzen*

*Hon. Mr. Mackintosh*

*Mr. Swan*

*Hon. Ms. Wowchuk*

*Your committee elected Ms. Brick as Chairperson.*

*Your committee elected Mr. Aglugub as Vice-Chairperson.*

#### Bills Considered and Reported:

*Bill 9 – The Farm Practices Protection Amendment Act; Loi modifiant la Loi sur la protection des pratiques agricoles*

*Your committee agreed to report this bill without amendment.*

*Bill 18 – The Highway Traffic Amendment Act (Countermeasures Against Impaired Drivers and Other Offenders); Loi modifiant le Code de la route (contre-mesures visant les personnes ayant conduit avec les facultés affaiblies et d'autres contrevenants)*

*Your committee agreed to report this bill without amendment.*

**Ms. Brick:** Mr. Speaker, I move, seconded by the honourable Member for The Maples (Mr. Aglugub), that the report of the committee be received.

**Motion agreed to.**

#### 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 Mrs. Yolande Dupuis who is the mother of the Legislative page Nicholas Dupuis.

Also in the Speaker's Gallery we have Valene Bertrand who is a former page, and her friend Cassie Gobeil.

I would like to draw the attention of honourable members to the public gallery where we have with us

today Dr. Greg Hammond, Dr. Joel Kettner and public health staff members. These visitors are the guests of the honourable Minister of Health (Mr. Sale).

Also in the public gallery we have with us from Neepawa Area Collegiate 20 Grade 11 students under the direction of Mrs. Michelle Young. This group is located in the constituency of the honourable Member for Ste. Rose (Mr. Cummings).

Also in the public gallery we have from Glenboro School 27 Grade 9 Canadian Studies students under the direction of Mr. Daryl Ford. This group is located in the constituency of the honourable Member for Turtle Mountain (Mr. Cullen).

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

### ORAL QUESTIONS

#### Workers Compensation Board Allegations of Mismanagement

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, red flags were raised about the Crocus Investment Fund in January of 2001. Red flags were raised about the concentration of power between the investment committees of Crocus and the Workers Compensation Board two months later, in March of 2001, and called for an independent audit of investments.

Mr. Speaker, in January of 2002, the Finance Minister's own department officials suggested that an independent review of Crocus would be in order. Warnings, numerous warnings that deserved this NDP government's attention, yet this Premier who prides himself on keeping his finger on the pulse of the government, what did he do? He did nothing.

Had this Premier done something then 33 000 Manitobans would not have lost some \$68 million. Mr. Speaker, through you, I ask the Premier: You knew about these red flags, why did you ignore them?

\*(13:45)

**Hon. Gary Doer (Premier):** The Auditor General's report speaks for itself.

**Mr. Murray:** Well, Mr. Speaker, it is very clear in the Auditor General's report that, in 2001, an Industry Department official did their job raising red flags about liquidity concerns around the Crocus

Fund. In March of 2001, the president and CEO, Pat Jacobsen, did her job raising red flags about the use of the Workers Compensation investment fund for government purposes.

In January of 2002, officials in the Finance Department did their job raising red flags and asking for an independent review of Crocus. All of these people, Mr. Speaker, did their jobs. They trusted this government would follow up. They trusted that something would be done by this Premier.

Mr. Speaker, when all of these people are doing their jobs, why is this Premier not doing his?

**Mr. Doer:** I want to make three points to the member opposite. The WCB investment returns in '04 were second, and over the last four years have ranked in the top half of WCBs in three of the last four years. In the last four years of the Tories' years in office, the investment returns were ranked in the bottom half.

Now, Mr. Speaker, I actually happen to believe that the Conservative government in Cabinet did not approve or manipulate the Workers Compensation Board to invest in Crocus in 1996. I happen to believe that Cabinet ministers opposite, when they were in office, did not manipulate the Crocus, Workers Compensation Board in 1998, but I find it passing strange that members opposite would be asking us questions about investments that were made in 1996 and 1998. Now I know he can roll all this stuff—

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

**Mr. Speaker:** Order. Was the honourable First Minister concluded?

**Mr. Doer:** Yes, you called order so I stopped, Mr. Speaker.

**Mr. Speaker:** Well, continue with the answer.

**Mr. Doer:** Yes, thank you very much, Mr. Speaker. I would point out to the members opposite that, under section 59(1) of The Workers Compensation Act, and this is an act that was in existence while Cabinet ministers opposite were in office, the board of directors shall appoint a person to be known as the chief executive officer and shall fix his or her salary and prescribe the duties, et cetera, et cetera.

It is all very clearly in the law of the land that it is the responsibility of the board of directors. I would point out, Mr. Speaker, that we did not exchange prisoners on the Manitoban-Saskatchewan border

after we were elected. Six out of the nine board of directors' members that were in place in 2001 were in place under the former government.

**Mr. Murray:** Of course, Mr. Speaker, the issue simply is the president and CEO of the Workers Compensation Board brought a red flag to this Premier in 2001. That is the issue. We know full well and this Premier knows full well that there is a direct link between the Workers Compensation Board and the Crocus Investment Fund. We know that this Premier and government ignored red flags from the Department of Industry, the Department of Finance and a red flag from the CEO and president of the Workers Compensation Board.

I would like to remind this House, Mr. Speaker, that this NDP government has repeatedly refused to share the contents and the warnings from their departments with the opposition or Manitobans. Yesterday, this Premier admitted that there are many whistle-blowers in his government. Unfortunately, as we know, this Premier ignores red flags and refuses to listen.

Had he acted on any of these red flags, 33 000 Manitobans would not have lost up to \$60 million, Mr. Speaker. Why does this Premier demonstrate such blatant disregard for red flags and whistle-blowers?

**Mr. Doer:** Mr. Speaker, I would point out that the two co-investments that were made in Crocus and Workers Compensation Board were made in 1996 and 1998. Secondly—

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

**Mr. Speaker:** Order.

\* (13:50)

**Mr. Doer:** Secondly, I would point out that the financial statements that were referred to by the Auditor General yesterday in committee, the Auditor General said that none of the security administrators or any department or agency of government has assessed the merits of an investment of the fund. The security administrators and the government make no recommendation concerning such an investment, Mr. Speaker.

The Auditor General goes on to say that, in our opinion, the consolidated financial statements present fairly in all material respects the financial position of the fund and its investments, Mr. Speaker. There were Pricewaterhouse reports and the

Auditor General commented on those on the committee.

Further, Mr. Speaker, to the best of our knowledge, information and belief, the financial Crocus Investment Fund and the Auditor's report thereon, together with the prospectus, constitute full, true and plain disclosure of all material facts relating to the securities offered by this prospective and this was presented by the Wellington West prospective on January 21, 2004.

Maybe members opposite knew something different about Wellington West statements, Mr. Speaker. I do not think so.

#### **Workers Compensation Board Allegations of Mismanagement**

**Mr. Cliff Cullen (Turtle Mountain):** I think it is important that all Manitobans recognize the events that occurred at Workers Compensation. If I go slowly enough, maybe perhaps the members opposite will recognize some of the issues there and some of the red flags that were raised.

Pat Jacobsen was the CEO at the time. She requested a meeting with Becky Barrett, who was the minister responsible, in the fall of 2000. Ms. Jacobsen had concerns over losses at the WCB, investment practices and issues with the board. Becky Barrett initially accepted, then she reconsidered and she cancelled the meeting. She sent Ms. Jacobsen to meet with the chair, Wally Fox-Decent.

Clearly, Ms. Jacobsen had issues with Wally Fox-Decent and his management. Why did this government refuse to meet with the CEO?

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, I just want to remind members opposite that the WCB is an arm's-length agency. I just want to remind members opposite when the previous minister received the letter, she referred that letter back to the board of directors of the WCB. The board of directors is a tripartite board of directors, one of the only tripartite boards in the province of Manitoba and it represents the stakeholders who govern the WCB.

That was the appropriate mechanism, Mr. Speaker. There is an Auditor General's report coming—

**Mr. Speaker:** Order.

\* (13:55)

**Mr. Cullen:** Well, Mr. Speaker, the irony in the minister's response is that the issue in that letter was with regard to the board itself, so clearly the issue had to be dealt with somewhere else, and that is why Ms. Jacobsen went to Becky Barrett.

Again, the letter was written in March of 2001. In addition, because no one was listening to her concerns, Ms. Jacobsen's concerns, she took it on herself to call an independent audit of the Workers Compensation Board. Three days later she was fired. Furthermore, this government never asked for any investigation or any audit. The Auditor General took it upon himself to investigate his own Workers Compensation Board.

This high-ranking woman knew exactly what was going on at the Workers Compensation Board. Is this the way the government treats people on these important issues? Who or what prevented this government from conducting an independent investigation?

**Ms. Allan:** Mr. Speaker, I think it is important to understand the important role that a minister plays in regard to an arm's-length agency. The Government of Canada Privy Council Office guidelines maintaining an arm's-length relationship to ministers is particularly important for those organizations whose mandate is to make decisions that determine or—

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

**Mr. Speaker:** Order.

**Ms. Allan:** Thank you, Mr. Speaker. It is important for these organizations to make decisions that determine or regulate the privileges, rights or benefits of Canadians. Governments delegate decision-making powers to these bodies in part to preserve public confidence in the fairness of the decision-making process. In turn, the exercise of these powers requires careful attention to assure the appropriate degree of independence is maintained. The concerns that were raised with the previous minister were referred to the board of directors of the WCB.

**Mr. Cullen:** Well, Mr. Speaker, if a CEO is having an issue with the board itself, who would she normally turn to? I would think it would be going to the minister.

Ms. Jacobsen was not the first one to raise red flags with this government. In January 2001, the Minister of Industry received word of questionable

investments in Crocus. In March 2001, Pat Jacobsen raised concerns about the concentration of power between investment committees of Crocus and WCB. In January 2002, the Minister of Finance (Mr. Selinger) received concerns over management issues at Crocus.

Mr. Speaker, this shows lack of leadership by this government. This government continually turns a blind eye to these very serious issues. This government owes it to Manitobans to protect their interest. Red flags were raised time and time again. They were continually ignored by this government.

When will this government stand up for the people of Manitoba? Tear down these barriers; let us get to the truth.

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, it is a shame that the members opposite continue to put misinformation on the record. First, it was specified precisely by the Auditor General yesterday at committee, which the members attended, that these incidences, taken together, if one person was informed about all the issues may have raised red flags.

He specified yesterday that the information was not presented to any single minister. No one person contained all the information, and, so, all the information taken together may have raised red flags. He specified that was not the case, and we should understand that the ministers were never informed of the e-mail. The ministers were never informed of all the issues.

#### **Workers Compensation Board Allegations of Mismanagement**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, this NDP government turned a blind eye to Pat Jacobsen when she raised red flags in 2001. If this government had chosen to act, it could have broken up the incestuous relationship between the WCB and Crocus. Instead, from 2001 to 2004, Crocus and the WCB continued to co-invest in some very risky ventures. One of these co-investments made in 2004 was an \$11-million co-investment by the WCB and Crocus into heritage buildings.

I ask the Minister of Labour: Why did the minister ignore the red flag from Pat Jacobsen?

\* (14:00)

**Hon. Nancy Allan (Minister of Labour and Immigration):** Well, Mr. Speaker, once again I just

want to remind members opposite that the WCB is an arm's-length agency. I also want to remind members opposite that when we passed our legislation, Bill 25, we strengthened the accountability and the transparency of the investment committee. We have the strongest governance structure of any investment committee of any WCB in Canada. We have the strongest governance structure in the history of Manitoba and that is because we made changes to our WCB legislation. They had 12 years to make changes; they did nothing.

**Mr. Hawranik:** Mr. Speaker, I would just like to remind the minister that she received the red flag in 2001, and she did nothing. This NDP government knew about this incestuous relationship between Crocus and WCB and received that red flag from Pat Jacobsen in March of 2001. Had this NDP government acted on this red flag, Pat Jacobsen believes that both Crocus and the WCB would not have lost millions of dollars.

I ask the Minister of Labour (Ms. Allan): Why did the minister not intervene on behalf of the more than 33 000 Crocus shareholders?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I know the member likes to be accurate when he asks a question, and I think it is important to correct the information. It has already been put on the record twice today that the Workers Compensation Board investment experience has been among the best of all Workers Compensation Boards' investment experiences in the country. The member should also know that The Workers Compensation Act, an act amended, improved and supported by the members opposite, makes it very clear. They supported this and it has always been there. The board of directors shall appoint a person to be known as the chief executive officer and shall affix his or her salary and prescribe his or her duties which shall include employing such persons as necessary to carry out this part of the act.

It is very clear. The employer of record is the board of the Workers Compensation Board. The members are, once again, trying to have it both ways. If we do anything with our Crown, they say we interfere. If we do not do anything, they say we are negligent. In this case, we could not interfere.

**Mr. Hawranik:** Mr. Speaker, the cozy relationship that Wally Fox-Decent had, courtesy of this NDP government, allowed him to use his influence to direct both Crocus and the WCB to invest together in

some very risky ventures. All of this was going on at a time when Wally Fox-Decent knew that Crocus was on the ropes. Wally Fox-Decent described the last six weeks before Crocus shut down as turbulent. In spite of this, only two weeks before Crocus shut down in 2004, the WCB and Crocus co-invested \$6 million in the biotech industry, a very risky investment.

I ask the Minister of Labour (Ms. Allan): Why did the minister turn a blind eye to this red flag? Why did she not intervene on behalf of the 33 000 Crocus shareholders?

**Mr. Selinger:** Mr. Speaker, I always enjoy how the member opposite takes the situation that was created by the former government. The former government—

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

**Mr. Speaker:** Order. I would like members just to take a second and have a look in the gallery. We have a lot of guests here today, and they came down here to be able to hear the questions and the answers. We also have the viewing public and I also have to be able to hear in case of a breach of a rule. I ask the co-operation of the members.

**Mr. Selinger:** Thank you, Mr. Speaker. I think it is important when a question is asked, we put accurate information on the record. The situation, which has now been corrected by this Minister of Labour (Ms. Allan) and by this government, had a situation where the chair of the board also chaired the investment committee. That is no longer possible. The former investment commitment was a statutory body that reported to no one. Now it reports to the board of directors. The old, inappropriate practices have now been replaced by the best practices for Workers Compensation Boards in the country. They create the mess; we clean it up.

#### **Workers Compensation Board Allegations of Mismanagement**

**Mrs. Bonnie Mitchelson (River East):** When this Premier was sworn in, he took an oath of office that indicated that he was responsible for all departments and all Crowns within government and for all the financial responsibility that is involved in government, Mr. Speaker.

Red flags were raised with him in 2000, 2001, 2002, about the investment practices of both the Crocus Investment Fund and Workers Compensation and the ties that bind them. Serious allegations were made by extremely credible sources, serious

allegations that were ignored by this Premier. Mr. Speaker, the buck stops in the Premier's Office.

My question is red flags were raised regarding questionable financial investment activities. When he knew, what did he do?

**Hon. Gary Doer (Premier):** The member opposite may want to look at the oath of office for the Cabinet and premiers because one of the first tenets of that oath, and not that everybody paid attention to it, is that you follow the laws of the province. They are provincial laws. The law dealing with—

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

**Mr. Speaker:** Order.

**Mr. Doer:** The law in Manitoba under the previous government, included in a unanimous consent bill amended in this session, was that the CEO of the Workers Compensation Board is hired, dealt with and held accountable to the board of directors. Why is that in place? It is in place because the board of directors is made up of business representatives who pay the fees, and it is made up of union representatives or labour representatives who have the claims. Mr. Speaker, that is why the law is set up in this way, and I took a pledge of office to keep the law and we did.

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

**Mr. Speaker:** Order. May I remind all honourable members that we are trying to get as many questions and answers in as we can and the clock is ticking. The honourable Member for River East has the floor.

**Mrs. Mitchelson:** This Premier (Mr. Doer) said that he is responsible for all the financial activity that takes place in this province, Mr. Speaker. The law is the law, and he should uphold the responsibility that his office has.

He ignored the red flags of questionable financial activity three times in three different years. The Premier knew that there were serious concerns with the investment practices and the incestuous relationships at both Crocus and Workers Comp. He had a duty to investigate these serious allegations.

What report did he receive that convinced him that everything was okay and that no external audit was required?

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, WCB investment decisions are made by an investment committee which operates at arm's length from government. We

strengthened our legislation in Bill 25 to provide greater accountability and transparency. That legislation is now leading the country in regard to governance accountability. The Auditor General's report will be coming out, and I am sure there will be recommendations for government. We will take those recommendations very seriously.

**Mrs. Mitchelson:** Again, the buck stops in the Premier's Office. He is responsible for financial management throughout government and, the Premier (Mr. Doer), as the president and the CEO of all government operations, has an obligation to satisfy himself and Manitobans that allegations of questionable financial practices under his watch were properly investigated.

Pat Jacobsen recommended that both Wally Fox-Decent and she step aside and an independent audit be done. Mr. Speaker, my question again for the Premier, and I hope he will stand in his place and answer. What report did he receive to assure himself that the allegations were unfounded and that no independent audit was required?

**Mr. Doer:** Mr. Speaker, I come back to the basic law, and I do not know whether the member opposite understands this, but the Premier of the province has got to operate under the law of Manitoba dealing—

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

**Mr. Speaker:** Order. The honourable First Minister has the floor.

**Mr. Doer:** The Premier of Manitoba is responsible for ensuring that when there is a clause in a law dealing with Workers Compensation allowing for, providing for and requiring the board of directors to be the hiring and firing body for the Workers Compensation, they can yell and scream and heckle—

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

**Mr. Speaker:** Order.

\* (14:10)

**Mr. Doer:** The law must be maintained. Members opposite, by their own question, are saying to us that the former Premier made the decision because he was responsible for the Crocus investment in 1996 and 1998. That is what you are actually saying that Gary Filmon made the investment, and I actually do not believe he did, Mr. Speaker.

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

**Mr. Speaker:** Order. There is a lot of conversation going back and forth. I would advise the members that, while they wish to have a conversation, we have two empty loges here and they are more than welcome to use them. We need some decorum in the House here.

### **Workers Compensation Board Allegations of Mismanagement**

**Mr. Glen Cummings (Ste. Rose):** If anybody thinks that the Premier did not know what was going on when the CEO of Workers Compensation was fired then they are naive and they are wrong.

Mr. Speaker, on three notable occasions this government was given red flags that there were problems at the Crocus Fund. Not only that, in 2001, Pat Jacobsen put her name on a letter to this government saying she had concerns. She wanted an independent audit done. She knew there were possible conflicts. In fact, she was sure there were conflicts and what did this Premier do? He had her fired. Why?

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

**Mr. Speaker:** Order. I am sure all members know the rules of the House that when questions are put they are put to the government. It is entirely up to the government which minister they wish to answer the question.

**Hon. Nancy Allan (Minister of Labour and Immigration):** It is really quite unfortunate, Mr. Speaker, that the MLA from Ste. Rose is so confused about the WCB file.

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

**Mr. Speaker:** Order.

**Ms. Allan:** If you will check the Hansard from yesterday, the MLA for Ste. Rose said that the WCB has the poorest performing investment portfolio of the WCBs across the country, Mr. Speaker. In 2004, Manitoba's WCB had the second-highest rate of return on investments of any province in Canada.

**Mr. Cummings:** Mr. Speaker, in 2001 this government had a verifiable source saying that there were significant problems between WCB and the Crocus Fund. This Premier and this government could have acted and should have acted on the concerns that were raised. They had concerns from their own Department of Industry, their own Department of Finance. Imagine that, the Department of Finance was concerned.

This government even ignored the constant request for legislative change from their own government department that was responsible for monitoring Crocus. Now somebody was asleep at the switch over there. This Premier always says the buck stops there. He had the president and CEO of Workers Compensation fired. Why did he not take her warning?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, we have already seen one example of how the member was wrong on the facts. I would like to correct a few other facts.

First of all, he says that there was access to e-mails by their own FIPPA legislation. By their own FIPPA by-law in this Legislature, the e-mail remains anonymous. That was the provision they put in place so that there could be free and uninhibited conversation among policy people in government in order to resolve problems.

Last night, we heard at Public Accounts the deputy minister say very clearly that he did not see that e-mail. Thousands of e-mails occur in this province every day so that red flag was only available to the Auditor when he did his review of the situation. It was not available to the ministers or the deputy ministers as was confirmed last night. The member knows that. He should apologize for the information on his inaccurate information about the investment performance and the inaccurate information about the e-mail.

**Mr. Cummings:** Mr. Speaker, this government fails to recognize the difference between interest rates and volume of return just the same as they failed to recognize the responsibility they have on behalf of 33 000 Crocus shareholders who lost \$60 million, the same responsibility they have when a whistle-blower comes forward and they ignore her and they get her fired.

Mr. Speaker, they have a responsibility and the Premier sitting in the middle of that gang over there will not get up and answer the question. Why did he have her fired? Why did he not listen to her?

**Hon. Gary Doer (Premier):** Under the law, workers—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Under the law of this province, the board of directors is responsible for the matters dealing with investment and the matters dealing with the

hiring of the CEO of the Workers Compensation Board. It is not an Order-in-Council in Cabinet. It was not in the 1990s when the individual was hired.

Mr. Speaker, it was clearly under the law that the board of directors hires the CEO. Why would that happen? Well, the CEO is responsible for the investments, for the claims, for the costs, for the administration and is accountable to who. There is not—

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

**Mr. Speaker:** Order.

**Mr. Doer:** The people who pay for Workers Compensation are the companies and employers that are in the Workers Compensation plan. The people who are affected by the situation, Mr. Speaker, are the employees. I would say one of the objectives that I am proud that happens in the Workers Compensation Board has been the 22 percent decrease in the number of people killed and injured at the workplace. There is some credit to be given to the Workers Compensation board of directors. They have the law to uphold and we do not break the law.

#### **Workers Compensation Board Allegations of Mismanagement**

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, the Auditor General did an investigation into the Crocus bungling under this NDP government and showed that there were red flags by the Department of Industry and the Department of Finance that came forward to this Premier. He sat on his hands and did nothing. The president and CEO of the Workers Compensation Board, somebody that the board had all responsibility of, that president and CEO came forward with allegations and concerns and has signed an affidavit that there were concerns from her stand with respect to the way that funds were being spent from the Workers Compensation Board. A red flag came forward. Clearly, there are concerns between the way there were investments made between Crocus and the Workers Compensation Board.

When the president and CEO came forward, Mr. Speaker, with those allegations to this Premier, three days later she was fired. Her concern was simply if this Premier had acted, 33 000 Manitobans would not have been fleeced for some \$60 million. That is the issue.

Mr. Speaker, the former minister in this Premier's government is prepared to stand and swear

in front of an independent public inquiry. The president and CEO is prepared to stand and swear in front of an independent inquiry. The three major newspapers in Manitoba have asked this Premier to call for an independent public inquiry. Manitobans want an independent public inquiry. The only person that does not want it is the person that can call it and that is the Premier. I am saying today, do the right thing, sir. Be a Premier for all Manitobans and call for an independent public inquiry.

\* (14:20)

**Hon. Gary Doer (Premier):** I am pleased to see members opposite are now singing in harmony and united, Mr. Speaker. It has been rather like a scene out of *Julius Caesar* in the past number of weeks here in this House.

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

**Mr. Speaker:** Order. I cannot even hear a thing that the honourable member is saying. The honourable First Minister.

**Mr. Doer:** Thank you very much, Mr. Speaker. Last night, the Auditor General was dealing with a number of these questions including, for the first time ever, I think, deputy ministers in the department. You just heard some of the answers in Hansard from the Minister of Finance (Mr. Selinger) dealing with at the level of where the e-mail went, confirming everything we had said in the House before.

You have heard from the Auditor General that the Province was not responsible for valuation. You heard the Auditor General last night at committee say clearly that financial statements and audited statements should be taken at face value. You heard last night that the Auditor General said that any government should expect a brokerage company named Wellington West to present accurate information in the prospectus and that any knowledgeable person should accept those facts as facts. Unless some of those people who have the fiduciary responsibilities, those matters will be part of a lawsuit, I understand, Mr. Speaker. I would like to say that the co-investments made by Workers Compensation with Crocus took place in '96 and '98.

#### **Home Care Jurisdictional Issues**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I table the story of Jordan. Jordan is a boy with a complex medical disorder. In 2001, after two years

in hospital, he was ready to go home, but the Manitoba government failed to provide Jordan with the basic human right to be cared for in home and family environment. Why? Because the NDP government spent the remaining two years of Jordan's life bickering with the federal government over the small details of who would pay for what part of Jordan's home care.

Why did this government fail to put Jordan's interests first? Why did this government let intergovernmental bickering replace sensible policy? Why did Jordan have to die before he was ever able to go home?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, indeed children who have been born in First Nations communities with very serious medical complications have come to Winnipeg, to the Children's Hospital in particular, for treatment. Sometimes that treatment is extremely lengthy as in the case the member opposite cites.

In the past, up till about 2000 or 2001, the federal government accepted the responsibility for the long-term care of citizens covered by treaty in this country. They provided that care whether it was in hospital, on the First Nation or in Winnipeg because of medical necessity. The federal government knows and we know that the care of these children often exceeds \$250,000 to \$300,000 a year. We worked with the federal government through the Assistant Deputy Minister of Family Services and Housing when I was then the minister of that department to arrange an interim solution for most of those children in spite of the fact that the federal government would not honour their original commitments.

I am saddened by Jordan's situation. I am saddened by the federal government, of which this member was a member in the past, who has not continued to continue to carry its responsibilities for First Nations.

**Mr. Gerrard:** Mr. Speaker, this minister and this government continue to try and engage in partisan bickering rather than putting the child first. Jordan's principle is that the needs of the child must always come first. This principle is clear and straightforward. The principle needs to be followed. The provincial Liberal Party now and in the future makes a firm commitment to following Jordan's principle.

Will the Premier (Mr. Doer) today, shortly before we break for Christmas and Hanukkah, make a clear commitment to following Jordan's principle that the child must always come first?

**Mr. Sale:** Mr. Speaker, under the child welfare act, as under any act in terms of protection of children, the interests of the child do come first. That is why the assistant deputy minister and his counterpart in the federal government made an interim arrangement in spite of the unilateral change in policy by the federal government to stop funding services which they had historically funded. We covered those services under an interim arrangement. We will continue to protect the best interests of the child.

I am saddened that children get caught in these kinds of situations, Mr. Speaker. We did not make the situation, we did not cause the situation, but we will act in the best interests of children. We will continue to advocate that First Nations children, who have the right to medical care under treaty, have the right to be served and will be provided with that right and will be served properly in this province.

I am saddened by what the member opposite has had to share with us. We will continue to work so that all partners in government provide the responsibilities, that under treaty and under the law, they have always had.

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

## MEMBERS' STATEMENTS

### St. Leon Wind Energy Project

**Mr. Denis Rocan (Carman):** Mr. Speaker, I take great pride in updating my fellow honourable members about the developments of the St. Leon wind energy project which is not only important to the great constituency of Carman but the entire province of Manitoba.

\* (14:30)

Yesterday, the Member for Brandon East (Mr. Caldwell), seconded by the Member for Transcona (Mr. Reid), brought forward a resolution recognizing the significance of wind energy and I thank them for that.

Manitoba's first wind farm, the St. Leon wind energy project, is one of Canada's largest, and is proof that wind energy can thrive in Manitoba. This afternoon, as we speak now, Mr. Dan Allard, chairman and chief executive officer of GreenWing Energy, will be presenting cheques to the landowners

that are affected. Mr. Speaker, this is evidence of the notable success of this project. In fact, I look forward to seeing the development of another wind farm in the great constituency of Carman.

Taking advantage of the moderate, yet frequent, breezes in St. Leon, these impressive structures are environmentally friendly and promote the use of renewable energy. Such projects are an investment in our future and the economic development of rural Manitoba.

I have witnessed first-hand the positive impact the wind farm has had in St. Leon, Somerset and surrounding area. I have heard from the senior management of this project how impressed they are with the community, the landowners and the businesses.

Mr. Speaker, rural communities in Manitoba have so much to offer and can compete globally. Agricultural producers have faced hardships and any additional income, as can be provided by wind turbines, is certainly helpful.

In closing, it has been an immense pleasure to watch this project grow from an idea to see these remarkable turbines gracing the skylines of St. Leon and the surrounding area.

In closing, Mr. Speaker, I want to wish you and your family, Chamber staff, members, galleries, everybody a very Merry Christmas and a happy Hanukkah.

### **Mulvey School**

**Mr. Rob Altemeyer (Wolseley):** I am very pleased today to inform all members of an awards ceremony that I recently attended at Mulvey School in the constituency of Wolseley. This awards ceremony recognized students, staff and teachers at this school for their 100 percent participation in the recent International Walk to School Week. Out of the 114 schools and 25 000 students that participated, Mulvey was named provincial winner of International Walk to School Week.

This event takes place annually in October, and throughout the week students, parents and teachers from over 30 countries worldwide participate in International Walk to School Week activities. These celebrate the environment, children's health and the many benefits of walking.

Mulvey students took part in several activities. Specifically, they participated in the launch that was held here in the Manitoba Legislature of the

Manitoba in Motion campaign. They also took part in a one mile fun run and walk in an intermediate phys ed class, and they had astronaut exercises which engaged primary classes in 20 minutes of strength, balance and stretching activities.

International Walk to School Week is organized locally in our province by Resource Conservation Manitoba. This is a membership-based non-profit organization that promotes applied ecological sustainability through environmental education and the development of alternatives to currently unsustainable practices. Walk to School Week is part of the Active and Safe Routes program which encourages physical fitness, educates children about safe walking skills, minimizes traffic congestion and reduces pollution.

I was honoured to attend the award ceremony at Mulvey School, where Mr. E, the phys ed instructor, led all of us in mambo dancing. As a token of my own appreciation for the students' dedication to living a healthy lifestyle, I was pleased to provide some gym equipment which the school had selected. After the ceremony, we all enjoyed a healthy snack of apple juice and a Tall Grass Prairie Bakery mini-muffin.

Mr. Speaker, I congratulate the students and staff at Mulvey School on leadership and their participation in International Walk to School Week. I would like in particular to thank and commend my good friend Jackie Avent at Resource Conservation Manitoba for all of her good work and the great work of her organization.

### **John and Bonnie Buhler**

**Mr. Peter Dyck (Pembina):** Mr. Speaker, it is my pleasure to bring to the attention of the House the generosity of John and Bonnie Buhler. On behalf of the Pembina constituency and the community of Morden, I would like to thank them for their generous gift of \$5 million to help build a performing arts centre which will be built next to the Morden Collegiate Institute.

As a former music instructor at the Morden Collegiate Institute, I am particularly excited about the opportunities and experiences it will give our young people. It is wonderful to see the music program grow from its humble roots, where I started in the basement, and then to see a new venue showcasing our many gifted musicians and exceptional local talent under the direction of Cam Friesen.

Mr. Speaker, the benefits and influence of this gift will be felt for generations to come. I have no doubt that this new performing arts centre will be a crowning jewel in Manitoba. It will foster and cultivate a greater appreciation for the performing arts.

Once again, I would like to recognize the Buhlers as outstanding philanthropists who continually give back to the community. This fall they contributed \$1.5 million towards an MRI for Boundary Trails Health Centre. They have participated in many noteworthy projects in this province. The Buhlers are the constituents of the Member for Springfield (Mr. Schuler), and he, too, would like to send his sincere congratulations.

Mr. Speaker, John and Bonnie Buhler have left a lasting legacy in Morden and throughout Manitoba. I can assure you that their kindness, vision and generosity will not be forgotten.

In concluding remarks, I would just like to give a quote that Mr. Buhler gave at the end of his speech yesterday, he said, "Ladies and Gentlemen, I am so glad my children are allowing me to spend their future inheritance."

#### **Sea Cadet Corps in Transcona**

**Mr. Bidhu Jha (Radisson):** Mr. Speaker, I rise here to inform all members of my recent attendance at the inaugural parade of the 350 Royal Canadian Sea Cadet Corps in Transcona. The newly created cadet corps demonstrated their excellent drilling skills for an audience of friends, family and interested community members.

The cadet corps plays an important role in the lives of many young people across Canada. It offers them an opportunity to meet other young people, to travel, to learn about military life and Canada's military history and to take part in important community projects. The program offers this experience completely free of charge, which makes it available to all young people regardless of their economic background and provides them the training and the discipline.

It was during September's Hi Neighbour festival in Transcona that the 350 Cadets began their recruiting drive. They now have 41 members, up from the 30 they began with and are accepting new recruits year round. The establishment of the 350 Sea Cadet Corps will allow young people from Transcona and the surrounding area to participate without having to drive great distances. I know that

this will play an important role in the lives of Transcona's youth and community at large.

Mr. Speaker, I would like to thank Lieutenant Shari Howells, the commanding officer, for the hard work she has done. I would also like to thank the many friends, family and community members who attended this historic event for their support.

Finally, Mr. Speaker, I congratulate the 350 Sea Cadet Corps in their inaugural parade. I look forward to many contributions that these young people will make to Transcona and Manitoba.

And, at the end, I wish all the members of this Chamber and the staff a very Merry Christmas and a great, Happy New Year. Thank you.

#### **Don Penny**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I am very proud to rise today in the Manitoba Legislature and pay tribute to a man who epitomizes an entrepreneurial and community spirit with enthusiasm and devotion in Manitoba, Mr. Don Penny.

Mr. Penny is the co-founder of Meyers Norris Penny, a western Canadian regional accounting firm that he led to become one of the 10 largest accounting and business advisory firms in Canada today whose head offices are not located in Toronto. Mr. Penny is extremely committed to his community and currently holds numerous positions on several boards, including the Brandon University Foundation, Manitoba Telecom Services, the Winnipeg Stock Exchange, Fort Garry Brewing Company, the Nature Conservancy of Canada and many, many others. Don's dedication to his community is exemplary, and the 22 community organizations he has been involved with prove his heartfelt contribution to helping others.

The awards and recognitions honouring Mr. Penny's lifetime of commitment to career, family and community are extensive. In 1984, he received the appointment of Fellow Chartered Accountant. In 1999, he was a recipient of the Honorary Doctor of Law from Brandon University and he was appointed Honorary Lieutenant-Colonel of the 26th Field Regiment, Royal Canadian Artillery. He received the outstanding Volunteer Fundraiser award for 2001 from the Association of Fundraising Professionals, Manitoba chapter. In 2005, Mr. Penny received the highest Canadian honour given for lifetime achievement, the Order of Canada.

While Don's accomplishments have earned him the national spotlight, his beginning started locally in Virden, Manitoba, where he graduated from Virden Collegiate. Mr. Penny furthered his education at the University of Manitoba and became a member of the Manitoba Institute of Chartered Accountants.

On a personal note, it was my friend, Don Penny, who in 1993 nominated me as the Progressive Conservative candidate for the federal riding of Brandon-Souris, and I and my wife, Beryl, thank he and his wife, Sandra, for their support.

\* (14:40)

While attending a wonderful retirement afternoon on October 21, sponsored by his partners at Meyers Norris Penny, I and his peers know that his philanthropic efforts have and will not end.

Therefore, on behalf of all members of the House, the citizens of Brandon and southwest Manitoba and indeed, Mr. Speaker, from across Canada, I would like to extend my sincere appreciation to a dedicated, accomplished and proud Manitoban, Mr. Don Penny.

#### **ORDERS OF THE DAY (Continued)**

#### **GOVERNMENT BUSINESS**

**Mr. Speaker:** Resume Orders of the Day.

**Hon. Gord Mackintosh (Government House Leader):** Well, Mr. Speaker, initially I have a request for leave to fix an error in Bill 20, The Family Farm Practices Protection Amendment and Farm Lands Ownership Amendment Act, if the word "practices" can be taken out of the English version that is on the Order Paper now.

Is there leave to take "practices" out of that title on the Order Paper?

**Mr. Speaker:** Is there leave? *[Agreed]*

**Mr. Mackintosh:** Mr. Speaker, would you please call Bills 5 and 6.

#### **DEBATE ON CONCURRENCE AND THIRD READINGS**

#### **Bill 5—The Dental Hygienists Act**

**Mr. Speaker:** Resume debate on concurrence and third reading of Bill 5, The Dental Hygienists Act, standing in the name of the honourable Member for Tuxedo (Mrs. Stefanson), who has nine minutes remaining.

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 Tuxedo?

**An Honourable Member:** No.

**Mr. Speaker:** No. It has been denied.

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I want to put just a few comments on record regarding The Dental Hygienists Act, which was introduced by the Minister of Health (Mr. Sale) on November 1 of 2005. This creates a college for dental hygienists which will be responsible for the regulation, scope of practice, supervision and resolution of complaints for dental hygienists.

This bill also will require the membership of all dental hygienists in order for them to be licensed and practise as dental hygienists. This bill will require the payment of the fees to the college by its membership, likely to be in the neighbourhood of \$400 to \$500 per year.

Now, Mr. Speaker, I happened to be present at the time when we had these hearings, and it was very interesting to listen to the presenters as they in fact presented their case specific to the bill that was before them. They had been working at this and, in fact, lobbying for several years, and so they were very concerned that this would take place. Of course, at the end of the day, the message was given to them that this bill would pass and we too agreed with the intent of this bill.

Again, Mr. Speaker, it is not something that has happened overnight. I know it has taken a lot of work. There has also been patience expressed by all parties involved, and as would be in any new bill that comes forward there are some people who are somewhat protective of the turf or the area that they are on. So there needed to be negotiations taking place. Personally, looking at the bill and listening to the presenters, I believe that the necessary negotiations have taken place between all parties and that this can now proceed and in fact assist those who are working in this area.

I want to just relate a personal experience of a young lady who came from overseas and she had all of the qualifications to be a dental hygienist. She had, in fact, received her schooling in Germany. Now, in discussion with her, she indicated to me very clearly that she had education beyond what the requirements were in Manitoba; however, they

would not be recognized. So I, together with others, tried to assist her in being able to expedite the process.

Now at the very outset the way it started she would in fact have to go back to school. I am not sure of the exact years, but I believe it was a minimum of three years of additional education that she would need to take in order to become qualified within Manitoba to be able to practise her profession. Now, needless to say, she was concerned. She was perplexed. She was upset about that fact because her qualifications were beyond that which were required in the province and, yet, the body that was giving the authorization would not recognize her qualifications.

I have not spoken to her within the last few months, but I am assuming that they have been able to work out some of the discrepancies that were out there. I think what I am trying to say with this, Mr. Speaker, is the fact that we want to move forward so that, in fact, people within the province can get the needed care. In this case, of course, it is specific to those dealing with The Dental Hygienists Act as we have it here.

Mr. Speaker, I am pleased that we are able to move this forward. I believe we will be able to proclaim this and give those people who are involved in this profession the opportunity to be able to advance, to be able to move forward and to give the needed care to Manitobans as they require it. Thank you very much.

**Mr. Speaker:** Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill 5, The Dental Hygienists Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

#### **Bill 6—The Dental Association Amendment Act**

**Mr. Speaker:** Bill 6, The Dental Association Amendment 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?

**An Honourable Member:** Yes.

**An Honourable Member:** No.

**Mr. Speaker:** Is it the will of the House for the bill to remain standing in the name of the honourable Member for Russell? *[Agreed]*

**Mr. Peter Dyck (Pembina):** I, too, want to just put a few comments on the record regarding this bill, The Dental Association Amendment Act. Before I do talk about this, of course, this deals with pediatric dental surgeries. I just need to relay a few comments from a personal note.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

I think back of the years gone back of where, in fact, we did not have the opportunity as people living in rural Manitoba. It was for a number of reasons. One was accessibility to dentists and those who were able to assist us in our dental care, but it was also a matter of dollars, financial reasons. So I know of people and, in fact, in our family, my parents had six children and we were living on the farm, and I must say, were struggling. It was day-to-day in order to be able to get the needed finances together in order to meet the needs of the household.

So, when you look at something like being able to have dental surgeries or anything of that nature for the young people, for the children in our family, it definitely did put a strain on the budget. So not being something that you would look at the same way as if you do not eat, you cannot survive; this is something that was postponed. I know that some of my siblings, in fact, could have and would have used surgery if, first of all, there had been availability to it, and, secondarily, if the financial means had been there.

So, Mr. Speaker, it is something that I speak to today as, again, something that I know that we want to move on and move forward with. But, further to that, I just wanted to say that the proclamation of this will also indicate very clearly that the availability will be there for our children, for my grandchildren. I have three grandsons who, in fact, are needing to, ongoing, see the dentist and be able to access and be able to meet with professional people who are able to assist them in these ways.

On December 1 in '04, the Minister of Health (Mr. Sale) issued a press release promising an additional 600 pediatric dental surgeries would be completed at the Misericordia Health Centre by the end of '05. If my calendar is pretty close to accurate, we are close to the end of '05. So, hopefully, we can proceed with this. Nearly one year ago, the Premier (Mr. Doer) of the Province and this Minister of Health made a promise to children waiting in pain

that an additional 600 pediatric dental surgeries would be completed in the province by the year end. So we have promises made out here.

\* (14:50)

I think one thing we can say for this government is that there have been other promises that have been made and promises that have not been kept. I think back to the year of 1999. It is still something that is an irritant to people in Manitoba, the fact that the promise was made that with \$15 million and in six months all the ills within the province would be covered. Interestingly enough, it is how many years later and how many dollars later and we still see issues and problems that are out there.

Now, the other thing I must indicate, that the Premier (Mr. Doer) and the minister have also said, ongoing, that they have admitted fairly readily, that the targets that they had projected had not been met, so, Mr. Speaker, it is interesting to note that we make projections, we set deadlines and, at times, deadlines can be kept and at times deadlines are not kept, and so, on the one hand, there is an element of scepticism. Are we really going to be able to meet the needs of these young children and to be able to provide the necessary care for them? I certainly hope that we will, because that is why we are here as legislators, to care for and to provide for the people within our province, and of course we are dealing here with the pediatric dental surgeries and a very important aspect of the care for these young people. I am pleased, and I am assuming that we are going to be moving ahead on this, but it certainly is something for the many children who are waiting and need to be looked after and cared for.

Right now, in July of 2005, there were a total of 1018 pediatric dental surgeries that were required in the province, so we have more than 1000 children who continue to wait in pain for dental surgery as a result of this government's inaction. I must indicate, Mr. Deputy Speaker, that it is not because we on this side of the House have not been asking for this to take place, and for this to take place sooner rather than later. I would suggest to you that it is the government of the day who have been dragging their feet and, in fact, dragging their heels on this whole thing. I am not sure why that is, whether it is the fact that they do not really see the need, although they have indicated fairly clearly, the Minister of Health has indicated, the Premier has indicated, that there is a need and, yet, though, certainly, we have been tardy in this area.

Mr. Speaker, Freedom of Information requests received several weeks ago revealed that, as of September 30 in 2005, Manitoba Health was short of their 600-surgery goal at Misericordia Health Centre by 283 surgeries, so certainly, again, the projections have not been met and we need to move forward on that. Further, the Freedom of Information request also indicated that the number of pediatric dental surgeries performed at Children's Hospital as of September 30, '05, was far short, 475 surgeries short, of reaching the total number of surgeries performed at the hospital than the year before. So the surgical shortfalls at Misericordia Health Centre and Children's Hospital amount to a total shortfall of 758 pediatric dental surgeries as of September 3, 2005.

Mr. Speaker, I have brought to the attention of all members of the House that there is a desperate need to get out there, to move this forward and to, in fact, assist the young people, the young children who will forever be affected by having to wait. A good set of teeth, and I must indicate that my father, who passed away of Lou Gehrig's disease when he was 72 years old, always prided himself with the fact that, due to the good care that he had taken of his teeth, when he would die, he would still have his own set of teeth in his mouth, and he did. He was able to live up to that. He was fortunate, but I will also indicate to you that my mother, who was not as fortunate and did have problems with her teeth at a very early age, also needed to get dentures at a very early age.

Mr. Speaker, there is that need and, as I have indicated, at the end of September 30 of '05, that there was a total shortfall of 758 pediatric dental surgeries. Now, Maples Surgical Centre, a private clinic located in Winnipeg, submitted a proposal to the NDP government last year in which they offered to complete 900 pediatric dental surgeries a year.

*Mr. Speaker in the Chair*

And what happened? I ask you, what happened? The government refused to even consider this proposal. I know that the members opposite will come back and will indicate to us that, "Oh, it was for profit." I know what the word "profit" is. It is a bad word. I see the Member for The Maples there. He is very concerned about—

**An Honourable Member:** Burrows.

**Mr. Dyck:** Burrows, I am sorry. Burrows, pardon me.

Very concerned about the word "profit," and yet, though, the interesting part that I see in all of this is that somehow, and here is something I must put on the record, it is okay for a private citizen whose company has made money to buy an MRI, donate it to a hospital and that is okay. Somewhere this bad word "profit" comes in. If he had not had a profit, I would assume that he would not be able to do that. That is my assumption, but the irony of it is, is that we get so lost and caught up in the words of the badness, the terribleness of profit.

That reminds me of just another area, Mr. Speaker. The fact that I know that many of the members opposite come from professional organizations where they have pensions, and I know that those pensions need to be reinvested.

**An Honourable Member:** That is touchy around here.

**Mr. Dyck:** The member opposite says that is a touchy story around here; that is very true. The point I want to make, though, is when you have pensions, these pensions are to make money so they are reinvested somewhere. They are reinvested in companies that they hope will make money. Now if they do not make money, how else are they going to get a return on it? So this is very interesting.

On the one hand, the word "profit" is bad. On the other hand, though, they want to be able to gain something out of a company and they want a benefit from the company that makes a profit. I am not totally sure exactly where they are coming from.

**An Honourable Member:** Where Brian Pallister is coming from.

**Mr. Dyck:** Well, the members opposite are going to be looking at—a comment, what is this about Mr. Pallister? They are checking him out, they say. Whatever they are doing, that is great. Check it out. Stay tuned.

**An Honourable Member:** We know all about it.

**Mr. Dyck:** Anyway, if the private clinic's proposal—and I apologize, Mr. Speaker, I digressed momentarily because the Member for Burrows (Mr. Martindale) took me off my course here when he was talking about investments and profits and the terribleness of it. However, I guess that is something that they will have to try and grapple with within their own minds. It reminds me of some of the other issues that are out there which I find so interesting.

Again, Mr. Speaker, if I may digress just for a moment, but on Bill 11 I just like it when some of the members talk about how they want to have this standardization or cross-subsidization of Hydro to Centra Gas because they do not want this big fluctuation in natural gas prices when, in fact, they say that Manitoba Hydro has been hedging natural gas. When they say they are environmentalists and do not want to burn fossil fuels, however, that is directly contrary to what they are saying when, in fact, they want to move ahead and they want to bring forward Bill 11. It is very interesting, but, again, these are some of the, I guess, idiosyncrasies, the hypocrisies, if I could use a term, of members opposite.

Now, if this government was really serious about reducing wait lists in this province, public-private partnerships for the delivery of health care services would have been included in the five-point plan released. Promises made are promises broken in Manitoba, and that is what we have seen taking place under this administration here.

Mr. Speaker, again I would just encourage this government to move ahead and to move ahead as quickly as possible, rather than have our young people, especially those who are struggling with diseases and who need to see the dental surgeons, so that they would expedite this and they would move it ahead so that, in fact, we can accomplish what they have said, in their own words, what they have said would take place. Where they have said in, I believe it is July of '05, where by the end of the year, this would be accomplished. So there is a ways to go yet. They have a number of surgeries that they need to have take place by the end of this year and we encourage them to continue to work towards completing that goal. With those few words, thank you very much for this opportunity.

\*(15:00)

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**An Honourable Member:** Mr. Speaker, I wonder—

**Mr. Speaker:** Just wait. The honourable Member for Emerson.

**Mr. Jack Penner (Emerson):** I wonder, with the indulgence of the House, whether I could correct the records on a speech I made on the Interfacility Ambulance Transfers PMR this morning. I made a statement that the health care budget in this province was \$3.8 billion in 1999 and that it had risen to \$8 billion. What I should have said is the total

government budget was \$3.8 billion in 1999 and now approaching \$8 billion. I would like to correct that in Hansard.

And might I say, Mr. Speaker, that I credit the Member for Selkirk (Mr. Dewar) for bringing it to my attention. Thank you.

**Mr. Speaker:** I thank the honourable member for that.

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**Hon. Jon Gerrard (River Heights):** I rise to speak to this bill. This bill concerns dental association, dental practice, and I want to begin by saying that we certainly support this bill and look forward to it passing today and then becoming law.

I would like to use this time speaking on this bill to talk about two particular areas of concern. The first is that there is a clear need to have much better wellness prevention of early childhood tooth decay, that what we have seen under the present government has been a continuing and increasing number of surgical procedures needed for children who are on average about two years old. The reason for this is that there has not been the adequate effort which is clearly needed to prevent early-childhood tooth decay. Of course, the effort to do these surgeries, to transport children, the time that this takes in operating room surgeons, anesthetists, dentists and many other people, the costs for doing this are large, as well as the problems of not preventing this problem in the first place.

Now, clearly there are some communities which have more problems with early childhood tooth decay than others, some locations in Manitoba where this is much more of a problem than other areas, but there really does need to be a focus on prevention. It needs to have that concerted effort, which includes a base of better understanding, better research, better preventative practices, and it will need some work to make sure that the most effective approaches to prevention are being used.

I have had discussions with the dean of the dental faculty, and he has expressed his frustrations with the current government. One of his recommendations is that there should be a dental graduate program at the dental school, that this graduate program could be quite important as a focus for the research into making sure that the preventative approach taken is the best it could possibly be. There is some debate about what is the best way to prevent this. We know that it is improved

care of teeth, but it may be that there are factors like the amount of milk and calcium that a mother has during pregnancy, which is critical to the initial formation of the early teeth.

It may be that there are things that need to be done early on, not only in ensuring that this problem of bottle feeding and infants and young children receiving Coke and pop drinks, rather than breast milk or formula, because pop and soft drinks are cheaper in northern Manitoba.

The components of the problem need to be identified. The preventive effort needs to be put in place, and we need to move forward. Sadly, the incidents of early childhood tooth decay continues far too high in this province. There are far too many surgical procedures being done on children who are age two, and it is a tragedy.

Interestingly enough, Mr. Speaker, I spoke to this very early on in the tenure of the government. In fact, the very day that this Cabinet was sworn, not this Cabinet but the original Cabinet of this government under the current Premier (Mr. Doer), in 1999, I had been pushing for much better prevention of early childhood tooth decay.

I pointed out that the mark of whether this government was going to do any different would be the results in the area of early childhood tooth decay. Clearly, the former government under the Conservatives was not successful in acting in this area. My challenge at that point, in the fall of 1999 to this government, was to show us that you can do better. Sadly, this government has not been able to do that. We continue to have extraordinarily high incidents of early childhood tooth decay in too many communities, and that this is a completely preventable problem and the prevention should have been happening.

The second area that I would like to comment on briefly is Jordan's principle, and that the child should come first whether it is dealing with dental issues or whether it is dealing with complex medical problems and children coming to a home environment. Jordan was a child from a northern community in Manitoba who was in hospital for two years, and then it was clear that his medical condition was such that he was ready to go home in 2001.

*Ms. Kerri Irvin-Ross, Acting Speaker, in the Chair*

Sadly, the bickering between this government and the federal government meant that Jordan never got home. In fact, he died in hospital and it is a

tragedy. It is very, very sad that this happened. The fault is not this government's alone. The fault is, in part, what happened at the federal level, but what is needed is not to continue the bickering, as the Minister of Health (Mr. Sale) did earlier today. What is needed is to have a common agreement on Jordan's principle, the principle that there should be a child-first policy.

This principle, Jordan's principle, should be established in Jordan's honour and it is important for First Nations people. It is important for all children in Manitoba that we need to continue to fight and ensure that children now, and in future generations, do not become victims through discriminatory practices demonstrated by government policies.

I would like to commend Trudy Lavallee, with the Assembly of Manitoba Chiefs, for her efforts to publicize and promote an understanding of Jordan's story and to promote the development, understanding and use of Jordan's principle in all the activities both at the provincial and the federal level.

\*(15:10)

As I said earlier, our provincial Liberal Party is committed to this principle. We will honour this principle because we believe that it is vital to successfully looking after children in Manitoba from wherever they come. There should not be the sort of bickering that was seen.

It is, and there have been questions about jurisdiction. But in Manitoba, as Trudy Lavallee has said, the First Nations Child and Family Services agencies were established under tripartite agreements between the Province of Manitoba, Canada and the First Nations in the early 1980s. The original tripartite agreements have expired, been replaced by bilateral funding agreements, and both type of agreements recognize that the Province has constitutional responsibility over the provision of Child and Family Services and that the federal government has a fiduciary responsibility to fund the services to First Nations children living in their First Nations communities.

The jurisdiction here does not seem to be at argument. What seems to be at dispute is the funding and, surely, the provincial government has had a choice here to put children first and then to go after and make sure the federal government pays what it should be paying in terms of its responsibility. But the bickering over the financing, and in this case it extended to the financing of showerheads, that this

bickering over financing should never have come first, that the child should have come first. That, indeed, is what Jordan's principle is all about.

I want to say, whether we are dealing with dental health, whether we are dealing with complex medical needs, as in the case of Jordan, or provision of other Child and Family Services, that it is important that the child comes first. The story of Jordan is tremendously sad because although Jordan should have gone home in 2001, that he did not and, sadly, he died when he was age four, and he never had that chance to go home. So let us remember Jordan, and let us try to follow Jordan's principle now and in the future. Thank you.

**Mr. Leonard Derkach (Russell):** Madam Acting Speaker, I am pleased today to put a few comments on the record with regard to this legislation. Bill 6, as I understand it, is basically a clean-up bill, but it does have some implications on the dental hygienists in our province in that it does give them, I guess, the ability to interact and be a part of the dental association, as I understand it. I do not see that within this legislation there is a great deal that we would be opposed to, but I do want to take this opportunity to put a few comments on the record as they relate to, I guess, the dental program in this province.

*Mr. Speaker in the Chair*

We all, in our communities, know of people who have children who are in need of, perhaps, some extraordinary dental surgery or dental work. In these cases, only specialists can perform this operation, and for whatever reason in our province, Mr. Speaker, we have an inordinate number of people, of young people, of children who are on waiting lists waiting for procedures that basically only have been offered in one location. For that reason, the waiting lists have grown.

Now, I think any government needs to consider the needs of the people that it represents. That is number one. Having said that, with regard to children, that even seems to be, to me, a greater priority and one that the government should pay greater attention to.

With regard to the waiting lists for dental surgery, there was an option available to this government, an option where they did not have to invest in the capital, they did not have to invest in a great deal of equipment to be able to meet the needs of these young children across the province. When

that proposal was brought before this government, like in many other instances, because of its ideology, it turned a blind eye and decided then to put in place another clinic of its own in Beausejour to attend to the needs of these children. However, the cumbersome process of doing that, Mr. Speaker, has not changed the number of children waiting for dental surgery.

Mr. Speaker, we in this House can distance ourselves from those kinds of issues because we are not there with those families, those children and those mothers on a daily basis. If you had to endure the pain that these little children have to endure and if you had to be there with that child morning, noon and night, one might then be moved to do something that is really in favour of that child rather than his own ideology. Unfortunately, that did not happen.

If we look at the sheer number of children who have been waiting for pediatric dental surgery, that is appalling. If you look at, as of July 2005, the number of children who are waiting on pediatric dental surgery lists totalled 1018. Now, Mr. Speaker, these children are waiting in pain because they are waiting for surgery. Had the minister and the government moved to address this long waiting list by allowing a private clinic to provide those procedures, today many children would be off that waiting list and would not be suffering.

Now sometimes, Mr. Speaker, it is a good thing to look at your ideology and see whether or not it is meeting the prescribed or the described or the written principles that your ideology is supposed to adhere to. When you look at the reality, though, you have to ask yourself the question. What is more important? Dealing with the needs of people, dealing with the misery of people, dealing with the misery here of children suffering because they are on waiting lists of dental surgery, or to simply live and to abide by your ideology?

I think the government and the minister would have been well advised to follow the needs of the people to make sure that the surgery lists would go down and to alleviate some of the suffering that some of these people are enduring. But, oh, no, that is not how the government approached it. Even to this day, we have hundreds of children waiting on pediatric dental surgery lists because we have not been able to achieve what we said we would.

Now I think the private dental clinic had indicated that they could reduce the entire list of people waiting for dental surgery in a short given

time. But again, the government would not listen. It is not any different than they have done over the course of the last six years. Because of their ideology, they refuse to listen to some practical approaches in terms of providing services to the citizens of our province, Mr. Speaker, and providing those services right here in this province. They are okay to send children and to send adults out of this province to private clinics that operate outside the jurisdiction of this province, but they simply refuse to allow those kinds of services to be performed right here in Manitoba.

\* (15:20)

I want to challenge this government to get serious about reducing the waiting lists, especially when it comes to pediatric dental surgery. There is no reason on earth why these young children should be left waiting for dental surgery for extended periods of time. Although the government has promised to reduce and to complete the additional 200 pediatric dental surgeries per year, the Burntwood Regional Health Authority is to help reduce the waiting lists for children, Mr. Speaker. I cannot tell you how we do not really believe that that is going to happen because for too many times this minister and this government has stood in their place, have made promises to Manitobans, but have never fulfilled them.

So, Mr. Speaker, although this bill, The Dental Association Amendment Act, does not speak directly to the problem that I just alluded to, it does, in fact, allow us the opportunity to express our concerns about what is happening with this government in the whole area of dental surgery, especially to young children.

Mr. Speaker, once again turning my attention to the bill, I do not believe that there is anything in this bill that would preclude us from passing it here today. So, therefore, I am prepared to allow this bill to go to pass third reading, and then to be proclaimed later this day. Thank you very much.

**Mr. Speaker:** Any other speakers?

Okay, is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 6, The Dental Association Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

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**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, is there leave to deal with Bills 9 and 18, reported from the Standing Committee on Justice at 1:30?

**Mr. Speaker:** Is there leave to deal with Bills 9 and 18? [*Agreed*]

**Bill 9—The Farm Practices  
Protection Amendment Act**

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Family Services and Housing (Ms. Melnick), that Bill 9, The Farm Practices Protection Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Leonard Derkach (Russell):** Mr. Speaker, as I understand it, this bill has also received, I think, the kind of scrutiny that is required through the committee process and by the ministers, and I believe that we on this side of the House are prepared to support this bill because it does not change a great deal in terms of farm practices or in terms of the abilities of producers to do their work.

But what it does, as I understand it, Mr. Speaker, it does protect from liability board members who act, by and large, on a voluntary basis on a lot of these boards and who should be protected because these are ordinary Manitobans who come forward and put their names forward because they are interested in a particular area of expertise, whether it be agriculture or other areas. But in this case, we are talking about agriculture.

I think this is not a bad move on the part of government. I think that board members will feel a lot more at ease when they are called together to do their work in that they are not going to be fearing liability should they, for some unknown reason, make an error, well, not necessarily even make an error, perhaps an error as viewed by some, in terms of the decisions that they make.

I think it is important that we protect members who serve on boards. I think it is important that we, as a Province, ensure that we simply are not always, or continually, exposing people who put their names forward to all kinds of liability. We have heard about issues like this. People have removed themselves from boards because they feel that they are vulnerable.

**An Honourable Member:** The Crocus Fund.

**Mr. Derkach:** Yes, and again I am reminded that it happened on the Crocus board. Mr. Speaker, there is an issue where members who are making decisions about investment matters have been taken to task in terms of their exposure financially because of decisions that have been made. Now, this does not excuse any board member from making prudent decisions and that is so important to note, that, although there is protection from liability, it does not mean that a board member all of a sudden can make any kind or go along with any types of a decisions, that it may, in fact, cost ratepayers, taxpayers, millions of dollars without being accountable. We expect people to be accountable when they are hired to boards.

Now what happened in the Crocus fiasco, Mr. Speaker, is another matter. In this particular case, we have a situation where the chief executive officer working with, for example, the Workers Compensation Board, signalled to government, signalled to her board, signalled to her minister, that there was going to be a problem if an issue was not addressed. She said, "Beware, there is trouble coming," and what did the government do? The government simply ignored those pleas of that CEO. Now, in this case, the CEO was warning the government. It warned her board. Unfortunately, the chair of the board did not heed her recommendations, did not heed her warnings, but neither did the government.

Today, what do we have in front of us? We have a fiasco in Crocus for \$60 million-plus has been lost by some 33 000 Manitobans and investors across this country, Mr. Speaker. Now, that is shameful. That is absolutely cruel on the part of government because as we go through this whole process of Crocus, we are finding more and more information about what really went on. At first we were accused of fear-mongering, of putting the blame on innocent people who were working on behalf of Crocus and on behalf of the board and the managers and the government and the minister. Why, we were accused of everything under the sun, yet we were not the ones who lost the \$60 million. It was the government and, as it turns out, the government—

**An Honourable Member:** It was the citizens.

**Mr. Derkach:** Yes, it was the citizens who lost the money, not the government, and these were scarce dollars that seniors were saving for their retirement, Mr. Speaker, but what have we found out in the last few days? An affidavit appears where a former CEO,

who is very credible, who is in charge of a huge company today, signalled the warning to her minister because she could not get her board to listen. She could not get the chair of the board to listen. She did not agree with the investment practices. She did not agree with the collusion between the investment members on the board of WCB and the Crocus investment board. She said there is collusion here. There is a problem, Madam Minister.

What did the government do? Well, they got rid of the minister. We know that. They also got rid of the CEO, but the story does not end there because we understand that eight other executives in the Workers Compensation Board lost their jobs. Now, why? Why? Who is protecting who here? What is the barrier? What was that barrier that did not allow the Premier (Mr. Doer) or his minister to send that letter back to the board, as they did, but say, "I want to know what is going on there"? This is like the three blind mice. You send the letter back but do not ask any questions. Oh, no, you might find out some information.

Now, we will just talk to Wally and Wally will handle matters. Well, what happened with Wally and how he handled the matters? Well, we know now that eight executives lost their jobs and a CEO, a respected CEO, a credible CEO, was fired. Now, the CEO was of such high credibility that she did not have any difficulty landing on her feet.

\* (15:30)

Now, we know all of these things. Now, that was a huge red flag. I guess today we should have presented the Premier (Mr. Doer) a red flag before he went home for Christmas, but, Mr. Speaker, this is too serious a matter for that kind of triviality. This is a sad case because there are people out there, ordinary Manitobans, who should not have lost \$60 million, who should have had the government come in when the red flags were raised and stop matters. Now they did not have any trouble in stopping those in Morris-Macdonald School Division, if we all recall.

Now, remember, let us do a little parallel here. Let us just do a little tiny parallel. We have Morris-Macdonald School Division over there. Now they have a board, they have a CEO. Now the CEO is accountable to the board. The board is accountable to who? The ratepayers in the division.

Well, what did the big bad minister do? That was the member from Brandon East, I believe. He

said, "No way, you cannot do these kinds of things; now this is public money and there could be a huge loss here. We have to go and investigate." Then what did he do? He fired the board.

**An Honourable Member:** The entire board.

**Mr. Derkach:** The entire board just went poof and the government put its own board member in.

Now, let us go back to Crocus. It is not \$4 million dollars here, Mr. Speaker. We are not \$4 million, we are \$60 million, and the red flags go up. They go up with the minister of industry and trade, who, of course, knows nothing. The Minister of Finance (Mr. Selinger) has been so embarrassed every time he has had to get up on this issue that he has started to flail away at matters that do not even make sense anymore. He is just so distraught about it, and he should be embarrassed. Now we have the Minister of Labour (Ms. Allan) and the only response the Minister of Labour can give us is, "I remind honourable members that the Workers Compensation Board is an arm's-length board." Now, that is a \$60-million lesson, and how does that compare to Morris-Macdonald? Well, I ask Manitobans to judge. I ask Manitobans to look at these issues and decide whether or not this government has moved prudently.

I want to say one more thing about those two incidents. On one board you seem to have somebody that the government wants to protect. On the other board, there was a Conservative member who sat as a representative for that area, so we do not have any ties to that, but, remember, we have to also protect Mr. Orlikow. Who is he now? He used to be a deputy minister with this government, right. Then we have to protect Mr. Cowan, or Ms. Cowan because they were—of course, Mr. Cowan was a member of the Legislature on the NDP benches. We have to apply different rules when it comes to dealing with this matter than we do with Crocus.

Mr. Speaker, this bill, The Farm Practices Protection Amendment Act, talks about protecting board members who put their names forward, but it does not say that you absolve them of all their guilt should they do things that they know are wrong. Obviously, the CEO of the Workers Compensation Board smelled a rat. She saw what was going on; she knew there were problems; she knew that the government had to be warned; and she provided that information to the government. She has gone even further than just that letter because that letter was provided back in 2001 to the Minister of Labour.

Yesterday we tabled an affidavit where that same person swore that, had the government listened to the concerns that she raised, millions of dollars would not have been lost.

If you spoke with this individual, you would probably find out that the direction did not come from the Minister of Labour. There were others in higher authority. They were members of this government in higher authority than the Minister of Labour, who gave the direction. And who were those people, Mr. Speaker? Who were they? Were they Eugene Kostyra? Were they the Premier (Mr. Doer) himself? I suggest both. I suggest both and I would bet that I am right. So, for that reason, we should have a public inquiry into this matter. Manitobans have called for a public inquiry. The papers have called for a public inquiry. We have called for a public inquiry. So what is preventing this government from putting its hand on the Bible?

**An Honourable Member:** The Premier.

**Mr. Derkach:** The Premier, because he knows that he will be found out. Now, Mr. Speaker, the odd thing here is that a former minister, who was responsible for industry and trade, has said—by the way, she is no longer with us; there seems to be a pattern here, she is no longer here—that she would put her hand on a Bible and swear. She would tell the truth. She would put her hand on the Bible and she would tell what she knew. But is she here anymore? No, she is not here anymore.

**An Honourable Member:** Gary did not like her either.

**Mr. Derkach:** Did not like her.

Well, the CEO, what did she say? She said, "I will put my hand on a Bible, I have put my hand on a Bible, and I will swear about what happened." So we now have a former minister who is prepared to put her hand on a Bible; we have the CEO who is prepared to put her hand on the Bible and talk about what happened at the Workers Compensation Board and Crocus. So why would we not have the minister and the Premier want to put their hand on the Bible and say, "I, too, will swear what happened. Let us be accountable."

Now, I think we can see through this façade, Mr. Speaker. The Premier would not ever dare to want to get close to a Bible when it comes to questions on this matter, and neither would his minister, to be honest with you. Because three flags came up. One came up to the Minister of Industry (Mr. Rondeau).

One came up to the Minister of Finance (Mr. Selinger). One came up to the Minister responsible for the Workers Compensation Board. Were there other red flags? There must have been, because I can tell you, eight other executives lost their jobs. I can tell you the Premier is more than colour blind.

But let us go a little further here. There is also an issue, as I understand it, with the teachers' retirement fund. We have not gotten to that issue yet, but there were side-by-side investments, as I understand it, with TRAF and with Crocus. I found it very strange that somebody, whom this province had the ultimate respect for, lost his job at TRAF, a gentleman who, I think, had esteemed respect around this province. Now how is it that over all of this fiasco we have people losing their jobs in every area that was connected to Crocus, but there is one constant that never loses his job, and that is our Premier. There is one constant that never loses his position in this, and that is the Premier. But, of course, neither does the Minister of Finance, neither does the Minister of Industry, because they are all in it together, Mr. Speaker.

Mr. Speaker, Manitobans someday will know the truth, because this government is not there forever. When this government changes, there will be a public inquiry. I say to this government, hold on to your notes. Hold on to your notes because you may, in fact, need them.

**An Honourable Member:** The truth will come out.

**Mr. Derkach:** The truth will come out and you will have to answer for it sooner or later. Now, maybe you do not want to answer that truth right now, maybe you want to stay away from that issue right now, and I can understand it when you are culpable, but Manitobans have a right to know, because Manitobans lost \$60 million.

\* (15:40)

Mr. Speaker, the Premier can talk about 1998, 1996, he can try to draw that long ago as much as he likes. The fact remains that in 2000 the CEO of the Workers Compensation Board alerted the minister. In 2001, she went formally to the minister with a letter, and what did the minister say? The minister, upon direction from the Premier (Mr. Doer), tossed this letter back to the board, back to Wally Fox-Decent. Now can you imagine? I have a complaint about my boss. Now, there is a higher authority, and in this case the boss happens to be a guy by the name of Wally.

So we are going to write a letter to the minister, who has ultimate responsibility, because I am concerned about people losing money, so I write a letter to the minister saying, "Please investigate. I will step aside. I am going to ask Mr. Wally Fox-Decent to step aside, do a forensic audit and then, whatever the outcome is, we will abide by it." Now, how can you be more open than that? How can you be more accountable than that? Is that not living up to your fiduciary responsibility when you do that?

She wanted to do an investigation, an audit of her own. She said that to the minister, and you know what happened three days later? She was fired. She was fired because the government was afraid that perhaps the truth would come out about how they meddled in the affairs of Crocus, how they meddled in the affairs of the Workers Compensation Board, how this government put its hands in the cookie jar, because that is what they did, Mr. Speaker.

Now they can try to hide from the truth, and they will. They will spin this in many ways, but the truth is that the government was caught with its hands in the cookie jar. Yes, and it went as high as the Premier and Eugene Kostyra. We know that. You get your hands out of the cookie jar I say, leave the taxpayer money, leave Manitobans' money alone. It does not belong to you. Sixty million dollars lost in Crocus.

Now, maybe we need to have something in here, in a bill like this, that says that if the board, if the CEO of a board has problems, that CEO should be protected from liability not just the board members, but maybe we should also have included in a bill that a CEO should be protected, because this CEO in this particular case had no protection and eight other executives had no protection. So maybe we should have an amendment to the bill, but it is a little late I guess for this one. But, Mr. Speaker, it is a sad day in this province, a very sad day in this province when we see a government who has so blatantly mismanaged the affairs of an investment fund because of their connection to the people in the labour unions that they have lost \$60 million and go out on the street without shame and try to point the finger at somebody else. That is an embarrassment and every single minister that sits around that Cabinet table bears responsibility for that, not just the Premier (Mr. Doer), not just the Minister of Labour (Ms. Allan) but every single minister sitting around that Cabinet table.

Mr. Speaker, how are Manitobans to have any trust in a government that operates in that fashion? This government has gone too far. This government has gone too far in abdicating its responsibility just so that it can hold hands with its friends in the union hall. It went so far to protect its union buds in the union hall, the union bosses, that it allowed ordinary Manitobans to lose \$60 million, and that is where it is at.

Mr. Speaker, that is why Pat Jacobsen wrote the letter. That is why the CEO wrote the letter because she saw what was going on. She said, "This is not right." Now here is a person, outstanding, a person of credit, a person who has credibility not just in this province but beyond. If you do not think that is right, just look at where she has ended up and what she is doing today. Shame on this government. Shame on the Premier. Shame on the Minister responsible for the Workers Compensation Board.

Mr. Speaker, when the ministers and the Premier take an oath, there are two words that they take in the oath and that is to act without fear or favour—

#### Point of Order

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

**Mr. Mackintosh:** On a point of order, Mr. Speaker. I wonder if you could remind the member opposite of the rule of relevance.

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

**Mr. Speaker:** Order. The honourable Official Opposition House Leader (Mr. Derkach), on the same point of order? Were you rising on a point of order?

**Mr. Derkach:** Sure, I will.

**Mr. Speaker:** Okay, on the same point of order. *[interjection]* Well, he was up and then he sat down. He got up when I said "order."

**Mr. Derkach:** I am going to rise on the same point of order, Mr. Speaker.

**Mr. Speaker:** On the same point of order.

**Mr. Derkach:** Well, Mr. Speaker, I was listening to the speech I was making, and on several occasions I referred quite directly to the bill. I still refer to it, and I will continue to refer to it because I still have a lot to say on this bill.

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

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, I would like to indicate that I was listening very carefully to the member from Russell. When he indicated that maybe an appropriate amendment, for example, to the legislation would take into consideration some sort of protections for CEOs. Then what he was doing is he was giving a context to why it is that an amendment of that nature might be worthy for this particular bill. I think that the Government House Leader has to appreciate that the member from Russell was, in fact, indeed being relevant when you look in terms of the actual details, or the content, and the suggestions for a positive amendment that the member has put on the record.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, relevance is very, very important, and I am sure that the honourable Member for Russell (Mr. Derkach) was just about to tie the two together.

\* \* \*

**Mr. Derkach:** Well, thank you, Mr. Speaker, and I know you heard me when I was talking about the need for, perhaps, an amendment to this piece of legislation so that CEOs could also be included in, if you like, the protection from liability. So I think that that is a very relevant issue.

When we look at the Crocus issue, it is an example of how we should very carefully look at amending legislation because in the case of Crocus there was no protection for the CEO, there was no protection from liability for that individual. She feared that and, for that reason, she wrote a letter to the Minister of Labour. Because she feared that, she wrote a letter to indicate that there was a problem. That letter was shared with the Premier. We know that. The Premier as much as admitted that he saw the letter. So, when the Premier reads the letter, what does he do? Put it drawer 13. No, he has to respond to it. So he tells his minister, "You turn it back to the fox if you like, you turn it back to my good friend, and he will deal with it." Three days later the CEO loses her job.

Now, did the government ask the board, the chair of the board, did they ask the chair of the board provide for us a response to this letter, tell us whether any of these allegations in this letter are true? Did the government receive a report from the

board about the allegations that were made by the CEO? Did it even ask for it?

Now, the Premier today talked about the law. Well, I will tell you something about the responsibility of a Premier. The responsibility of a Premier is to act without fear or favour. Now, who was he afraid of and who was he favouring? Mr. Speaker, the Premier has to answer that question. That is why we have asked for a public inquiry because there are so many unanswered questions, so many things that need to be dealt with, so many answers that Manitobans need in order to get to the bottom of this.

But we know the Premier would not willingly call a public inquiry. He is afraid to. He is afraid to put his hand on the Bible. He is afraid to have his ministers put a hand on a Bible to swear to the truth on the issues that happened in Crocus and at the Workers Compensation Board. That is shameful. That is not accountability.

\*(15:50)

*Mr. Harry Schellenberg, Acting Speaker, in the Chair*

Manitobans are not going to forgive or forget what this Premier (Mr. Doer) has done. They are not going to forgive or forget what the Minister of Labour has done because in the affidavit the CEO clearly said that had they listened to her, had they heeded the advice that she gave her minister, millions of dollars would not have lost by the Workers Compensation Board and at Crocus. Now, that is a pretty telling sentence. And that is a sworn statement. That is just not somebody writing an essay and making a statement. That is someone putting her hand on the Bible and swearing to that statement.

Now, how serious should we be about that? Mr. Speaker, I say we need to be extremely serious about that. I hope that more members in this Chamber feel motivated to speak to this bill, because the bill is a good one. But maybe it needs to be amended. Maybe it needs to be expanded to other areas so that others working in other areas connected to government through agencies will feel that they have some protection. People like the people of Morris-Macdonald School Division. People like the people in Crocus, who have lost their jobs, those eight executives plus the CEO who lost their jobs at Crocus. Maybe people like the chair of TRAF need to have some protection that we as legislators can

give them, not just a small bill like we are talking about today.

So, Mr. Speaker, I am really hopeful that there are others who are motivated to stand today and to debate this bill and to ensure that there is some justification in terms of how the government acts in response to other areas, such as the Workers Compensation Board, Crocus and the Morris-Macdonald School Division.

**Mr. Jack Penner (Emerson):** Mr. Deputy Speaker, I thoroughly enjoyed the explanation that the Member for Russell (Mr. Derkach) made to this Chamber just a little while ago on the vagaries of this government and how they deal with bills such as The Farm Practices Protection Amendment Act, Bill 9. I think the similarity between the Crocus Fund and the probability that the board of directors of the Crocus Fund might, in fact, be held liable if the lawsuit, in fact, goes through is an indication why we have seen an absolute horde of bills introduced that protect the liability of the boards that serve government in all aspects of matters. This farm protection act is a protection for the liability of board members.

Now, I wonder if, in retrospect, whether the Minister of Justice (Mr. Mackintosh) or maybe the Premier or the Minister of Finance (Mr. Selinger) or, indeed, the Minister of Labour (Ms. Allan) might be contemplating retroactive legislation to ensure the protection of the Crocus board from liability. Because I suspect that The Water Rights Amendment Act, The Farm Practices Protection Amendment Act, The Agri-Food and Rural Development Council Act, the family farm protection amendment act and land ownership protection act, by the way, Mr. Deputy Speaker, these acts all protect our boards from public scrutiny, not from public scrutiny, but actually from public liability, and liability in case they make decisions that there might be a lawsuit because these boards will now be protected from lawsuits.

Why is it that this government, all of a sudden, just like that, is so concerned about the liability of all these little boards and commissions that have been established for years under government? Could it be that there is a fear amongst the three major ministers and the Premier's office that they might have caused something to happen during the Crocus fiasco that might, in fact, now cause a huge liability to land on the former board members of the Crocus Fund? Is that what is triggering all this? Is that what is triggering all this bunch of one-page legislations that we have seen in the last while? It would appear so.

So we are going to spend a bit of time, Mr. Deputy Speaker, making the analogy and the ties together of Crocus, what happened in Crocus, what might happen if these bills not be passed, and the fear that government now has of the huge liability that they might, in fact, as government ministers carry, in appointing these boards. Or might they, in fact, fear that these ministers might find themselves without boards, that all these boards will resign as the Crocus boards did. Are we also in fear of the Workers Compensation Board walking away from their jobs and saying that we want nothing to do with this board as long as this government is in power because we know not what kind of responsibility and reliability that has been foisted upon us? We know not what kind of liability we carry because of action that the Premier (Mr. Doer) took when he fired the former manager of the Workers Compensation Board.

Now, I find it very interesting that this government has put itself in this kind of a position that it finds it now necessary to promote and sponsor bills such as Bill 9. Let us read Bill 9.

Bill 9 says: "HER MAJESTY, by and with the advice and consent of the Legislative"—and I am going to read the whole bill, Mr. Deputy Speaker—"Assembly of Manitoba enacts as follows:—*[interjection]* I am not sure what the honourable Minister for Conservation (Mr. Struthers) was saying.

"1 **The Farm Practices Protection Act** is amended by this Act.

"2 *The following is added after section 8:*

**"Protection from liability**

**8.1** No action or proceeding may be brought against the board, a member or acting member of the board for any other person acting under the authority of this Act for anything done or not done, or for any neglect,"—here is the kicker. "Neglect" is the key operative here, is that not it? Because should the board have neglected its responsibility, they will no longer be held liable for that neglect or for their action.

"(a) in the performance or intended performance of a duty under this Act or the regulations; or

"(b) in the exercise or intended exercise of a power under this Act or regulations;

"unless the board or the person was acting in bad faith."

Now, I wonder if that last line would also pertain to the Premier of this province when he ordered the firing of a former manager of the Workers Compensation Board. Could it be that this same clause now will protect the Premier from what they call in this act "bad faith"? Could it be bad faith? Maybe not, I do not know, but it also talks about that they will be protected in the performance or intended performance of a duty under this act or the regulations in the exercise or intended exercise of a power under this act.

Does this act now give the Premier power to walk in and fire this board if they should be deemed to not following the orders of the Premier, as obviously the case was at Workers Compensation Board? We are not sure what orders were followed that were deemed so important that the Premier actually chose to order the firing of the manager. This is implied by all of these bills.

\* (16:00)

Bill 20, The Family Farm Protection Amendment Act, which was introduced today, Protection from liability, it says:

*"Sections 32 and 33 are replaced with the following:*

*"No action or proceeding may be brought against a board member or the peer advisory committee, an employee appointed in accordance with subsection 3(9) or any other person acting under the authority of this Act for anything done or not done." Similar wording, is that not it?*

I would almost bet that there will be similar wording under The Workers Compensation Act before we know it, and there will be similar wording that will be brought if the Crocus Fund is revived or reinitiated, the board of directors would have similar kind of wording in their legislation.

I would not be surprised to see an absolute hoard of these kinds of bills come before this House within the next six to nine months because this Premier (Mr. Doer), I guarantee you, is very, very conscious of the action that he took in doing what he did. When a person signs an affidavit and brings it to the general public, that action in itself is very, very serious action. That affidavit that was signed by the former manager really needs some close scrutiny, and what the implications are of signing that affidavit and bringing it before the public needs to be investigated. But it need not be investigated by the minister's

office or the Premier's office; it needs to be investigated by a public body.

I remember well when there were demands for a public hearing on a matter that was of concern to the now-governing body, and it was brought before the public. The previous government did not hesitate to bring it before the general public. Why is this government so hesitant in bringing this issue before the general public. Why is that? What are they hiding, Mr. Deputy Speaker? What are the Premier, the Minister of Finance (Mr. Selinger), the Minister of Justice (Mr. Mackintosh) and all the Cabinet ministers on that side of the House, on the government side of the House, hiding?

**An Honourable Member:** We would like to know that too.

**Mr. Penner:** Yes, I think you do. The member from Brandon East says, "We would like to know that too." I am sure that they, as backbenchers, sure would like to know what is being hidden here because what is implied here. What is implied here is simply that there was an injustice performed and that it needs a much larger body than just government internally navel-gazing at what they have done and portraying the issues as a negligible amount of money.

Sixty million dollars of public funds having gone awry, have disappeared as a loss to 33 000 investors, that should not be swept under the rug. That should be publicly investigated. We also need to be apprised, Mr. Deputy Speaker, we need to be apprised of how much money was lost in this whole fiasco and adventure by Workers Compensation Board. Remember, the premiums paid by employees and employers to provide compensation to those that are injured at the workplace is a serious matter, and any losses incurred by frivolous investments in frivolous ventures by a frivolous general manager invested in a manner that had very little substance and very little matter behind it to ensure that there could be any profits made by those kinds of investments need to be investigated.

I wanted to put some of these words on the record because I believe it is important to note how quickly this government is appointing now, or trying to pass legislation quickly now to ensure that all the other boards that are serving Manitobans will now be protected from liability under law is, I think, a clear indication that there is something very, very wrong with what was done with Crocus, under Crocus, what was done by Workers Compensation Board and by

the actions taken and the investments made. I believe that the stink that is there will not go away until this whole matter is aired in the public. That is the only way you will get the smell out of this building on Crocus and the collusion of government and the Premier (Mr. Doer) that has gone on. I think the public should be apprised of this. They have a right to know and they must be given the opportunity to have this dirty laundry aired in public. Thank you, Mr. Chairperson.

**Mr. Lamoureux:** Mr. Acting Speaker, actually I did want to put a few words on the record. You know, I listened very closely to what the member from Russell was talking about, and, when I reflect on that, I think that members of the Chamber should be aware of some of the frustration that opposition at times will encounter when the government tends to not want to do the right thing, when they want to avoid what is in the public's best interest.

*Mr. Speaker in the Chair*

For that reason, I thought maybe what I would do is add a few comments on Bill 9, because I think that it highlights a very important issue in the province of Manitoba that we are facing today.

It is all about protection, liability protection for board members. As has been pointed out, even with the Crocus board, we had a mass resignation, Mr. Speaker. One of the things that I thought was interesting in this whole Crocus fiasco, and how I would kind of really relate it right to the bill, is that this is all about liability insurance. If there is someone that is on the board and they do their due diligence and they do a wonderful job at it and so forth, you want to put in some sort of a protection so that if a board member, in the future, did proper due diligence and was, in fact, careful, that they are not going to be sued in two years for thousands of dollars. That is, in essence, what the legislation in principle is attempting to do. I think that that is a positive.

Put it in the perspective of the Crocus. You had liability insurance for board. It is very expensive, Mr. Speaker, and it continues to grow. The cost in order to finance for board liability insurance is growing and it is becoming a very significant expenditure for many different organizations, whether they are for-profit or not-for-profit. I just, in principle, see this as a positive thing when we start talking about insurance. I want to use the Crocus for an example. They actually had bought liability insurance, and I believe it was \$5-million worth of liability insurance.

If we listen to the news and we hear some of the reports that are coming from courts and interested parties that are following what is happening with the Crocus file, the lawsuit could come in the neighbourhood of anywhere from \$5 million to \$150 million, so even the liability insurance that these individuals are looking at does not even come close to matching the potential threat that is out there. I can appreciate why it is that we need legislation of this nature. What was interesting is, when the member from Russell was talking about other aspects, other possible amendments, he talked about there is responsibility, we want to ensure that there is board responsibility in every way.

\* (16:10)

Again, the best example that we could come up with in debating this legislation today is to look at the Crocus file, because the Crocus file, as it has been pointed out by the member from Emerson, there are a number of pieces of legislation that are before us that are dealing with the issue of liability insurance and the issue of that accountability.

So I would like to reflect and try to put into context how it is that the Crocus file is an excellent example as to why it is that legislation of this nature is needed and, quite possibly, if you look at the Crocus file, that there might even be a further need to ensure that organizations like the Farm Practice Protection Board and other organizations are, in fact, better protected.

It has been really intriguing in the last couple of days, which has been emphasized and come to the surface with regard to, for example, the Workers Compensation CEO, Mr. Speaker. Here, as has been pointed out already, you have a CEO who did the right thing, reported that there were some serious problems, goes to a minister. The minister takes it to the Premier's office. The Premier's office hands it back, and then it goes back to someone who, in essence, is the employer of the person who is putting in the complaint against the employer. Three days later this person was fired.

Mr. Speaker, when you look at ensuring that there is accountability and due diligence, we expect whether it is the Farm Practices Board or any other board or a body that has the responsibility to protect the interests, well, in this case, we believe that the Premier (Mr. Doer) had an interest in regard to the Crocus file. So what went wrong there? We need to look at what went wrong there, because something of a similar nature could, in fact, happen on other

corporations or other boards, no matter what size. It is the principle of the argument that we are really talking about here.

Today, you know, being what will likely be the last day until, likely, March, there is this huge outcry. There is an outcry. The Leader of the Official Opposition made reference to the major newspapers in our province, all indicating that there is a need for a public inquiry. Every day I bring in petitions dealing with individuals, and my best guess is that the vast majority of them in all likelihood have investments in the Crocus Fund. I have not phoned these people. I am not too sure who these people are. They are the individuals who have taken the time to ensure that there is more accountability, and they all want to see some form of a public inquiry.

Opposition parties inside this Chamber are asking for a public inquiry, Mr. Speaker and, as has been pointed out, if you do not believe that due diligence was, in fact, done or you have a group of people who are not prepared to take responsibility, then you need to push the envelope. I believe, as a member of the opposition, we have to use whatever opportunities we have, and that is how I see Bill 9 in third reading, because in principle we have no problem with Bill 9 passing and being given Royal Assent.

But one of the things in dealing with Bill 9 is that it provides members such as myself the opportunity to use the principle of this legislation and send a message to the government. I am not the first one to do it and I suspect I will not be the last one, possibly, today. But you have to continue to send the message because the person who should be receiving the message and responding to what everyone else is saying is the Premier, and if the Premier chooses to ignore the issue in hopes that it ultimately disappears does not mean that it is right and that the Premier is being responsible. That is the reason why I felt that I would speak to Bill 9 today.

The principles of this bill, I think, can be best reflected in giving examples where we have had problems, and we have had serious, serious problems with the Crocus file. I am tired of seeing a government that fails to recognize just how serious of an issue it is. Mr. Speaker, I am not sure in terms of what more an opposition can actually do to try to convince the government to do the right thing. What they have chosen to do is to put the interests of power, the interests of the New Democrats, the

interests of a few friends and a few union elite ahead of the public's best interest.

As I had indicated earlier today, when I was commenting on our responsibility as legislators, Mr. Speaker, what we are supposed to be doing is representing what is in the best interests of the public first and foremost. On this file, on the Crocus file, the government is not doing that.

Mr. Speaker, one could say, well, I am a Liberal MLA and I am biased and I just want to see a public inquiry, and so on and so on and so on. I guess if I was the only one that was calling for that, that could be a fair assessment, even though I would ultimately argue that a minority of one can, in fact, be right, but that is not the case in terms of being a minority of one.

Inside the Chamber, you are into the double digits of MLAs who believe that there needs to be a public inquiry. There are, at least, two political parties that have recognized the need, Mr. Speaker. Over and above the political parties, the independent groups that are out there, whether it is members of the media through editorials or it is organizations or investors and ultimately, because we all are Manitobans, have recognized the seriousness of the Crocus file and want to see the public inquiry.

In Bill 9, when we talk about protecting the interests of our farmers, Mr. Speaker, I believe that this bill will go a long way in supporting the long-term interests of our farmers. I believe that there is merit for looking at other ways in which we can give more strength to bills like this to ensure that there is a higher sense of accountability. The higher sense of accountability, as I briefly make reference to, are issues such as, as has been pointed out, it could be staff members. We saw very graphically what happened in terms of the Workers Compensation, and I will not repeat that because that has already been raised on several occasions this afternoon. It does emphasize a very serious issue.

Based on that, whether it is this piece, Bill 9, or other pieces of legislation that we are looking at, maybe the government might be best advised to review this whole process and maybe we can bring in better legislation. There is complementary legislation that is out there that could really make a difference. People should not live in fear that if they do the right thing, they are going to lose their job. In many cases, Mr. Speaker, it is more than just a job; it is a person's integrity that you are dealing with.

\* (16:20)

Imagine you have, you know, in this case it was the CEO of Workers Compensation being fired. It does not look good on your bio, Mr. Speaker. I am grateful that it appears as if she seems to have landed on her feet. I think she is with a Crown corporation. I believe it is transit out in Vancouver, which bodes well for her competence and so forth. We wish her the best. I hope that this issue does not continue to cause harm for her career, whatever it might be.

But, when we talk about complementary legislation that could make a difference, what we should be looking at is amendments and changes that would allow and encourage people to do the right thing. So, if they see that there is a problem that is there, they should be able to raise the issue without the fear of being fired. I think that that is the type of legislation that we should be seriously bringing forward.

This is great. As I say, in principle, most people, I suspect, there might be some insurers that might not want this type of legislation, but who knows, maybe they do, but I think in most part, most people would look at Bill 9 and say, "Yes, this is good." But there is more to it than just saying we want to protect from liability insurance. We also want to protect individuals that bring concerns to the different levels, whether it is the Farm Practices Board, whether it is the Workers Compensation Board or whether it is Great-West Life or any other organization. For-profit, not-for-profit, that should not matter. What is important is that individuals should not be fired or inappropriately disciplined because they did the right thing.

I know that the government is very sensitive on this issue, and maybe that is why we are not seeing that incorporated into bills like Bill 9. I suspect that that is probably a good reason why they are not doing it. Mr. Speaker, we need whistleblower legislation in the province of Manitoba. I think there is a role for that sort of legislation that is fairly broad in its application because we are supposed to be protecting the interests of our workers.

My intention, initially, was not necessarily to speak on Bill 9. But I did see it as a good opportunity, as I indicated, to be able to express what we believe is an important principle. If the government wants to address that principle, and address it in a fashion that would be most appropriate, Mr. Speaker, I would argue what they should do is reflect on what is in the public's best

interest in regard to the Crocus file. If they do that, I believe that the Premier (Mr. Doer) and his government would do the right thing and call for a public inquiry.

I can assure the government, Mr. Speaker, that the issue is not going to disappear. I know that that is really what they want, for the opposition members and for the public just to kind of forget and forgive. Well, that is not going to happen. You are going to continue to see, whether it is petitions or questions inside this Legislature, when we are not sitting, there is going to be opportunities for members and others to raise the issue and to keep the issue alive.

So I serve notice to the Premier that as much as he wants to avoid the issue, unfortunately, he is the only one that can actually call for the public inquiry, Mr. Speaker, which is somewhat unfortunate. You know, maybe there will be other opportunities to ensure that the public are going to be heard on this issue. But if he chooses not to call it and continues to try to avoid the issue, that the public is not going to accept that, and the pressure will continue. It is not going to dissipate. Whether the election is in April 2006 or April 2007 or, ultimately, April 2008, the issue is not going to go away. It is going to be there. It is going to be there because over 33 000 Manitobans lost in excess of \$60 million. It is going to be there because members of the opposition recognize that the government dropped the ball and was negligent. It is going to be there because you have outside parties such as independent media outlets that recognize the need for a public inquiry.

It is going to be there because, ultimately, it is in the public's best interest that we find out and get to the bottom of this. I challenge the government to do what is in the public's best interest, not what is in the interest of their own political re-election interest, not what is in the best interest of those few cosy relationships that they have established over the years. Put the public's interest first and the government then would have my support.

Thank you for allowing me to speak to Bill 9, and being patient and understanding in terms of some of the discussions or comments that I put on which I believe are relevant to the principle of the bill itself.

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, I just want to put a few closing remarks on in regard to Bill 9. We sat in committee this morning on this particular bill and there were no presenters, but I know the member from Russell and the

member from Inkster brought up some very interesting debate. I think that, if this debate had taken place in the first reading or second reading, maybe the government would have gotten up and spoken on this bill a bit more as well.

I know that there are a number of real problems when it comes to getting people to serve on boards. I know they search the fields and the cities high and low trying to find the people to sit on these boards. I know that with this bill, in particular, the farm protection act, our farmers need to make sure that they are looked after. We look forward to having this bill passed. Thank you, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is The Farm Practices Protection Amendment Act, concurrence and third reading.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

**Bill 18—The Highway Traffic Amendment Act  
(Countermeasures Against Impaired Drivers  
and Other Offenders)**

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Water Stewardship (Mr. Ashton), that Bill 18, The Highway Traffic Amendment Act (Countermeasures Against Impaired Drivers and Other Offenders), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Mr. Speaker:** Any speakers?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill 18, The Highway Traffic Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

\* \* \*

**Mr. Mackintosh:** Mr. Speaker, would you please call debate on second readings of bills in the following order: 11, 13, 17, 19, 4, 12, 15.

**Mr. Speaker:** Oh, just wait.

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

**Mr. Speaker:** Order. Please, I have to be able to hear this. I missed—

**DEBATE ON SECOND READINGS**

**Bill 11—The Winter Heating Cost Control Act**

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

Bill 11, standing in the name of the honourable Member for Russell, 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?

**Some Honourable Members:** Stand.

**Mr. Speaker:** Stand? *[Agreed]*

It is also standing in the name of the honourable Member for Morris (Mrs. Taillieu), who has 22 minutes remaining. 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 Morris?

**An Honourable Member:** Stand.

**Mr. Speaker:** Stand? Agreed? *[Agreed]*

Okay, the bill will remain standing in the name of the honourable Member for Russell and the honourable Member for Morris.

\* (16:30)

**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 (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?

**An Honourable Member:** Which one is that?

**Mr. Speaker:** The Conservation Districts Amendment Act. Is it the will of the House for the bill to remain standing? No, that has been denied.

**Mr. Jack Penner (Emerson):** Thank you, Mr. Speaker, for your indulgence. I just want to put a few words on the record on Bill 13, The Conservation

Districts Amendment Act. I think it is in recognition of the tremendous work that the people who administer and run the conservation districts in the province of Manitoba.

When I was first elected to this Legislature, the jurisdiction of the conservation districts fell to my ministry, and I want to say that I learned a tremendous amount from the people who were appointed to the boards of these conservation districts. I want to give a lot of credit to the local people who administer and direct and give advice to the staff who, in fact, run the conservation district initiative in the province of Manitoba.

I also want to say to the Minister of Water Stewardship (Mr. Ashton), use extreme caution and care when you are doing legislation that deals with the whole agricultural area of the province of Manitoba. There are some 15 million acres to 18 million acres that are affected or can be very significantly affected by laws and regulations that you put in place. Management of these soils and these water districts, and especially those that are governed by The Conservation Districts Act, can be a very articulate and scientific mechanism that is used to determine what should or should not be done. These local people have a tremendous amount of expertise and advice to offer if you are brave enough to accept it.

I say to the Minister of Conservation (Mr. Struthers) that some of the legislation and regulations I have seen lately come out of his office are a real concern to farmers like myself who have spent a lifetime on that land conserving the land, preserving it for our future generations and ensuring that the water that we hold so dear in the farm community—if it was not for good clean and clear water on our farms, we could not exist. It takes both water and soil to grow a crop. It takes water, soil and a product off the soil to raise livestock, and if you do not manage it well and if you do not preserve it in a manageable and good agrarian manner, it is not there for your future.

This minister has very little experience in that respect and he should pay a lot of attention to the farm organizations. He should have the farm organizations sit in his office on a daily basis when he contemplates this kind of legislation. Yet it is my understanding that he has paid virtually no attention to the advice of either municipalities, farm organizations, conservation boards and all those kinds of organizations that exist in this province that

look after agriculture and the protection of the very land base that we depend on to grow crops and contribute to the economy of the province of Manitoba. Like I say again, some of the legislation that we have seen lately, some of the regulations, the regulations that he put out under The Water Protection Act are scary. He has no idea what he has foisted on that agricultural community that prides itself very highly in the management ability of both water and land.

I tell you, Mr. Minister, that you should pay very close attention to what your conservation districts and their boards tell you because these are the experts. These are the experts in land management. These are the experts in water management. These are your best conservationists that you can find anywhere. You go talk today to any farmer in this province and that farmer will tell you that they will do anything at all possible. As long as it is economically viable and environmentally sustainable, they will do it to ensure that that soil will be there for their future generations.

They do not go out and pay a thousand dollars an acre for land to try and destroy it. They do not pay a thousand dollars an acre for land to see it run down the river. But I do want to say this, Mr. Speaker, that this minister has paid virtually no attention to what has happened to our riverbanks on the Red River over the last four of five years by the operations of the floodgates during mid-summer, keeping those river levels so high that they, in fact, have caused the collapsing of not only the riverbanks, but the dikes that have been built to protect the farmsteads are collapsing and falling into the river, sliding into the river.

Is he paying any attention to that? No. Is he paying any attention to what is being said right now? No. Yet the farmers in that area know how much soil, how much phosphorous-laced soil has drifted into his precious lake and my precious lake, Lake Winnipeg, and the tonnes and tonnes and tonnes of riverbank. I should have brought the pictures that I have on my desk of the logjams that were created over the last three years, and I have two years of pictures.

The Member for Wolseley (Mr. Altemeyer) sits there and laughs, and he has put himself off in this Legislature as being the environmentalist, his family. I will never forget when we did the first land and water strategy in '88 and '89, and I know he is acting as if he is fishing and casting out with his arms. That

is the kind of responsible action that is needed in this Legislature, what the Member for Wolseley is demonstrating right now, because it shows a total disdain and disrespect for those farmers and agronomists, agrarians and water stewards that live out in rural Manitoba. These people live it and these people are very concerned when they see the tonnes and tonnes of soil that have been drifting down the river because the riverbanks are collapsing and running downstream.

I think this minister should pay some very serious attention to providing support to those people whose farmsteads are protected by the very dikes that are running into the river, collapsing into the river. He has not given any indication to them that there will be any support to help them relocate or to try and rebuild those dikes into a sustainable kind of protection mechanism.

That is what is needed. But this NDP administration seems to have no idea how their legislation and their regulations are affecting the very nature of the agrarian community in this province and how those regulations can be far more detrimental than helpful in ensuring that water quality will be protected in our lakes and streams.

The incentives that are needed are not in those regulations. The assistance required to ensure that the action will be done in such a manner that it can be both sustainable and long term is something the minister is badly lacking in his regulations and his legislation. It is not there. It is purely the big whip come down on the agricultural community and will force you. The heavy hand of government is very prevalent in the ministerial section of this group of people sitting across the way.

\* (16:40)

I am very, very concerned that the action that this minister is going to take in implementing those regulations and legislation are not going to give him the results that he wants. Maybe not that he wants. I think this minister is, above anything, trying to make a name for himself. There are some that are saying, "Well, he is even trying to position himself to be the person that will step into the current Premier's (Mr. Doer) box when the time comes." I will say to you, this, Mr. Minister, if you are thinking along those lines, then you had better start consulting with the very people that can help you get your job done of cleaning up your lake. Farmers are very willing to co-operated and be co-opted into a massive effort to reduce nutrient levels being escalated in those lakes.

We want to see those lakes protected. We want to see those lakes sustained.

I met yesterday with the new fisheries federation and I believe that those people have their heart in the right place as well. They told me yesterday what we need help with on Lake Winnipeg is retrieving all those huge number of nets that have been destroyed and are lying at the bottom of those lakes, and they do not know what they are doing, those nets. They beg government to give them some assistance to try and retrieve those nets, and they said it can be done, but there is absolutely no ear from this Minister of Water Stewardship (Mr. Ashton) to the plea that they have put out to him.

So I beg him today. Today I will beg. Pay attention to what the fishermen are telling. Pay attention to the huge resource that you have on that lake. Pay attention to what is needed in that lake. You need proper nutrient balances based on science and scientific evidence to be able to deliver a product that will be there for generations and centuries to come.

That fishery is important to this province. It is, indeed, important to not only this province, but the exportable products that can be raised there. I believe that fishery can be enhanced greatly if the proper kind of action is taken. That action can only be delivered by co-opting the farm community, the fishermen, bringing them together and consulting with them and then developing a plan, not heavy-handed, whipped-down kind of legislation or regulations forcing.

Have you ever tried chasing or tried putting a pig into a truck? Well, try pushing it some time. That is what you are doing with your legislation and regulations. Try it some time. But you know how you do it? You put a bit of grain on the steps and the pig will walk right up. You put a bit of an incentive on the steps and the farmers will be co-opted, so will the fishermen, and they will all join together. In a joint effort we can make this happen, but not the way you are going about it, Mr. Minister. This government, I think, has a lot to learn about people.

I do not want to reflect on what has happened in their Cabinet over the last while, the women leaving their Cabinet. I do not want to reflect on that, but I think it is important to know because if that is the kind of attitude that is displayed in their caucus and their Cabinet, it does not surprise me that many of the women in that caucus have left, because it is that heavy-handed, whipped-down approach that is

objectionable to many people, whether it is men or women.

The men or women in our agriculture community are fairly sensitive people. They are fairly pragmatic people, and they will do almost anything to protect the environment that they live in. They have raised their families, they have raised their grandchildren there and they have raised their communities and built communities on it. This minister is in jeopardy of destroying many of those communities with his regulations.

I just talked to one of the livestock industry the night before last, and he tells me, Mr. Speaker, that if those regulations are enforced the way they are written, he said, we are going to lose 50 percent of our livestock productive capacity in this province of Manitoba. I think that is a demonstration of how naive the minister was in drafting those regulations and now trying to put them into force.

Mr. Speaker, it gave me a great deal of pleasure to be able to talk about conservation, the need for conservation in this province and the need for the expansion of the conservation districts. I believe it can be done if we work hard enough at it.

**Mr. Speaker:** Order.

I want to take this opportunity to remind members that the Assembly will be recessing today until the new year and because we will have Youth Parliament meeting here in the Chamber later this month, I am asking that all members empty the contents of their desk before leaving today. I encourage members to use the blue bins here in the Chamber to recycle their Hansards and copies of bills. Any other material you have to recycle should be placed in the larger blue bins in the two message rooms. I thank all honourable members for their co-operation.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I think that, in principle, this is a bill in which we could support. I understand that there is some will to try to get this bill passed so that we can get it into committee possibly between now and the House getting back together early next year, and recognize that it is an attempt to ensure that there is better public representation on the conservation districts. I must say that I am very much interested in boards of all sorts in terms of governments, and that the government appoints people through, trying to ensure that it is done in such a manner that the most appropriate people are put into place that have the

expertise. We will look forward to it possibly receiving some sort of feedback at committee stage.

With those few words, we are prepared to see it pass. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 13, The Conservation Districts Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

### House Business

**Mr. Speaker:** The honourable Government House Leader, on House business.

**Hon. Gord Mackintosh (Government House Leader):** It is my understanding the Lieutenant-Governor is coming to the Chamber, Mr. Speaker.

**Mr. Speaker:** We will prepare for the Lieutenant-Governor's entrance.

\* (16:50)

### ROYAL ASSENT

**Deputy Sergeant-at-Arms (Mr. Blake Dunn):** His Honour the Lieutenant-Governor.

*His Honour John Harvard, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:*

**Mr. Speaker:** Your Honour:

At this sitting, the Legislative Assembly has passed certain bills that I ask Your Honour to give assent to.

**Madam Clerk (Patricia Chaychuk):**

Bill 2 – The Private Investigators and Security Guards Amendment Act; Loi modifiant la Loi sur les détectives privés et les gardiens de sécurité

Bill 3 – The Enforcement of Canadian Judgments Act; Loi sur l'exécution des jugements canadiens

Bill 5 – The Dental Hygienists Act; Loi sur les hygiénistes dentaires

Bill 6 – The Dental Association Amendment Act; Loi modifiant la Loi sur l'Association dentaire

Bill 8 – The Official Time Amendment Act; Loi modifiant la Loi sur le temps réglementaire

Bill 9 – The Farm Practices Protection Amendment Act; Loi modifiant la Loi sur la protection des pratiques agricoles

Bill 10 – The Convention Centre Corporation Amendment Act; Loi modifiant la Loi sur la Corporation du Centre des congrès

Bill 18 – The Highway Traffic Amendment Act (Countermeasures Against Impaired Drivers and Other Offenders); Loi modifiant le Code de la route (contre-mesures visant les personnes ayant conduit avec les facultés affaiblies et d'autres contrevenants)

In Her Majesty's name, His Honour assents to these bills.

*His Honour was then pleased to retire.*

**Mr. Speaker:** Please be seated.

#### DEBATE ON SECOND READINGS

##### Bill 17–The Securities Amendment Act

**Mr. Speaker:** Resume debate on second readings, Bill 17, The Securities Amendment Act, standing in the name of the honourable Member for Inkster.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I understand that there is a will once again to see this bill go to committee, and having had the chance to get the spread notes from the member from Portage la Prairie, I appreciate the gesture in terms of the explanation. We are quite prepared to see this bill go to committee.

Obviously, there are some concerns in regard to the protection of our investors and the maximum of \$5,000, or the access to capital with one regulator. These can be very positive things, so we are prepared to see it pass so that they can have committee hearings between the break. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 17, The Securities Amendment Act.

Is it the pleasure of the House to adopt the motion? *[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 (Mr. Dyck).

What is the will of the House?

Is it to remain standing in the name of the honourable Member for Pembina? Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Okay, it will remain standing in the name of the honourable Member for Pembina.

##### Bill 4–The Dangerous Goods Handling and Transportation Amendment Act

**Mr. Speaker:** 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—

**An Honourable Member:** Stand.

**Mr. Speaker:** Stand? *[Agreed]*

##### Bill 12–The Highways and Transportation Amendment Act

**Mr. Speaker:** Bill 12, The Highways and Transportation 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:** Can we have the House leaders conduct the House business, please.

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?

**An Honourable Member:** No.

**Mr. Speaker:** No. Okay, that has been denied. Any speakers?

Seeing none, is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 12, The Highways and Transportation Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

**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 (Mr. Dyck).

What is the will of the House?

Is it the will of the House for the bill to remain standing? *[Agreed]*

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

\* \* \*

**Hon. Gord Mackintosh (Government House Leader):** Happy New Year, Merry Christmas, everybody. Let us call it five o'clock.

**Mr. Speaker:** Okay, I would also like to take this opportunity to wish you and your families all the best for Christmas and New Year's on behalf of myself and my family, and wish everybody all the best.

The hour being five o'clock, this House is adjourned and stands adjourned until March 6, 2006, at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 8, 2005

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