

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

**Official Report**  
**(Hansard)**

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

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, March 13, 2006**

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

*PRAYER*

**MATTER OF PRIVILEGE**

**Mr. Speaker:** The honourable Member for Inkster, is it on a point of order or matter of privilege?

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, a matter of privilege.

**Mr. Speaker:** Okay, the honourable Member for Inkster, on a matter of privilege.

**Mr. Lamoureux:** Yes, thank you, Mr. Speaker. All members of this Chamber are aware, in order to rise on a matter of privilege, you have to bring it at the first opportunity before this Chamber and I believe I am doing just that.

Last week we had heard indications from the Premier (Mr. Doer) in terms of money resources, public inquiry, and, on the one hand, we are seeing the need for a public inquiry. On the other hand, we have the Premier raising the issue of concern regarding affordability of a public inquiry, Mr. Speaker.

What I am going to do is suggest that we look at *Beauchesne's* 6th Edition, and if we go to page 12, Citation 28, I would read, "Parliament is a court with respect to its own privileges and dignity and the privileges of its Members. The question arises whether the House, in the exercise of its judicial functions with respect to the conduct of any of its Members, should deprive such Member of any of the safeguards and privileges which every man enjoys in any court of the land."

Mr. Speaker, I do believe that we have to be able to acknowledge very clearly to the public that, given the Province of Manitoba spends in excess of \$8 billion annually, it is not a financial burden for the Province to be able to do what is right in terms of calling for a public inquiry regarding the Crocus Fund. I believe that the Premier knows that it is not a financial issue.

You know, over the weekend, I do not know how many commercials, I do not know how much

money this Minister of Finance (Mr. Selinger) or this government paid for its self-made commercials promoting its budget. I suspect that you are talking into the hundreds of thousands of dollars in order to promote its very own budget which does have false information in and of itself, but I do not want to be taken off the course.

Mr. Speaker, I think that the public has a right to know, and me, as a member, I want to have the assurances from this Legislature that the Province does have the financial means to have a public inquiry if, in fact, it is deemed necessary. That is the reason why I am rising today.

In fact, Mr. Speaker, on Friday, it just once again reinforced it. I quote from one of the media outlets where the Premier had stated that we would rather spend public money on police officers than on lawyers and a public inquiry.

These are things which I take great offence to. The Premier and this government is belittling the significance of the Crocus fiasco, Mr. Speaker. The Premier is, in essence, doing two things by making statements of that nature. One is the issue of affordability, and we believe that the government does have the financial means to be able to pay for a public inquiry. If they do not believe they have those types of funds, I would call upon the government to make it very clear that they do not, because that is where it says in terms of *Beauchesne's*, we have to be able to have those sorts of privileges. If we do not have that sort of a privilege to be able to see a public inquiry, I think that we need to have a long, hard debate on that issue itself.

\* (13:35)

It is not an issue of affordability, Mr. Speaker. He is imputing motives also. What he is saying is that implying money would be better spent on police. Well, I care very deeply about the safety of Manitobans.

This government, if you look at the last six years, we have more vehicles stolen in our province than any other jurisdiction. We have crack houses all over the place. We have increased prostitution. There are endless, endless issues of crime that this

government has failed to really deal with in a very tangible way. We are concerned about the crime issue, but you have a Premier who is trying to impute motives and that it is an issue of having more police officers versus having a public inquiry. I am concerned in regard to that.

The Premier (Mr. Doer) of this province needs to recognize that the public inquiry is something which many members of this Chamber, both opposition parties, are calling for. In *Beauchesne's*, Mr. Speaker, it talks about the important tools that we need to have and feel comfortable that we have access to. We are calling on the government to use one of those tools. If the Premier is not going to back down on the issue of finances then I think he has to substantiate that. Tell us why we cannot afford it because if that is the only thing that is holding back to call the public inquiry, I would say shame on the Premier. If it is only a question of finances, look at what the costs are.

You know, I sat in opposition for many years when the Premier was in opposition. He would holler for a public inquiry about many different things. In fact, you know, we did have a public inquiry, and it was over, somewhere in the neighbourhood of \$4,000 to \$10,000. Well, what sort of dollar figures are we talking about? We are talking about well over 33,000 Manitobans who had faith in the government, supported what the government's initiative and what the government was promoting, that being the Crocus Fund. Over 33,000 Manitobans, those people, because of this government's neglect, Mr. Speaker, have lost in excess of \$60 million.

Mr. Speaker, that is just talking about the Crocus shareholders, not to mention the taxpayers, but there is another very important component to this. What about the loss of future investment in the province of Manitoba because of this government's incompetence? There are millions of lost investment dollars that this Province is not going to be able to get as a direct result of incompetence in dealing with the Crocus fiasco because of this government.

Think in terms of the future jobs that have been lost, Mr. Speaker. I was around when the Crocus Fund was being espoused as a wonderful thing for the province, which it was, and how it was going to create jobs. It is a mechanism that has been taken away from future governments. It is going to be a difficult one to gain back that sort of confidence. This is the reason why, I believe, in good part, we

need to see that public inquiry. I am concerned that we have the Premier, and I suspect that the Premier is talking on behalf of all the New Democrats inside this Legislature, saying that, well, we cannot afford a public inquiry. That is what he is saying.

**An Honourable Member:** Right.

**Mr. Lamoureux:** I hear one government backbencher saying, "right." Well, Mr. Speaker, let me suggest to you that we cannot afford not to have the public inquiry. The sooner the government recognizes that fact, the better all Manitobans will be served. We have a right to understand what went wrong. There are things which only a public inquiry can uncover. If we do not learn from our past, it is going to be more difficult—[interjection] Well, members opposite say, louder.

I speak passionately about this because over 33,000 Manitobans invested. If I talk with passion on this issue, I hope you will understand, and if you do not, I do not really care because, quite frankly, I will take the side of the Crocus shareholder than I will with backbenchers of this government.

\* (13:40)

Mr. Speaker, there is the need, and I am calling on the government to recognize the need, and if the only argument the government is going to use is that of finances, I believe that that is not good enough, that the government does have the financial means to have a public inquiry. The sooner that the government recognizes that I think the sooner we will be able to continue on. That is the reason why I wanted to take this opportunity, and I believe *Beauchesne's* is very clear on that, on the point that I raised. It is important that, as an individual MLA inside this Chamber, I have to have the confidence that the government does have the financial means to do the things that are important to Manitobans, to all Manitobans, to the constituents whom we serve. So it is not good enough for the Premier to be using the excuses that he has been giving. Manitobans deserve better than that. Manitobans deserve to understand what really took place.

I understand that the Premier (Mr. Doer) is reluctant to call the public inquiry because he knows a lot of his buddies within the union elite, if I could put it that way, Mr. Speaker, will be testifying, will be talking about their relationship with this government. I realize that this government will be embarrassed, and I see, and what I see, because I do not believe it is an issue of finances, I do not believe

that at all. I believe what we are seeing is a Premier running scared. That is what we are seeing, that it has nothing to do with finances, even though that is the impression that he is trying to give. We are seeing a Premier that is running scared and does not want a public inquiry because he wants to protect himself. He wants to protect the New Democratic Party. He wants to protect his union friends, and the people that he is forgetting about are the shareholders that have lost the millions and millions of dollars.

He is forgetting about the public as a whole, and we in the opposition parties are not going to forget about those people. We are going to stand on what we believe is right, and we are calling on the government to acknowledge that it has the financial means to have a public inquiry because if it sticks to that course, or that argument that they do not have the financial means then I believe that that issue in itself needs to be debated today inside the Legislature. If we do not have the financial means to do what is right for Manitobans, we have a serious problem in the province of Manitoba and the whole issue of accountability with this government and even future governments. They better have the financial means. I have seen this government spend over \$2 billion more money since it first took office back in 1999. I have seen the millions of millions of dollars thrown into a regional health authority while hallway medicine is still being practiced.

Mr. Speaker, I believe the financial means are there if the government wants to do what is right. The government needs and the Premier needs to recognize that his arguments are bogus, and that if he wants to serve this Legislature adequately and properly I would suggest that he should be calling for that public inquiry. My fear is that will not happen, that the Premier is not going to call the public inquiry today. That is why, in the motion that I am about to present, I am going to ask—

#### Point of Order

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

**Hon. Gord Mackintosh (Government House Leader):** On a point of order, I just seek your direction. Mr. Speaker, if perhaps you could elicit from the honourable member where in heaven's name there is a matter of privilege coming because, quite frankly, I think it is an embarrassment to this institution what the member is doing. It is an abuse of the rules.

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

\* (13:45)

**Mr. Lamoureux:** On the same point of order, Mr. Speaker. You know, I was getting very close to concluding my remarks and then moving the motion. But, just in case the Government House Leader was not paying attention, or was not here, I do not know, when I had started on the matter of privilege, I would suggest to the Government House Leader that he opens up the *Beauchesne's* 6th Edition. That is how I started off the matter of privilege. If he goes to page 12, Citation 28, and you pick up just past halfway, and I will read it again for the Government House Leader, and I quote, "Parliament is a court with respect to its own privileges and dignity and the privileges of its Members. The question arises whether the House, in the exercise of its judicial functions with respect to the conduct of any of its Members," and I am going to pause there, that includes members of the opposition for the Government House Leader, Mr. Speaker, "should deprive such Member of any safeguards and privileges which every man enjoys in any court of the land."

Well, Mr. Speaker, I would suggest to you, and again, it will be a little bit repetitive because I think the Government House Leader kind of lost the essence of it. One of the important things that this Legislature, all of us have as individual MLAs, is the comfort in knowing that if something really goes wrong that we have a mechanism, and the Member for Steinbach (Mr. Goertzen) quoted the legislation or the law that gives the Government House Leader the authority to call for a public inquiry, and the process. That is a very important process. We, as MLAs of this Chamber, need to be able to have access and feel comfortable in knowing that we have the finances to be able to have a public inquiry if, in fact, it is deemed necessary by this Legislature. So that is what it is that I was referring to in the matter of privilege and that is how I would suggest to the Government House Leader. Had he been paying attention, he would have realized that he does not, in fact, have a point of order.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, it is not a point of order.

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**Mr. Speaker:** I want to take this opportunity to remind the honourable member that a matter of privilege is to be raised at the earliest opportunity and to convince the Speaker whether a prima facie case has been established, to convince the Speaker to deal with it, and it is not to be used for debate. We have been going into debate and that is not what privilege is all about.

So I ask the honourable Member for Inkster to continue with his privilege.

**Mr. Lamoureux:** I think that, in terms of bringing it to the attention of the House at the earliest, most appropriate time, Mr. Speaker, last week what we heard from the government, from the Premier (Mr. Doer), in particular, and from other government members, I would suggest to you, recorded, you will hear the Premier talk about, well, we set aside \$2 million for the Driskell public inquiry. We hear the Premier express constant concern about the question of finances, affordability of a public inquiry. Then, on Saturday morning, I read in one of our media outlets, and I quote right from the story, and this is from the Premier, where the Premier stated: We would rather spend public money on police officers than on lawyers and a public inquiry.

Mr. Speaker, again, he is calling into question the issue of affordability. So this is something which I had read on Saturday morning, and this is indeed the very first opportunity that I have to be able to address this issue. That is the reason why I stood up today.

In terms of the urgency of the matter, I am sure that you would concur with me that ensuring that the rights and privileges of all MLAs are, in fact, protected. If the government is ultimately saying that we do not have the financial means to be able to have the assurances; that as an individual member if there is a need for a public inquiry and we do not have the finances, well, that causes a great deal of concern in terms of my rights as an MLA. I need to believe, to genuinely believe, that money is not the reason why we are not having a public inquiry. But, in listening, whether it is the heckling back and forth, whether it is previous statements, or it is what is being said in the paper on Saturday, where the Premier of our province is concerned in regard to the money of the Crocus, I am concerned that the rights of this and privileges of this Chamber are being put into question.

I believe that I have the right as an MLA not only to call for a public inquiry but to believe that the

Province can afford to have a public inquiry, Mr. Speaker, because what I am looking at again is not what is in the government's best interest, but rather the public's best interest, and they would appear to be two different things.

\* (13:50)

This is a Premier who appears to not want to give Manitobans what they deserve. One has to ask the question of what is the Premier hiding? What is the Premier scared of? These are all legitimate concerns and we need to have a public inquiry, and that is the reason why. If the only argument the government has is that of a financial nature, then I do believe we have to address that issue. I think what would have been more helpful to the debate or the discussion with a matter of privilege would have been if the Government House Leader (Mr. Mackintosh) would give assurances to this Legislature that it is not an issue of cost.

**An Honourable Member:** Twenty-one minutes.

**Mr. Lamoureux:** Twenty-one minutes, for what?

**An Honourable Member:** Your yammering.

**Mr. Lamoureux:** Mr. Speaker, you know, the Member for Brandon East (Mr. Caldwell), from his seat, says that I am yammering for 21 minutes. Well, let me suggest to the Member for Brandon East that you have many Brandon residents who have invested in the Crocus Fund and those—

**Mr. Speaker:** Order. This is turning into a debate of members on the floor. I want to remind the honourable member that a privilege is to point out to the Speaker that you are addressing, at the earliest possibility which you have already covered, and the other part is whether it is a prima facie case. It is not to debate the privilege that you hope to have happen.

**Mr. Lamoureux:** Thank you, Mr. Speaker. We will, in fact, stand up for those Crocus shareholders in Brandon also if the Member for Brandon East does not want to do that.

I do believe that, because of the Premier's comments and possibly others, the whole question of affordability on the Crocus Fund has been put into question. For that reason, Mr. Speaker, I think that we need to get to the bottom of this matter.

Without further adieu, what I am going to do is move, seconded by the Member for River Heights (Mr. Gerrard), that a standing committee of the Legislature be asked to look into the affordability of

a public inquiry regarding the Crocus Fund and report back to the Legislature by March 23, 2006.

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

**Mr. Mackintosh:** Mr. Speaker, if the member is truly interested in the budget options, there is a process available to him and indeed other members that he does not seem interested in getting to. I think that the matter raised as privilege is not worthy of a response from this side because it does not come anywhere near a matter of privilege. It is unfortunate that he would try to undermine what is an important method of redress for members of this House.

**Mr. Speaker:** The honourable Official Opposition House Leader, on the same privilege?

**Mr. Leonard Derkach (Official Opposition House Leader):** Yes, Mr. Speaker, on the same privilege. I listened carefully to the words that were put on the record by the Member for Inkster (Mr. Lamoureux). I also watched the Premier's comments on television with regard to not calling a public inquiry because it was too expensive.

Now, I have never heard such a desperate plea from a premier of a province as I have heard in those comments from the Premier, but speaking to the motion of privilege here, this is the first opportunity the member has had to raise the issue. The newscast was on Friday afternoon, as I believe, and the House did not sit until today. Secondly, in terms of the prima facie case, I believe that the privileges of every member have been compromised here by the Premier's words, because when we sit in our places we assume that government has the resources at its hand to run the affairs of the province.

\* (13:55)

If the Premier wants us to help him find the money, I do not think that would be a problem because we have seen through the history of this government how money has been wasted, squandered, on a daily basis. I just refer to one little purchase that this government made, one that the Member for Southdale (Mr. Reimer) spoke eloquently about, and that was the purchase of the Manitoba film and sound stage. Should we hearken back to those comments from the minister? Well, Mr. Speaker, remember what the sale price was. It was offered to the Government of Manitoba for \$1. Do we recall what the government paid for it? How much was it, \$3.2 million, not a dollar less. There

alone was enough money to pay for an inquiry of this nature.

But the list goes on. My colleague from River East just mentioned purchase of the Pan Am Clinic, a clinic that was operating very well as a private clinic in the province of Manitoba, but in this government's zeal to own everything, they decided to pay \$7 million for the Pan Am Clinic and then to do renovations on top of that.

The criticisms they had for us when we were in government about the sandwiches that we were making, the frozen food. They liked the whole concept so much that they went and bought it. What did they pay for it? Something in excess of \$10 million, I think it was about \$13 million, Mr. Speaker. I can tell you that my numbers may be somewhat out, but I can tell you they are not out as much as the inquiry would cost.

Mr. Speaker, the Minister of Health (Mr. Sale) sits there and he—

**Mr. Speaker:** Order. I think we are starting to get into debate here. The rules of privilege are earliest opportunity and whether it is a prima facie case. I just want to remind the honourable member.

**Mr. Derkach:** Thank you, Mr. Speaker. I was trying to make the prima facie case that this, in fact, is a matter of concern to all members because the government, through the First Minister (Mr. Doer), claims that this inquiry would be too expensive. Regardless of the serious nature of the inquiry, the Premier says that it would be too expensive.

I am just trying to make the point that, indeed, our privileges as members are breached when an inquiry is put on the shelf because it is too expensive, regardless of the information that would come from that which could allow us to put rules in place where never again would Manitobans have to lose these kinds of monies because of government's intervention, of government's interfering, of government's manipulation.

It is a prima facie case because our privileges are breached when we know that one Pat Jacobsen, a senior officer of the Workers Compensation Board, reported to her minister that something was wrong, that there needed to be an audit done of how the investments were going on. What did Becky Barrett, the then-minister do? She fired her. This individual went on to a career in British Columbia I believe it is, Mr. Speaker, a very illustrious career.

We see the kind of manipulation this government is about, and we are not going to stand for it. The cost of the inquiry is not something this province cannot afford, not something this province should not afford and something that should be done. This government owes Manitobans the public inquiry; not tomorrow, not next week, not next month, but immediately.

Our privileges as members have been breached when the First Minister stands up and says that he cannot afford the public inquiry and that is his sole reason for not calling the public inquiry. I say shame on the Premier; I say shame on this government. Call the public inquiry.

\* (14:00)

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

### INTRODUCTION OF BILLS

#### Bill 25—The Consumer Protection Amendment Act (Payday Loans)

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I would like to move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 25, The Consumer Protection Amendment Act (Payday Loans); Loi modifiant la Loi sur la protection du consommateur (prêts de dépannage), be now read a first time.

#### *Motion presented.*

**Mr. Selinger:** Mr. Speaker, this bill will provide for enhanced disclosure requirements for payday lenders. It will prohibit lenders from charging more than the maximum allowed by the PUB for the cost of the loan, members fixed loan rollovers and wage assignments, as well as providing rights to cancel a payday loan.

#### *Motion agreed to.*

### PETITIONS

#### Highway 10

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, 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 near 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 Betty Fossum, Kaye Woodcock, Laura Hislop and many, many more.

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

#### Crocus Investment Fund

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider the need to seek clarification

on why the government did not act on fixing the Crocus Fund back in 2001.

To urge the Premier and his government to co-operate in making public what really happened.

Signed by J. Kilgour, W. Graham and S. Graham and many, many more.

#### **Funding for New Cancer Drugs**

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

These are the reasons for this petition:

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

Families are often forced to watch their loved ones suffer the devastating consequences of this disease for long periods of time.

New drugs such as Erbitux, Avastin, Zevalin, Rituxan, Herceptin and Eloxatin have been found to work well and offer new hope to those suffering from various forms of cancer.

Unfortunately, these innovative new treatments are often costly and remain unfunded under Manitoba's provincial health care system.

Consequently, patients and their families are often forced to make the difficult choice between paying for the treatment themselves or going without.

CancerCare Manitoba has asked for an additional \$12 million for its budget to help provide these leading-edge treatments and drugs for Manitobans.

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

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) of Manitoba and the Minister of Health (Mr. Sale) to consider providing CancerCare Manitoba with the appropriate funding necessary so they may provide leading-edge care for patients in the same manner as other provinces.

To request the Premier of Manitoba and the Minister of Health to consider accelerating the process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible.

This petition is signed by Dave Siwak, June Indridson, Curtis Laliberty and many, many others.

#### **MINISTERIAL STATEMENTS**

##### **2006 Manitoba Winter Games**

**Hon. Eric Robinson (Minister responsible for Sport):** Mr. Speaker, I have a statement for the House.

Mr. Speaker, it gives me great pleasure as the Minister responsible for Sport to rise before the House to recognize all of the Manitobans who recently participated in the 2006 Power Smart Manitoba Games in Beausejour this past week.

Today we recognize Manitoba athletes, coaches, officials and volunteers that organized and produced a successful week-long event filled with enthusiasm and community spirit in our province. The 1,600 participants came from all regions of our province to Beausejour and the Rural Municipality of Brokenhead for competition, and all regions of the province took home medals, accomplishments and memories after the closing ceremonies yesterday.

The Manitoba Power Smart Games is the largest ongoing multi-sport event in Manitoba. On behalf of all Manitobans, I recognize and applaud the leadership of the communities of Beausejour and the Rural Municipality of Brokenhead, the Manitoba Games Council, the Games' co-chairs and the sponsors of this made-in-Manitoba event.

Manitoba has a long and successful sports delivery system which develops many children and youth by providing a variety of sporting participation and development opportunities. The Games not only provide a venue for competition, but also an opportunity for our communities to come together to make new friends, to reconnect with old ones and to develop relationships that transcend personal backgrounds.

I expect that some of the participants of the 2006 Power Smart Manitoba Games will become Manitoba's next great winter Olympians. I ask all members to join me in recognizing the achievements of participants from every part of our province and extending a well deserved congratulations. Thank you very much.

\*(14:10)

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I thank the minister for that statement and thank him for also attending the opening and closing

ceremonies this past week. Certainly, I had the pleasure of providing a welcome to all of the fans, the spectators, the coaches and the participants at the closing ceremonies, just as the minister had as well.

I have to extend a number of thanks out to our community, first of all, being our Games committee which did an incredible job. Their organization was superb and especially our co-chairs, Bob Rondeau and Reg Black, who did a tremendous job in sponsoring these Games in Beausejour and surrounding areas. A special thank you also goes out to the sponsors and friends of the Games and to the more than, or almost 100 businesses in our local community who donated their time, money and expertise to ensure that the games were a success. Also, the host communities Beausejour, Tyndall, Garson, Pinawa, as well as Oakbank and the Springhill Winter Park; my thanks goes to them as well for a job well done, for their co-operative spirit and their tremendous efforts in making these games a success.

We are no stranger in hosting major sporting events, Mr. Speaker. In Beausejour, the previous weekend, we just hosted the 44th consecutive annual Canadian Power Toboggan Championship race in Beausejour. I can tell you that there is no single community the size of Beausejour that has ever hosted 44 consecutive national sporting events with volunteers, no single community that I am aware of in North America, perhaps even the world. So that is a testament to our hundreds of volunteers who turn out time and time again to ensure the success of every event that we host in the community.

Thank you very much, Mr. Speaker, and I thank the spectators, the coaches and the participants for coming and I hope they come back and experience our hospitality once again.

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

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

**Some Honourable Members:** Leave.

**An Honourable Member:** No.

**Mr. Speaker:** No? [*interjection*] Okay, leave has been granted.

**Mr. Gerrard:** Mr. Speaker, I would like to join my colleagues in the Legislature in congratulating the athletes, not just the winners but those who participated because all the athletes who participated, in

fact, gained something from this and, indeed, participating in sports is so important for health. As we know, one of the things that we have been concerned about is drugs and other things. Young people who participate in sports are much less likely to get involved in drugs and other misadventures so I think we want to congratulate those who participated as good examples.

I also want to pay tribute to Beausejour and the people in Beausejour for the excellent job they have done in hosting this event. I expect the job that they did will be followed up by the next community which hosts this. Thank you.

## ORAL QUESTIONS

### Highway Infrastructure Government Initiatives

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, last summer the Council of the Federation met and in their press release they stated, and I will quote: Premiers identified Canada's transportation system as one of the most important foundations of our country's international competitiveness and noted that it is key to ensuring a better standard of living for all Canadians. They expressed serious concern that absent or aging highway systems are eroding Canada's ability to compete in the global economy.

Mr. Speaker, our road system carries \$9 billion of trade annually and makes a significant contribution to Manitoba's economy. By ignoring the condition of our roads, this NDP government is putting our trade relationships, our province's economy and the jobs of Manitobans at risk.

The Premier's actions do not jive with what he signed on to last summer. When will this NDP government learn that Manitobans need better roads for the safety of travellers and for our economic development? When is he going to take some action?

**Hon. Gary Doer (Premier):** Mr. Speaker, I would point out that the original statement dealing with infrastructure has been maintained by western premiers prior to the Council of the Federation meeting. We have had a number of communiqués in this regard and in Lloydminster last May we continued that position. We are pleased as western premiers to get that in the final communiqué of the Council of the Federation.

We think that this challenge is multidimensional. It includes investments in airports, including some

northern airports, for transportation, goods and services. It includes ports which we would include to be the Port of Churchill and it includes inland ports. We think that the American experience of investing in inland ports is very important for purposes of cost, security and congestion, and we have proposed as part of the national strategy that there be inland port consideration. I would note that Kansas City has a large investment from the federal U.S. government as an inland port, and we think that is a model for Canada, including for Manitoba.

I will continue on with other answers to the questions that are being asked, but certainly the 10 percent increase in this year's budget, plus money to municipalities in the form of gas tax sharing in previous budgets, demonstrates clearly a commitment but we think there is a requirement for a national strategy. I thank the member for that question.

**Mr. Murray:** Mr. Speaker, Manitobans are asking: How long will it take this Doer NDP government to realize that they cannot continue to allow our roads in Manitoba to deteriorate and to crumble? Since 1999, the investment deficit in our highways has more than doubled. Under this NDP Premier it now stands at \$5 billion. In 2002, departmental staff recommended that the Premier increase the construction budget by some \$200 million, but unfortunately that advice given by staff was ignored by the Premier.

Mr. Speaker, everyone in the province wants to know: How much longer must Manitobans endure this? How much longer will this Premier sacrifice safety and competitiveness before making transportation a priority in our province? When will he act?

**Mr. Doer:** I would point out that there were significant numbers of infrastructure deficits when we came into office. There were fruit flies in the operating rooms at the Health Sciences Centre. There were cardboard boxes—

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

**Mr. Speaker:** Order.

**Mr. Doer:** —that were trotted out as MRI machines and CAT scans in Brandon, Mr. Speaker. There was no money in the capital budget for Boundary Trails hospital even though there was a press release. There was no money in the budget for capital in Gimli when we got elected. There was no money for the mould at Swan River. We had a leaky roof at the University of Manitoba. We have had considerable

numbers of infrastructure deficits, and we started off prioritizing the whole area of health capital—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Well, Mr. Speaker, members opposite might talk about this because they actually did not put \$500 million of health capital on the books. So no wonder they want to talk about it in isolation. We put in place a capital cap. We actually put the amount of capital on the books. Off books with Tories; on books with the NDP.

There is no question that as we move forward with health care capital within the capital cap, as we move forward with new investments in schools and on post-secondary education, we will be able to spend more money on highways. There is a deficit in highways. We increased the funding this year by 10 percent and more needs to be done, Mr. Speaker.

\* (14:20)

**Mr. Murray:** Well, Mr. Speaker, it is very clear that more needs to be done. This NDP Premier who has had his chance, if he does not, then Manitobans will tell him to hit the road.

What we continue to see from this NDP government is crisis management without any plan. If there was a long-term plan from this Premier to ensure that Manitoba roadways were maintained or rebuilt, we would not be in this state of disaster.

Mr. Speaker, we all know that this Premier has a spending appetite. So much so that Manitobans pay \$3.5 million each and every day to service Manitoba's debt that has grown under this Premier. Today alone, the \$3.5 million that is there to service the debt could provide 3.5 kilometres of new road on Highway 75. To put it into perspective, it is about 100 kilometres from Winnipeg to Emerson. With what Manitobans, under this NDP, are paying every day to service the debt, in one month we could have a brand new Highway 75.

Mr. Speaker, when will this Premier understand the solution to our deplorable state in roads is not just simply posting signs saying decrease speed, severe bumps ahead? When will he come up with a plan, a real plan to deal with this problem?

**Mr. Doer:** First of all, Mr. Speaker, his numbers are wrong because it is a four-lane highway. Secondly—

*[interjection]* Well, if we ever wanted to get into a debate on the budget, we could actually bring these numbers out and educate the members opposite.

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

**Mr. Speaker:** Order.

#### Point of Order

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Yes, Mr. Speaker, maybe the Premier could clear—

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

**Mr. Derkach:** Yes, on a point of order, Mr. Speaker. Maybe the Premier could clear his ears and listen to the requests of Manitobans and the opposition. Call the inquiry; then we can get on with the budget.

**Mr. Speaker:** The honourable Official Opposition House Leader does not have a point of order.

\* \* \*

**Mr. Speaker:** The honourable First Minister, to continue.

**Mr. Doer:** Thank you very much, Mr. Speaker. Oh, I have lots of temptation.

Mr. Speaker, we did have and we do have a long-term plan on capital. First of all, now pay attention to this, we actually put all the capital spending on the books. We actually put it on the books. Now, of course, members opposite try to raise that as a liability on debt. I would point out that the capital, the debt in the operating part of government has gone down from 13 cents on the dollar to 8 cents. In fact, we are spending \$150 million less in the departmental structure of government on interest costs since we were elected.

Secondly, part of our long-term plan was to deal with the life and death infrastructure deficits at health care facilities and educational facilities.

Thirdly, Mr. Speaker, we are spending more money on highways. I would agree that more needs to be done but we have actually got a capital cap. Inside that capital cap, we are twinning Highway 59. We are twinning No. 1 to the Saskatchewan border. We are twinning the east side Perimeter. We are adding a highway north to Grand Rapids. We are building a number of Manitoba bridges that have been there since 1950, in fact, the last time the

Liberals were in office, and we are revitalizing a number of Manitoba highways.

Mr. Speaker, I would point out we are doing that because we concur that there is a deficit in highways and we are getting at it.

#### Highway Infrastructure Government Initiatives

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, Manitobans are not fooled by this Premier's comments. Manitobans are asking how long will we have to drive on these crumbling roads. Truckers are asking why do we need to put our loads at risk driving over these treacherous highways and emergency personnel are asking why do we have to drive patients on these worsening terrains.

Mike Major, president of the Canadian Automobile Association, was travelling on our roads recently and said, and I quote: It is an embarrassment and after 15 to 20 minutes of that bone-jarring ride, I would not be surprised if tourists turn around and go back.

Mr. Speaker, everyone knows and wants to know when we will get safe, drivable roads in Manitoba.

**Hon. Ron Lemieux (Minister of Transportation and Government Services):** Mr. Speaker, we do have a lot of safe roads in Manitoba. We know there is more work to do. This has been a year and this 2006 budget makes for a historic investment in Manitoba's transportation with \$257 million.

I might add, Mr. Speaker, last year when we added \$16 million to the transportation budget, every one of those members opposite voted against that budget. We will see what they do this year.

**Mr. Maguire:** Well, Mr. Speaker, I am glad the minister brought up last year's budget because as Manitoba's roads continue to crumble under the ineptitude of this NDP government, they have misled Manitobans with the recent budget by announcing a \$129.5-million capital budget as being a \$29-million increase from last year. The facts are that the minister crowed about \$120-million capital budget last year, and by the minister's own numbers, they have not put in \$29.5 million, instead they have only put in 9.5, only a third of what they are telling Manitobans.

Why is the minister playing this shell game with Manitoba's roads? How can he explain this blatant discrepancy?

**Mr. Lemieux:** The fact of the matter is our highway capital investment this year is over 50 percent more than in 1999 when they were the government, and I have to tell you continually this government uses a balanced approach. Not only have we expanded personal care homes and built new hospitals, but we also are looking after the roads, a more balanced approach than their government ever took a look at.

I have to tell you, the Member for Arthur-Virden knows fair well that we have a highways project going, a beautiful highway project running right past his backyard. We often ask him to move his birdbath out of the way. We do not want any asphalt to get on there.

We have Highway 75 targeted, and I would ask that the Member for Emerson (Mr. Penner) move his lawn tractor over. We do not want to get any asphalt on his tractor. The Member for Morris (Mrs. Taillieu), move your Lexus over. We do not want to get any asphalt on those tires. We are coming through with the greatest investment in our history.

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

**Mr. Speaker:** Order.

**Mr. Maguire:** Well, Mr. Speaker, it is this kind of a lack of substance that Manitobans know why the road is decreasing. This is a serious issue. I want to bring to the attention of the minister the headlines about the deaths on Manitoba's highways, the very one that he just has not got around to finishing, the twinning of No. 1 west.

Mr. Speaker, this government is not accountable to Manitobans. Last year in the minister's annual report, in his own annual report, he admitted that he lapsed over \$33 million of what was already budgeted. So this year, when he gives misleading numbers to Manitobans, what are we supposed to think? He suggests that there is another \$29.5 million, when it is really 9.5. Either the minister needs a math lesson or he needs to come clean with Manitobans. It sounds like Enron accounting to them.

When will this minister provide Manitobans with the real numbers so his department can begin rebuilding the roads in Manitoba?

**Mr. Speaker:** Order. I will remind all honourable members that exhibits are not to be used in this Chamber.

**Mr. Lemieux:** I just want to point out that the Public Accounts 2004-2005, on page 420, lays out that we

collected \$217 million approximately on gas tax and motive fuel revenue. Every cent of that we put into transportation. In fact, we put in even more money than we collected in gas tax revenue and will continue to make large investments in Manitoba's infrastructure.

Now we understand and we know, Mr. Speaker, that more is needed, but we continue every year to make progress. As I mentioned, it is 50 percent more that we have put into the transportation budget compared to 1999 when they were the government. Granted, everyone keeps saying it is not enough, but we are making inroads. We do have a vision in transportation. We have goals that we are going to meet, and we have a three-year plan to address the roughest parts on Highway 75. We will continue to make sure that we address that over the next days to come.

#### **Children in Care Child Safety**

**Mrs. Mavis Taillieu (Morris):** Sadly, Susan Redhead, Henry Okemow, baby John Demery and now Phoenix Sinclair all died after being taken from a foster home and returned to the family home. Although home is the best place for children in most cases, we cannot forget why we have a child welfare system. Some families are unable to care for their children at certain times.

When will the Minister of Family Services ensure that all children are protected in this province?

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, whenever a child dies, be they in care or not, it is a very serious situation and, certainly, our sympathies go out to the families each time something like this happens.

There is, as I believe the member knows, a process in place. If the child is in care, there is a risk assessment in the home done by professional, seasoned social workers. There is an investigation that begins with the agency, that begins with the department, that begins with the authority, that can begin with the CME and can begin with the police services. I think it is very important when we are discussing these sorts of issues that we respect the process, the authorities in place and the work that they do.

\* (14:30)

**Mrs. Taillieu:** Mr. Speaker, every time we hear of a child death in this province, the minister stands up and says exactly the same thing. She is failing Manitoba families—*[interjection]* This is a very serious issue.

When a child is taken into care, the Minister of Family Services is responsible for that child. When the decision is made to return that child to the family home, the Minister of Family Services is responsible for that decision. If the child dies, the Minister of Family Services is ultimately responsible because the system that she administers has failed. The minister must be held to account for decisions made which result in child deaths.

When will she ensure that no more children die under her watch?

**Ms. Melnick:** Again, with the devolution of child welfare, we have four authorities. Those authorities work with agencies on an individual basis. We have to respect the people who are on the front lines that are making the best decisions they can for the children. Again, it is extremely unfortunate when a situation like this does occur but we must respect the processes. We must respect all the different bodies who are involved.

I would say—*[interjection]* The cackling from across the way tells me that members opposite are not serious about this sort of situation, Mr. Speaker. Every member of this government is quietly listening and respecting the processes, and we are working with all the players for the protection of children in our province.

**Mrs. Taillieu:** Mr. Speaker, this is unbelievable that the minister stands in her place and blames front-line workers for her failures.

Mr. Speaker, another child has died shortly after being taken from a foster home and placed in the family home. The Minister of Family Services cannot release children from care based on some unwritten policy that children should be back in the home at all costs. As Minister of Family Services, she must be accountable for decisions made. Her responsibility is to protect children and not place them at risk.

I ask this minister: What is more important, to place children in the family home at all costs or to save children's lives by not placing them at risk?

**Ms. Melnick:** This government does not work on the principles of the blame game. We are not here to

point fingers. We are not here to make people scapegoats. We are here to work with the systems in the best interests of the children, and that is what we are doing here. It is very important, and I just have to emphasize this again, we respect the agencies, the authorities, the CME, the police investigators and we work with them to improve the system for all children.

By blaming family members, by blaming communities, by blaming everyone around, we are not going to build a better world for our children. Working together, we will.

#### **Steven Fletcher MPI Compensation**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, Steven Fletcher, is a C4 quadriplegic as a result of a vehicle accident in Manitoba. In 2000, when Mr. Fletcher became involved in political activities for the Progressive Conservatives, the NDP Minister responsible for MPI made a number of inquiries into Mr. Fletcher's case, and financial support for MPI was severely restricted and threatened ever since. On Thursday of this week, Mr. Fletcher was advised by the Automobile Injury Compensation Appeal Commission that he was entitled to almost all of the compensation that he had been seeking.

Can the Minister responsible for MPI indicate if the six-year delay and fight was because of political interference?

**Hon. Gord Mackintosh (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Of course not, Mr. Speaker.

**Mr. Goertzen:** Mr. Speaker, Mr. Fletcher's troubles with MPIC began when he took an active interest in politics. His denial of support began after the NDP minister for MPIC inquired into his case. We know that MPI pays for political staff for the minister and the NDP minister was specifically inquiring into Mr. Fletcher's case.

Given that Mr. Fletcher last week was deemed to be entitled to the benefits he was before denied, what steps has this NDP government done to ensure that political interference was not the reason for the six-year delay, the six-year denial and the six-year fight, Mr. Speaker?

**Mr. Mackintosh:** The member would do well to actually look at the appeal commission's findings

which I understand, Mr. Speaker, concluded that there were no improprieties.

**Mr. Goertzen:** Mr. Speaker, in a January 23 ruling, the Court of Queen's Bench allowed Mr. Fletcher's case of bad faith against the former NDP minister and MPIC to proceed to court. In the decision, I can table it here, the presiding officer said: The evidence is clear that after the ministerial inquiry which focussed on Mr. Fletcher's personal position, his MPIC counsellor, who was very supportive, was replaced with another counsellor, who was clearly not supportive, and that his financial benefits were curtailed and steps were initiated to substantially reduce Mr. Fletcher's benefits.

Given this finding of fact from the presiding officer of the Court of Queen's Bench, what steps has this NDP minister taken to ensure that the denial and refusal was not because of political interference, Mr. Speaker?

**Mr. Mackintosh:** Mr. Speaker, when we live in a democratic country and we have in place an auto insurance scheme that has checks and balances built in, I think it is important to respect the decisions of courts and appeal tribunals. They speak for themselves.

### **Government Fiscal Record**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, since 1999, total revenues of the Province increased by more than \$2.3 billion on an annual basis, and this NDP government has spent every nickel of it and then some. What are the results? Crumbling roads all across the province, a health care system that is dead last. Simply spending without results is bad management.

I ask the Minister of Finance: Why has he failed to produce positive results for the expenditure of public money?

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I am tempted to provide the member a copy of the budget speech again this year which shows in great detail the results we have. Hip and knee surgeries, up; active practising nurses in the province, up; doctors in training, up; police officers on the increase; cost for diabetes medication and supplies, the lowest in the country. I can go on and on giving him results. If the member would read the speech, he would see the results for himself.

**Mr. Hawranik:** Mr. Speaker, more propaganda from this Minister of Finance. More than \$2.3 billion in new annual revenue since 1999, and what do we have to show for it? According to Stats Canada, the only provincial economy that has grown below the national average for each of the last five years. Spend more, get less.

I ask the Minister of Finance: Will he admit that it is not how much you spend that counts, it is how smart you spend it?

**Mr. Selinger:** Mr. Speaker, if the member, once again, would take the trouble to read the budget papers and the budget speech, he will see that the economy in Manitoba has grown \$12 billion since we have come into office. That is more than 37 percent. We have the second-lowest unemployment rate in the country. We have the highest participation rate of working age population in the economy. We have wage settlements growing faster than the Canadian average here in Manitoba. Unlike the nineties, when personal disposal income was going down and Manitobans had less to spend, it has gone up every year since we have been in government, and Manitobans have more to spend.

**Mr. Hawranik:** Mr. Speaker, the Finance Minister also again forgot to mention that we have the highest debt in the history of this province. In this year's budget, the Finance Minister will have \$478 million more revenue, but that is still not enough. He will spend a total of \$555 million more than last year. More than \$2.3 billion in new revenue since 1999, and what has it produced? Nothing.

I ask the Minister of Finance: Why has he failed to produce results? Why has he failed to spend smart?

\* (14:40)

**Mr. Selinger:** Mr. Speaker, government spending as a percentage of the economy is actually slightly down this year. It has remained quite constant. All the facts, as opposed to the rhetoric, are on pages B34 and B35 in the budget.

The member opposite likes to complain about spending with no results. He did not complain when he got a new school in Lac du Bonnet. He did not complain when health facilities improved in his constituency. He does not complain when we, in the budget, take the tax off biodiesel so that there can be more opportunities for rural people to develop alternative energy. I do not see him complaining about the ethanol investment in Minnedosa which is

going to generate another \$80 million for farmers in terms of crops.

All of these things are moving the yardsticks forward. We are waking up the economy which was dormant for the 10 years when they were in office.

#### **Maple Leaf Distillers MIOP Loan**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, Manitobans expect a government to be accountable to them and to us in opposition here because that is what the due processes in this province demands. We have been calling for a public inquiry, the public has been calling for a public inquiry and the media has been calling for a public inquiry. The lame duck excuse of this Premier (Mr. Doer) is that he cannot afford it. Well, again, new information keeps coming forward.

Mr. Speaker, my question is for the Minister of Industry. Last week we asked the minister to explain why he did not see the red flags as they pertained to Maple Leaf Distillers. Apparently either the minister does not read newspapers or he just did not know. It is no secret that the Premier put his own personal stamp of approval on this company when he said that we feel very secure about the secured loan.

My question to the Minister of Industry and Trade is: Did he turn a blind eye because his boss, the Premier, was so close to the principals of this company?

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, I am pleased to tell all members, as I did last week, that in the case of the Maple Leaf Distillers the department did due diligence on the deal. Not only that, but they made sure that there was security on the loan so the loan is secured and that is happening. As in the case of the former government, under Winnport or under any investments that were made under the former government, I am sure that appropriate due diligence was made. Under our government appropriate due diligence has been made without political interference.

**Mr. Derkach:** Mr. Speaker, when the government loan to Maple Leaf Distillers was announced, one of the principals of the company commended the Premier, calling his government's commitment quite remarkable. Well, I suppose if the government just handed me a \$6.4-million building for \$2.5 million and then gave me a loan for half of that amount, I would find it quite remarkable too. Court documents

indicate that the company owes over \$22 million to over 300 creditors throughout the province and abroad.

Mr. Speaker, I ask the Minister of Industry and Trade to tell us if the Premier's close relationship with the principals of this company prevented him from acting sooner.

**Hon. Gary Doer (Premier):** I want to put on the record that the building was taken from a company that defaulted on a Tory loan, fully defaulted on a Tory loan. I believe there are still investigations going on. So we came in and the building was available. I believe Colliers, if I am not mistaken, was the company hired by the government to sell the building at market value. I believe we received more than the \$2.2 million. I believe we received \$2.5 million, if I am not mistaken.

Thirdly, and I would point out to the member opposite, that is a private company and we have taken action against the company. So far, as the minister has indicated last week, we have not had a loss—

**Mr. Speaker:** Order.

**Mr. Derkach:** Well, Mr. Speaker, I guess the Premier is trying to explain his comments about this being quite a remarkable deal. I can understand why the Minister of Industry did not speak up because it could be a career-limiting move, because we know first-hand how this government deals with whistle-blowers. The problem is that this minister took an oath to act on government issues without fear or favour. It is an oath that we in this House take very seriously.

Mr. Speaker, my question to the Minister of Industry is: What provided him from stepping in sooner to protect the province's government loan and Maple Leaf Distillers? Was it fear or, in fact, was it favour?

**Mr. Rondeau:** Mr. Speaker, it does happen from time to time that although you have good provisions for security, although you do due diligence, sometimes the plan does go awry. In the case of CalWest, under the former government, you have a case where CalWest Textiles defrauded, or there are accusations of fraud that were done under the former government. CalWest Textiles has been in court regarding defrauding the government. These loans had to be written off and these loans were signed by Mr. Stefanson and Mr. Downey, former ministers of the Conservative government.

Now what we have done in this case is we ensured that there was appropriate due diligence. We have ensured that there was—

Mr. Speaker: Order.

### **Crocus Investment Fund Public Inquiry**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the Premier says he is accountable for public money spent, and then he says he is not accountable for tens of millions of public government dollars spent in tax credits in the Crocus Fund. Civil servants report to the Premier, or used to. So when a civil servant is appointed to a board by the Premier he is not independent and he has an obligation to report to the Premier. So when the Premier appointed civil servants to the board of Crocus Investment Fund, most Manitobans believed reasonably that this was to ensure accountability, but the Premier says, no, this was not the case at all.

The Premier says he is accountable and then he says he is not accountable. Which is it? Why is the Premier stonewalling our efforts to have accountability and to get a public inquiry?

**Hon. Gary Doer (Premier):** Well, Mr. Speaker, on Friday the member opposite put incorrect information in the Chamber here through Question Period alleging certain matters with the board of directors' members. I believe it is page 109 of the Auditor General's report which very clearly deals with the issue of board members.

There were political appointees—*[interjection]* There is a fiduciary responsibility, Mr. Speaker, for board members to the shareholders. The Auditor General reviewed that fiduciary responsibility—*[interjection]* Well, the report is page 109.

Mr. Speaker, that is why it is important to have an Auditor General's report and it is also important not to misrepresent it.

### **True North Sports and Entertainment Ltd. Board Appointment**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I table a page which further shows a lack of accountability by this Premier. The Premier has committed tens of millions of public dollars to the True North arena project, and under the terms of the master agreement the Province is to appoint a director to the True North sports and entertainment board. Yet, in two years the Premier has failed to do

this. He has failed to provide accountability in any form.

Why has the Premier failed in his responsibility to be accountable? Is the Premier so scared of even the appearance that he might be held accountable that he has not appointed anyone? Did the Premier have any intention of being accountable for this public money? If the Premier does appoint someone, will he table a terms of reference for his appointee so the House will know just what the real chain of accountability is going to be?

**Hon. Gary Doer (Premier):** Mr. Speaker, I am just going by memory now, but I believe Mr. Clement, I think, the wording says in conjunction with the City of Winnipeg, you will find that Mr. Clement—*[interjection]*

Well, Mr. Speaker, I believe, if I checked directly, it was the Province in conjunction with the City of Winnipeg who would appoint a director to the board of directors. I believe, Mr. Clement, who was then a member of—*[interjection]* No, the Winnipeg Enterprises Corporation—was appointed to the board of directors by the then-Mayor Glen Murray. I would point out in terms of accountability that it was this member opposite that wrote a letter to Mark Chipman congratulating him on the new arena, and then joined with the Conservatives to oppose it. I believe it was Mr. Bob Irving who made the statement: What a hypocrite.

\* (14:50)

### **Crocus Investment Fund Public Inquiry**

**Mr. Kevin Lamoureux (Inkster):** I believe the Premier of this province owes Manitobans an explanation as to why it is that he has chosen to take the side of his union friends, to defend the New Democrats and to put his own personal political interests ahead of the public interest?

Manitoba deserves a public inquiry into the Crocus Fund. That is well established. Not only is it from the opposition parties, it is from several independent media outlets, it is from members of the public, it is from Crocus shareholders themselves, and even former NDP Premier Ed Schreyer.

Mr. Speaker, the question that I have for the Premier is: Why will the Premier not defend the interests of Manitobans and all those others and call for a public inquiry?

**Hon. Gary Doer (Premier):** We have the Auditor General's report. We have Public Accounts where questions were asked, Mr. Speaker. I recommend the Liberal Party read the Auditor General's report because they got page 109 wrong on Friday and wrong on Monday. We have a Securities Commission. We have a police investigation. We have, presumably, questions in Question Period. I would recommend, though, that when members come here to ask a question, read the Auditor General's report first.

I would point out that Mr. Rosen states that the responsibility starts with the officers of the company. Those officers, Mr. Umlah and Mr. Kreiner, were appointed in 1992 and 1993. The directors were appointed, Mr. Curtis in '93, Mr. Olfert in '95, Ms. Beresford in '98, Mr. Hilliard in '93, Lea Baturin in '99. We were not in government on all those dates. The external auditors were PricewaterhouseCoopers. I believe Mr. Bessey was the principal officer of that company. The underwriter was Wellington West, not exactly a big pal of this government.

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

#### Introduction of Guests

**Mr. Speaker:** I would like to draw the attention of honourable members to the public gallery where we have with us Mr. Pat Martin, who is a member of Parliament. On behalf of all honourable members, I welcome you here today.

#### MEMBERS' STATEMENTS

##### Doris Jones

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, I rise to recognize the achievements of an extraordinary young Métis athlete from my constituency, Doris Jones. Doris is 17 years old and attends high school in Selkirk. She was a member of the Canadian National Archery Team at the World Junior Championships in 2004 where she placed second in her age group. She also holds many Canadian and world records.

In February, Mr. Speaker, Doris competed at the World Archery Festival in Las Vegas where she became the youngest Canadian woman to ever win the women's compound division.

Last summer Doris competed in the Canadian Championships in Saint John, New Brunswick, where she won her fourth consecutive national archery title. This year she moved up an age class to

compete for the junior crown. In difficult weather, Mr. Speaker, she won the event handily.

She is also involved in the community. She has visited schools and youth groups throughout the province, speaking to young people about her philosophy for success and encouraging them to stay in school, avoid drugs, alcohol and tobacco and to follow their dreams. Doris has the support of her father, Tim, who is her mentor, teacher and No. 1 fan.

On behalf of all members, I congratulate Doris on her impressive record. I would also like to thank her for being a strong role model for young people, a great representative for Selkirk, the province and this country. I wish her success in the upcoming 2006 North American Indigenous Games in Colorado and all of her other upcoming competitions, Mr. Speaker. Thank you very much.

##### Lloyd Dennis Gillis

**Mrs. Mavis Taillieu (Morris):** I rise today in sadness to announce to this House the passing of Lloyd Dennis Gillis of Elie, Manitoba. Lloyd passed away after a lengthy and courageous battle with cancer on March 8, 2006. Although he struggled with his illness for 13 years, he rarely missed a day of work at the family-owned General Motors dealership of which he was president. Customers to the garage remember him as a person who liked a good story or a good joke. Lloyd would have been just 50 years old this year.

Lloyd spent all his life in Elie. He was an avid sportsman and loved fishing, hunting and golf. At the celebration of life services on Saturday, Lloyd was remembered for his ability to make things bigger or smaller. When talking about fishing or hunting, his conquests were often bigger, and when talking about golf, his scores were certainly always smaller.

Lloyd was a community person participating in the Elie Community Club, Knights of Columbus, Cartier Fire Department, church fundraisers, baseball coach and rifle club instructor. Lloyd also liked to travel and he and Jocy, his wife of 27 years, went on many vacations which took them around the world. Besides his wife, Jocelyne, he is survived by daughter Breanne, his mother Anita, brothers Roger and Vince and their families.

Lloyd Gillis was very well known not only in Elie but the surrounding area. Even in Winnipeg you will often see vehicles with the logo "Gillis Garage—home of the real country deal." I have spoken in this

House before of the success of Gillis Garage and the awards they won over the years.

I first recall meeting Lloyd when I had the *Headingley Headliner* newspaper and I went to sell him some advertising. He was a tough sell but in the end he became our best customer and avid supporter of the community newspaper.

Mr. Speaker, I want to pass on my condolences to the family of Lloyd Gillis on behalf of all members of this Legislature. Thank you.

**Allan Gunter**

**Mr. Harry Schellenberg (Rossmere):** Mr. Speaker, I rise to inform the House of the accomplishment of Allan Gunter, an amateur archer and a phenomenal young man who lives in my constituency. Allan is 18 years old. He is a member of the Manitoba Provincial Archery Team. He holds several Canadian archery records and a world record which he set at the age of 16 for male compound archers in his age group at the 25-metre distance.

Allan recently competed at the World Archery Festival in Las Vegas, Nevada, where he was the top Canadian in the male compound event. Allan's strong showing in Las Vegas places him 69th among current and former World Archery Festival winners and world indoor and outdoor champions. Allan has been a member of the Canadian National Team twice, once in 2004 at the Junior Outdoor World Target Archery Championship in Lilleshall, England, where he won a gold medal and, again, in 2005, at the World Indoor Archery Championship in Aalborg, Denmark, where he finished 12th in the men's compound and was the flag bearer for the national team. In 2005, at the Federation of Canadian Archers open event, Allan finished first overall for compound archers of all age divisions, senior, junior and masters.

Allan is a graduate of MBCI. He teaches archery at Heartland Archery Range where he gives classes and clinics to children and adults. Allan has given clinics at local high schools as well. He encourages young people to stay in school, avoid drugs, alcohol and tobacco.

Mr. Speaker, on behalf of all members, I congratulate Allan Gunter on his achievements and wish him continued success at the 2007 Canada Games in Whitehorse and the upcoming World Indoor and Outdoor Championships. I thank him for his contribution to the community and for being an

excellent representative of Manitoba and Canada all around the world. All the best, Allan. Thank you.

\* (15:00)

**Crocus Investment Fund**

**Mr. Gerald Hawranik (Lac du Bonnet):** The excuses used by the Premier (Mr. Doer) in this House about why he is not calling a public inquiry into the Crocus scandal are laughable. It is unbelievable, Mr. Speaker. First he points to the Manitoba Securities Commission. He says they are doing an investigation. Clearly they are doing an investigation, but they are not investigating the government's role in the scandal. All they are doing is investigating the board.

Secondly, he points to the RCMP investigation. We do not believe that there is any criminal activity, but that is what the RCMP are looking for. They are not looking as to the government's role in this sordid mess, Mr. Speaker. They are simply looking for criminal activity. So his excuses are invalid and they are a red herring.

The lawsuit that the Crocus shareholders have started, they have not named the government in the lawsuit. But if they become named, which I expect to happen, Mr. Speaker, the NDP will obviously refuse to answer questions in Question Period because the matter is before the courts.

A lawsuit will not provide all the answers to our questions particularly because this Premier has a history of settling lawsuits against himself, and those typical agreements in settling lawsuits include a number of clauses. First, a statement is included in most agreements that no party to the agreement admits liability. Certainly that is something that the government would want to put in that agreement. Second, they are also subject to non-disclosure clauses, and the non-disclosure clause would effectively shut down questions to and answers from the Premier, the Minister of Finance (Mr. Selinger) and the Minister of Industry (Mr. Rondeau). So clearly this is what they are looking for.

Why do we need a public inquiry, Mr. Speaker? First of all we have to determine the government's role in this scandal. Secondly, the Auditor General's report asked more questions than it provided answers. No one in Public Accounts would answer when asked the question about who was the person in higher authority. No one would answer that question. Obviously, the government has something to hide and only—

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

**An Honourable Member:** May I have leave?

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

**Some Honourable Members:** Leave.

**Some Honourable Members:** No.

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

#### **Trade Delegation—India**

**Mr. Bidhu Jha (Radisson):** I rise to inform all members of this Chamber of my recent participation in Manitoba's first exclusive and very successful trade mission to India. This was the largest trade delegation Manitoba has ever sent abroad. The delegation was led by Premier Doer and was comprised of over 45 businesspeople, Carman MLA, Mr. Denis Rocan—

**Mr. Speaker:** Order. I remind the honourable member that when making a reference to other members in the House, it is members by their constituency and ministers by their portfolios.

**Mr. Jha:** Thank you, Mr. Speaker, I will correct it. The delegation was led by the Premier (Mr. Doer) of the province and comprised of over 45 businesspeople, Carman MLA and the deputy mayor of the City of Winnipeg, University of Manitoba, Red River College and the University of Winnipeg.

Mr. Speaker, India is one of the largest and fastest growing economies in the world. There is tremendous potential for increased trade between Manitoba and India. This will generate greater prosperity at home and abroad. Manitoba can also benefit from India's tremendous human resources by increasing the number of immigrants from India to our province, an important element to strengthen Manitoba's economy.

I am pleased to report to the House that the Premier and some members of the delegation met with the prestigious Economic Advisory Council to the Prime Minister of India to discuss Manitoba-India economic co-operation and future trade relationships. This influential council advises the Prime Minister of India on priority sectors of the economy and development. This will facilitate our business community to develop projects which would economically be very beneficial to Manitoba.

Mr. Speaker, the Premier and delegates left an excellent impression with several board members of the Economic Advisory Council creating new opportunities in areas of education, training, research and development and other business opportunities between India and Manitoba including further growth to Manitoba's film industry.

I would like to thank all the members of the Manitoba business community that represented us, the University of Manitoba, Red River College and Carole Vivier of Manitoba Film for their participation and our gracious hosts in Amritsar, Chandigarh, Delhi and Mumbai. In particular, I would like to thank—

**Mr. Speaker:** Order.

**An Honourable Member:** Can I have leave?

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

**Some Honourable Members:** Leave.

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

**Mr. Jha:** —Dr. Satish Jha, member of the Economic Advisory Council and the film star Sanjay Khan for their extraordinary help during our mission. Thank you, Mr. Speaker.

#### **MATTER OF PRIVILEGE**

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

**Mr. Leonard Derkach (Official Opposition House Leader):** A matter of privilege, Mr. Speaker.

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

**Mr. Derkach:** I rise today on a question of privilege as it relates to the abilities as members of this Legislature to perform our duties in this Chamber.

Mr. Speaker, we see that this is the second matter of privilege today regarding the restriction of members to be able to conduct their duties as MLAs and as members of this Chamber. I think I find it very regrettable that this government has sunk to the depths that it has in thumbing its nose at members of this Legislature and Manitobans and not calling for the public inquiry that has been demanded by Manitobans and the opposition.

But back to this matter of privilege, Mr. Speaker, I will be concluding my remarks with a substantive motion giving the House the ability to deal with this matter. This is the first opportunity that I have had to raise this matter as it relates to the Votes and Proceedings of this House for Thursday, March 9, 2006, and the Hansard for that same day. I have just received some information here during the last hour which allows me to have this as the first opportunity to raise this matter.

Mr. Speaker, as you are aware, it is the requirement of this place that members must take care to ascertain complete facts on a matter prior to bringing the issue before the House. Now, I have taken some time and care to review the Votes and Proceedings for Hansard for the 9th of March and to consult with other individuals, other members on this matter. It is only now that I am able to confirm the facts which I am about to place before you. I would like to note in passing that I have followed a similar format to one that was used by Mr. Jay Cowan, former Member for Churchill, when raising a similar matter back in 1988.

Mr. Speaker, from 1870 to 1999, each new legislature commenced with adoption of the following motion, and I quote, "that the Votes and Proceedings of the House be printed, having first been perused by the Speaker, and that the Speaker do appoint the printing thereof, and that no person but such as the Speaker shall appoint do presume to print the same."

As part of the 1999 reform package, all parties in this House agreed to remove this motion from our normal opening procedures given, through practice, that the responsibility of ensuring the accuracy of the Votes and Proceedings is one of the major administrative functions of the Speaker. Indeed, *Beauchesne's* 6th Edition, Citation 174(2) reinforces this point when it states, and I quote: "The Speaker is responsible, through the Clerk of the House, for the accuracy of the *Votes and Proceedings* and for the correctness of the *Official Report of Debates*."

Now, Mr. Speaker, on Thursday last, following the presentation of the amendment to the main budget motion by the Leader of the Official Opposition (Mr. Murray), as found on page 1163 of Hansard for the day, an exchange took place between you and me about whether I was rising on a point of order or to move a motion under Rule 42. During our exchange, both the Minister of Water Stewardship (Mr. Ashton) and the Member for Inkster (Mr.

Lamoureux) rose on points of order, and for which you provided a ruling, as found on page 1164 of Hansard. You will recall, Sir, that the ruling was challenged, a recorded division requested and held. As the recorded division was completed past the normal hour of adjournment, leave was given to the Government House Leader (Mr. Mackintosh) to announce a committee meeting, and then the House adjourned at 5:07 p.m.

\*(15:10)

Regrettably, the Votes and Proceedings for the same day do not reflect these proceedings. Page 166 of the Votes and Proceedings of March 9 provide the following, and I quote, "WHEREUPON Mr. Speaker ruled the amendment in order.

"And the debate continuing on the amendment,

"During the debate, Mr. Lamoureux rose on a point of order regarding the speaking rotation in the debate." [*interjection*]

I am sorry, the Member for Inkster, my apologies, Mr. Speaker, I correct that.

I will re-read that. "During the debate," the Member for Inkster, "rose on a point of order regarding the speaking rotation in the debate."

I thank the member opposite for reminding me of this because, indeed, it is proper protocol in this Chamber.

The Minister of Water Stewardship (Mr. Ashton) and myself, having spoken on this point of order, whereupon, Mr. Speaker, you ruled that there was no point of order. For this decision, as the Opposition House Leader, I appealed to the House. We then have the result of the recorded division. The concluding sentence of the Votes and Proceedings is, and I quote, "The debate was allowed to remain open."

Mr. Speaker, the first point that I would like to draw your attention to is that the Votes and Proceedings leave the impression that the debate had commenced following your ruling the amendment of the Leader of the Opposition (Mr. Murray) in order. This is not the case. For a debate to resume requires recognition of a member by the Speaker. I would submit, Sir, that, if a debate had resumed on the amendment of the Leader of the Official Opposition, then who had been recognized in the debate? There is no record as to who was recognized in the debate.

The second point, Mr. Speaker, is who did the honourable Member for Inkster (Mr. Lamoureux) interrupt during the debate, as noted in the Votes and Proceedings, in order to make his point of order. Well, I listened quite attentively during that whole series of back and forth between members, and the answer, in my view, is that no one was interrupted for the point of order, for no one had been recognized in debate. It is only at the conclusion of your ruling on page 1164 of Hansard that you state, and I quote, "and I recognize the honourable Minister of Water Stewardship (Mr. Ashton) to speak at his turn."

The second point I would draw to your attention, Sir, is that the last sentence of the Votes and Proceedings is found on page 167 which states, and I quote, "The debate was allowed to remain open."

Now, while I can appreciate that the Clerk of the House is following the provisions of *Beauschesne's* 6th Edition, Citation 1111(1), which states in part that, quote, "the *Votes and Proceedings* record all that is, or is deemed to be, done by the House, but they ignore everything that is said unless it is especially ordered to be entered."

Mr. Speaker, your ruling, as sustained by the House, clearly recognized the Minister of Water Stewardship (Mr. Ashton). It is my respectful submission that the Order Paper from Friday, March 10, should have had the debate standing in the name of the minister. If your ruling would not have contained that phrase, the Votes and Proceedings would have been correct in this section.

In short, Mr. Speaker, the Votes and Proceedings leave two impressions that are not correct when compared to the Hansard for the same day. In my view, they should be and need to be corrected. So how do we do that? How do we correct the record?

A review of Manitoba practice indicates that this is not the first time this Chamber has had to deal with an issue of this kind. Earlier in my remarks I mentioned the question of privilege raised by Mr. Jay Cowan, former Member for Churchill, on Tuesday, August 30, 1988, as found on pages 893 to 895 of Hansard. In making his argument, Mr. Cowan states the following, and I quote: "As a matter of fact, the Votes and Proceedings are the official minutes of the Legislature. For that reason, they must be accurate and they must truly reflect what has actually transpired in the Chamber. On the other hand, the *Debates and Proceedings*, commonly referred to as

Hansard, is a verbatim report of the Members' speeches."

According to the ruling of Mr. Speaker Fox on April 4, 1972, "Speeches either help or hinder a proceeding, but they are not a proceeding. Hansard is a verbatim report of Member's speeches. It is not an official record of the proceedings of the House." It would therefore seem logical to conclude that, when Votes and Proceedings are in conflict with or, indeed, contradict Hansard, the Votes and Proceedings, as the official minutes, should be the record of the House, and I concur with that statement.

Well, Mr. Speaker, coming back to more recent times, I refer to Speaker Rocan. Rocan did not find in favour of Mr. Cowan. Rocan found this issue serious enough to state the following on page 103 of the Journals of the House for September 1, 1988, and I quote: "I have also instructed the Clerk of the House, following House of Commons precedents, to issue an erratum to correct the error in the Votes and Proceedings of August 26." [interjection] Some of my colleagues recall the day.

Mr. Speaker, this is the only option open to the House in dealing with this matter, and I am prepared to move the following motion, should you find a prima facie case of privilege, namely—I am just looking for my pages here.

\* (15:20)

Mr. Speaker, I move, seconded by the Member for Arthur-Virden (Mr. Maguire), that the House instruct the Clerk of the House to issue an erratum to the Votes and Proceedings for Thursday, March 9, 2006, which indicates that the removal of the following words as found on pages 166 and 167 of the Votes and Proceedings for that day, namely, and I quote: "And the debate continuing on the amendment," to "During the debate," and the word "the" in the eighth line on page 166, and, "The debate was allowed to remain open."

Mr. Speaker, if you would allow me just a moment to rewrite the motion, I will.

**Mr. Speaker:** Okay.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, of course, the debate is open. It is just another bogus matter of privilege. We have nothing further to add to that. It is an abuse.

**Mr. Kevin Lamoureux (Inkster):** Unlike the Government House Leader, I do take the proceedings

of the Chamber and the great matter raised from the Member for Russell (Mr. Derkach) as very serious, and I would suggest that it is far from being abuse. Mr. Speaker, it has been a long time since I have heard the name Jay Cowan inside this Legislature. One of the things that I do recollect of Jay Cowan was that he was a very thorough member, and he, too, had taken the rules of this Chamber very seriously.

Mr. Speaker, I think that it is important when we have matters of privilege that the Government House Leader pay special attention and that, in fact, he should ultimately be listening. I am even somewhat hesitant to continue on until I know that, in fact, the Government House Leader is listening because the member's matter of privilege, I think, is serious. I would like to think that there is someone on the government benches with the authority to represent the House business that would be here to listen to what I am saying.

So I look to you to ask, Mr. Speaker, if, in fact, I should continue on talking, or if I should wait until I get assurances that there is someone on the government benches who actually represents the government, so that, if I am giving comments, they would be able to respond to those comments. You know, I look for your advice. Is there someone on the government benches that actually can claim to represent the House business currently? *[interjection]* The acting House leader, I believe.

Mr. Speaker, I do believe it is important, the Member for Russell brings forward a matter of privilege, that the government has an obligation to have someone there listening to the matter of privilege. It is not good enough for the Government House Leader to stand up and say this is a trivial, frivolous matter and then storm out. We believe that the government has an obligation to listen to opposition members when they stand on a matter of privilege. Having said that, I do see the merit for what the Member for Russell has brought forward, so I will comment on it.

As I was indicating, Jay Cowan was an individual who understood the importance of the rules of this Chamber. I compliment the Member for Russell in terms of doing some research and going back to 1988, because the Votes and Proceedings of our House are critically important. They do, in fact, reflect the minutes, if I can put it that way, of our actual votes and what takes place inside the Chamber.

Mr. Speaker, I think that we have to be very careful over the next number of days as to what is taking place inside this Chamber. I believe that the Member for Russell has brought this to our light as soon as he could. As we know, the circulation of the material, whether it was Hansard or the Votes and Proceedings, was only made available relatively recently, and I had noted that he was actually putting things together in order to be able to comment on what he believes is a matter of privilege.

Mr. Speaker, I do believe that it is bona fide in the sense that, if you do read, and obviously I was here during the point of order during the time in question, last Thursday, and I would like to be able to convey my recollection as to what had taken place.

I recognize that the Official Opposition House Leader had, in fact, delivered his speech on the budget. Then, immediately following his speech, Mr. Speaker, he had moved an amendment to the budget. Following the amendment, there was some concern in regard to speaking order. All of that, from what I understand, was done through the venue of a point of order. At no point in time did we continue the debate. At least, I was under the impression that at no point in time did we continue the debate. It was only moments ago that I was actually handed the Votes and Proceedings. I quickly did turn to page 166, in which it says, "WHEREUPON Mr. Speaker ruled the amendment in order," and the debate continued on the amendment.

I do not recollect that happening, Mr. Speaker. It states that, during the debate, I rose on a point of order regarding the speaking rotation of the debate. The best I can recall is that is not what had taken place. That is why I stand in support of the privilege that the Member for Russell (Mr. Derkach) has put forward, because I do think that it is important that the record reflect what it is that we believe actually had taken place. I think that we have a Hansard, and I always applaud those who have the responsibility of taking what is said inside here and actually putting it in this booklet form for us, because it is, in fact, quite reliable. I know many of us go to it, and quite often you will see members quote from it just to reinforce points that they might have to express. I do believe that the Hansard is not accurately reflected through the Votes and Proceedings also.

So, when I look at what the Member for Russell has presented to us, Mr. Speaker, in principle, in supporting the need to get this issue rectified, I see

that it is an important issue to get rectified at this time, because I anticipate that the government is feeling somewhat frustrated. I think it speaks volumes in terms of how important it is going to be for us to be precise with some of the comments that we are making. In this case, I think that we should do what we can to get it clarified as quickly as possible. In fact, I would suggest to you that what might be appropriate is that we even, possibly, recess so that the Opposition House Leader, myself, and you, and possibly the Government House Leader, can get together and get that issue straightened out.

I think it is that important. If it means that we have a five-minute recess, I do not see how anything is lost by that. But I do believe that it is critically important that we get the record clarified because of what has been happening over the last number of days.

So my recommendation to you, Mr. Speaker, is that, indeed, the House recess. Whatever amount of time, if it is five minutes, ten minutes, however much time is necessary, I can tell you, I will make my time available to meet with you in your office. I am sure, or at least I would hope, that other members would. We can have the Clerk in attendance. We can review what actually transpired on Thursday and we can rectify the record.

I do believe that it is an important thing to do. I would never have figured I would be saying Jay Cowan's name, today anyway, but Jay Cowan is someone which I did learn a great deal from in terms of how our rules, and the importance of our rules, how very important they are, and that we do need to do what we can to make sure that the record is, in fact, a true reflection of what has taken place.

So, with those very few words, Mr. Speaker, I am hopeful that you will see fit to recess the Legislature so that we can get it rectified as quickly as possible and get the record set straight.

\*(15:30)

### Speaker's Ruling

**Mr. Speaker:** On the matter of privilege, I want to walk—[*interjection*] Order. I have heard from the House leaders and I have heard from one independent member.

On the privilege raised by the honourable Official Opposition House Leader, I want to walk members through it. [*interjection*] Order. I am making a ruling.

I want to walk the members through because I as Speaker hold the sole responsibility for the actions of the House, not the staff of any department of the Manitoba Legislative Assembly. I as the Speaker hold the sole responsibility. So I want to just walk the members through what I experienced that day and my interpretation of it.

When the honourable Official Opposition House Leader had finished making his speech, as soon as the Official Opposition House Leader made his speech, that constituted the debate. When he concluded, the honourable Official Opposition House Leader rose, and I asked the honourable member if he was rising on a point of order or a matter of privilege.

Any proceedings in this House can be stopped two ways, and that is by privilege or a point of order. There are no other means to grab the floor legally because our practice in Manitoba is a rotation practice. That means that, as soon as the honourable Leader of the Official Opposition (Mr. Murray) sat down, my responsibility under Manitoba practice is, in agreements of the House, to look to the government's side to speak, and the only way that it could be stopped is if a member was rising on a point of order or a matter of privilege.

So, when the honourable Official Opposition House Leader rose, I asked the honourable member if he was getting up on a point of order, and what I heard, and it is recorded in Hansard, was yes. That is why I recognized the honourable Member for Russell (Mr. Derkach). When he rose to move a motion, I said no. I said the rules do not allow that because I was recognizing the member on a point of order, not to move a motion.

So the practice of the House is to recognize the government, and there were two members standing. The honourable Member for Inkster (Mr. Lamoureux) was up on his feet and the honourable Minister for Water Stewardship (Mr. Ashton) was on his feet. So I asked, because normally when I go back and forth for points of order or even privilege, I go back and forth in the House. So, when the honourable Minister for Water Stewardship was up on his feet with the honourable Member for Inkster, I assumed that as the acting House leader he was up on a point of order, and I asked the honourable member if he was up on a point of order, and he said, no, I was up to speak to the debate. As soon as the honourable Leader of the Official Opposition had concluded and moved his motion, his amendment, I

ruled that the amendment was in order. In other words, you are no longer debating the main motion of the budget. You are now debating the amendment that was legally brought forward by the honourable Leader of the Official Opposition.

So, when I asked the honourable minister if he was up on a point of order, he said, no, I am up to speak to the budget. So I said no, because then I asked the honourable Member for Inkster if he was up on a point of order and he said yes. So then I recognized the honourable Member for Inkster and we listened to him and other contributions of other members. Then the vote was challenged, and when the vote was challenged we did not conduct the vote until after adjournment hour. That is 5 p.m. Because of the vote taking place after adjournment hour, you cannot conduct any other business of the House unless you get leave of all the members.

So what that means is I did not recognize anyone to speak to the amendment, which was in order, and that is our next debate. That is why you will read, "And the debate continuing on the amendment," because that is what we are debating as soon as the member gets the floor, not the main motion. We will be debating the amendment. That is why that states: "And the debate continuing on the amendment." That is why it states that in there, and I instructed the staff that, because I was dealing with a point of order which took us past adjournment hour, the debate will be remaining open because I did not recognize a member to speak. That is why the debate is remaining open, and that is why you read: "And the debate continuing on the amendment," because right now we are finished with the main motion, right now, because now our responsibility in the House is to deal with the amendment that I recognize by the honourable Official Opposition House Leader (Mr. Derkach). That is what you are debating now, not the main motion. So that is the sequence. All this falls into place.

So I shall respectfully rule that the honourable Member for Russell does not have a matter of privilege.

\* \* \*

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, with the greatest of respect, I have to challenge your ruling, because you have a contradiction. You have two issues.

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

### Voice Vote

**Mr. Speaker:** All those in support of sustaining the ruling, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to sustaining the ruling of the Chair, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

### Formal Vote

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

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

Could the bells be turned off. Sixty minutes has expired.

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

### Division

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

#### Yeas

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

#### Nays

*Cullen, Derkach, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Murray, Penner, Reimer, Rocan, Rowat, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 33, Nays 19.

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

\* (16:40)

### Point of Order

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

**Mr. Derkach:** Yes, Mr. Speaker, I want it noted that my matter of privilege was in no way intended to reflect on the hard work and the expert advice that is offered by our table officers and staff at Hansard. This was simply a matter of privilege with regard to a situation that occurred between you, Mr. Speaker, myself, and other members in the Chamber and not to reflect at all on the good work that is done by our staff in Hansard.

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

### Point of Order

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

**Mr. Derkach:** Mr. Speaker, on a point of order.

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

**Mr. Derkach:** Mr. Speaker, governments across this country are to be accountable to the people who have them elected. They are also supposed to be accountable to members in the House. My point of order has to do with the privileges that we as members have in this Chamber and, indeed, our responsibility to the taxpayers who elect us to do our job.

Mr. Speaker, I recall years ago when the now-Premier (Mr. Doer) was in his place here calling for a public inquiry indicating that cost was not a factor, that, indeed, what was a factor was to get to the truth of the matter. Just days ago I heard the Premier stand in his place, and he said when he called for the inquiry it was about money because there were cheques being ripped up. I want to remind him, since he is in the Chamber, that those cheques amounted to \$4,000 and that was private money—

**Mr. Speaker:** Order. I want to remind honourable members that, when you are up on a point of order, it is to point out to the Speaker a departure of the rule or the procedure of the House, and not to use points of order to debate other members in the Chamber.

The honourable Official Opposition House Leader, on his point of order.

**Mr. Derkach:** Well, Mr. Speaker, my point of order has to do with the accountability of ministers, accountability of this Premier to this Chamber and to the people of Manitoba.

As I was saying, I recall the Premier in this House who said that, yes, he was justified in calling

for a public inquiry when he was a member of the opposition because it had to do with money. The amount of money, I remind him, that he called the public inquiry for was \$4,000 of private money, and the Premier thought he was justified in calling for a public inquiry that was going to cost us millions of dollars to conduct. Today, Mr. Speaker, this same individual, this same man who is now the Premier of our province, is saying that we cannot afford a public inquiry into Crocus where millions, millions, millions of dollars, unitholders' dollars were lost.

Besides that, I refer members of this Chamber, do we not have any sense of obligation to the retired teachers and people who have invested money in the teachers' retirement fund? Do we not have any obligation collectively, as people whose hardworking dollars are put into the Workers Compensation Board, to look after injured workers, Mr. Speaker? If those are not lost dollars, then I wonder what is. If that does not warrant a public inquiry, then I wonder what does.

Now, Mr. Speaker, the Premier says that it would cost too much money. Have you ever heard of a lame-duck excuse like that? It is going to cost too much money. A province like Manitoba cannot afford to conduct a public inquiry into the loss of \$60 million of unitholders' money, plus millions of dollars of taxpayers' money and ratepayers' money?

So we have to ask the question: What on earth, what on earth is the Premier hiding? What is his Minister of Industry (Mr. Rondeau) hiding? What is his minister responsible for the Workers Compensation Board hiding?

**Mr. Speaker:** Order. A point of order should point out to the Speaker a breach of a rule or a departure from practice. I have been listening very carefully, and a lot of the comments are touching on the privilege that I just took under advisement today from the honourable Member for Inkster (Mr. Lamoureux). You know that, when a matter is taken under advisement, that issue should not be raised until I have brought back a ruling dealing with it, so I would ask the honourable member to pick his words carefully.

**Mr. Derkach:** I certainly acknowledge your caution.

Mr. Speaker, one of the departures from any rules of this House is to avoid the truth or to not disclose all of the facts when asked questions. We have seen this so repeatedly from these ministers. I have never seen a government in office that avoids

dealing with issues like this government does in this Chamber. Quite honestly, I have never quite seen the performance of anyone like we have with the Minister of Industry and Trade who says nothing. Every time he stands up to answer a question, he mumbles and bumbles away but never ever tells anything. Now, that might be clever, but Manitobans are catching on. The media is catching on, and maybe it is for that reason that he has lost some of his responsibilities to the Minister of Finance (Mr. Selinger). He will probably lose more of those responsibilities if he continues to conduct himself the way he has.

It is incumbent upon ministers, it is incumbent upon the Premier (Mr. Doer), when asked questions in this House to answer those questions truthfully, to answer those questions completely, Mr. Speaker, because Manitobans are watching. Manitobans want the answers. We are here as the conscience of government. We are here to ask the government why it is that certain things are not done or are done in the way they are.

But I know that the Minister of Energy, Science and Technology (Mr. Chomiak) was a master when he was in opposition. I will never forget that little recipe case he used to carry around with him. He had his little questions written out on cards. When we went into Estimates or when we went into questions, he would pull out his little recipe box, place it on his desk and flip through his cards to get his questions. Now, I presume those questions were written by his researchers, and they were filed in the appropriate place so he could ask them. Well, Mr. Speaker, I would suggest that he should have a recipe box now, but now it should have the answers instead of the questions. Maybe then we could get to the bottom of some of the issues that we raise in this House.

You know, Mr. Speaker, we asked about the government loan that went to Maple Leaf Distillers today, and I say that we asked that question very openly, and it was the minister's responsibility to answer quite openly and directly, but, instead, we saw a little song and dance. We know that the Premier (Mr. Doer) said this was a very secure loan. He trumpeted this initiative, this endeavour, this enterprise, and then we learn that this same enterprise that received government money—it is not the NDP money; this is government money which belongs to the people of Manitoba.

\* (16:50)

The people of Manitoba entrusted the government to invest on their behalf in wise measures, not to squander their money. There is a due-diligence process that should be done on every government loan. Now, there are some that are going to go bad, but, Mr. Speaker, if they do go bad, it is up to the government to be open about them and say, well, things did not work out. But to say that we did due diligence on a loan and then to find out later that, in the courts, this company owes millions of dollars to some 300 people or creditors across this land and even abroad just does not speak very well to how truthful and how open ministers and this Premier are with members of this side of the House and, indeed, all of Manitoba.

Mr. Speaker, I could talk about deliberately misleading. That is part of *Beauchesne*. It says that we cannot speak about ministers deliberately misleading the House, but misleading members of this Chamber is something, I think, the government is guilty of. That is my opinion, but it is not only my opinion, it is the opinion of many, and it is the opinion of people outside of this Chamber as well.

We could talk about falsehoods. We could talk about dishonesty. Those are all terms that are used in *Beauchesne's* as either being parliamentary or unparliamentary, but what we try to do is keep the language in this Chamber of such a calibre that it is parliamentary, that it does not impute motives. But I cannot help but try to find other words to describe accurately how this government has been conducting its affairs. Can I say that they are honest? No, Mr. Speaker, I cannot. Can I say they mislead? Yes, they do mislead, and example after example after example can show that.

Mr. Speaker, I go back to the whole Crocus scandal, and I ask the government whether it can in its own mind justify that losses to this magnitude do not warrant a public debate, a public inquiry, so that every aspect of this can be looked into, and so that it never happens again in the province of Manitoba.

Mr. Speaker, if the Premier (Mr. Doer) has nothing to hide, and if the Minister of Industry (Mr. Rondeau), has nothing to hide, and if the minister responsible for the Workers Compensation Board has absolutely nothing to hide, if the Minister of Education (Mr. Bjornson), who is responsible for the TRAF board, has nothing to hide, the Minister of Finance (Mr. Selinger), the most senior minister in the government, the minister who has been entrusted, who was looking after those scarce dollars that

taxpayers worked so hard for, if he has nothing to hide, then why on earth would they stall so vehemently the call for a public inquiry, and why would they come into this House and conduct themselves in a way—

**Mr. Speaker:** Order. The honourable member has been on his feet for about 10 minutes on a point of order. Points of order are to point out to the Speaker a breach of a rule or a departure of practice. In that time, I still have not heard the point of order, and I would ask the honourable member to address it.

**Mr. Derkach:** Mr. Speaker, thank you again for the caution, but if you were to look in *Beauchesne*, and I know you know it very well, and go to the section which deals about the interventions of a Speaker when language that is unparliamentary is used, I guess we could use that because I would use unparliamentary language, but I hate to do that, so I will try to stay with some of the adjectives that are parliamentary. That is why I referred to this government misleading Manitobans, and "misleading" is a term that can be used in *Beauchesne*. But, if I said that they were deliberately misleading, that would be against the rules of the House, that would be against the rules in *Beauchesne*, even though in my heart I know, as other Manitobans know, that there is some deliberate misleading, but I cannot use that in the House, so I am not going to use it. So I will only use that they mislead.

Mr. Speaker, I know that, for example, I could use "dishonest" as a parliamentary word, but I cannot use "liar." I cannot call anybody a liar because it is unparliamentary to do so. We have heard that term used across the hall. Now I go back to a time—I just noticed that my honourable friend, the Minister of Justice (Mr. Mackintosh), walked in whom I wanted to see—but I recall the MTS debate. Again, our affairs in here are conducted by *Beauchesne*, so, therefore, our actions and our words have to be in accordance with *Beauchesne*.

Now, if you go back to the MTS debate, I recall the Minister of Justice now, who was then critic, paced across the front of his benches here, then he crossed the floor and he walked in front of the First Minister. Now, I do not know how much gall you have to have to do that and how much disrespect for the rules of this House you have to have, but I recall him shouting from his back seat over there at the government, and then making his way in front of the First Minister, shaking his fist at the First Minister just inches away from the First Minister's nose. The

First Minister sat there as dignified as he could be with this member shaking his fist and shouting obscenities, words that are absolutely not allowed under *Beauchesne*—

**Mr. Speaker:** Order.

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

**Mr. Speaker:** Order. The honourable member has now gone over 15 minutes on a point of order. Points of order are to be used to point out breach of our rules, which I heard some mention of, but I still have not heard the point of order pertaining to a breach of our rules or a departure from our practice.

**Mr. Derkach:** Well, one of the rules of this House and established practice, and I thank you for that, Mr. Speaker, but one of the established rules of this House is to tell the truth. That is something that is incumbent upon all of us. So, when you talk about a breach of rules, I guess we have to talk about the basic common practice and expected rule that all of us live under.

Now, Mr. Speaker, one of the things that members of a Chamber have had to resign from their positions for is not telling the truth. Over the course of time, we have seen where either members of Parliament or members of legislatures who have, and I will use the term, "lied" in the House, misled the House and have been caught doing so, they have had to resign their seats. Now, how many times have we come very close to the edge of that under this government?

You know, one of the basic principles of this Chamber is that we are compelled to tell the truth when we are asked a question, but, Mr. Speaker—and I know you are a patient man, and I know that you are tolerant of comments of this kind—in my 20 years in this Chamber I have never witnessed anything that comes so close, so close to misleading, to dishonesty, to absolutely not telling the truth as I have under this administration. I say that in full knowledge of all of the debates we have had in this Chamber where I have been present.

Now, I think we have to remind ourselves that honesty and telling the truth are the basic cornerstones of this Chamber, and it is a rule that should be adhered to very closely and very strenuously. So, therefore, Mr. Speaker, my point of order is to do with the telling of truth, being honest, not misleading, not fabricating, but being up-front, being truthful, being honest with the public of Manitoba in our affairs in this Chamber.

**Mr. Speaker:** On the point of order raised by the honourable—are you concluded?

**An Honourable Member:** My light went off. Oh, there, it is on; it is back on.

Mr. Speaker, somebody was trying to punch my light out here, but I just thought we were out of time or something.

\* (17:00)

**Mr. Speaker:** Okay, it is five o'clock.

**An Honourable Member:** I am sorry.

**Mr. Speaker:** The hour is past five o'clock.

**Mr. Derkach:** So, Mr. Speaker, I would just conclude—

**Mr. Speaker:** Is there leave of the House to not see the clock?

**Some Honourable Members:** Leave.

**An Honourable Member:** No.

**Mr. Speaker:** No? The hour being five o'clock, tomorrow when we reconvene the House the honourable member will deal with his point of order.

The hour being past five o'clock, this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, March 13, 2006

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