

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

Official Report
(Hansard)

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authority of
The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, April 21, 2006

The House met at 10 a.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Grandparents' Access to Grandchildren

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

These are the reasons for this petition:

It is important to recognize and respect the special relationship that exists between grandparents and grandchildren.

Maintaining an existing, healthy relationship between a grandparent and a grandchild is in the best interest of the child. Grandparents play a critical role in the social and emotional development of their grandchildren. This relationship is vital to promote the intergenerational exchange of culture and heritage, fostering a well-rounded self-identity for the child.

In the event of divorce, death of a parent or other life-changing incident, a relationship can be severed without consent of the grandparent or the grandchild. It should be a priority of the provincial government to provide grandparents with the means to obtain reasonable access to their grandchildren.

We petition the Manitoba Legislative Assembly as follows:

To urge the Minister of Family Services and Housing (Ms. Melnick) and the Premier (Mr. Doer) to consider amending legislation to improve the process by which grandparents can obtain reasonable access to their grandchildren.

This petition is signed by Georgina Shackleford, Lillian Bjornson, Melvina Grant and many, many others.

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

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 Keri Mitchell, Jill Anderson, Caroline Dathart and many, many others.

* (10:05)

Mrs. Bonnie Mitchelson (River East): 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.

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by Antonio Cellamare, Rosa Cellamare, David Phillips and many, many others.

Crocus Investment Fund

Mr. Glen Cummings (Ste. Rose): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Auditor General's *Examination of the Crocus Investment Fund* indicated that as early as

2001, the government was made aware of red flags at the Crocus Investment Fund.

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

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

Industry, Economic Development and Mines officials indicated that several requests had been made for a copy of Crocus Investment Fund's business plan, but that Crocus Investment Fund never complied with the requests.

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

As a direct result of the government ignoring these flags, more than 33,000 Crocus investors have lost more than \$60 million.

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Presented on behalf of Gregg Burner, Donna Burner and Mitch Vodrey.

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by J. Klingzahn, B. Daurie and H. Davies and many, many others.

* (10:10)

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Dr. Dilip Abasaykera, president of Toastmasters International and Mr. Ralph Bell, district governor of Toastmasters International for Manitoba and Northwest Ontario. These visitors are the guests of the honourable Member for Burrows (Mr. Martindale).

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

Point of Order

Mr. Jack Penner (Emerson): Mr. Speaker, I rise on a point of order.

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

Mr. Penner: I would like to correct the record, correct the issues that were put on the record yesterday by the Minister of Water Stewardship (Mr. Ashton), when he said that I was reported as saying I had introduced legislation in Canada that would pay for the new filter and said that the Legislature is behind him.

I have a correction from WDAZ news in Grand Forks, and I would like to read that into the record if it is your will, Mr. Speaker.

Cassie Waldner, "We have a correction to make on a story we ran last night about the Devil's Lake outlet."

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Penner: "We said that Manitoba lawmaker Jack Penner introduced legislation that Canada would pay for a new filter for the Devil's Lake outlet and we also said that the Legislature was behind him, but Penner has only proposed to Manitoba Premier Gary Doer that Canada should pay for"—

Mr. Speaker: Order.

Mr. Penner: I am sorry, this is what the news release says.

Mr. Speaker: You still cannot do it.

Mr. Penner: Penner has only proposed to Manitoba Premier "that Canada should pay for the filter and send the bill to the United States if there was a signed agreement between them to build a permanent filter for the outlet and he did not say that the legislature was behind that idea. We apologize for that error." Thank you.

Mr. Speaker: Order. On the point of order raised by the honourable Member for Emerson, he does not have a point of order because correcting information is not deemed as a point of order.

ORAL QUESTIONS

Livestock Industry Beef Levy

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, this NDP government has expressed its outright contempt for the cattle industry in this province. They have decided, this NDP government has decided, to dictate to producers what will happen in this province with respect to the future of cattle marketing in Manitoba by establishing a \$2 non-refundable levy on the sale of every head of cattle.

Mr. Speaker, when initially presented with the prospect of expanded slaughter capacity in this province, our producers were optimistic but cautious. Farm incomes are at an all-time low. Producers are understandably hesitant to invest what little money they have in proposed slaughter expansion.

This Premier chose to force producers to invest by implementing a mandatory \$2 levy on every head of cattle sold in Manitoba ostensibly to pay for their plans to expand slaughter capacity. To date, the Premier has continued to ignore the stated interest of our cattle producers.

Mr. Speaker, I ask the Premier: Why is he continuing to force our producers to comply with this levy when they clearly do not wish to participate?

Hon. Gary Doer (Premier): Well, Mr. Speaker, the member opposite said that we were acting in contempt. I would suggest the total opposition is operating in contempt of the legislative debates.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Let me finish my answer here. They cannot handle a debate.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (10:15)

Point of Order

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

Mr. Leonard Derkach (Official Opposition House Leader): On a point of order, Mr. Speaker. The Premier was asked a question regarding this ill-conceived \$2 check-off on cattle. Instead of answering the question, he has now accused someone of contempt of the House. The only person in contempt of this House is the Premier who refuses to be accountable to Manitobans by not calling the public inquiry.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, we heard no point of order. We heard no alleged breach of any rule, like every point of order, I think, in the last number of days. Perhaps the opposition would want to use their time in this Legislature, use their time that their constituents expected them to use to deal with the public business.

Mr. Speaker: On the point of order raised--

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I have heard enough to make a ruling. On the point of order raised by the honourable Official Opposition House Leader, the honourable House Leader does not have a point of order, because we allow leaders' latitude.

Mr. Speaker: The honourable First Minister still has the floor.

Mr. Doer: Mr. Speaker, let me mention specifically dealing with farmers, cattle producers and all farmers, that in the budget there is a move to reduce the education tax on farmland from 50 to 60 percent. That item is in the statute tax law amendments, BITSA, which is being held hostage by members opposite.

Now I know members opposite did not reduce the education tax for farmers ever, but this party does not want to see this kind of contempt to lower taxes for farmers. Pass the budget. Pass this tax reduction for farmers. Let us get on with it.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Murray: Well, thank you, Mr. Speaker. The Premier talks about holding people hostage. The only people that are being held hostage in this province are agriculture producers that are being forced to put a \$2 levy, something that there has been no public consultation on. So we take no lessons from this Premier about who is holding who hostage in the province of Manitoba.

Mr. Speaker, representatives, organizations of the cattle industry have clearly indicated that this NDP government by posing this \$2 head tax on cattle will inevitably disrupt the market in the province of Manitoba. In the western region of our province, approximately 40 percent of the business that is generated at our auctions comes from Saskatchewan. Producers from the province will have absolutely no interest in Manitoba cattle markets if they are required to contribute this head tax as a condition of livestock sale.

Meanwhile, Mr. Speaker, this province's cattle producers would be well within their rights to seek markets outside of Manitoba. In either case, the effect of Manitoba's cattle market would be disastrous. We have seen no indication from this NDP government that there is any plan to address this negative effect that is going to happen in that market.

I would ask the Premier: Does he have a plan for addressing the 40 percent economic loss as a result of his cattle levy?

Mr. Doer: Yes, Mr. Speaker, we have invested \$10 million in the cattle industry. We note that the last—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. First Minister.

Mr. Doer: Mr. Speaker, we have also pledged a dollar-for-dollar match for further investment. The last major cattle processing plant closed down in Brandon in 1993 when members opposite were in government. There were previous plants closed down under our government.

I would point out the member opposite asks questions about western Manitoba. Why are they holding up the dividend tax credit? Why are they holding up the farm credit? Why are they holding up the oil and gas exploration credits that are in the budget? If they cared about western Manitoba, they would pass this budget now, Mr. Speaker.

Mr. Speaker: Order.

* (10:20)

Point of Order

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

Mr. Derkach: Mr. Speaker, on a point of order, again, on this Premier. Now he just shouted across the hallway that we do not know the law, but maybe he should learn the rules in this House and the fact that you should put true comments on the record instead of false comments on the record.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. When members have the floor, please direct the comments through the Speaker. We do not want to personalize any questions or debates in the House. It is all through the Speaker.

Mr. Derkach: Thank you very much, Mr. Speaker. The Premier should know that it is an important practice in our House to tell the truth.

Mr. Speaker, the Premier has an order that was passed in this House called Interim Supply. He has the ability to carry on business as usual until the end of August. Additionally, on the 12th and 13th of the month of June, the House will pass the budgetary motion as is prescribed by order.

So, Mr. Speaker, let him not mislead this House or Manitobans who are watching here today about the fact that some programs cannot go ahead. That is just false.

Mr. Speaker: Order.

Mr. Mackintosh: On this point, because it is an important issue, the opposition has abandoned their duties as elected members to represent constituents in this Legislature. We are now two-thirds of the way through this legislative session, and you know, Mr. Speaker, they have used about five of their one hundred hours in Estimates to scrutinize government spending plans.

They have prevented the public from speaking on all the public bills on the Order Paper awaiting second reading. They are imperilling all the legislative agenda, the budget agenda, and they know it full well.

What is most odd about this, they have not even got the courage to allow the Leader of the Opposition's non-confidence motion to be debated in this House. In fact, they will not even get up and support it. I wonder, do they not just not support their leader, do they not even support his non-confidence motion. This opposition was arguably ineffective. Now, Mr. Speaker, they are decidedly useless.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (10:25)

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, I do believe that Beauchesne's and practices of this House have clearly indicated that it is not appropriate for the Premier or the Government House Leader to be imputing motives on behalf of members of the opposition. I think that it is very, very important to recognize that this government, this majority government, has tools that it can use within the Legislature in order to accomplish what it is that it wants to get done.

The combined opposition has taken a position that it is in the best interests of the public that a public inquiry be called in regard to the Crocus affair, the Crocus fiasco, Mr. Speaker. We are using the mechanisms and the tools as prescribed within our rules to use appropriately. It is not appropriate for this Premier to stand in his place and make false allegations as to what is actually taking place in this Chamber when he knows full well that he can do the

things that he is talking about that he says that he cannot do. As opposed to trying to blame the opposition for their negligence in the cattle industry, he should be accepting responsibility and stop behaving in the way in which he has, in fact, do the honourable thing and call a public inquiry regarding the Crocus fiasco.

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

Mr. Doer: On the same point of order. Mr. Speaker, I would point out that the tax reductions are in BITSA. It is a specific piece of legislation which is required to implement tax reductions, including the farm education tax reduction. So members opposite have to understand that there are consequences. It is not a free ride to ring bells week after week after week. There are public consequences.

I would point out—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, in the past there have been parties in opposition that have—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, there have been parties in the past in opposition that have voted against the budget because there is a lack of investments in certain programs but voted for the BITSA bill because there are specific tax reductions that they support. These are separate motions before the Legislature. Members opposite have already said they are going to hold up all the legislation. Part of that legislation is the tax reductions, and they should know that.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised, before I make a ruling I want to remind all honourable members that points of order are to point out to the Speaker a departure from a rule or a practice of this Chamber. Points of order should not be raised for the purpose of debate, and I want to remind the House that when points of order are raised I have been very lenient. I have allowed members to get up on points of order and I have always, always allowed the House leaders and the member that has raised the point of order a chance to respond to the point of order. That is for the information for the House.

So the honourable member does not have a point of order.

* * *

Mr. Speaker: The honourable First Minister had the floor.

Mr. Doer: No, that is good.

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, the issue about the forced levy that this NDP government is imposing on our cattle producers is one that I think strikes at the very heart of what democracy is about, and that should be about the fundamental freedoms of our society and the freedom of choice.

Organizations such as the Manitoba Cattle Producers Association have long prided themselves on offering their members an opportunity to choose whether they wish to contribute to the organization through a refundable beef check-off. This NDP government, Mr. Speaker, has not offered producers a choice on how they wish to invest. The outcome of producer organizations is a loss of support to the extent that groups like the MCPA could collapse, leaving only, and shudder this, leaving only this NDP government in charge of cattle marketing in Manitoba.

Mr. Speaker, I ask the Premier: Is it his ultimate goal through the capitulation of private industry through increased nationalization, and if so, what industry is next?

* (10:30)

Hon. Gary Doer (Premier): Mr. Speaker, the industry left Manitoba, and that is what we are trying to deal with. The processing industry left Manitoba. It did so over successive governments. That is not good for Manitoba.

We want to bring the processing industry back from Alberta and Saskatchewan and we have got to build it. That is why we put \$10 million in to build back an industry of processing in Manitoba and not face another closure of the border and a BSE situation.

That is why, Mr. Speaker, I would urge members opposite to support the budget which reduces farmland education tax. I know in office they never touched it. In fact, they raised taxes on farmland. I want them once to stand with farmers and vote for

this reduction on education tax on farmland. Thank you.

Mr. Speaker: The honourable Member for Lakeside.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Lakeside has the floor.

Cattle Enhancement Council Stakeholder Input

Mr. Ralph Eichler (Lakeside): Mr. Speaker, this First Minister has done nothing for three long years and now he claims fame to the increase in slaughter capacity. He has done nothing. This NDP government has gone out of its way to force the Cattle Enhancement Council on our province's cattle producers. In doing so, they deliberately spurned any advice or opinions for the producers themselves.

Why did this Minister of Agriculture not obtain stakeholder input through appropriate consultation process with our farm families in Manitoba?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Well, Mr. Speaker, this member opposite speaks out of both sides of his mouth. On November 2, the member opposite said why does this government refuse to move ahead aggressively in establishing processing facilities in Manitoba. When we come up with a proposal and a solution where government and producers can work together and in partnership, the member opposite cannot find anything else to do but criticize.

I will tell the member opposite that I have consulted extensively. Manitoba Cattle Producers took a resolution, took several resolutions to their annual meeting suggesting that there be a check-off. It did not get debated on the floor, but I can tell you that, across the province, producers have supported this.

Mr. Eichler: Mr. Speaker, a Conservative government would have the processing plant already built, not just talking about it.

The lack of leadership demonstrated by this NDP government through its refusal to consult with cattle producers has left a foul taste in their mouth. Making the decision for the cattle industry is again witness to the true nature of socialism.

When will the minister take the people's democratic rights seriously and go to the cattle producers

for a vote on whether this marketing board should be put in place, Mr. Speaker?

Ms. Wowchuk: Well, the member opposite is talking about things that we have promised but have not been able to deliver on, Mr. Speaker. I want to remind the members opposite that they promised the Brandon hospital seven times, never delivered. Under their administration, we lost the Burns plant in Brandon because they did absolutely nothing. They did nothing.

Mr. Speaker, we have put money into this. We have worked with a number of—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I remind members that we have guests in the gallery, we have the viewing public and decorum is very important. There was the incident not very long ago when a member rose on a point of order and I had to deal with a ruling. I could hardly even hear. I ask the co-operation of members. I need to be able to hear the questions and we need to maintain decorum here.

Ms. Wowchuk: Thank you, Mr. Speaker. We lost packing capacity under the Conservative administration. I look at what they are saying, and they are more interested in economic development in Saskatchewan and Alberta than they are in economic development in this province.

Mr. Eichler: At least those other provinces are doing something besides just talking about it, Mr. Speaker.

This NDP government has put forward regulations governing the creation of the Manitoba Cattle Enhancement Council. Once again, we see the preference for nationalization, control of the industry. This is communism at its worst.

Mr. Speaker, under this regulation council members will have a right to set their own salary, hire their own staff, buy and sell assets. Meanwhile, the very people who have to pay for this marketing board were given no opportunity to provide input on whether they were actually wanted in the first place.

Will the minister today agree to withdraw the proposal for the Manitoba levy on cattle sold within the province of Manitoba, Mr. Speaker?

Ms. Wowchuk: Well, again, Mr. Speaker, a little bit of history for the member opposite: It was his government, when they were in government, that nationalized the gas company and sold the telephone

system from under the people of Manitoba. That is no record. That is the record of the members opposite.

Mr. Speaker, we want to increase slaughter capacity in this province. Producers have told us they want to be part of the slaughter capacity. Producers have told us they want a way to invest. Producers have asked for a pay-as-you-go way, and they are one industry where the government is matching them. In no other sector is the government matching the industry dollar for dollar so that we will have slaughter capacity.

I would ask the member to get on board and indicate if he really does want slaughter capacity to grow.

Some Honourable Members: Oh, oh.

An Honourable Member: Point of order, Mr. Speaker.

Mr. Speaker: Order. Before I recognize the point of order, I remind the members that the clock is ticking. We are trying to get as many questions and answers in. Decorum is important in the House.

* (10:40)

Point of Order

Mr. Speaker: The honourable First Minister, on a point of order.

Hon. Gary Doer (Premier): Yes, Mr. Speaker, on a point of order. I know that nobody is perfect in this House, but I would point out that normally we are used to being heckled on this side by members opposite, but I find it passing strange that the Member for Steinbach would be heckling his own leader.

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

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, let us be very clear here. I made a clear comment to the minister that he should get on board to help out farmers in Manitoba. I am proud to stand up for farmers in this province. I am proud to stand up for farmers in the east, the west, the south and the north. I wish the Premier would stand up with this caucus and say, we will stand with farmers today, tomorrow and in the future.

Mr. Speaker: On the point of order raised by the honourable First Minister, he does not have a point of order.

* * *

Mr. Speaker: The honourable Leader of the Official Opposition has the floor.

Devils Lake Outlet Filtration System—Negotiations

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, in just over one week the Devils Lake outlet is scheduled to begin sending thousands of cubic feet per second of water into the Red River. This NDP government has wasted an incredible amount of time complaining about who is responsible for constructing a filtration system to protect our lakes and rivers. The Premier himself has placed the matter in the lap of the federal government, hoping to provide a scapegoat to blame for why the water is flowing untreated into the Red River. The time for debate is over. Playing the blame game is getting this NDP government in Manitoba frankly nowhere. People's frustrations are growing as time runs out.

Mr. Speaker, will the Premier, finally, will he finally take steps to sit down and negotiate with his state counterpart in North Dakota?

Hon. Gary Doer (Premier): Well, Mr. Speaker, the Governor of North Dakota and I have discussed lots of issues. He also knows that this is an international treaty. I would point out, and I did not have the Hansard yesterday, that on November 3, 2005, in a question that the member opposite posed to me, I made it clear that we wanted to have the wording signed off in legal form, and it is being negotiated between Canada and the United States in the President's Office. I further said, on November 3, I stated what was obviously in the media in August, that Ambassador McKenna is working on an agreement in legal form, in Hansard. So I want to clarify that issue.

The issue of Devils Lake is on the highest agenda. I tabled yesterday the document from the Prime Minister's Office.

Mr. Speaker, the federal Canadian government, through our Prime Minister, is attempting to implement the international treaty for boundary waters. He is attempting to ensure that there is no unilateral action by North Dakota or any state in the United States. He raised it with the President of the United

States in Cancun. I want to thank the Prime Minister for raising it. But, obviously, if the Prime Minister of Canada agreed with the member opposite that this was just a local issue he would not have raised it with the President of the United States in Cancun.

Mr. Murray: Well, Mr. Speaker, I understand the fancy footwork that the Premier is trying to bring into this debate. The facts are, and it is in Hansard, that the Premier has told Manitobans that there was a signed agreement. We all know that. That is a fact. He has indicated that to the media. When we simply asked him to table that signed agreement that he repeatedly made comments on he was unable to do that, in fact admitting that there was no signed agreement.

So, Mr. Speaker, Manitobans find themselves in a position where they have the Premier who says one thing, and that is unfortunately not accurate nor is it going to help Manitoba in terms of what is happening with Devils Lake. So all of the political rhetoric on the other side simply has duped Manitobans, and that is unfortunate because I do not wish to see the Premier squander any more opportunities to resolve this issue.

The point is not whether the federal government should construct a filtration system. We all know that it will clearly not be in place by May 1. What is needed now is a means of resolving the tensions that currently exist between North Dakota and Manitobans. The government needs to work with the State of North Dakota to develop an agreeable means of managing water issues in the region. It needs to find amicable solutions that will satisfy both parties as much as possible.

Mr. Speaker, I ask the Premier: Will he now commit to a co-operative approach on water management and stop pointing fingers before it is too late?

Mr. Doer: Well, Mr. Speaker, the Governor of North Dakota last year stated that he did not believe—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: The Governor of North Dakota stated last year that he did not believe—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: The Governor of North Dakota stated last year that he did not believe a filter was necessary for the materials in Devils Lake. The CEQ office of the President that has been dealing with this issue at the President's level with Canada does believe that a

filter is necessary post the testing that took place last year. They have, in fact, hired a design team, out of Iowa I believe, and have come up with designs that have gone to the national Government of Canada and to the United States.

I have talked to the governor about all water issues south of the border and north of the border twice this last week, Mr. Speaker, but I would not want to create any illusions on any possibilities. We have ideas, and I would point out again the member opposite asked me a question in November, and I stated that the document was not in a legal form. I said that on page 158 of Hansard, and I said it again on page 159 of Hansard, which was consistent with what was in the media last August.

So, Mr. Speaker, yes, there are discussions going on between Canada and the United States. Yes, there are discussions going on between the White House and the Foreign Affairs Department. Even as late as last week, Peter MacKay raised this issue again, and I talked to Ambassador Wilkins yesterday, raised this issue again with the Secretary of State, Condoleezza Rice.

Mr. Murray: Well, Mr. Speaker, there is clearly a brief opportunity here to resolve their dispute with North Dakota over water. The Governor of North Dakota has indicated his willingness to negotiate with Manitoba and retain the good relationship we have enjoyed with our American neighbours, and certainly we do not need the Premier referring to anybody down there as villains. We do not think that helps the cause.

If the Premier continues to turn his back on relations with North Dakota, we will get absolutely nowhere. Once the water begins to flow out of Devils Lake, regardless of its content, the resentment from Manitobans could be irreparably damaged in terms of relations. It is not too late, Mr. Speaker. We have experienced an extremely rewarding friendship with our North Dakota neighbours for decades. This Premier does not want to be known as the one to bring that to an end through indifference.

I would ask this Premier and this is a very important issue. I think we have seen, for the past five to six years, this minister mislead Manitobans on this issue. It is an important issue, and I would just ask the Premier: Will he sit down and get meaningful discussions that will ensure the Red River and Lake Winnipeg are protected from Devils Lake?

Mr. Doer: Mr. Speaker, when we came into office, the United States Senate had a \$680-million approval for water to move from the Missouri River system to Manitoba without any information being given to Manitobans. That is the first file and the first letter I received was dealing with—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: Well, I got the letters. *[interjection]*

Mr. Speaker: Order.

Mr. Doer: It went to the previous government.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: We lobbied as hard as we could to stop that project. There was a second proposal called NAWS. It is not indifference that we went to court to stop again a project from the Missouri River system to Manitoba.

Mr. Speaker, there is a third proposal called the North Dakota state water appropriation where they were going to take water from Lake of the Woods or the Missouri River system. We are still opposed to that.

Water disputes between Canada and United States are not exercises in a high school debate. They have been strictly completely unilateral proposals to move water from the Missouri River over to the Red River and have alien species in our lakes. There is not one drop of water that has flowed over seven years, since we have been in office, from the Missouri River system. That is not indifference, that is major effort.

Secondly, on Devils Lake, we have discussed—*[interjection]* It is our view, and it was the view of the Prime Minister of Canada to the President of United States, that either the filter is installed by the U.S. appropriately or the water should not flow. The filter for protecting Manitobans should be in place before the water flows.

Now, Mr. Speaker, we have talked about other ideas with North Dakota and I want to make that clear, but we consider it very, very contrary to being good neighbours if the water flows from that lake without the filter being installed by the U.S. federal government.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I have a signed agreement that the first six questions are the Official Opposition. I

have not been instructed otherwise, so if the honourable Official Opposition House Leader would indicate to me if there has been an arrangement made then that is what I will honour.

Mr. Leonard Derkach (Official Opposition House Leader): Yes, Mr. Speaker, I apologize that I did not approach you on the issue, but yesterday the independent members did not get an opportunity to ask a question. So, therefore, we have allowed for the leader of the third party to ask his question out of the order for today. Thank you.

Mr. Speaker: I thank the honourable member for that. The honourable Member for River Heights on question No. 4.

* (10:50)

OlyWest Hog Processing Plant Economic Analysis

Hon. Jon Gerrard (River Heights): Mr. Speaker, my question is for the Premier. The Premier has been saying that the location of the hog plant is the fault of the mayor and the council of the City of Winnipeg, but I understand that it was the Premier and his government who were working with the OlyWest consortium first and that it was the Premier and his government who approached the City of Winnipeg, its mayor and council with a proposal to work together to support the OlyWest plant. It is also highly unlikely that the mayor and council would have approved the OlyWest hog processing and rendering plant if the Province was not already at the table to the tune of 27.5 million.

I ask the Premier why he approached the City of Winnipeg without ensuring the full support from area residents and businesses first.

Hon. Gary Doer (Premier): Mr. Speaker, OlyWest was looking at different provinces to locate their operation. I have made it clear that we support the idea of greater processing in Manitoba. The Province of Manitoba has to be very careful that we do not pick one municipality over another. We make comparable investments available to companies that would look at Manitoba over Saskatchewan. The Province of Saskatchewan put a considerable amount of money in Saskatoon for the Mitchell processing plant.

So, ultimately a proponent, a private company, proposes a location and the host location has to make the decision. In this case, it was an industrial park. We believe in improved processing in Manitoba. We

do not want to see three million hogs continue to go down south with the liability that represents, Mr. Speaker, but private capital is private capital. It invests where it feels appropriate and it makes the decision, private capital on a \$200-million proposal makes the decision where it is going to locate.

Mr. Speaker, this company is not owned by the Province of Manitoba and it is not dictated to by the Province of Manitoba as suggested by the member opposite.

Mr. Gerrard: Mr. Speaker, an industrial park designed, as Bernie Wolfe has said, for high tech industries.

My supplementary to the Premier: The Premier is on record as saying that the OlyWest hog processing plant is good economics. There are many who have raised questions about this. Does the Premier's economic analysis include the extra costs of cleaning up Lake Winnipeg? Does the Premier's economic analysis include the loss of property values in the region around the St. Boniface Industrial Park? Does the Premier's economic analysis include the loss of high-tech jobs as the result of locating the OlyWest plant in the St. Boniface Industrial Park?

I ask the Premier to table today his economic analysis which he has been talking about. Does it actually exist? Please, Mr. Speaker, the Premier should table this to show it actually exists.

Mr. Doer: Well, the material was in the press release and it is up to—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, I would point out also that the MIOP loans that we have been engaged in have all made money, so when the member opposite uses the 27 million, he could know that the \$7 million is lower than the Maple Leaf grant.

I also want to make it clear that this project, this proponent must go before the Clean Environment Commission. Unlike Maple Leaf, which had a closed door, backroom process, we have promised people that this will be an open, public process, Mr. Speaker, and there cannot be any approval of our Clean Environment Commission and this government if there is one reduction in standards on Lake Winnipeg if there is not adequate treatment. That is a guarantee to the public we will make as a government.

Mr. Gerrard: Well, there you are, Mr. Speaker, no economic analysis tabled. A press release is hardly economic analysis. We would expect a little bit more from the Premier. Is the Premier's economic analysis hypothetical, like so much of what his government has been doing lately and talking about? Many suspect the Premier's idea of economic analysis is his talking off the top of his head or press releases.

Until the Premier actually tables his analysis, we will have to conclude that he has not done a rigorous full costing of the OlyWest plant. Is the Premier not tabling the analysis because it does not exist? Is it just hypothetical?

Mr. Doer: Mr. Speaker, I know that the member opposite when he invested \$10 million of federal money in the Isobord plant was very thorough in his analysis. We have not had any of those yet, so I do not need any lectures from the member. He has a pretty good record of failures.

If the member opposite has the courage to deal with the budget and he will go to the Estimates, Mr. Speaker, we will be able to provide a detailed economic analysis of why an investment which is lower than the Maple Leaf investment and has a higher private-sector investment than Maple Leaf and will deal with three million hogs that are now going south is good economics for Manitoba. I also said it is bad politics. But I recognize it is good economics for Manitoba.

Point of Order

Mr. Leonard Derkach (Official Opposition House Leader): Well, Mr. Speaker, I rise on another point of order on the same—

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

Mr. Derkach: Mr. Speaker, repeatedly in this House this Premier stands up, puts false information on the record and knows now that it can just be treated as a dispute over the facts.

You know, he accuses the leader of the third party about an investment that was made in Isobord, and there are enterprises that do fail. But the fact is, when we have a scandal on our hands like Crocus, where 33,000 Manitobans lost over \$60 million and the Premier will not call the public inquiry, that is an issue that he should pay attention to.

Mr. Speaker: Order. On a point of order raised, before I make my ruling, I would like to remind all honourable members that points of order to be

brought to the attention of the Speaker are of a breach of a rule or a departure of practice, not to be used as a purpose of debate.

The honourable member does not have a point of order.

Teachers' Retirement Allowance Fund Investment Practices

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, the Minister of Education has been asked many questions this week about an 18-page letter that he received from Tom Ulrich, the whistleblower who lost his job at the teachers' pension fund. This minister has arrogantly blown off these questions and been disrespectful of retired teachers who are concerned about their pension.

Mr. Speaker, I would like to ask him: How is it that the teachers' pension fund can find \$10 million and put it into a risky investment that they were advised against and, yet, they somehow cannot find the money to give the teachers the COLA that they have been promised?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): First of all, I should correct the record that the member has repeatedly put misinformation on the record about Mr. Ulrich's status. He had not had his contract renewed by the TRAF board, and the letter was received some six months after that was the case.

Now, I have given the member opposite three letters from the stakeholders in the teachers' pension fund from the Manitoba Teachers' Society saying, and I have tabled all three: one that was addressed to the Member for Charleswood, one that was addressed to the Member for Ste. Rose (Mr. Cummings), another one that had been addressed to the Member for Charleswood. All of them have said: "To avoid any future misunderstandings perhaps you should contact the CEO or board chair of TRAF to clarify your concerns."

Members opposite are putting misinformation on the record about the teachers' pension, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, deflection by this minister from the true facts here is not going to make this go away. Retired teachers are very concerned about his actions.

According to Mr. Ulrich's letter, Mr. Black, the Doer government's appointee to the chair of the teachers' pension fund and their investment committee said, and I quote: He suggested that a few

million dollars here or there did not matter if there was not good performance because it might not affect the overall return of TRAF. Well, that piddling few million dollars that Mr. Black thought maybe was not at much risk to the overall pension certainly could have gone a long way to addressing this issue of COLA for the teachers.

Would the Minister of Education now be prepared to put a retired teacher through legislation on the TRAF board to protect the retired teachers' pension fund?

Mr. Bjornson: Well, Mr. Speaker, I am prepared to debate legislation, unlike members opposite. I am not sure what the member does not understand about the rate of return on the teachers' pension fund with respect to the portfolio investment in real estate. The percentage of investment is 11.1 percent on the real estate investment portfolio, which falls within the benchmark range. I have mentioned in three separate answers to the member opposite that this has performed above the rate of return on one-, five- and ten-year measures.

* (11:00)

The Manitoba Teacher had a headline saying: 14 percent on TRAF. The teachers' pension fund is healthy. The only people who are saying there is a problem are the members opposite. They should take it off their Web site, saying: Is the teachers' fund at risk? There is fearmongering, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, the Auditor General has even criticized this Minister of Education for not paying adequate attention to Mr. Ulrich's letter. Mr. Ulrich advised against a risky \$10-million investment into the Manitoba Property Fund. This minister has been blowing off this question all week, and he cannot even stand here and tell teachers that they are going to get any good return on this \$10-million investment. Instead, he tries to deflect about the whole fund and his own appointee to the board was in there trying to move this investment forward.

Mr. Speaker, I would like to ask this minister why he did not pay better attention to Mr. Ulrich's letter; instead, this man was fired.

Mr. Bjornson: Once again, Mr. Speaker, Mr. Ulrich's contract was up for renewal. The TRAF board decided not to renew the contract. That is the fact.

The teachers' pension fund has performed above the rate of return, and 14 percent return last year was

reported in *The Manitoba Teacher*. I have shown the member opposite three letters from the Manitoba Teachers' Society expressing concerns about the fearmongering by members opposite about the health of the fund. It does not surprise me that they have not taken advice from those three letters sent to the teachers, because they did not listen to teachers in the 1990s and they are not listening to the teachers now, Mr. Speaker.

Crocus Investment Fund Reporting Process

Mr. Glen Cummings (Ste. Rose): A couple of days ago I asked the Minister of Finance, who I believe is probably the one minister in this government who has the ultimate knowledge about financial affairs, about whether or not there were regular reports on MIOP loans related to Crocus.

I would also ask him today, he was quite circumspect in his answer. I know from experience that he would have been receiving reports, but I would like him to confirm to the public that he would have been receiving regular reports on the status of Crocus.

Hon. Greg Selinger (Minister of Finance): I am not aware of any MIOP loan that was ever given to Crocus. I think the member is misinformed.

Mr. Cummings: You see, Mr. Speaker, that is exactly why we need an inquiry into what is going on in Crocus—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Cummings: —because trying to confuse the public as to whether or not this government had any knowledge about what was going on in Crocus seems to be the way they intend to operate.

Mr. Speaker, I give this minister a chance, again, the most powerful minister in this government about knowledge of finances, whether or not he received reports on the status of Crocus early on in 2001.

Mr. Selinger: Mr. Speaker, there is published information every year on MIOP loans. The member has full access to that. There is no need for an additional inquiry for information which is already in the public domain.

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

MEMBERS' STATEMENTS

National Wildlife Week

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, it is with great pleasure I rise today to draw attention to National Wildlife Week which was proclaimed by an Act of Parliament in 1947. It takes place each year in the week surrounding April 10, the birth date of Jack Miner, late, great pioneer of Canada's conservation movement.

National Wildlife Week is a time to pay tribute to our country's natural heritage and to actively contribute to the conservation of wildlife through school and public education programs nationwide.

Each year the Canadian Wildlife Federation selects a wildlife-related theme and this year it is "Watersheds . . . more than just water . . . explore yours."

As MLA for the Interlake I have jurisdiction over a number of watersheds, and over the seven years I have served in the Legislature I have learned that water issues are a primary concern to rural Manitobans. In this regard I want to acknowledge the good works of the many people who worked toward the recent establishment of the East Interlake Conservation District, and I encourage residents on the west side of the region to consider moving in this direction as well. Established by the Right Honourable Ed Schreyer in the early 1970s, the CD program focusses various levels of resources on a multilateral and holistic approach to watershed planning.

Mr. Speaker, in closing I want to pay tribute to one of my constituents, Mr. Bohdan "Bud" Ewonchuk who passed away a few days ago on April 17. For many years Bud worked closely with our Conservation staff on a critical wildlife resource, the elk herd that was reintroduced into this region of Manitoba many years ago. His compassion, understanding and contributions in this regard are much appreciated, and his presence will be sorely missed by all who had the privilege of knowing him. Thank you, Mr. Speaker.

Pam Salter

Mr. Denis Rocan (Carman): Mr. Speaker, today I would like to acknowledge the wonderful young people of the Carman constituency. Every time that I have an opportunity to visit the big or small communities, I meet more young people who I am certain

will enjoy a bright promising future as they promote their chosen sports.

One such young person is Pam Salter of Carman, a Grade 12 student from Carman Collegiate Institute. She was recently awarded a scholarship by the Manitoba Association of School Trustees Citizenship Award Committee for writing an essay about what citizenship meant to her. Mr. Speaker, I would like to take this opportunity to congratulate Pam and wish her the best of success in her future endeavours.

After the recent visit from our Olympic athletes, I want to take a moment to briefly recognize all the young athletes throughout the constituency of Carman and across this great province. I hope to see more Manitobans on the Olympic podium in the years to come. I know that minor hockey and ringette are wrapping up for the season, and it has been great to watch these young boys and girls enjoy and grow in their sports. Families have travelled long distances to play in tournaments, and there were many early morning practices.

Congratulations to all the hockey and ringette teams on their victories and successes.

Bonne chance à tous les joueurs dans leurs matchs de hockey et de ringette dans la prochaine saison. Merci beaucoup, Monsieur le Président.

Translation

Good luck to all the players in their hockey and ringette games next season. Thank you very much, Mr. Speaker.

Live Well for Seniors

Ms. Kerri Irvin-Ross (Fort Garry): Mr. Speaker, it is my pleasure to bring to the House's attention an important and innovative program for seniors in my constituency of Fort Garry. This pilot project, Live Well for Seniors, aims to educate seniors in the community about the significance and benefits of healthy living.

Healthy living, Mr. Speaker, involves many factors as diverse as physical activity, a proper diet, and a nurturing environment, all of which contribute to the ability of an individual to live a full and complete life. Given the specific health needs of many seniors in our province, an emphasis on healthy living and on environments that support a healthy life style is essential.

A six-week-long program that began this past March, Live Well for Seniors gave seniors the ability

to acquire healthful and useful nutrimental information, participate in light physical activity, watch cooking demonstrations, and engage like-minded seniors in friendly conversation. Supported and led by three qualified and experienced nutritionists from the community, seniors also learned about different healthy living techniques that range from tai chi exercises to ways in which to increase the amount of calcium and fibre in a diet. Mr. Speaker, these are little tips and tools, and they provide the building blocks for what amounts to a healthy lifestyle.

I would like to take this opportunity to thank the nutritionists and all of those who helped to set up the Live Well for Seniors program and have made it such a success. I would also like to thank all the seniors who participated. Creating the conditions necessary for healthy lifestyles through programs such as this is a community responsibility; however, it is each individual who benefits from this collective effort. Thank you, Mr. Speaker.

Prime Minister Harper

Mrs. Mavis Taillieu (Morris): Mr. Speaker, Prime Minister Stephen Harper visited Morris by helicopter on Wednesday to survey the damage caused by the recent flooding of the Red River, the fifth largest flood in this last century. He was accompanied by the Honourable Vic Toews, federal Minister of Justice, M.P. Joy Smith, the Premier (Mr. Doer), Mayor Sam Katz and others. He was met in Morris by Reeve Herm Martens, Mayor Barrie Stevenson and myself, along with local officials and media, children and their parents. I am told it was the first time a Prime Minister had officially visited the town of Morris.

* (11:10)

There was recognition of the efforts made by the local officials and the community in mitigation and floodproofing. Although the waters did not flood any residences, there is still a huge impact on the farming community, the local economy and, indeed, the economy of the province with our major route into Manitoba via Morris being closed for approximately three weeks. We will be watching to see how quickly Highway 75 will be opened as it is crucial to the town of Morris. After the floodwaters recede there will still be much to do in cleaning up the debris.

After Prime Minister Harper surveyed the expanse of water from atop the south dike in Morris, he stopped to talk to some local children about school and hockey, much to their delight. They were

very excited to actually talk with the Prime Minister of Canada. One little tyke being pulled along in his wagon by his mother caught the attention of the Prime Minister, and he knelt to talk to him. Coincidentally, the child's name was Noah.

Mr. Speaker, I am proud to say that Prime Minister Harper, on his first official visit to Manitoba, landed in the town of Morris in the constituency of Morris. Thank you very much.

Manitoba Business Adventurers Banquet

Mr. Bidhu Jha (Radisson): I rise to inform the House of my recent attendance at the Manitoba Business Adventurers banquet sponsored by the MBA program at the Asper School of Business. This banquet featured keynote speaker, Mr. Cohen, Chairman of Gendis Incorporated and SAAN Stores. From the Hudson's Bay Company to the modern-day Richardsons and Aspers, this black-tie event celebrated Manitoba's proud business heritage. It was attended by Dr. Emoke Szathmary, President of the U of M; Dr. Glenn Feltham, Dean of the Asper School; Dr. Jay Doering, Dean of Graduate Studies; John Alho, Associate Vice-president; many scholars, students and business leaders.

At this event, Mr. Speaker, I was reminded of the importance of education to our province's growth and prosperity. In recognition of this, our budget makes a three-year commitment of \$60 million for universities and colleges. Once again, our budget continues the 10 percent tuition reduction and maintains the tuition freeze at 1999 levels. Reduced tuition and increased funding to colleges and universities has contributed to record enrollments province-wide. These investments are important for the futures of our young people and to build a strong economy.

Mr. Speaker, I congratulate and thank parents, teachers, administrators and volunteers in the schools across the province doing great work to prepare Manitoba's young people for competition in the global market. Quality education includes activities such as music, art, theatre and sports. During the 1990s, members opposite took pleasure in cutting these programs; our government has restored them.

Throughout the month of April, MLAs and staff have enjoyed performances put on by 650 students in the Legislative Building. The performances are part of Music Month in Manitoba's schools. On behalf of our members, I congratulate and thank the students,

their directors and band leaders for enjoying and having this function at the Legislature.

Mr. Speaker, I would also like to salute the students and educators of the MBA program at the Asper School of Business for their commitment to entrepreneurship and the continuation of proud business. Thank you, Mr. Speaker.

MATTER OF URGENT PUBLIC IMPORTANCE

Mr. Ralph Eichler (Lakeside): In accordance with the Rule 36(1), I move, seconded by the Member for Russell (Mr. Derkach), that the regular scheduled business of the House be set aside to discuss a matter of urgent public importance, mainly the government's unilateral decision to create the Manitoba Cattle Enhancement Council and establish a mandatory \$2-a-head cattle levy and the potential impact on the cattle industry and the cattle producers in Manitoba in terms that circumvents democratic principles of our society.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Before recognizing the honourable Member for Lakeside, I believe I should remind all members that, under Rule 36(2), the mover of a motion on a matter of urgent public importance and one member from the other parties in the House are allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

Stated in *Beauchesne*, Citation 390, "urgency" in this context means the urgency of immediate debate, not of the subject matter of the motion. In their remarks, members should focus exclusively on whether or not there is urgency of debate, and whether or not the ordinary opportunities for debate will enable the House to consider the matter early enough to ensure that the public interest will not suffer.

Mr. Eichler: Mr. Speaker, I rise this afternoon to ask leave of the House to set aside the regular scheduled business of the Assembly to deal with a matter that is of urgent public importance. There are two conditions that must be satisfied for this matter to proceed. The first requirement is to file the motion with the Speaker's office at least 90 minutes prior to

the routine proceedings. I believe that requirement has been satisfied.

The second condition is that the matter is of an urgent nature. The creation of the Manitoba Cattle Enhancement Council represents a distinct disregard and disrespect for the rights of cattle producers to choose whether they wish to participate in a plan to increase slaughter capacity in the province of Manitoba. The Government of Manitoba is seeking to impose a mandatory levy on every head of cattle sold without providing this province's producers with an opportunity to offer input into this plan.

Mr. Speaker, the establishment of the Manitoba Cattle Enhancement Council represents the provincial government's assuming control over the cattle marketing in this province by effectively re-establishing the old Manitoba Beef Commission. If allowed to go forward, it will have the leave to operate little or no oversight or control.

The Manitoba Cattle Enhancement Council established under the provincial regulations will grant its board's members the power to establish their own salaries in amounts that will be approved in-house by the council itself. How ludicrous, Mr. Speaker.

The council has the power to strike committees to address various issues of relevance and importance to the marketing of cattle in Manitoba, again, without input from our producers and farm families in the province of Manitoba. The qualifications for serving on these committees are not provided, strongly suggesting the possibility of patronage appointments. This presents serious implications concerning both objectivity and the possible conflicts of interest of both the council itself and any committee it chooses to establish.

This council will be granted the authority under the regulations to control its own financial activities. It will be given the authority to open bank accounts in its own name, borrow money on credit, acquire and hold real and personal property, mortgage property for purposes of council. For example, on the simplest prospect that a parcel of land may one day prove valuable for establishing a beef processing plant or feedlot, this council would have the authority to take it upon itself to purchase that land regardless of the opinions of the producers on whose behalf it purports to act. Again, how ludicrous, Mr. Speaker.

Rather than provide an opportunity for expanded market access for Manitoba cattle producers, the Manitoba Cattle Enhancement Council will effectively exercise control over every facet of that industry, leaving stakeholders with no say whatsoever in how their affairs are managed.

In terms of exercise of absolute control, the powers of council also include the right to require all cattle producers, dealers, processors to register with the council. The council will maintain records with each member, jeopardizing the rights of the stakeholders to maintain confidentiality in terms of their business practices.

Mr. Speaker, this NDP government is going out of its way to force this council on our provincial cattle producers. To date, the minister has made no effort to obtain the input of stakeholders through the appropriate consultation process with pre-existing groups such as the Manitoba Cattle Producers, the Canadian Cattlemen's Association and, most importantly, the individual cattle producers and farm families.

Mr. Speaker, as of now, the producers are interested in having the Government of Manitoba work in partnership with them on expanded slaughter capacity for cattle in the province. To quote the minister, from March 28, 2006: This partnership approach will simply produce participation in the industry. The industry will get projects the financing that they need help.

* (11:20)

Partnership, Mr. Speaker, partnership by nature implies equal sharing and responsibilities and beliefs. I would argue that imposing a non-refundable, \$2-per-head levy on cattle and establishing this council with arbitrary powers to oversee cattle marketing in the province, this minister has certainly simplified that processing. Nothing is simpler than no choice at all.

Mr. Speaker, there are red flags all over the province concerning this issue. Producers are calling for a public consultation process on optional refund on the \$2 checkoff fee, a backdoor tax and a free vote for establishing this council.

The Canadian Cattlemen's Association advised the minister that the non-refundable \$2 checkoff for cattle sales is bad for this business in the province of Manitoba, that associates in the Manitoba Cattle Producers currently have a refundable \$2 checkoff used to fund their operations. An additional non-

refundable levy will seriously impede their competitiveness, Mr. Speaker.

In the end, they would be forced to ask for a refundable checkoff back from the MCPA. The MCPA's ability to fund itself will ultimately lead to the downfall of the organization, leaving cattle producers in Manitoba under the dictation of this NDP government. Both the MCPA and the Canadian cattle producers association provide themselves with the ability to defend the cattle industry within this country and within this province, Mr. Speaker.

By establishing this Manitoba levy, the Manitoba government will cut the legs out from underneath them. Producers in this province will be left with no one to defend them but this NDP government. Thus far, they have seen fit only to burden farmers with increasing regulations and fees. They are hardly poster children for improved business conditions within the province of Manitoba, Mr. Speaker.

To conclude, Mr. Speaker, I can call upon the provincial government to act in the best interest of our cattle producers. The NDP government should hold public meetings to obtain feedback on whether cattle producers want the Cattle Enhancement Council and the \$2 levy established; they must proceed with the \$2-per-head cattle checkoff, make it refundable to producers; allow stakeholders to exercise their democratic rights and hold a free vote on establishing the council rather than making the decisions for them; and, should they persist in denying stakeholders the right to provide input on this matter, this NDP government should then convene the Standing Committee on Agriculture and Food that is a valuable resource for this House, that has lain stagnant since May of 2001. Again, how ludicrous.

Mr. Speaker, as a result of these valid options and opinions expressed by the cattle industry, its representatives argue in favour of proceeding with a MUPI today.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, the member opposite raises this issue as a matter of urgent public importance, and I would have to ask if this announcement was made some time ago. The member opposite has asked one question last week on it. Today, they led only once with it. Today, the Leader of the Opposition (Mr. Murray) and the member, my critic, raised a question on it. They have

not raised this issue as a matter of urgent public importance.

They are raising it today because the member opposite is aware that there are individuals that are involved in this matter that are in the Legislature today. That is the only reason the member is raising it today. He had many opportunities, Mr. Speaker, to raise it as a matter of urgent public importance. When it was first introduced, he ignored it because he knows that there has been consultation with the people in the industry.

This has come as a suggestion from producers who have said that they want a way where they can pay as they go, but they can also take an equity position in the province and have some stability to their industry to find a solution so that we are not caught, as we have been in the past, with no slaughter capacity in this province at a federally inspected level.

So the member opposite is trying to make politics today of a particular issue, but has not raised it when it was first announced. He has not ever asked questions until today on this issue, Mr. Speaker. The member opposite talks about the levy and people leaving this province. I would ask the member to do his homework, to look at how much our producers pay when they take their cattle to other provinces. In other provinces, there is also a levy.

The member opposite has many opportunities, Mr. Speaker, to rise and speak about this in the budget debate if they would move forward on this budget. I can say to him that there has been discussion, and our goal is to increase slaughter capacity in partnership with producers in this province. I would have to say if the member considered this a matter of urgent public importance he would have been raising the issue every day since the announcement was made. He has not, and he raised it today only because there was a sector of the livestock industry that was in the gallery. If this was so urgent, they would have raised it sooner.

Mr. Speaker, as well, the member opposite is ignoring the fact that producers, in fact, raised this issue with Manitoba cattle producers and asked Manitoba cattle producers to debate a checkoff at their annual general meeting, which did not happen because the executive chose not to. But I can assure the member opposite that we are working in the best interests of producers. We have consulted, and our goal is to build slaughter capacity. I would urge the member opposite, rather than playing politics and

trying to make this a matter of urgent public importance, to get on board and talk about how we can build slaughter capacity in this province.

On one hand, he asks questions about what we are going to do. He has never, never come up with a real solution on how we can increase slaughter capacity. Now, when we have a solution, he refuses to support it, Mr. Speaker. He is really not standing up for our producers. His goal is to see the industry move more of our cattle into Alberta and Saskatchewan, not to have slaughter capacity grow in this province.

Mr. Speaker, I recommend to you that this is not a matter of urgent public importance because it can be debated during the budget debate. It can be raised every day in Question Period. The member opposite has not done that.

Hon. Jon Gerrard (River Heights): I ask leave to speak to this.

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Some Honourable Members: No.

Mr. Speaker: No? It has been denied.

An Honourable Member: Agreed?

Mr. Speaker: It has been denied.

An Honourable Member: What?

Mr. Speaker: Order.

An Honourable Member: The clock is ticking.

Point of Order

Mr. Speaker: The honourable Member for Ste. Rose, on a point of order or a matter of privilege?

Mr. Glen Cummings (Ste. Rose): A point of order, Mr. Speaker. I believe you when you said you heard a "no," but I cannot quite understand why anyone in this Chamber would have said no at this point. I would ask if you would canvass the House a second time to see whether or not that advice still stands.

Mr. Speaker: I am very satisfied that I did hear a definite "no," so that concludes.

I have a ruling for the MUPI. *[interjection]* Order.

Point of Order

Mr. Speaker: The honourable Member for Ste. Rose, on a new point of order?

Mr. Cummings: On a new point of order, Mr. Speaker. I clearly heard the Minister of Agriculture say that the Cattlemen's Association chose not to debate a checkoff. The fact is that, as I understand their constitution, they are clearly bound by the manner in which their organization is structured to not be supporting or collecting money on behalf of any particular private or co-operative enterprise in this respect. So I would hope that the Minister of Agriculture has not been sitting too close to her Premier for too long and would choose her words more carefully.

Mr. Speaker: Order. I remind the House once again that points of order are to be raised to the Speaker for a departure of the rules or a departure of practice. Points of order should not be raised for the means of debate, okay?

* * *

Mr. Speaker: I have a ruling on the MUPI.

I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable Member for Lakeside (Mr. Eichler) should be debated today. The notice required by Rule 36(1) was provided. Under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter. I do not doubt that this matter is one that is of serious concern to members, as the cattle industry is an economic activity that is of vital importance to our province.

* (11:30)

I have listened very carefully to the arguments put forward. However, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Additionally, I would like to note that there are other avenues for members to raise this issue, including questions in Question Period, raising the item under Members' Statements and raising the issue during the budget debate. Therefore, with the greatest of respect, I rule the motion out of order as a matter of urgent public importance.

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

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): Mr. Speaker, I would like to challenge your ruling.

Mr. Speaker: MUPIs are not challengeable under our rules.

MATTER OF PRIVILEGE

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): I rise on a matter of privilege.

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

Mr. Goertzen: I will be referring to *Beauchesne's*, section 634, Mr. Speaker, as it relates to the issue of omnibus bills. It is in relation specifically to a bill that was raised here in the Legislature a number of days ago in regard to The Elections Reform Act, Bill 22, which was introduced here in the Legislature by the Premier (Mr. Doer).

I have had the opportunity over the last number of days, as I am sure a number of the members have here in the Legislature, to review this particular piece of legislation. I was struck, Mr. Speaker, by the breadth and the width of the legislation that was put forward. In fact, in reviewing the legislation, I noted that there were actually six separate sections that had distinct features to the bill. I think it could be argued that certain pieces of the legislation could be—well, and I look forward to hearing the comments from the Minister of Conservation (Mr. Struthers) on this issue. But I raise the issue because, as a member here in the Legislature, I need to raise these issues where I feel that they could impede my ability to act as a legislator.

I raise the issue I believe at the earliest opportunity, Mr. Speaker, because I have only now had the opportunity to look through the bill as is asked to. I also believe that it does hurt my opportunity and impede my ability to act as a member of this Legislature. But 634 allows a redress to this issue, and one that I think it would be an opportune time for you to act upon.

When one looks at The Elections Reform Act, we see that, in fact, there are six clear and distinct different pieces of legislation within the one piece of legislation. Some could argue that a particular piece deals more with democratic reform. Certainly, some pieces deal with electoral financing reform. Other

pieces in the legislation have to deal with how elections are actually operated and run. They are quite different in that form, and they would, I think, attract different concerns and different speakers at a time when they came forward to committee.

I look forward also to the Minister of Education (Mr. Bjornson) putting comments on the record, as he seems to want to from his chair. But, when we look at this legislation, I think it is an important piece of legislation that will come forward in its due time, Mr. Speaker. It will come forward for reasonable debate. But we want to give the opportunity for all Manitobans to come to the Legislature here in a committee forum and look at the legislation in a way that they can best address it. It is not simply about my own privilege being breached, although it is part of that, in the ability to debate that legislation and to look at it in the best form.

It is also, Mr. Speaker, and I would say I have not only the right, but, I think, the responsibility to raise the issue on behalf of all Manitobans, because all Manitobans will want to look at this legislation and to bring forward their own suggestions and their own ideas about how it is that they feel the issue could be addressed. I might, just specifically, draw your attention to a particular situation where somebody may want to discuss the actual mechanisms or the mechanics of how an election is being run or being put forward.

There have been some good suggestions, I know, that have come forward from the Member for Carman (Mr. Rocan) on this particular issue that he has raised to ensure that democracy is best served in the province for all of us and for Manitobans, and I applaud the Member for Carman for bringing those forward. But they are quite distinct and they are quite different, Mr. Speaker, from other issues within that bill which are more democratic reform issues and which deal with more issues unrelated to the actual operations of an election. In fact, some of the issues within that bill deal with the freedoms of members here in the Legislature, so they are quite distinct from the operational aspect of an election.

To draw another parallel in reviewing the legislation, I see that there are financial elements within the bill on restrictions on how money can be raised. That has been the course of a fair bit of debate here in the Legislature of Manitoba in the past. But I do think that it would be best serving to all of us if we could look at that legislation in its distinct compartments, and we could ask Manitobans

to come forward and to tell us what they feel about the legislation.

I am sure, Mr. Speaker, I know the members opposite are quite perturbed and quite upset that I would discuss this issue, but, as a member of the Legislature, I could probably support pieces of that legislation quite easily and say, yes, this is something that I would agree with, but other pieces I might not agree with. But, because it is an omnibus type of legislation it is being purposely put forward to put members into a difficult situation.

If it was just that rationale, one could perhaps argue that it is a matter of political point. But, in fact, doing the same thing to Manitobans, average Manitobans throughout the province, is saying we are putting them in this difficult position where they have to come forward and pick pieces of the bill if they agree or not agree with.

So, in that way, Mr. Speaker, I believe that my ability as a member has been impeded upon. I would point to section 634 in the 6th Edition of *Beauchesne* as a redress. It does allow, it says the Speakers have expressed, in fact, deep concern. I am quoting from *Beauchesne*: "Speakers have expressed deep concern about the use of omnibus bills, and have suggested that there must be 'a point where we go beyond what is acceptable from a strictly parliamentary standpoint'." So it clearly indicates in *Beauchesne* that a point can be reached, that a place can be reached where it is we get beyond and where it is no longer acceptable to allow these sorts of omnibus bills to be put forward.

This is an opportunity, I think, for you, Mr. Speaker, to use section 634 of *Beauchesne* to address my matter of privilege. I would suggest that, whereas it is contemplated in *Beauchesne*, if this is not a place for it, I do not know where it would be because, when you look at the legislation, when you deal with a democratic reform issue and try to mix it up in an omnibus bill with an electoral operation and an electoral financing bill, it causes all of us to not do our jobs properly. There have been some comments about the ability of MLAs to do their jobs, and I would caution the members of the government from preventing all MLAs to properly do their jobs.

So, Mr. Speaker, I look forward to you favourably ruling in my favour and addressing this issue using 634 of *Beauchesne*.

Mr. Speaker: The honourable Government House Leader (Mr. Mackintosh), on the same privilege.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, first of all I just want to deal with a preliminary matter. If the member cites Citation 634 of *Beauchesne*, and the way he cites it again just reminds us that this is just another example of obstructions, not a legitimate point. When you cite a citation, one would expect in this House that you would cite the entire citation, and so I will do that.

It says there, "Speakers have expressed deep concern about the use of omnibus bills, and have suggested that there must be 'a point where we go beyond what is acceptable from a strictly parliamentary standpoint.' (*Debates*, January 26, 1971, p. 2768)." This is what was missing from the citation from the member opposite. It goes on to say, "Nevertheless, the practice of using one bill to demand one decision on a number of quite different, although related subjects, while a matter of concern, is an issue on which the Speaker will not intervene to divide the bill. *Debates*, March 2, 1982, p. 15532." Mr. Speaker, that is the rule.

But, Mr. Speaker, the member got up on a matter of privilege. This is not the ability of members to do their performance of their work as members as set out in either Maingot or in *Beauchesne's*. It is not a matter of privilege in any way and, therefore, I would urge you to consider that and reject this as an legitimate matter of privilege.

Mr. Speaker: On the matter of privilege raised by the honourable Member for Steinbach (Mr. Goertzen), reference *Beauchesne* Citation 634, generally, this type of issue should come up when the bill is actually before the House, and also a matter of order is not a matter of privilege. So the honourable member does not have a matter of privilege.

Mr. Goertzen: I challenge the ruling.

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

Voice Vote

Mr. Speaker: All those in favour of sustaining the ruling of the Chair, say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Goertzen: I heard it differently, Mr. Speaker.
Yeas and Nays.

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

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

Division

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

Yeas

Aglugub, Allan, Altemeyer, Bjornson, Brick, Dewar, Doer, Irvin-Ross, Jha, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford,

Melnick, Nevakshonoff, Oswald, Reid, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.

Nays

Cullen, Cummings, Derkach, Driedger, Faurschou, Gerrard, Goertzen, Lamoureux, Mitchelson, Murray, Rowat, Stefanson.

Madam Clerk (Patricia Chaychuk): Yeas 28, Nays 12.

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

* * *

Mr. Speaker: The time being past 12:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, April 21, 2006

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