

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

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

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

**Vol. LVII No. 49 - 1:30 p.m., Thursday, April 13, 2006**

**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.
JENNISSON, 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

Thursday, April 13, 2006

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

## PRAYER

## MATTERS OF PRIVILEGE

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

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

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

**Mr. Lamoureux:** Mr. Speaker, under *Beauchesne's* 115, it is clear as to what the conditions are in terms of rising on a matter of privilege. There are two of them.

The first is that it be brought to the Speaker's attention as soon as possible. I do believe that I am doing that. I will go into some of the details on it, but the essence is yesterday I posed a question to the minister and I truly believe that this Chamber was, in fact, deliberately misled. In terms of the timing issue, I received something through the Internet the second time in which the bells were ringing. So, when the bells had ceased ringing after five o'clock, I did not have the opportunity to stand or I would have right then. This is indeed the first opportunity I have to raise the issue.

The second condition for a matter of privilege is that you have to be able to demonstrate a prima facie case. I did look up in terms of what do we mean by a prima facie case. Mr. Speaker, my understanding by prima facie case, what we are talking about, is that a complaint that contains all the necessary legal elements for recognized cause of action and will suffice until contradicted and overcome by the defendant's evidence. I will make my case, and I look to the government to provide an argument as to why it is that they do not believe that it is prima facie.

Having said that, I would like to get right into it. I had posed the question during Question Period yesterday, and I am going to read it because I think it is very important for all members to be very much aware of exactly what took place. I posed the question: "Mr. Speaker, in a quick look at Bill 37 that the minister has brought forward today, it would appear as if the government now is opening the door

for some form of financial compensation. I think it is important for Crocus shareholders and the public as a whole that the government be honest and transparent in terms of what its intentions are with regard to the Crocus shareholders. I ask the Minister of Industry: Would he confirm what it is that I am saying, that the government is, indeed, looking at that, and that would include the tax credits?"

\* (13:35)

The minister responded by stating, "I hope that the member reads the bill carefully. I would offer him a briefing on the bill, and I hope that the whole House looks at it. What it is doing is implementing the implementation team report which, I repeat, it looks at better monitoring, it looks at the governance, it looks at shareholder control. Read the bill carefully. I would be pleased to have a staff and myself brief you on the bill. We are open to debate to make sure that we have the best governance of labour-sponsored venture capital and create confidence in the asset class."

I virtually repeated the question, Mr. Speaker, and then the minister came back with this response: "I know the member has not had a lot of time and has not had the briefing yet, but, please, come and ask for the briefing. As I explained, and as you look at the explanation notes on the first three pages, what it says is we are following the implementation team's report."

Mr. Speaker, I then went to the Minister of Finance (Mr. Selinger) to try to get what sort of compensation the Province was offering, and the Minister of Finance says: "His question is entirely hypothetical. We know under the rules of *Beauchesne* and the rules of the House that hypothetical questions are not even legitimate questions."

Mr. Speaker, we are talking about the investments of 33,000-plus Manitobans who have invested in excess of tens of millions, \$100-plus million, in which they have lost estimated \$60-million plus, a very important issue. The taxpayer, as I had read the bill initially prior to Question Period just getting underway, did give the impression that the government was opening the door. That is why I asked the question. We came in, in Question Period,

not knowing whether or not the government was even going to introduce this bill. It is not like I had very much prep time. But I did do due diligence in terms of getting a good sense of what it is that the bill was purporting to do, and then I posed the question based on what I read.

The minister intentionally gave the impression that I did not know what I was talking about, that I should have a briefing, and he tried to downplay it. I asked the specific question: Are you opening the door? Mr. Speaker, I asked the specific question again: Are you going to be compensating? The government gave no indication of that whatsoever. What they did do is just say how much I need to get a better understanding of the bill.

Hours later, unlike the other bills that were actually reported and they appeared on the Internet relatively quickly, hours later, up on the Internet passes this document, and I will table it so that all members will have a copy of it. I would like to quote. At the very end, it states: "Empowering the Minister of Finance to waive the clawback of tax credits in certain circumstances."

Well, Mr. Speaker, that tells me that the government has opened the door for compensation.

**Some Honourable Members:** No.

**Mr. Lamoureux:** What do you mean, no? Yes.

**Mr. Speaker:** Order.

**Mr. Lamoureux:** The Minister of Finance (Mr. Selinger) says "hypothetical" in his response. Mr. Speaker, that is not hypothetical.

**Mr. Speaker:** Order. We are getting into debating here now. The discussion is convincing the Speaker it is a *prima facie* case, not into debates back and forth here.

**Mr. Lamoureux:** Yes, Mr. Speaker. I am going to wrap it up because I do believe that it is quite serious, and I hope when I move the motion that we will get some apologies. I am going to refer us in *Beauchesne's* Sixth Edition, Citation 62. I think that we want to try to put this in the context of what the two ministers stated yesterday and what their own documented press release stated, Mr. Speaker.

\* (13:40)

Both ministers ultimately, I believe, have done a disservice to this Chamber. I truly believe that. Both ministers, I believe, should be apologizing to us. Citation 62, just in case the government does not

have it at hand: "The Speaker stated: in the context of contempt, it seems to me that to amount to contempt, representations or statements about our proceedings or of the participation of members should not only be erroneous or incorrect," in which obviously they were, "but rather should be purposely untrue and improper and import a ring of deceit."

I believe very firmly that both of these ministers are guilty of that, Mr. Speaker. That is the reason why I trust that this matter will be resolved. Therefore, I would move, seconded by the Member for River Heights (Mr. Gerrard), that this matter be referred to the Standing Committee on Legislative Affairs and that both ministers be requested to apologize.

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

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, certainly there is no matter of privilege anywhere near what the member is alleging. Clearly, this is some dispute on the facts. I think what is sad about it is that here the member is trying to deal with legislation on a question and then on a matter of privilege. This House and all Legislatures in the Commonwealth have a way to deal with questions on bills and disputes on the facts. It is called first reading, second reading, committee stage, public presentations, reporting to the House, report stage, third reading and Royal Assent.

Mr. Speaker, that member and members opposite have shut down the whole process on the dealing of all bills, including the one that he is interested in apparently. Apparently, I say, because if he was truly interested in legislation, he would attend to his duties as an MLA and recognize the public interest. Instead, the member opposite is imperilling the public interest by refusing to go to work in this Chamber.

I would ask him to roll up his sleeves, get going on that bill and every other bill, Mr. Speaker, and the budget which is before the House. I know the member, I guess all last night he must have gone into some darkroom in a basement or something with a little flashlight and *Beauchesne*. He sat there and he worked up his matter of privilege to come in here this afternoon. I think he would be much better serving the public by listening to his constituents last night and reading the legislation and preparing a debate on the bill and on the budget speech. Instead, this is the guy who walks around with *Beauchesne* rather than the public interest at heart.

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** I would certainly encourage whatever darkroom it is that the Government House Leader crawls into at night to take a light with him and read *Beauchesne* as well, because he did not even refer to *Beauchesne* in responding to this matter of privilege which clearly shows he does not have any sort of leg to stand on in his argument and he is just getting up and talking from his arrogant way that he often does in this House.

I would refer to *Beauchesne* section 115, which says, in fact, that these matters should be raised at the earliest opportunity. I certainly take the word of the Member for Inkster on the fact that he simply heard about this prior to the House resuming today, and so he raised it at the earliest opportunity. Section 92, of course, talks about the privilege relating to interference with a member's duties here in the Legislature.

I would say respectively, Mr. Speaker, that if we as legislators cannot rely on the word of government ministers then they are doing a disservice not only to us as legislators, but to their office and to the office that it is supposed to represent, and that is all of Manitobans.

So I would ask the members opposite to consider this clearly. I know that in *Beauchesne* there are significant rules that can be used on privilege that a member could actually be expelled for breaching privilege. I credit the Member for Inkster for not going so far, although I think he could of because of the arrogance that we see on that side of the House. Again, if the government wants to debate legislation then call the inquiry and we will begin debating legislation. Thank you very much.

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

\* \* \*

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

**Mrs. Leanne Rowat (Minnedosa):** A matter of privilege.

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

\*(13:45)

**Mrs. Rowat:** Mr. Speaker, this is the first opportunity I have had to raise this issue. It is actually the first opportunity that I have had in this House as an MLA to raise a matter of privilege. It is very disturbing that I am raising this issue, and it is important that I speak to this because it shows that my ability to perform my duties as an MLA have been impeded. I will close my remarks with a motion.

Mr. Speaker, the government has decided to remove the Crown land jobs from Minnedosa. That is evident. Through the House we have spoken on this, and it has been in the media and it has been in the communities. The communities have been pressing the government to reconsider this move, and the employees have suggested in good faith to the government departments, to the government ministers, to the department and the Premier's Office that they reconsider.

The responses from the government, the ministers and department staff have been providing mixed messages. From the minister's office, there have been gag orders sent to the staff in the Minnedosa office and moves towards the employees that have amounted to intimidation, Mr. Speaker. Letters sent to the Premier (Mr. Doer) are shown on notification e-mails to be deleted without being read. They are appealing to their government leaders, they are appealing to the leader of this province to listen to their concerns, and the best that this Premier could do was delete a message, a strong letter.

Through the Department of Agriculture Human Resources, staff are now receiving calls to return their parking passes. Even though there is no office for them to be relocated to, I find this rather interesting. When they are challenged by the staff, the Human Resources, they have indicated to submit them but to re-apply.

Mr. Speaker, the department has also, through the Department of Agriculture Human Resources, it also demanded that they sign off on benefits, even though there has been no change made to their positions and there has been no formal request for their move. These phone calls are causing great stress to the staff and the community is very concerned. Community leaders are very concerned.

Mr. Speaker, this is dismissal by intimidation. A group of female employees who have made rational and respectful comments about a better or a different

way of managing this project are being progressively forced into submission by workplace intimidation tactics that effectively force them to give up any efforts to talk to the government, talk to their ministers, and now they believe they will be fired if they are provided with any comment to anyone about their transfers.

A letter I received from the Minister of Agriculture (Ms. Wowchuk), when I asked about these moves in 2004 indicated, and this is the Minister of Agriculture responding to me: I want to emphasize that throughout this process any changing impacts our staff will be—through any changes impacting our staff will be considerate of the staff and their families. I find this hypocritical, Mr. Speaker.

Mr. Speaker, this is another example of how this government will use any tactic to control their employees and will stop at nothing to control, muzzle whistle-blowers.

Mr. Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings), that this matter be referred to the Standing Committee on Legislative Affairs. Thank you.

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

**Mr. Mackintosh:** Mr. Speaker, once again, this is just another example of wilful obstruction, abuse of the rules, abuse of the time of this Chamber and the tax investment in the legislative process in Manitoba.

The member opposite is provided, by way of the legislative process, ways to raise questions and concerns, and one is Question Period. The other is by way of the budget debate and Estimates, and, indeed, she could be in an exchange with the appropriate ministers if they had so chosen to deal with the budget on a responsible basis, Mr. Speaker, and indeed if the member was wanting to pursue this matter—

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

**Mr. Speaker:** Order.

\* (13:50)

**Mr. Mackintosh:** If the member indeed wanted to truly pursue this matter, they would be moving to the Estimates process following the budget process. That is the kind of venue that is available to deal with these kinds of issues. But, Mr. Speaker, we even raised it in questions, instead it is a privileged matter

according to the member opposite. It certainly is not a privileged matter.

It is a dispute on the facts, if anything. It may be a concern; there are appropriate ways to deal with it, not by a purported matter of privilege. It is just another example of how members opposite have left the public interest when it comes to all the issues that are before the public and will not deal with the issues that are facing Manitobans, the legislation on the agenda, the budget debate and the expenditures that are set out in the budget. They will account to that.

**Mr. Goertzen:** Mr. Speaker, that hardly deserves a response. In fact, I almost was going to let it go unresponded to because I think that those who are watching or read Hansard would see it for the arrogance and for the contempt, I would say, that comes forward.

When issues are raised regarding any people, any whistle-blowers within government who want to come forward and raise concerns, particularly in this case where we have a group of females who feel that they are being intimidated by the government apparently on the eve of whistle-blower legislation, Mr. Speaker, on the eve of legislation, we see that the problem is not a vacuum necessarily or a lack of legislation in the province of Manitoba, although it might be helpful. The problem is that we do not have a government who truly respects the rights of civil servants, who truly respects the rights of women in this province.

This is the legacy that this government will leave and the only thing I am happy about is that legacy will only last for a few more months.

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

**Mr. Speaker:** Order. I will just hear one more very briefly.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, a brief comment on this matter of privilege. I believe it is a very serious matter when we hear of gag orders by the government. Clearly, to have such gag orders on the same day as we have on the Notice Paper whistle-blower legislation speaks of a government which is speaking out of both sides of its mouth, which is doing one thing and saying something completely different. Gag orders interfere with the ability of all of us to get our job done, and, therefore, this is an important matter of privilege.

**Mr. Speaker:** A matter of privilege is a serious concern. I am going to take this matter under

advisement to consult the authorities and I will return to the House with a ruling.

### INTRODUCTION OF BILLS

#### **Bill 38—The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)**

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 38, The Housing and Renewal Corporation Amendment Act (Funding for Housing Revitalization), be now read for a first time.

#### *Motion presented.*

**Ms. Melnick:** This legislation will establish a new fund for improving housing in areas of need. The bill requires the Manitoba Housing and Renewal Corporation to contribute its profits from suburban-urban land development to this fund. Thank you, Mr. Speaker.

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

\* (13:55)

### PETITIONS

#### **Crocus Investment Fund**

**Mr. Stuart Murray (Leader of the Official Opposition):** 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 a "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 the red flags, more than 33,000 Crocus investors have lost more than \$60 million.

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed by Keenan Magnowski, Brenda Robin, Brad Robin and many, many others.

**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 D. Duhamel, N. Bagge, H. Taylor 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.

#### **Association of Former Manitoba MLAs**

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba,

The background to this petition is as follows:

An association of former Manitoba MLAs has been formed and on September 25, 2001, at its first annual meeting it was agreed that the Manitoba association be incorporated by an act of the Manitoba Legislature.

The objects of the Association of former Manitoba MLAs are:

To put the knowledge and experience of its members at the service of parliamentary democracy in Manitoba and elsewhere.

To serve the public interest by providing non-partisan support for the parliamentary system of government in Manitoba.

To foster a spirit of community among former MLAs.

To foster good relations between former MLAs.

We petition the Legislative Assembly of Manitoba as follows:

That the association of former Manitoba MLAs be incorporated by an act of the Legislative Assembly of Manitoba.

Signed by Al Mackling, Clif Evans and Avis Gray.

#### **Civil Service Employees—Neepawa**

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, a petition to the Legislature for the following reasons:

Eleven immediate positions with Manitoba Conservation Lands Branch (as of April 1, 2006, Crown Lands and Property Special Operating Agency) are being moved out of Neepawa.

Removal of these positions will severely impact the local economy with potentially 33 adults and children leaving the community.

Removal of these positions will be detrimental to revitalizing the rural and surrounding communities of Neepawa.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community and to consider utilizing current technology (as an example, Land Management Services existing satellite sub-office in Dauphin), in order to maintain these positions in their existing location.

Mr. Speaker, I read this on behalf of Val Harding, Amy Arnold, Phyllis Stewart and many, many others.

\* (14:00)

#### **TABLING OF REPORTS**

**Hon. Nancy Allan (Minister of Labour and Immigration):** Mr. Speaker, I would like to table the following reports: the 2005 Annual Report of the Workers Compensation Board of Manitoba, the 2005 Appeal Commission and Medical Review Panel Annual Report and the 2006, 2010 Five-Year Plan of the Workers Compensation Board of Manitoba.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I would like to table written responses for questions that appeared on the Order Paper.

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

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Speaker:** Is the honourable Member for River Heights up, on a point of order or a matter of privilege?

**Hon. Jon Gerrard (River Heights):** On a point of order.

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

**Mr. Gerrard:** Mr. Speaker, this is about a report from the minister which should have been tabled. We had a press release this morning about a strategy for woodland caribou. That strategy, presumably, should be tabled. We made a request from our office to the

minister's office, and we were told that they knew nothing about this report. So we had at least presumed that the minister would table it today and make it available to us in the Legislature.

**Mr. Speaker:** On the point of order raised by the honourable Member for River Heights, he does not have a point of order. It is entirely up to the government when they table their reports. The Speaker has no jurisdiction over that so it is not a point of order.

\* \* \*

**Ms. Allan:** Mr. Speaker, I would like to seek leave to table a response to a written question.

**Mr. Speaker:** Is there leave to revert to Tabling of Reports? *[Agreed]*

**Ms. Allan:** Thank you, Mr. Speaker. I am tabling a response to a question of November 25, 2005.

**Mr. Speaker:** Okay, we are still at Tabling of Reports.

#### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us from Red River College Language Training Centre 20 adult English as a Second Language students under the direction of Ms. Barb McCandless. This group is located in the constituency of the honourable Minister of Health (Mr. Sale).

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

#### ORAL QUESTIONS

##### Devils Lake Outlet Canada-U.S. Agreement

**Hon. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, the Devils Lake outlet will be opened on May 1 and water will flow into the Red River. This NDP government has indicated, I should say, that there are considerable environmental concerns related to the issue. In fact, the Premier said, and I quote: It could be jeopardized if foreign life forms and other harmful substances that we know are in Devils Lake are transferred to the Red River system.

On May 1, there will soon be hundreds of cubic feet per second of water flowing through the outlet into the Red River. By now, Mr. Speaker, this NDP

government should be prepared to address the issues of invasive species entering into Lake Winnipeg's ecosystem.

Can the Premier update the House on the status of his government's preparations?

**Hon. Gary Doer (Premier):** Mr. Speaker, the proposed water diversion from the Missouri River to Minot, the so-called NAWS project, which would represent a transfer of invasive species from the Missouri—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Doer:** Thank you, Mr. Speaker. The transfer of invasive species from the Missouri River system through the NAWS project was appealed by the Manitoba government in court in the United States. We won a federal court decision to not have that project proceed. That court decision was going to be appealed by the Secretary of the Interior, and the American government has dropped that court case so the transfer of water from the Missouri River system to the Red River system has been stopped although—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, the question was on invasive species so—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Thank you, Mr. Speaker. That project which was of crucial concern to Manitoba has been stopped. The inlet to Devils Lake which also represents a transfer of water from the Missouri River to the Devils Lake outlet through Devils Lake has been—

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

**Mr. Speaker:** Order. One question at a time. The honourable First Minister has the floor.

**Mr. Doer:** —has been prohibited in the agreement reached between Canada and United States. What has not been implemented is an agreement between the Canadian government which is the holder of the international treaty and the U.S. government which is the holder of the 1908 boundary water act of the treaty which has not been implemented yet.

There were three sections dealing with the agreement between Canada and United States. One was to design, or to test, rather, for the proper filter. That has been conducted last summer, to design a

filter, and that process is almost completed. Thirdly, construct the filter and that process has not been completed. That was a topic raised between the Prime Minister of Canada and the President of the United States in Cancun two weeks ago.

**Mr. Murray:** Well, Mr. Speaker, I will ensure that the Premier listens to the question. I am concerned about the water specifically that is going to flow from Devils Lake into the Red River system into Lake Winnipeg, because we have heard this Premier on numerous occasions talk about all the biota and all the concerns that he has and how he wants to protect Manitoba's waterways. We on this side of the House also want to do the same.

But, Mr. Speaker, I would ask this First Minister who has said and I will quote what he said numerous times. When asked about issues he said, we are pleased that the two countries, Canada and the United States, will work together to build an advanced filtration system. I think the Premier just referenced that in answer to the question that I said earlier.

So what I am interested in and I think all Manitobans are interested in is hearing some specific details of this agreement and the provincial government's role under the agreement. I would simply ask the Premier: Will he table that agreement today?

**Mr. Doer:** Mr. Speaker, I will get a copy of the agreement. I would point out it was released to the public, the agreement. It is not agreement between Manitoba and North Dakota. It is an agreement between Canada and United States. I would point out that provinces and states do not hold the authority and jurisdiction for international boundary water. It is Canada and United States.

I am very pleased that the new Prime Minister in his first meeting with the President of the United States in Cancun stated very clearly that it is Canada's position, and I talked to him, he phoned me on Sunday. I talked to him on Sunday, the Prime Minister, and he basically stated—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, he stated on Sunday that he had raised Canada's objections to having water flow prior to the advance filter being put in place. I am not sure what the follow-up is from the President of the United States but because the treaty is held between

the two countries, I am pleased our Prime Minister raised it with the United States, and I think it is up to the President of the United States to act like a good neighbour and either hold back the water or build a filter as they should.

\* (14:10)

**Mr. Murray:** It is interesting that when this issue was raised, the Premier was standing in this House and telling Manitobans that he had scientists in the water, under the water, over the water, beside the water, Mr. Speaker.

The question I would like to ask this Premier who has said very clearly that there is an agreement in place, that this filter would cost some \$20 million, but the point is in less than three weeks water is going to flow from the Devils Lake outlet into the Red River system, into Lake Winnipeg. So I know that this Premier said that there are issues around this, but I would like to ask this Premier: Could he indicate to the House the specific amount that the federal government has committed to the project?

**Mr. Doer:** Well, the United States is paying completely for the design work of the filter, Mr. Speaker, and Canada and United States have an agreement. The agreement states, and it has been made public but I will give a copy to the members opposite again if they want one. It says in the agreement there will be no inlet built from the Missouri River to Devils Lake. That is a very, very important issue because the member opposite, he can reread Hansard but he asked about Devils Lake and he asked about invasive species. Obviously, part of our major priority on Devils Lake was invasive species transfer through the backdoor with an inlet from the Missouri River and an outlet out of Devils Lake.

Mr. Speaker, it is the position of this side of the House that Canada and United States have an agreement under the Boundary Waters Treaty Act. It is our position and it is the position of the Prime Minister of Canada that no water should flow before the filter is installed. I think all members of this House should join together and back the Prime Minister in demanding the President of the United States put in the filter.

#### **Devils Lake Outlet Environmental Concerns**

**Mr. Jack Penner (Emerson):** The NDP government has continually told the people of Manitoba that there is a risk to lakes and rivers from the invasion of

foreign organisms and foreign species from Devils Lake. We do not disagree with that. However, this Premier has also said that he had 20 scientists for 24 days in the water, on the water and under the water. Our information is that he had three people, one of them a scientist, for the better part of three days on Devils Lake.

On May 22, 2005, the Minister of Water Stewardship stated that Devils Lake outlet, and I quote, will result in saline nutrient overload, water invasion of foreign species are flowing into the Red River and into Manitoba.

Will the minister today table the scientific findings to indicate there is a risk?

**Hon. Gary Doer (Premier):** Well, Mr. Speaker, I will go back in Hansard and look at the numbers of people on the lake, and I think it was very clear that Manitoba had two or three representatives in that group. Canada had representatives in the lake, so did the Department of Environment, so did the department of the United States, so did Minnesota.

Mr. Speaker, when it comes to dealing with water, we are still waiting for an apology from the member opposite who claimed last summer that flooding was taking place in the south basin of Lake Winnipeg because of Hydro. Hydro had been flowing water since January of 2005, and because they have two channels there was less water in the lake. When it comes to water, we are very sceptical of anything that member says.

**Mr. Penner:** This government has constantly claimed that Lake Winnipeg needed to be protected from invasive species out of Devils Lake such as striped bass, zebra mussels and other biota. If this government is aware of these problems, why will it not follow through on this issue and construct the filtration system that the Premier now says the agreement is in place for? Construct it and then ask for the funding from the federal and the American government.

**Hon. Steve Ashton (Minister of Water Stewardship):** First of all, I undertook to table scientific information which faces a flood forecast from the member opposite and, perhaps, Mr. Speaker, if I could table these since the member raised some questions about that, and I thought it was important to provide every single report and all the scientific background.

Second of all, I would like to in terms of Devils Lake indicate that I know the member opposite has consistently questioned whether indeed there are difficulties related to Devils Lake. We made it very clear, as has our federal government, both the previous federal government and the current federal government, that there are very real concerns in terms of Devils Lake.

I would like to remind the member that the Devils Lake outlet is in North Dakota. Mr. Speaker, we expect that the federal government and the U.S. will follow through on the signed agreement last August and the commitment by the President of the United States to deal with mitigation and construct that outlet in North Dakota.

**Mr. Penner:** Well, Mr. Speaker, this NDP government has continually told the people of Manitoba that there is a federal U.S. agreement to build a filtration system. They have also told the people of Manitoba that the foreign species that exist will damage our waters and our lakes. Where is the evidence?

We are asking today, Mr. Speaker, that the evidence be tabled today by the Minister of Water Stewardship that will indicate what those foreign species are and what their scientific evidence is that they can indicate this to the people of Manitoba. Where is the evidence?

**Mr. Ashton:** Well, Mr. Speaker, I know that the member opposite is a charter member of the flat earth society because he constantly questions very clear scientific evidence that is available, that I tabled in this House, that I put forward information publicly of the process last year.

There was a joint process that involved U.S. and Canadian scientists. It identified five species of algae and plankton that are not known to be in Lake Winnipeg. That was part of the agreement that was signed in August. That was part of the testing that took place, and based on that we put forward the argument clearly that there should be a greater level of mitigation, in this case, filtration and treatment.

That is something right now that the U.S. federal government has committed to, Mr. Speaker. They have, in fact, budgeted for that and we expect the State of North Dakota to follow through in terms of the U.S. commitment and the Canadian commitment to provide the necessary filtration.

**Federal Transfer Payments  
Dependency Reduction**

**Mr. Gerald Hawranik (Lac du Bonnet):** Federal transfer payments to Manitoba are at historic highs, yet we see the Premier begging for more money from Ottawa. More handouts are a sign of a weak economy and a weak government.

I ask the Minister of Finance (Mr. Selinger): Why has he not grown our economy to reduce our dependence on federal transfer payments?

**Hon. Gary Doer (Premier):** Mr. Speaker, I would point out—

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

**Mr. Speaker:** Order.

**Mr. Doer:** I am being heckled by somebody that put a knife in the back of their leader since he was—

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

**Mr. Speaker:** Order.

**Point of Order**

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

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** Mr. Speaker, I—

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

**Mr. Goertzen:** On a point order.

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

**Mr. Goertzen:** I would expect that there would be respect for all members of this House from all members of this House, but I would particularly expect that respect would come from the Premier of this province who people look to for some amount of leadership. If he wants to be petty, he can be petty on his own time, Mr. Speaker.

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

**Mr. Doer:** On the same point of order, Mr. Speaker. The member who raises the point has continuously heckled. Members opposite are heckling answers because they do not want to hear it. If they do not want any accountability for heckling, stop heckling in the House.

**Mr. Speaker:** On the point of order raised by the honourable Deputy Official Opposition House Leader, he does not have a point of order. The

honourable First Minister was up on his feet to answer the question.

\* \* \*

\* (14:20)

**Mr. Doer:** Mr. Speaker, I would point out that the position of Manitoba and ministers of Finance dealing with fiscal matters have not changed. I have the letter from 1998, from one Eric Stefanson, recommending a comprehensive approach. I have a similar letter from Clayton Manness to Don Mazankowski in the former Mulroney government recommending a rules-based system of fiscal policy in Canada. There has been an all-party committee made up of people—or a panel, an expert panel made up of representatives from Ontario, Québec, a former deputy minister of Intergovernmental Affairs from the province of Alberta. We support the panel's recommendations.

**Mr. Speaker:** Order.

**Point of Order**

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

**Mr. Goertzen:** Mr. Speaker, I understand and there is leaders' latitude within the House, but I understood and I heard the opposition Finance critic ask the question to the Minister of Finance. He chose not to answer it. Instead the Premier answered. I ask if you would keep him to his time limit, please.

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

**Mr. Doer:** Mr. Speaker, it is the government's responsibility to answer questions in the House with the minister that they choose. The member opposite may not know that rule. He may not know any rules of this House. He does not have a point of order.

**Mr. Speaker:** The honourable Member for Inkster, very shortly.

**Mr. Kevin Lamoureux (Inkster):** Very shortly. Mr. Speaker, the Premier is right. He can respond to any question he wants, but he should also acknowledge that if a question is posed to one of his ministers and he chooses to answer that question, he still has to abide by the 45 seconds. We do believe the 45-second time limit.

**Mr. Speaker:** On the point of order raised by the honourable Deputy Official Opposition House Leader, I will clarify it for the House. If a question is

directed to a particular minister and a minister answers it, they have 45 seconds. If a question is posed to a particular minister, for example, from what I heard, the member stated that it was directed to the Minister of Finance. If the Leader chose to answer it, the Leader would have 45 seconds like any other member.

But I want to address this and I hope you will appreciate the importance of decorum in this House because what I heard, the reason I let the First Minister go on was I heard the honourable Member for Lac du Bonnet (Mr. Hawranik) make a reference to the First Minister in his preamble—*[interjection]*—just hear me out—and then when I heard the question, what I heard was: Would the honourable minister, dah, dah, dah, dah, and that is all I heard because there was too much noise in this Chamber.

So I need the co-operation of honourable—that is why I allowed the honourable First Minister to continue because I can only go on what I hear. That is why I have reminded members over and over and over again that it is very important that I hear every word that is spoken in this House because, for an example, the member could have—*[interjection]* Order. Be careful now. Because if the member has a point of order and if I have not heard it, but I will give the courtesy of reviewing Hansard, but I can only go by what I heard because I cannot review Hansard at this moment.

But what I heard very clear in my mind was a reference to a minister to answer the question and the preamble was to the First Minister, and I assumed he was asking the First Minister the question. That is why I continued on. *[interjection]* It will be in Hansard and I will gladly peruse Hansard, but I hope it reminds all of us how important it is that I am able to hear all the words that are spoken.

\* \* \*

**Mr. Speaker:** The honourable First Minister, you have concluded? So the honourable Member for Lac du Bonnet.

**Mr. Hawranik:** Thank you, Mr. Speaker. The Premier believes that it is the federal government's responsibility to fund provinces. The Premier conveniently forgets that it is the Province's responsibility to grow an economy so we are not dependent on federal transfers. This year's budget predicts an extra \$204 million in federal transfers.

I ask the Minister of Finance: Does he have another plan if the Premier's begging does not produce that \$204 million?

**Hon. Greg Selinger (Minister of Finance):** I appreciate the member asking me the question. The amount of equalization transfers coming to Manitoba compared to when members opposite were in office is actually less now than when they were in office. If the member would just take a moment once in a while to do his homework, he would know that. The transfers have increased for Health as has benefited every province in the country.

The First Minister's position, put forward at the First Ministers' meeting, is exactly the same position that was put forward by the former government and the former Minister of Finance. Manitoba has had a consistent position for over a decade, but when it comes to the economy, the difference is now we have grown the economy \$14 billion—

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

**Mr. Speaker:** Order.

**Mr. Hawranik:** Mr. Speaker, the only difference now is that we cannot even keep up with Saskatchewan. That is the difference.

Mr. Speaker, in this year's budget the Finance Minister is counting on an extra \$204 million in federal transfer payments in spite of the fact that the federal government has not even passed their budget. So I ask the Minister of Finance: If the Premier is unsuccessful in begging Ottawa to give Manitoba more transfer payments, will the Finance Minister commit to bringing down a brand-new budget?

**Mr. Selinger:** Mr. Speaker, the measures in this budget that the members opposite are afraid to debate include reducing business taxes, include reducing personal income taxes, include bringing in the second-lowest small business tax rate in the country which covers 90 percent of the businesses in this province. The members opposite are afraid to debate it and the member refers to Saskatchewan. If we are so privileged as to get four terms like the Saskatchewan NDP, we will do as well as they did.

**Mr. Speaker:** The honourable Member for Tuxedo.

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

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

**Winnipeg Regional Health Authority  
Access to Hospital Privileges**

**Mrs. Heather Stefanson (Tuxedo):** Well, Mr. Speaker, we are going to make sure on this side of the House that that does not happen . . . terms, I will tell you that much.

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

**Mr. Speaker:** Order.

**Mrs. Stefanson:** Mr. Speaker, the WRHA currently has a shortage of three urologists in the city of Winnipeg. Dr. Maharajh, a Canadian licensed practising urologist in Winnipeg, currently has hospital privileges at Brandon, Assiniboine, Parkland and Interlake regional health authorities but has been denied hospital privileges in Winnipeg.

Given the fact that we are faced with a shortage of urologists in the WRHA and given the fact that this urologist already has hospital privileges in rural Manitoba, why is the government denying Dr. Maharajh access to hospital privileges for his patients in Winnipeg?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, the government of Manitoba does not grant doctors hospital privileges or fail to grant doctors hospital privileges. That is a medical decision made by medical committees of hospitals.

Dr. Maharajh has applied for admitting privileges. I am not aware of the current status of that application. He was the vice-president for medical in Assiniboine. He is a respected urologist. He is practising at Rivers Medical clinic, and the matter of granting or not granting hospital privileges is not a matter that the government is involved in, nor should it be involved in, Mr. Speaker. It is a medical matter.

**Mrs. Stefanson:** Mr. Speaker, it is the Minister of Health's responsibility within the province of Manitoba to ensure that all patients have equal access to health care services in this province, and by doing what he is doing now, doing nothing about this issue, he is denying Dr. Maharajh's patients access to health care services like everyone else in Manitoba.

Mr. Speaker, Dr. Maharajh's patients are being denied access to surgical procedures that must be completed in a hospital. There is a shortage of urologists in the city. If it is okay for Dr. Maharajh to have hospital privileges in rural Manitoba, why is it not okay to have hospital privileges in Winnipeg? Why is there such a discrepancy between RHAs?

\* (14:30)

**Mr. Sale:** Mr. Speaker, all I can do is hope the member listens the second time to what she did not listen to the first time. The Government of Manitoba, the Minister of Health, does not intervene in the question of medical privileges or admitting privileges in any hospital in Manitoba. It is a decision that is made by the committee of that hospital, who are made up of doctors. It is a decision in the hands of the appropriate authorities. If Dr. Maharajh is aggrieved by that decision, there are mechanisms through his professional association and through the College of Physicians and Surgeons to ask questions about why he has not been allowed admitting privileges. It would be improper and I think not in the interests of Manitobans if a Minister of Health put her or himself in the place of the medical committees of our hospitals.

**Mrs. Stefanson:** Mr. Speaker, there is a shortage of urologists in Winnipeg. Yet, here we have a Canadian licensed practising urologist in the city who is being denied access to hospital privileges for his patients. Why is the minister denying Dr. Maharajh's patients access to much-needed surgical procedures here in Winnipeg? Will the minister agree today to at least meet with Dr. Maharajh to ensure that his patients have the same access to hospital privileges as other urology patients in the city of Winnipeg? It is this minister's responsibility to ensure that all patients have equal access to services in both the city of Winnipeg and in rural Manitoba and all over Manitoba. Will he do his job and meet with this doctor?

**Mr. Sale:** Mr. Speaker, let me try and understand this. What the member opposite is asking is that a non-physician in a political office interpose her or himself into a medical matter and make a judgment that is political. That would be tantamount to my trying to reach some kind of personal conclusion about the adequacy of a brain surgeon in Winnipeg. I am not a brain surgeon. I am the Minister of Health. I do not adjudicate medical speciality matters. The medical college does that. MMA gets involved in that. The committees of the hospitals involved get involved in that question. Dr. Maharajh, as far as I know, is an excellent and competent physician practising in Winnipeg and doing a good job.

**Manitoba-South Australia  
Co-operative Agreement**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, Manitobans continue to be concerned and worried

about the safety on Manitoban roads as they crumble. Interestingly, yesterday, the Premier said that a new partnership between South Australia was signed because, and I quote: Manitoba and South Australia have much in common. But a report from the South Australian ministry of transportation from earlier this month confirmed that there were 4,200 kilometres of main roads in danger of crumbling and a backlog growing of 375 kilometres each and every year in South Australia.

Can the Minister of Transportation confirm that this is what the Premier meant when he said we have much in common with South Australia, Mr. Speaker?

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

**Mr. Speaker:** Order. The honourable minister.

**Hon. Ron Lemieux (Minister of Transportation and Government Services):** The member opposite, I am glad to see that he is interested in transportation and roads. With the highest, highest investment we have ever made, it is unprecedented in transportation, Mr. Speaker, you have the member opposite who does not want to debate the budget, he does not want to look at what we are doing in a positive way. We hear all kinds of heckling from the member opposite with regard to all kinds of issues. In this particular case, as I mentioned, we have had unprecedented amounts and we just want to be able to debate this budget so all those benefits can be passed to the citizens of Manitoba and have the highways improved in this province.

**Mr. Goertzen:** Mr. Speaker, the Premier said that the new partnership with the Labor Party government of South Australia would help with early childhood education. Here in Manitoba we have heard of the scandals regarding Seven Oaks, and we agree that this Minister of Education (Mr. Bjornson) needs help wherever he can find it. But in South Australia, the department of education and the minister of education are currently being sued by its school boards because of alleged minister wrongdoing and defamation.

Can the Minister of Education confirm that this is what the Premier meant when he said that we have so much in common with South Australia?

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

**Mr. Speaker:** Order.

**Hon. Gary Doer (Premier):** Thank you, Mr. Speaker. There are two agreements Manitoba has

reached with Australian states. One was just in Victoria state, the sited biotech, the Smith-Carter firm that had built the Level 4 lab in Manitoba and the expansion of the lab in Atlanta, is now working on the Level 4 lab in the Victoria region of Australia with the Labor government. They are all Labor governments except the national government.

Secondly, we have very good co-operation of biotech-bioscience, with South Australia. I would point out that we also have a common cause with the Australian governments to reduce the U.S. farm bill subsidies and the subsidies in Europe as part of our agricultural trade, something that makes a difference to his constituents.

**Mr. Goertzen:** I am glad that the Premier has found a new brother in scandal.

Mr. Speaker, here in Manitoba we know that our Remand Centre is full and that cases take years to come to trial because of this NDP government's inability to administer the court system. The Premier says that the South Australia partnership is important because we can learn about administration. Two weeks ago, we have learned that 80 percent of criminal cases in Australia and South Australia would not be completed in their first year. Our new best friend, the Labor government of South Australia, said it was not their fault; it was the fault of the judges.

Mr. Speaker, can the Minister of Justice confirm that this is what the Premier meant when he said we have so much in common with South Australia?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, perhaps the member opposite would do something in common with the interests of Manitobans and debate the budget, which contains proposed further investments in what is called the Front End Project, to reduce the time lines in our courts, a project that has been recognized across Canada and has recently received an award for excellence in public administration, and I thank the Chief Judge for his leadership on that and the partnership.

Mr. Speaker, also in the budget is a new judge for Manitoba. The member opposite has clearly stated that he has no interest in the budget by way of his actions, and that is unfortunate. Perhaps, the member would also support the other initiatives in the Justice area. That would be in the interests of Manitobans rather than this frivolous comment.

### Livestock Industry Beef Levy

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, the Minister of Agriculture (Ms. Wowchuk) has imposed a mandatory, non-refundable, \$2 per head beef levy on all Manitoba cattle producers. The reaction from many of the farm families and industry stakeholders has been outright hostile. Many producers resent the fact that they have absolutely no choice as to how their hard-earned money will be invested. They have many questions about this backdoor tax and how it will work.

Mr. Speaker, before she enacts the levy will the Minister of Agriculture commit to hold public meetings to properly explain how it will work?

**Hon. Stan Struthers (Minister of Conservation):** This is a very solid proposal to make sure that the slaughter capacity in this province is increased, and not a backdoor tax like what the members opposite—

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

**Mr. Speaker:** Order.

**Mr. Struthers:** —as what the members opposite put forward all through their time in government in the 1990s, when they offloaded on the municipalities, making darn sure that taxes went up to local Manitobans when they were in government.

**Mr. Eichler:** Mr. Speaker, clearly this Minister of Agriculture and NDP government has no interest in the democratic process. She should be taking the backdoor tax to the cattle industry for a meaningful debate and input. She knows that not all producers and stakeholders want to participate in the levy; yet, she is forcing it onto the industry.

Mr. Speaker, will the Minister of Agriculture commit to holding an industry vote to accurately gauge the level of support for a beef levy before it is enacted?

**Mr. Struthers:** Clearly, members opposite are more interested in protecting Alberta jobs and Alberta money than they are of creating jobs here in Manitoba. Clearly, our friends across the way have no intention of helping Manitoba cattle producers either, Mr. Speaker.

\* (14:40)

**Mr. Eichler:** Obviously, the minister is not listening. Mr. Speaker, we agree there is a need to expand slaughter capacity in Manitoba.

However, we have concerns about the process where an individual's right to choose where and how they invest their money is taken away from them. The new beef levy sets a dangerous precedent. Today the agriculture industry sector, tomorrow it could be any other industry.

If the Minister of Agriculture (Ms. Wowchuk) is so determined to proceed with this backdoor tax, would she, at least, let the beef levy be refundable so that the producers can have a choice about whether or not they want to participate in this backdoor tax?

**Mr. Struthers:** Yes, big words from the opposition, but you know what, Mr. Speaker? It is time they stopped that doom and gloom stuff and get on board with a good proposal. This government has said clearly that we will match for the first three years this \$2-a-head levy because we are intent on getting a cattle slaughtering facility and a cattle slaughtering ability in this province up, not standing back like the opposition members are and saying no to everything. Do not just talk about it; get on board and let us get something happening.

### Child Welfare System Leaders Task Force

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question is for the Premier. As an opposition leader, I have been trying to find a way for all of us to work together regardless of our big differences to solve the crisis presently occurring in Child and Family Services with 31 deaths, homicides of children in care or shortly after leaving care in the last six years.

I was very disappointed Tuesday when the Deputy Premier (Ms. Wowchuk) rejected out of hand my suggestion for an all-party task force led by the three leaders in this Legislature into the deaths of these children and looking to prevent further deaths. Sometimes when a person has a chance to rethink their position, they will.

I ask the Premier today: Will he accept my suggestion for an all-party task force into this issue to find and implement some solutions?

**Hon. Gary Doer (Premier):** Mr. Speaker, I would point out that we have created two independent offices of this Legislature with the appropriate professional experts both from outside of the system, but certainly experts with children to look at both the specific case that was discussed in this Legislature. We have also looked at the capacity to deal with caseloads pursuant to implementing a judicial

inquiry report that was tabled in this Legislature in 1991.

Thirdly, the tragic circumstances of the one child and any circumstances of any other child in care in this province or any other province for that matter are subject to reviews of the Chief Medical Officer. I have said very clearly that we also are open to advice to proceed with the judicial inquiry on children both in the system and the delivery of that system in Manitoba. I would point out also that part of what we are doing every day is to try to reduce the number of children that ultimately will be vulnerable. Last week we had a reduction in the child poverty rate by three points. There is no acceptable rate of poverty for children, but we continually look for good ideas.

I would offer the member, during Estimates, the opportunity to ask serious questions in Estimates. I would offer the opportunity to have an all-party discussion on children in the Child and Family Services Estimates that are going up 17 percent on the line dealing with children in care. There are lots of avenues to get advice. Because you are absolutely right, the Leader of the Liberal Party is right; nobody has all the answers and we are willing to listen in committee to any proposals you would have.

**Mr. Gerrard:** Mr. Speaker, as the Premier knows we have serious concerns about the appropriateness and adequacy of the reviews that he is undertaking. We are offering to the Premier an alternative. We recognize that there have been more than 600 recommendations, many of which have never been fulfilled under his government, and that it is time to do things differently and more co-operatively to prevent further deaths of children.

So I ask again, to the Premier: Why is he being so obstinate in not considering an all-party task force led by the three leaders to address this issue and to find and implement solutions?

**Mr. Doer:** Mr. Speaker, there is an all-party forum in this Legislature to discuss every single recommendation. There were former reviews that identified caseloads for a social worker at 85. There was another review that identified it at 45. Our information is that the caseload is just slightly under 30. We will get an independent review of that.

Mr. Speaker, if we were in the Estimates process today, I could point out that there are 125 more caseworkers at line level today than there were in 1999.

But there is a forum. It is called the Estimates.

**Mr. Gerrard:** Mr. Speaker, the Estimates are not adequate for this because unless the Premier is willing to change the format dramatically, we do not get presentations from outside presenters, from people within Child and Family Services. We hear today, as you have heard, and as we have all heard about the government making gag orders.

We need an open, transparent process led by the three party leaders in a co-operative fashion. Why will the Premier not agree to such a process?

**Mr. Doer:** Mr. Speaker, we have brought in the whistle-blower legislation in many jurisdictions. We have more coming in. The member opposite was in Cabinet and knows full well the former practices of the government that he was part of.

So we need no lectures from the member opposite who was part of a Cabinet that deliberately developed the so-called sponsorship program in Québec. It was raised in Cabinet; I have the page number. It is very important for the member not be holier than thou.

**Mr. Speaker:** Order.

**Mr. Doer:** We are willing to listen—

**Mr. Speaker:** Order.

#### Point of Order

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

**Mr. Kevin Lamoureux (Inkster):** Yes, on a point of order, Mr. Speaker.

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

**Mr. Lamoureux:** Mr. Speaker, the Leader of the Liberal Party has on three occasions now tried to get a very simple answer from the Premier and the Premier is refusing to answer a very simple question. His options are he can take it under advisement and get back to the House if he needs more time to reflect or answer the question specifically. We would call for the Premier to do just that.

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

**Mr. Doer:** Well, Mr. Speaker, on the same point of order, I have said that all of these issues can be and should be raised in either a Budget Address or in the Family Services Estimates. In fact, I would be willing to participate in one full day of Estimates with the Leader of the Opposition and the Leader of

the Liberal Party on Family Services if we can actually start doing what we are getting paid to do and start proceeding on the budget here in Manitoba.

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

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

**Mr. Glen Cummings (Ste. Rose):** Yes, Mr. Speaker, and I would not normally rise on this but we have just finished the experience of Estimates in the last budget where the Minister of Family Services (Ms. Melnick) prevaricated, avoided answers and delayed in responding to written questions.

We are not getting anywhere that way. If this minister would call the inquiry into Crocus, then we could get on with business.

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

**Mr. Speaker:** Order. On the point of order raised by the honourable Member for Inkster, he does not have a point of order. It is a dispute over the facts.

**Mr. Lamoureux:** Yes, Mr. Speaker, with all due respect, we challenge the ruling.

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

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

**Mr. Speaker:** Order. The honourable member has support.

\* (14:50)

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Lamoureux:** Mr. Speaker, I would request Yeas and Nays, please.

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

**Some Honourable Members:** Yes.

**Mr. Speaker:** The honourable member has support.

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

\* (15:50)

**Mr. Speaker:** Order. Sixty minutes has expired. Please turn the bells off.

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

#### Division

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

#### Yeas

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

#### Nays

*Cullen, Eichler, Faurschou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Murray, Reimer, Rowat, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 32, Nays 14.

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

\*\*\*

**Mr. Speaker:** We will now revert to Question Period. The honourable First Minister had the floor.

The honourable Government House Leader, on a point of order?

**Hon. Gord Mackintosh (Government House Leader):** House business, Mr. Speaker.

**Mr. Speaker:** House business. Okay. After Question Period.

We still have Question Period, and the honourable First Minister has the floor.

**Mr. Doer:** Yes, Mr. Speaker. So I would encourage members, as I say, if the Leader of the Liberal Party wants a discussion on Child and Family Services, there is a 17 percent increase in the budget on the

child protection line. I would invite the Leader of the Opposition. I would certainly be willing to join our minister in a debate at the Estimates process, and then also look at the reports when they are produced and be willing to discuss those with the Leader of the Liberal Party. Certainly, we should also discuss some other reports. There are some in British Columbia right now—

**An Honourable Member:** Crocus.

**Mr. Doer:** Yes, there was a report on Crocus last year.

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

### House Business

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

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I would like to announce that the Standing Committee on Legislative Affairs will meet at noon on Tuesday, April 18, to deal with the issue of the recruitment of the new Auditor General.

**Mr. Speaker:** It has been announced that the Standing Committee on Legislative Affairs will meet at noon on Tuesday, April 18, 2006, to deal with the issue of recruitment of a new Auditor General.

### MEMBERS' STATEMENTS

#### Silver Heights Huskies

**Ms. Bonnie Korzeniowski (St. James):** Today I rise to congratulate the Silver Heights Collegiate ladies' hockey team, the Huskies, on an exceptionally played season. The girls finished the second half of the regular season in fourth place which pitted them against Westwood Collegiate.

The Huskies played two great games, winning both by shut-outs. They advanced to play Vincent Massey in the semi-finals, losing game one but battling back in game two to tie the game in the last minute. The tie-breaker was won by the opposing team, but all in all it was a very successful season for the Huskies.

I wish to congratulate team members Leslie Richards, Alicia Anderson, Kairsti Fraser, Lindsay Pellerin, Chantal Pettinger, Kim Schmeichel, Jenn Coulliard, Jessica Mason, Amanda Nobiss, Jasmin Gregory, Tanja Latvala, Ashley Cassan, Danielle McGurry, Jaclyn Cleugh, Kelsey McIntyre, Charlsey Sperl and Casey Downs. A special recognition goes to Tanja Latvala, an exchange student from Finland,

who has come to Winnipeg through the Rotary's Assiniboine division. She immediately showed an interest in joining in with sporting activities at Silver Heights. Tanja scored the goal that tied up the game during the semi-finals and has demonstrated quick dedication to her teammates.

Mr. Speaker, it seems to me that Manitoba is turning out some top-notch female skaters. Cindy Klassen, Clara Hughes, Jennifer Botterill, Shannon Rempel and Sami Jo Small were all honoured here earlier this week for their outstanding Olympic performances. With these kinds of role models, I am sure plenty of young women in Manitoba will be inspired to follow their own Olympic dreams.

Mr. Speaker, I salute the Silver Heights ladies' Huskies hockey team for a season played with heart and determination. Also, a big thank-you is in order for the coaches, Mr. Bjornson, Mr. Pellerin and Mr. Gregory. When Tanja returns to Finland later this summer, I am sure she will take with her lasting memories of her teammates and their awesome hockey season. Thank you.

#### Community Newspaper Day

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, it is with pleasure that I recognize the first Community Newspaper Day on April 17, next Monday, after having my private member's resolution passed unanimously by this Legislature last year.

It is important to recognize the contribution and the invaluable service that community newspapers make in our community and particularly in rural Manitoba. Community newspaper is the heart of the community, providing the news, calendar of events, community events, local advertising, editorial comment and a forum for people to express their own views. It also provides a historical record of the events, businesses and opinions of the day.

As a former owner and publisher of a community newspaper, the *Headingley Headliner*, I can say first-hand how people begin to consider their local newspaper as their own. It gave me a great deal of pride when I first heard people recognizing the *Headingley Headliner* as their own paper. The community newspapers are about grassroots people, issues and local business. People want to see who they know in the paper. They want to see what the local car dealership has on sale or when the next bingo is.

This year the Manitoba Community Newspapers Association will celebrate its 86th year. It represents

46 community newspapers with a combined readership of over half a million people. I also want to recognize the hard work they do for the benefit of their members. We also recognize that there are many other newspapers in the province that also provide information to Manitobans about significant events in their communities.

Mr. Speaker, I would ask that all members of this Legislature join me in saluting the good work of our community newspapers, especially the people who write them, design them, print them, deliver them and read them. Thank you.

### **Knights of Columbus**

**Mr. Bidhu Jha (Radisson):** Mr. Speaker, last week I had the pleasure of attending and bringing greetings to the Knights of Columbus and the Catholic Foundation of Manitoba at the Caritas Award Dinner. At its annual Caritas Dinner, the foundation recognizes a deserving recipient, person or a group, who captures the spirit of caritas or charity.

Throughout their hundred years of service, the Knights of Columbus have been an important organization in our province. Each year, the Knights of Columbus perform numerous important charitable activities, from sponsoring basketball tournaments to raising funds for disaster victims to merely bringing a kind word to a stranger. Throughout their long, impressive history they have never wavered in their commitment to helping others.

\* (16:00)

Mr. Speaker, I commend the Catholic Foundation on their selection of the Knights of Columbus as most worthy recipient of this award. I congratulate the foundation's many members for their continued commitment to charity and building a more compassionate and caring society.

Mr. Speaker, I also congratulate the Knights of Columbus for their 100th anniversary. I commend them for their years of service to Manitoba. The importance of their work cannot be underestimated. Acts of love, charity and commitment to one another, fellow members of our society, is the foundation of our society.

Mr. Speaker, I reminded the audience of over 700 people who attended that dinner to be thankful to God for granting us life and health and the ability to serve others with charity and caring.

Mr. Speaker, I received my science degree from St. Xavier's College at Ranchi in India. I shared with

the audience my spiritual experience of caring and love and services given by the Jesuit fathers who looked after me like I was their own. When I was sick, they looked after me. Reverend Father Proost—

Could I have a leave, Mr. Speaker, for—and thank you.

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

**Some Honourable Members:** Leave.

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

**Mr. Jha:** I give you an example to set the services of humanity and proclaim all of us to be the children of the same God.

Mr. Speaker, I wish all the members, their families and staff a Happy Easter.

### **Jeff Stoughton Curling Team**

**Mrs. Myrna Driedger (Charleswood):** I rise today to give tribute to the 2006 Safeway Select Manitoba curling champions, the Jeff Stoughton team of the Charleswood Curling Club. The team, including Jeff Stoughton, Garry Van Den Berghe, Steve Gould and Don Harvey, represented Manitoba at the Tim Hortons Brier in Regina last month.

Jeff Stoughton's team has an enviable record which includes being world champion in 1996, two-time Brier champions in 1996 and 1999 and five-time Manitoba champion. Being five-time Manitoba champion is a record for a skip and also for second Garry Van Den Berghe. Stoughton's first national championship was in 1988 when he won a Canadian mixed curling championship, and he won that again in 1991.

I was pleased to attend the Stoughton send-off at the Charleswood Curling Club on March 4. The activities and ceremonies were presented by the Tim Horton Brier Tankard tour, the Manitoba Curling Association and the Canadian Curling Association. At Stoughton's request, admission to all events was free and donations and silent auction proceeds were split between Charleswood Curling Club's junior program and the Kubota kids' help line. We were very proud to know that they were willing to use their funds like this, Mr. Speaker, in helping children's programs in Manitoba and in Canada.

While the Stoughton team did not leave the Brier with a medal, we in Charleswood and Manitoba want to say how very proud we are of the many accomplishments that this team has achieved, and we

wish them continued success in the future. Thank you, Mr. Speaker.

### Rossbrook House

**Mr. Conrad Santos (Wellington):** The Member for Wellington humbly rises today to recognize an important milestone in an organization in the constituency of Wellington. This milestone is the 30th anniversary of the Rossbrook House founded in 1976 by Sister Geraldine MacNamara.

Rossbrook House has served as a neighbourhood centre for children and young adults for over three decades now. It has been a guiding light of hope for those who otherwise may have no other option than a dangerous and difficult life in the streets.

The home is a place where an individual is always welcome. In 1974, Sister MacNamara turned a leased home on Ross Avenue into a place where local youth and children could come to escape the dangers of crime, drug abuse and alcoholism. With the support of the community, the Rossbrook House has emerged as a guiding light to find a home of unconditional love for many who have lost their way. Since its founding, Rossbrook House has continued a tradition of community service.

Mr. Speaker, I would like to call upon all members of this Assembly, particularly the Member for St. James (Ms. Korzeniowski), who had found this and was touched emotionally by the ceremony, to join me in congratulating Rossbrook House and its staff who have ensured its success for 30 years, committed to servicing all these children. I would also ask all members to join me in recognizing the exceptional work by the youth of this community. It is their innovation and promise that provides hope for the youth of tomorrow. Thank you.

### Point of Order

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

**Mr. Kelvin Goertzen (Deputy Official Opposition House Leader):** On a point of order.

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

**Mr. Goertzen:** Mr. Speaker, I know I heard some of the members' opposite concern that I was standing on a point of order. I would refer, particularly the Member for Minto (Mr. Swan), to section 319 of *Beauchesne* which says that we as members, not only are we entitled, we are bound to bring to the Speaker's attention where there has been a

transgression of the rules. So I am really just simply fulfilling the direction that I have from *Beauchesne*, and I would encourage the member to do so as well if he ever feels there has been a transgression of the rules.

I will be referring specifically to Rule 349 in the 6th Edition of *Beauchesne*. I want to note also, and I will be brief, Mr. Speaker, that you always implore us when we are talking about points of order to refer to a breach of a rule or a practice of the House.

It was interesting, when I was looking up the definitions of rules and practices, I saw that a synonym for "practice" was, in fact, "tradition." That brought me to Rule 349 in *Beauchesne*, the 6th Edition, that says it is a tradition or, in fact, a practice, if we use the synonym, a practice "and a courtesy for ministers to advise their opposition critics when it is intended to make a ministerial statement in the House, and Ministers are encouraged to follow this practice."

I note that in past times the ministers opposite, when they were doing ministerial statements, had not provided that notice, so, in fact, I do believe it is a breach of the practices of this Legislature. I am particularly concerned because most of these ministerial statements—I would say perhaps all of them, because of the rules set out are non-political in nature and that we would all do a better service, and I use the example of the Olympians, Mr. Speaker, where the ministerial statement came forward from the Minister responsible for Sport. We appreciated the ministerial statement. We certainly approved of it, but even we as opposition critics could have done a better job, I would say, in honouring those Olympians. Had we known in advance, as is set out in *Beauchesne*, about the ministerial statement, we could have done them a better service. We could have looked through more of the research and ensured that everybody was recognized who needed to be recognized.

So the government might think that this is some sort of a petty thing that they do. It is petty, in fact, but I would encourage them to follow *Beauchesne*, the 6th Edition, Rule 349, and adhere to the practice so that we no longer have this breach of a practice in the House.

Mr. Speaker, I look forward to you ruling accordingly and bringing the government into line.

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

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I did not hear any point of order. I heard a point of abuse and a point of obstruction. That is all I heard.

**Mr. Speaker:** On the point of order raised by the honourable Member for Steinbach (Mr. Goertzen), he does not have a point of order because if you read the rule: "Nevertheless, failure to adhere to this courteous practice does not prevent a Minister from making a statement."

It is a courtesy thing on behalf of the member. This is a citation from *Beauchesne*. So it is entirely up to the ministers whether they want to give advance notice or not.

When the minister brings in their ministerial statements, that is why there are copies given to critics, so that they have a chance to read it. Then they have a chance to respond to what is going to be said by the minister when they get the opportunity.

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

**Mr. Goertzen:** The spice of life is differences of opinion. So, with respect, Mr. Speaker, I challenge the ruling.

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

#### Voice Vote

**Mr. Speaker:** All those that support 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:** Well, I guess I heard it differently. So I will call for a recorded vote, Mr. Speaker.

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

#### Nays

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

**Madam Clerk (Patricia Chaychuk):** Yeas 30, Nays 17.

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

\* \* \*

**Mr. Speaker:** The hour being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Tuesday, April 18. So everyone have a nice Easter.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 13, 2006

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