

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

Official Report
(Hansard)

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Speaker*

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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.
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

Monday, April 24, 2006

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Crocus Investment Fund

Mr. Leonard Derkach (Russell): 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 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.

This petition is signed by of Jean Kuziw, Harry Kuziw, Vaughn L. Baird 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.

* (13:35)

Mrs. Bonnie Mitchelson (River East): 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.

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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 Barb Ann Trawon, Emmanuel Trawon, Chris Munroe and many, many other Manitobans.

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 Leisha Holler, Mark Kogan, M. Duhard and many, many others.

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

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.

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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 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 Beverley Gleeton, Lisa Hurshman and Dawna Bieniare.

* (13:40)

Removal of Agriculture Positions from Minnedosa

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

These are the reasons for this petition:

Nine positions with the Manitoba Agriculture, Food and Rural Initiatives Crown Lands Branch are being moved out of Minnedosa.

Removal of these positions will severely impact the local economy.

Removal of these positions will be detrimental to revitalizing this rural agriculture community.

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 in order to maintain these positions in their existing location.

This petition signed by Ray Madill, Walter Maydaniuk and Stan Obiedzinski.

Civil Service Employees–Neepawa

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

These are the reasons for this petition:

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.

I read this on behalf of Laurie Kohinski, Wilf von Hertzberg, Edgar Walker and many, many more.

Crocus Investment Fund

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by D. Emes, J. Emes, T. Chaychuk and many, many more.

MINISTERIAL STATEMENTS

Flood Conditions

Hon. Steve Ashton (Minister of Water Stewardship): The 2006 spring flood continues as the fifth largest flood of this past century and is similar to the 1996 flood. The Red River has now crested at all points in Manitoba, slowly declining south of Winnipeg. Municipal and provincial officials have been working closely together. Provincial officials have been on the ground flood fighting and in constant contact with municipalities on the front line. Officials are doing an excellent job, Mr. Speaker, in light of serious challenges. They are working tirelessly and diligently, and we certainly respect and support their work.

The investments we have made since 1997 have been extremely successful to date, protecting Manitobans in their homes and towns. That said, there is some significant flooding of agricultural land, and damage to roads and infrastructure has been fairly significant, Mr. Speaker. Of course, we are not out of the woods yet. The heavy rainfalls that missed the already flooded Red River Valley did fall in Saskatchewan and are impacting on the Assiniboine watershed as well as the Red Deer River, Carrot River and Saskatchewan River.

* (13:45)

Strong north winds on April 22 caused particularly high levels and wave action resulting in some dike failures in the Red Deer Lake area. As the access road is now severely flooded and closed to traffic, all Red Deer Lake residents have been relocated to the neighbouring community of Barrows, and most are staying with family and friends. A registration centre for Red Deer Lake residents has been established at the community hall in Barrows. Staff from Manitoba Family Services and Housing from Swan River have been engaged to help meet the needs of the community. Staff from Manitoba Emergency Measures Organization, Manitoba Conservation, the Office of the Fire Commissioner and Manitoba Aboriginal and Northern Affairs representatives will remain in the community to monitor the situation.

I might add, Mr. Speaker, I am sure all of us in this House, all our thoughts are with the people of that community in their very difficult times the last few days.

Elsewhere in the province, water levels are still rising. In some areas of western Manitoba, levels of

the Red River declined about .2 feet at most points from Emerson to the floodway inlet yesterday. Daily declines will be likely to continue, particularly with favourable weather. The water should recede from PTH 75 north of Morris by May 2, if there are favourable weather conditions.

The Red River level in downtown Winnipeg this morning was 18.07 feet which is approximately the same as yesterday. Levels in the city are expected to remain between 17.5 and 18.5 feet for most of the next two weeks. Flooding of valley lands continues from the Shellmouth Dam to Miniota, due to increased flows from the Shellmouth Reservoir, combined with local runoff from last Tuesday's rainstorm. The crest on the reservoir is expected in early May.

Levels of the Carrot River from the Saskatchewan to just west of The Pas rose less than half a foot since Saturday. The crest is expected on Tuesday, Mr. Speaker. The second crest on the Swan River, due to last week's rain, passed through Swan River late on April 21, and levels continue to decline.

Mr. Speaker, I would like to thank all provincial and municipal staff and all Manitobans who have shown tremendous resilience, professionalism and dedication in fighting this very significant flood event. I am sure I speak for all members of the Legislature in thanking them for their tremendous efforts. Thank you.

Mr. Jack Penner (Emerson): I want to thank the minister for the update on the flooding across the province of Manitoba. I think it is clearly an indication that the municipalities, the organizations that have been established under Emergency Measures, are working well. I think we owe a debt of gratitude to all those members of the Legislature who worked very diligently after the '97 flood to ensure that proper organizations would be in place in all communities across Manitoba to ensure that when emergencies such as this year again arose on rivers such as the Pembina River, the Red River, the Swan River and even the Shellmouth and the Assiniboine, to some extent, this year. I think it is a credit to all those municipal organizations that they have indeed organized well and put in place good groups of people who are dedicated to protecting their communities.

I want to say to the minister that I think the operation of the Shellmouth Dam this year demonstrates how effective flood control measures can be when they are initiated well in advance of

flood events and that they are structured in such a way that they are operated to ensure flood prevention. The Shellmouth Dam has been exemplary in demonstrating how that can be done when the waters in those lakes that are stored behind those structures are lowered in the winter months, that they are ready for the spring flows, then mitigation.

* (13:50)

If two dams like that were built on the Pembina River, I would suspect that the concerns on the border of whether it is a dike or a road that was built there or whether it was a canal or a ditch or a channel that diverts water from Neche, North Dakota to the tower and then on to the Aux Marais through a canal that we built to the Aux Marais River back in the early nineties, I would suspect that if we did much of this kind of control work we would not have to spend the huge amounts of money, Mr. Speaker, that we do now in repair work and reparatory work and others, and we have wasted huge amounts of money. Had we taken pre-emptive action to build those kinds of retention structures, and we should focus a lot of our attention in the future to building those kinds of retention lakes and ponds to create tourism, economic development and indeed supply water to many of the towns and villages that will go begging in a drought year. Thank you.

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

Mr. Speaker: Order. Does the honourable member have leave? *[Agreed]*

Mr. Gerrard: Mr. Speaker, I would like to thank the Minister of Water Stewardship for the update. I would also like to recognize those who have worked or volunteered and put in a lot of time and effort to ensure that Manitobans were protected to the extent that is possible from the ravages of the floods in various parts of our province.

I would like to extend my sympathy to the people in Red Deer Lake, the residents of Red Deer Lake, many of whom I talked with last Thursday when I was in the area, and hope that the government looks carefully at building a permanent dike to protect the community in the future as other communities in the south have been protected.

I would hope that the government would also look, with the experience of this year, at the bridge into Morris and to trying to make sure that the

highway going south through Morris is usable for more time than it has been recently.

I have visited the Pembina Valley, as has the MLA for Emerson. Clearly it is time to have a look at the opportunity there to hold back some water. This was not done under the previous government. So far there has been no movement at all under this government but it certainly should be looked at carefully.

ORAL QUESTIONS

Devils Lake Outlet Filtration System—Negotiations

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, on Friday, April 21, 2006, in this House, the Premier indicated: "The Governor of North Dakota stated last year that he did not believe a filter was necessary for the materials in Devils Lake." In seven days we know that the State still plans to release water from Devils Lake that will eventually find its way into the Red River. I would therefore argue that he still does not believe a filtration system is needed.

The Premier also stated on Friday that he has spoken with the governor on two separate occasions last week. He stated in this House that he did, and I quote, "not want to create any illusions on any possibilities." Mr. Speaker, those words from this Premier are not very encouraging. With time running out, I am certain the Premier will have spent this weekend trying to find a means of resolving this evermore urgent issue.

I ask the Premier what action he took over the weekend to address the May 1 opening of the Devils Lake outlet with either the State of North Dakota or the United States of America.

Hon. Gary Doer (Premier): Mr. Speaker, I have had conversations over the weekend with the CEQ office in the United States who are dealing directly with the federal Canadian government.

Mr. Murray: Mr. Speaker, last Friday when I asked the Premier to describe his level of commitment with respect to negotiations with North Dakota concerning Devils Lake, the Premier stated on this issue that it was on the "highest agenda level" referring, of course, to the federal government.

Well, Mr. Speaker, we know that within seven days, the outlet will be opening and we can only hope in Manitoba that this issue remains equally high on this Premier's agenda. Despite his assurances of

an international agreement between United States and Canada, we now know that it was not legally binding for either party. The Premier has indicated repeatedly that his government did not have the authority to make it binding at the federal level. However, he certainly could have pressed to make sure that this agreement was legally binding.

Mr. Speaker, I ask the Premier to describe the efforts he made to ensure that we would have a legally binding agreement with the United States over the Devils Lake outlet.

Mr. Doer: Mr. Speaker, I did have conversations last week with the governor of North Dakota on related issues across the border. We have obviously discussed Devils Lake in the past and in the present. The CEQ office in the United States, which are the White House representatives, have been dealing with the implementation of the agreement. That was consistent with what Todd Schwarz said last week in Manitoba. It is consistent with what Ambassador Wilkins said to the media last November. The issue of the status of the agreement was stated in August of 2005 and on November 3 or 4 in this House, in Hansard, about the agreement.

Obviously, we are searching the CEQ office. The CEQ office of the State Department of the United States is the body that President Bush utilizes to implement his commitments to Canada. The issue of Devils Lake, in its very simple terms, is either build the filter and hold the water. That is the position Prime Minister Harper took. That is the position we have taken. That is the position the opposition has taken. That is the position, I would argue, that almost every Manitoban would take. Obviously, it makes sense to hold the water until the filter is built.

The engineering contract— *[interjection]*

Mr. Speaker: Order.

* (13:55)

Mr. Doer: The engineering contract to design the filter has been issued and the work has been completed. The design work is now being reviewed at again the CEQ level and the Canadian government. I am not at liberty today to discuss what may or may not be discussed with the Foreign Affairs Minister in Ottawa in the next day, Mr. Speaker. The Prime Minister made it very clear to the President of the United States, and this we appreciate and all Manitobans should appreciate, that in his capacity as the Prime Minister of Canada he is

responsible constitutionally for international boundary waters acts, and he asked the President of the United States to ensure that the filter is built before the water flows.

That is the position we have stated to the governor of North Dakota. That is the position that opposition members would state. That is the position everyone else would state in this office and in this Assembly, Mr. Speaker. Obviously, we feel that there are other alternative ways to have co-operation across the border. We have talked about issues that are of concern to North Dakota, we have talked about issues that are of concern to Canada and we have talked about that with our national government. I talked about it, even as late as last Wednesday, with the Prime Minister when he was touring locations in the south.

Mr. Murray: Well, Mr. Speaker, this Chamber, the media, and Manitobans have now seen the classic all talk, no action.

The Premier stated last Friday that his government lobbied as hard as it could to stop the release of unfiltered water from Devils Lake into the Red River. For the past three weeks, and we heard it again today, all we have heard from this NDP government is that the entire issue was a matter for the federal government to address and that it was their responsibility to ensure that a filter was installed.

The Premier stated repeatedly that this was so according to a signed agreement between two federal governments, something we all know is now patently false. Aside from assurances about a fictitious written agreement, we have heard little else from this NDP government about its lobbying activities on the Devils Lake outlet other than, perhaps, this Premier referring to our neighbours to the south of us as villains.

Mr. Speaker, would the Premier please provide details on the extent of his lobbying on this issue and what results he has received on this issue over the weekend?

Mr. Doer: Well, Mr. Speaker, I just finished saying that the matter is being discussed between the national government of the United States, the White House and the Canadian government. I have had discussions with both the Canadian government and the federal government.

Mr. Speaker, I would point out, on November 3, 2005, we had made it very clear that we wanted the

wording to be signed off in legal form. It has been negotiated between Canada and United States. That is page 158 of Hansard, and I also said that Ambassador McKenna was dealing with that in legal form.

There is a proposal from the United States on the design, construction and cost of the filter that is being presented in Ottawa. We have other proposals to deal with issues of concern to North Dakota and to Canada, to try to find a win-win solution to our mutual problems. Again—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (14:00)

Mr. Doer: I would point out that we went to court when members opposite talked about no effort being made. Manitoba went to court on its own to fight both the Devils Lake outlet in the North Dakota court and we went to court to fight the NAWS project to stop water coming from the Missouri River over to Manitoba. We went to lobby against any other proposal from the Missouri River. Not one drop of water has flowed in six years from the Missouri River to Manitoba, Mr. Speaker, and that is because we won in court.

Secondly, we are doing everything we can in working with our national government to protect Manitoba's water. I would ask members opposite to join with us to say to North Dakota, do not flow the water until the filter is in place. That is what they should be calling on today, Mr. Speaker.

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

Health Care System Wait Time Reduction Guarantees

Mr. Stuart Murray (Leader of the Official Opposition): On a new question, but with respect, Mr. Speaker, that is exactly what we ask for.

This government continues to spend more and get less in health care. There has been nearly \$1.5 billion more in annual health care spending since this NDP government came to office. Mr. Speaker, we have nothing to show for it except that health care in Manitoba, compared to all the other provinces in Canada, is dead last.

This Premier has refused to implement a plan to better manage our health care system and reduce wait lists. We know he likes to promise the quick

fixes. He is good at that but where are the results? Manitobans continue to wait in pain.

Manitoba patients deserve better. Where is the Premier's plan to ensure that Manitobans have access to the health care they need when they need it?

Hon. Gary Doer (Premier): Mr. Speaker, the CancerCare treatment waiting list has gone from eight weeks to one week under our plan. The cardiac waiting list is down 60 percent since we have been elected. The CAT scan waiting list has gone down from 18 weeks to 11 weeks, with CAT scans now being located all across Manitoba, unlike the Perimeter vision of members opposite.

The MRI waiting list has gone from 21 weeks in 1999 to 11 weeks. We have added 31,000 more procedures with MRIs and, again, unlike members opposite, our diagnostic equipment is located outside of the Perimeter Highway as well as inside the Perimeter Highway.

We have 200 more doctors than we did before and many more nurses and more diagnostic staff. We need no lectures from the people across the way that want to Americanize and have profits in health care.

Mr. Murray: Well, Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Doer: Yes, Mr. Speaker. I am not sure whether the Leader of the Opposition began his question, but his own members are heckling, and we cannot hear on this side of the House.

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

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, I am chuckling because the Premier should be embarrassed after that tirade. Here we have a province that is dead last in health care all across the country and we have a desperate Premier trying to make light of the issue. He does not have a point of order.

Mr. Speaker: Order. A point of order should be pointing out to the Speaker a breach of the rule or departure from practice. Points of order should not be used for debate.

The honourable Official Opposition House Leader, have you concluded your comment? The honourable Official Opposition House Leader, on the breach of a rule?

Mr. Derkach: Mr. Speaker, I was responding to a point of order that the Premier raised. I did not raise it, the Premier did. So I am responding to his point of order which I say is not a point of order. It is just a point of desperation on his part.

Mr. Speaker: Order. On the point of order raised by the honourable First Minister, I do want to take this opportunity to point out to all members that we have a lot of guests who have come down here, who are in the public gallery. We also have the viewing public on television, and it is very important that we be able to hear all the questions and all the answers. In case there is a breach of a rule, I need to be able to hear to make a ruling on that, so I am asking the co-operation of all honourable members at this time.

An Honourable Member: Was that a point of order?

Mr. Speaker: I have addressed the point of order.

* * *

Mr. Murray: Thank you, Mr. Speaker. I do think it is important, as you point out, that there are people in the gallery and people in the viewing public. After all that the Premier said, that the fact of life is, not according to us on this side of the House but according to the Conference Board of Canada, our health care system in Manitoba when compared all across the country is dead last. That is what the important figure and the important point to be made is.

Mr. Speaker, last month this NDP government promised to reduce the wait list for cataract surgery, acknowledging that the wait list of 22 weeks is too long. Well, the honourable Member for Pembina (Mr. Dyck) has a constituent who is waiting upwards of 40 weeks for surgery. This is absolutely unacceptable. The NDP government continues to force Manitobans to endure the hardships of waiting for treatment instead of taking proactive steps to improve the system.

Can this Premier indicate when his NDP government will commit to wait-time guarantees and provide patients with an alternative if they are unable to meet the guarantee in Manitoba?

Hon. Tim Sale (Minister of Health): Well, Mr. Speaker, first of all, on the matter of cataract

surgeries, we have simply, very recently, announced an additional 850 procedures at the Pan Am under the supervision of the Centre of Excellence at Misericordia hospital. The wait times will come down in cataract surgery. They are unacceptable presently, but let me say to the member opposite, we exceed the national benchmarks in cancer care. We exceed the national benchmark in cardiac care. We are making astounding progress in joint surgery. Our CT scan times are down 60 percent and our MRI times have been cut in half in terms of waiting time.

What they have not noticed is that we do not talk about average waiting times any more for diagnostics, we talk about maximum times. So they are talking about an average time several years ago that is now a maximum time less than half that average.

*(14:10)

Mr. Murray: Well, Mr. Speaker, that is cold, cold comfort for the constituent of the Member for Pembina (Mr. Dyck), who is forced to wait over 40 weeks, once again indicating that under this NDP government, health care compared to all across Canada, in Manitoba, is dead last.

We have been calling on this Premier to set aside his ideology and to do what is in the best interests of patients. Time and time again we have asked that the Premier consider to reduce waiting lists by working with private clinics to help deliver health care services in our province within the publicly funded system.

More than two weeks ago, officials from Manitoba Health toured the Maples Surgical Centre, Mr. Speaker. Finally, after we have pressed this NDP government for years to put patients before politics, I hope this is a signal that the government is willing to work with the Maples Surgical Centre to provide faster access to patients.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Murray: Thank you, Mr. Speaker. Is the Premier finally going to acknowledge that there is a place for the Maples Surgical Centre to co-operate with this NDP government to provide timely access to care for patients in Manitoba?

Mr. Sale: Perhaps the member has forgotten that we have had a standing offer of contract for years with Western Surgery Centre. We work with other private clinics across Manitoba to deliver services on a

regular basis. Not an ideological question, Mr. Speaker. That was changed a long time ago.

The issue is: Does it provide actual value for money? Do the wait lists actually come down? Are the resources that are made available to us by private clinics additional to the resources already in the public system or are they draining those resources away from the public system and simply moving a wait list from point A to point B? We are working with all private providers, including Maples, to identify whether there are genuine opportunities at an affordable and reasonable cost to provide additional services to Manitobans. We are not ideological. We are just good stewards of the public purse.

Health Care System Wait Time Reduction Alternatives

Mrs. Heather Stefanson (Tuxedo): Well, Mr. Speaker, I will take the Conference Board of Canada's word over this Minister of Health's word any day.

Mr. Speaker, the NDP government has spent almost \$1.5 billion more in health care since they came to office in 1999. Yet, Manitoba ranks dead last among health care systems across this country. The NDP has so badly mismanaged our health care system that more and more people are forced to wait in pain. It is time for this Minister of Health to set aside his ideology and do what is in the best interests of patients. Manitoba's health care system is going to remain dead last if the minister refuses to consider alternatives like working with the Maples Surgical Centre to help reduce wait lists in our province.

Now that his staff has toured the centre, is the Minister of Health finally going to put patients first and sign an agreement with the Maples Surgical Centre?

Hon. Tim Sale (Minister of Health): I hope I heard the honourable member correctly, in which she said that she would take the word of the Conference Board of Canada above the word of anyone else. Then, I would ask her to begin to reflect accurately what the word of the Conference Board of Canada was, which is, that the health care system in this province performs third in Canada, not dead last, Mr. Speaker. That is what they say on page 17 of their report.

So let her stand by her word and stop insulting the health care providers of Manitoba. Stop telling the people of Manitoba that this is a bad health care system and start focussing on the real issues, which

is the health and well-being of all Manitobans, the prevention of illness, the prevention of diabetes, the prevention of obesity. Let her stand by her word to take the Conference Board of Canada at its word that we are third, not last.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Stefanson: So, Mr. Speaker, what the minister is saying is that the system is not hurt, it is just the people who are suffering within that system. That is terrible and does not say a lot for this system, and it does not say a lot for the people who are suffering out there in Manitoba. The longer this minister stalls, the longer patients are going to wait in pain.

This Minister of Health should admit that his so-called meeting with the Maples Surgical Centre is nothing more than a stall tactic and that he really has no intention of ever entering into an agreement with the Maples Surgical Centre. The Premier (Mr. Doer) should stop his instant gratification promises to improve health care in our province and take action now.

Will the Minister of Health get on with signing an agreement with Maples now for the sake of patients who continue to wait in pain under their watch, Mr. Speaker?

Mr. Sale: Mr. Speaker, I suppose it is a privilege of opposition that they can argue that we should simply sign a blank cheque with no guarantee that wait lists will actually be reduced, that the staff provided will actually be additional to our staff, that all the standards of Manitoba's safety and patient rights will be respected and that there will be value for money and a reasonable price for procedures, not \$700 for a procedure that costs us \$235.

Mrs. Stefanson: Mr. Speaker, I do not know what part of dead last that this minister does not understand, but he should be looking at all alternatives in Manitoba to ensure that we are delivering health care within the best interests of patients, not his ideology.

Mr. Speaker, this minister refuses to explore real ways to improve access to health care in this province. One Manitoban from Manitou is being forced to wait 44 weeks for cataract surgery, double the average wait time for this procedure, despite announcement after announcement after announce-

ment by this government to improve wait lists for cataract surgery in this province.

The Premier and his Minister of Health should stop their instant gratification promises to improve wait lists in this province and take action now. How long do people have to wait in pain for this government to set aside its ideology and do what is in the best interests of patients?

Mr. Sale: Mr. Speaker, first of all, Winnipeg Regional Health Authority is in a process with Maples and, actually, with other private providers to identify specific things that could be done that would be additional to our capacity and that would actually have a measurable impact on wait times at an affordable cost. That is the work that is being done right now.

Let me tell the member opposite that, in terms of Manitobans waiting in pain, we have now 3,400 joint operations being done this year in Manitoba, up from 2,100, 18 months ago. Cancer radiation therapy, we actually say one week, but you know the actual average in the last time it was measured was 0.6 weeks. Three days, Mr. Speaker, that is how long patients wait in Manitoba.

Teachers' Retirement Allowance Fund Board Chair Appointment

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, the teachers' pension fund has been without an appointed board chair for a year.

Why has the Minister of Education been so negligent in appointing someone to this very important position?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, as I mentioned to the member opposite last week, we are in the process of addressing that issue.

What I would like to ask the member opposite is why do they still have on the—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: Thank you, Mr. Speaker. What I would like to ask the member opposite is why do they still have—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: Thank you, Mr. Speaker. On the Web site it still says: Are teachers' pension funds at risk? The member opposite still has that on the Web site, and after I have provided three letters from the Teachers' Society president which says if you have any questions or concerns about the health of the teachers' pension fund to ask the CEO of TRAF and find out what the truth is, if that interests the member opposite. The member opposite will know that the pension fund is healthy and they should stop spreading those rumours.

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, this Minister of Education has been dragging his heels for a year in not appointing someone to the chair of TRAF.

I would like to ask him: The pension fund chairperson also chairs the investment committee of the teachers' pension fund. Because the Minister of Education has not appointed a chair, can he tell us who is chairing the investment committee and does this person actually have pension fund investment experience?

Mr. Bjornson: I believe that the interim chair is acting in that capacity, and I will verify that for the member.

* (14:20)

Mrs. Driedger: Mr. Speaker, I am appalled that the Minister of Education, after having questions on this issue all last week, has not even found out any more information about TRAF, about the chair and about the investment committee. That certainly does not give us any sense of comfort nor, I am sure, will it give retired teachers any sense of comfort in this province. The Minister of Education is negligent, and he sure is showing it today.

Will he commit today to appoint a chairperson to the TRAF board as soon as possible, and will he commit today to ensure that that person has pension fund investment experience?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, I did receive a number of questions—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: Thank you, Mr. Speaker. I did receive a number of questions from the critic last week, and in the preamble to those questions, the critic misled Manitobans with respect to the health of the teachers' pension fund. The rate of return for the teachers' pension fund has performed above the industry benchmark at one-, five- and ten-year measures. The property investment portfolio, which the member calls into question, has performed at or above the rate of return on one-, five- and ten-year benchmarks.

I did commit last week to address the chair as well, Mr. Speaker, and I will do so.

Point of Order

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

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, I rise reluctantly because—

Mr. Speaker: On a point of order?

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

I rise reluctantly because we are assuming that when a question is asked in this House, the answer will be relevant to the question that has been asked.

There was a specific question of the Minister of Education. I do not know, perhaps, he does not understand English, but the question was whether or not he was prepared to appoint a chairperson who had competence in the area of investment funds. That was the nature of the question. I do not know what the minister did not understand. If he wants the question repeated, we can do that, but he should answer the question as posed.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, we were waiting to hear the rule that the member is alleging is being breached. We did not hear a rule, therefore, we did not hear a point of order.

But, of course, what members on this side are doing is they are ensuring that the public understands that the questions being posed are based on misleading statements. First of all, we heard a number of questions about the ranking of Manitoba's health care system in Canada. There were misleading statements, Mr. Speaker. It is important that the public, indeed, is entitled to the truth. Then we hear again misleading statements about the health of

TRAF. It is very important, especially for retired teachers, to know what is important to members on this side: the truth.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. I would say it is a dispute over the facts.

* * *

Mr. Speaker: The honourable minister, to continue.

Mr. Bjornson: Mr. Speaker, the member has been asking for the truth. I have been telling the truth for the last two weeks in Question Period. With respect to the questions on TRAF, I have been telling the truth about the rate of return and the health of the fund. I have been telling the truth about the status of the former CEO, and I have also been talking about the Manitoba Property Fund which is not at risk.

Members opposite need a lesson in truth with respect to the teachers' pension fund. They are fearmongering. They are the only ones who are telling teachers that the pension fund is at risk. It is not at risk. We have acted in good faith with the teachers, addressing issues of pension and in improving the pension. We will have a board chair appointed shortly, Mr. Speaker.

Crocus Investment Fund Co-Investment Risk Analysis

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, what the Minister of Education fails to agree with is that the fund is grossly underperforming under the period of this government.

Mr. Speaker, my question is for the Minister of Finance, the most knowledgeable minister in this government, I would believe, regarding financial matters, the head of Treasury Board, and he has the responsibility to be on top of all risk management aspects for this government. He should have and, I believe, would have been receiving reports about any risks that would include co-investments with the Crocus Fund. He acknowledged receiving reports on the MIOP loans.

I would ask if he received in that information, information about the Crocus Fund, as well.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, first of all, the member has not been listening to the Minister of Education (Mr. Bjornson) where the teachers' retirement fund has performed

above the benchmark. The member is just wrong on his facts.

With respect to the Crocus Fund, I think we have to remember how it was set up. The former Minister of Finance, Clayton Manness, let us look at a different way when it came to setting up this fund. Let us take our best business minds and heads within our community and, rather than entrust somebody within the civil service and rather than entrust the political interference that sometimes can swirl around decisions made, let us have some trust in our community leaders, business leaders, to make the right decisions. That is how he set it up; that is how it was run.

Mr. Cummings: Again, Mr. Speaker, that is why we need further information that can only be acquired through a public inquiry because he did not answer the question as to whether or not he was informed of the risks associated with those MIOP loans.

Did he not or did he receive information regarding the co-investments where Crocus money was co-invested with the MIOP loans?

Mr. Selinger: If the member would have taken the time to read the Auditor General's report, 245 pages, he clearly identified that the oversight regime, the monitoring regime, for the Crocus Investment Fund was placed in the Department of Industry, and that there was role confusion between their monitoring responsibilities and their promotion responsibilities. We have brought legislation in front of this House to correct that. Your job is to debate the legislation.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Cummings: Well, in the past, Mr. Speaker, the legislation they have brought forward was to make changes on behalf of the Crocus Fund. So they cannot claim that they have absolutely no interest in the Crocus Fund. If he wants to quote the Auditor General's report: In addition, the Province through MIOP and other government grants invested in a number of the same companies as the Crocus Investment Fund.

Mr. Speaker, normally Treasury Board analysis would be very minute on that type of information. This minister is responsible for Treasury Board, and he is refusing to tell us whether or not Treasury Board provided him with an analysis of that risk.

Mr. Selinger: Mr. Speaker, the member clearly has not read the Auditor General's report, nor has he read

the report of the implementation committee. Now he makes the case that there were co-investments between the government and Crocus Fund. Yes, there were during their time in office, and, yes, many of those investments lost money, \$37 million of losses. During our term in office the MIOP fund has made money. If the member wants to know what went wrong, all that he has to do is he has to talk to his colleagues about why they made poor MIOP loan investments. Talk to your colleagues.

Mr. Speaker: Order. I have to remind members once again that I have a signed agreement that the first six questions are for the official opposition. We are on question No. 6, and I have not been told otherwise. Until I am told, I cannot recognize any other member.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, once again I neglected to tell you and I apologize for that, but in light of time, the Leader of the Liberal Party is certainly allowed to go ahead.

Mr. Speaker: I thank the honourable member for that. So I will recognize the honourable Member for River Heights.

* (14:30)

OlyWest Hog Processing Plant Environmental Impact

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Premier and his government were involved in discussions around the OlyWest hog processing and rendering plant from the very earliest stages, and the Premier has already committed some \$27.5 million of provincial money. But right from the start, the Premier has tried to avoid public scrutiny, holding negotiations behind closed doors.

On Friday when I asked the Premier to table his economic analysis, he produced a press release. Now we are hearing that the government is so disorganized that the Clean Environment Commission hearings are going to be much delayed.

I ask the Premier: Is the Premier delaying the Clean Environment Commission hearings in order to avoid public scrutiny until after the next election?

Hon. Gary Doer (Premier): No, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, my supplementary is to the Premier. Manitobans must be treated fairly. When the hog processing plants were built in Brandon and Neepawa, they were built outside the

urban area, outside the boundaries of the residential areas. Residents of Transcona, Radisson, Concordia, Elmwood and Southdale are asking why Winnipeg has not been treated the same as Brandon and Neepawa. The Premier had a choice.

Why did the government agree to the OlyWest plant being located inside the urban region of Winnipeg rather than outside the perimeter? Why does the government refuse to treat the residents of Winnipeg fairly?

Mr. Doer: Well, Mr. Speaker, I want to point out that when the second shift of Maple Leaf was proposed to the Clean Environment Commission, they established a number of conditions to improve dramatically over the former treatment, to dramatically decrease the number of nutrients going into the Assiniboine River as a condition of a second shift going forward. That is the integrity of the Clean Environment Commission in terms of water protection in Manitoba.

Secondly, Mr. Speaker, the government does not control a private company. When we are dealing with OlyWest and Maple Leaf was dealing with the Mitchell's plant, these are private-sector decisions.

The specific amount of money is less than what we get back in taxes. The part dealing with the MIOP loan, the \$20 million, is an area where we will make money. But, Mr. Speaker, the bottom line is the private company who has a private location has to request a public licence from the Department of Conservation. That process will be initiated by a proposal from the company, not by the government.

The timing of a hearing starts with the private company. To put anything else on the record, Mr. Speaker, is not speaking truth to the realities of the situation.

Crocus Investment Fund Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I smell corruption with this government.

Mr. Speaker, this government is not prepared to call a public inquiry in regard to Crocus, and one has to wonder why. When you start hearing names like Alfred Black, Peter Olfert, Darlene Dziewit, Robert Hilliard and Eugene Kostyra, all major players in this whole Crocus fiasco and all of them donors to the New Democratic Party, we are not talking about

hundreds of dollars in one year. We are talking about thousands of dollars in one year.

The real reason why this government does not want to have the public inquiry, Mr. Speaker, is because it is not in their best interest, and they are not defending what is in the best interests of the public. I am asking this Premier to do the honourable thing and to call for a public inquiry. Come clean on this whole issue of the Crocus fiasco.

Hon. Gary Doer (Premier): Mr. Speaker, I note that this was the second question of the Liberals today in terms of their priority list. I would point out that when Gary Filmon introduced the Crocus legislation, he said that no NDP government had ever brought in a labour-sponsored fund. He was right. We never brought it in to the alleged friends we had that are being made by that. The real advantage of venture capital, Mr. Speaker, is actually to business and not, as the member alleges, to labour.

Point of Order

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

Mr. Lamoureux: Yes, Mr. Speaker, on a point of order in regard to relevance. This has nothing to do with Gary Filmon. The question I asked had everything to do with thousands of dollars that had been donated to your party, Mr. Premier, and you have to be held to account for those donations.

Mr. Speaker: Order. Points of order should not be used as a means of debate. Points of order are to be raised to the Speaker, a departure of a rule or a departure from our Manitoba practices. If the member is raising the point of order on relevancy to questions, that is what I—that is one word I heard, I would remind all honourable members in this House that we have a signed agreement. Where that would fall under would be under *Beauchesne* 417 and we have a signed agreement that we would not be raising 417 or 409, so the honourable member—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I am making a ruling here.

I see members rising while I am making a ruling. Members have options after I make my ruling. Either you can accept it or you can challenge it, but I will

not interfere in my making the ruling to hear other members.

On the point of order raised by the honourable Member for Inkster, he does not have a point of order.

Mr. Lamoureux: Mr. Speaker, under *Beauchesne* 459, I have to challenge the ruling. I am sorry.

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

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. First of all, does the honourable member have support?

Some Honourable Members: Yes.

Mr. Speaker: Okay, the honourable member has support.

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: I would call for Yeas and Nays, please.

Mr. Speaker: Does the honourable member have support?

Some Honourable Members: Yes.

Mr. Speaker: Okay, the honourable member has support. A recorded vote having been—

Some Honourable Members: Oh, oh.

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

* (15:40)

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

Allan, 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, Cummings, Derkach, Dyck, Eichler, Faurchou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Murray, Penner, Reimer, Schuler, Stefanson, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 18.

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

* * *

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

Mr. Doer: Yes, Mr. Speaker, unlike the Liberals, we passed legislation in 2001 to allow the Auditor General to follow the money. When that was challenged by anybody dealing with the Crocus Fund, we backed up the Auditor General. We think it is fortunate now that in Ottawa today, in 2006, they are finally going to bring an act in to allow the Auditor General to follow the money, something Liberals never did when they were in office in Canada.

Mr. Lamoureux: Mr. Speaker, that is an empty answer if I have ever heard one.

Mr. Speaker: Order. I just checked the—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. My understanding at that point was the official opposition and the independent member were switching positions but you gave question No. 6, too? *[interjection]* Okay, so now they will be on their own question? Okay.

Mr. Lamoureux: Yes, thank you, Mr. Speaker. That was a very hollow answer from the Premier of this province. The reality is that you have Alfred Black, Peter Olfert, Darlene Dziewit, Robert Hilliard—

An Honourable Member: Dziewit.

Mr. Lamoureux: –Dziewit, if that makes you feel any better, Eugene Kostyra, five major contributors in many ways to this government and this Premier, who have contributed thousands of dollars to his political party, not to mention doing all sorts of election things.

What we are asking this Premier to do is to put the public's interest first and call for a public inquiry. Surely to goodness he recognizes what all Manitobans see is a serious conflict of interest here. The Premier should do the right thing and call for a public inquiry today.

Mr. Doer: Mr. Speaker, I believe the majority of members of the list that was outlined by the member were appointed to the original board of Crocus and those original appointments were made in 1992 and 1993. We do not–

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: –to the board of directors of Crocus in the dates I described. As I said before, Premier Filmon said in this House that no NDP government had ever brought in a labour-sponsored fund.

The advantage of labour-sponsored funds in this community are for investments made in business, Mr. Speaker. I do not think the member understands that.

Mr. Lamoureux: Mr. Speaker, Peter Olfert and Darlene were actually appointed during his administration so the Premier cannot have it all ways. He has to recognize that his union buddies here, these selected union people, are major contributors to his political party. These are the individuals that, in essence some of them, Peter Olfert and Alfred Black, in December 2004, tried to tell all MLAs not to worry; we are going to recover. These are his people telling us this.

We are asking the Premier to acknowledge the conflict of interest of major individuals who were involved with the Crocus fiasco. There is a need for a public inquiry, Mr. Speaker. He knows it. The Premier knows it but he is scared chicken to call for a public inquiry. That is the reality.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I realize Question Period gets a little heated, but all members in the House are honourable members and they should be treated as

such. I would caution the honourable member to pick his words very carefully.

Mr. Lamoureux: Mr. Speaker, I withdraw that comment, but the Premier is running scared on this issue. He is fearful because he knows that if a public inquiry were called, he is going to have to be held to task for all the conflicts of interests, for his negligence in 33,000-plus Manitobans losing over \$60 million.

When will you do the honourable thing, Mr. Premier, and call for the public inquiry?

Mr. Doer: Mr. Speaker, one of the reasons why Prime Minister Harper is appropriately changing the abilities of the Auditor General to follow the money is to have Auditor Generals be able to go into private entities and follow the money.

We actually did that in 2001. We did it five years before the federal Conservatives are doing it, and we did it before the Liberals even thought about it. We need no lectures from the members opposite who have obviously, and his Leader, of course, who is documented as having an organized campaign into the province of Québec with taxpayers' money.

Mr. Lamoureux: Mr. Speaker, the Premier is wrong. He does need to be lectured. It was the federal Liberals who actually called the inquiry. What we need is this Premier to do the honourable thing also and call the public inquiry. This Premier is scared to call the public inquiry, yet it is in the public's best interest to have that public inquiry called.

My question is very specific. Does the Premier not acknowledge that indeed there is a conflict that is there when you point out the fact that thousands of dollars have been donated by many of the individuals, many of his personal friends, many of the individuals who are directly involved in the Crocus fiasco? There is a conflict and the only way to resolve this issue, Mr. Speaker, is that there has to be a public inquiry.

Will the Premier do the honourable thing, stop running from the issue and call the public inquiry today?

Mr. Doer: Mr. Speaker, I ran back to Question Period so I could answer these questions every day and, you know, the member opposite has not brought one new fact to the table. He is just a bag of wind.

Mr. Speaker: Time for Oral Questions has expired.

Point of Order

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

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, I clearly heard the Premier (Mr. Doer) in his last answer say a very derogatory statement about the Member for Inkster (Mr. Lamoureux).

Mr. Speaker, you have cautioned members before and asked members to withdraw for less. I believe that the Premier should be asked to withdraw those comments which were unparliamentary. He spoke in a very negative, derogatory way about the Member for Inkster. I would hope that he would have the courage to set aside his arrogance, apologize and withdraw the comments that he made.

Mr. Speaker: On the point of order raised, I reminded all honourable members that Question Period does get a little heated at times. I reminded all honourable members to pick their words very, very carefully, and I will do it again, reminding all honourable members, on the point of order raised, to pick their words very carefully.

* * *

Mr. Speaker: Time for Oral Questions has expired.

*(15:50)

MEMBERS' STATEMENTS

Tyson Sylvester

Mr. Daryl Reid (Transcona): Recently, Mr. Speaker, my wife and I had the opportunity to join with many Transcona area residents in recognizing and helping a very special young man named Tyson Sylvester. Tyson is 10 years old and lives with cerebral palsy and retinopathy of prematurity as a result of receiving oxygen when born three months prematurely. Tyson is legally blind and unable to walk. Tyson currently attends Grade 4 in Wayoata elementary school in the community of Transcona and enjoys swimming, listening to music, travelling around the community, albeit by wheelchair.

Tyson's wheelchair will not fit into a car, Mr. Speaker, and as a result, he cannot attend many things he likes and needs to do. His mom is unable to afford a wheelchair-accessible van. Recognizing this need, the members of the Blessed Sacrament Knights of Columbus Council 13185, led by Grand Knight

Ken Kaleta, undertook to assist this remarkable young man in his quest for mobility.

The Knights of Columbus organized a fundraising social held on March 18, 2006, which was a huge success. The community, family and friends of Tyson Sylvester came together in large numbers and listened as the very articulate Tyson spoke to the packed hall about his family, his medical challenges and his sincere thanks for those many folks who, through their attendance, were making it possible to purchase the van.

Then, on April 8, 2006, the community once again came together at Blessed Sacrament Parish for a Knights of Columbus-sponsored musical concert performance of *Mercy Mercy* and Cindi Cain. All performers donated their time and talent for this exceptional local talent-laden show. This was a very special evening as Tyson spoke to the audience and thanked everyone who helped him.

To date, the Knights of Columbus and the community have raised some \$6,600 towards a new mobility van and present fundraising efforts continue. Transcona is proud of Tyson Sylvester's cheerful personality and his never-give-up attitude.

A big thank-you must be extended to the Knights of Columbus who worked tirelessly on behalf of Tyson and so many other worthwhile family and community initiatives. Also, a thank-you to all of those in our community who attended the fundraising events or worked to help Tyson achieve his dreams, Mr. Speaker, one of his dreams: mobility. Thank you.

Winkler Centennial Concerts

Mr. Peter Dyck (Pembina): I am delighted to bring to the attention of the House another event celebrating the city of Winkler's centennial and rich musical heritage. Centennial concerts bring together Winkler's very best talent and played host to the Winnipeg Symphony Orchestra at the Winkler Berghaler Mennonite Church.

I was glad to welcome home my cousin, Howard Dyck, who was the guest conductor for the Winnipeg Symphony Orchestra. Howard's successful career has taken him all over the world to 13 different countries but, like a true son of Winkler, he was pleased to return for this musical celebration.

The guests at this concert were treated to wonderful choral performances from the Prairie Singers, Centennial Choir, both led by Director Ben Pauls and Garden Valley Collegiate Choir led by Director Loretta Thorleifson. As a member of the Prairie Singers, I would like to thank Jenny Regehr, Gary Pollard, Karin Redekopp Edwards and other instrumentalists, too numerous to be named, for their exceptional performances. Mr. Speaker, I would like to indicate that Jenny Regehr actually was the pianist for my choir that I directed for four years, and Gary Pollard, I played together with him in a trio for a number of years.

I would like to also applaud all the vocalists who performed this weekend to entertain a very appreciative audience, and I dare not forget to mention the composers, Alan Janzen, who wrote the lyrics and music for "God of Our Hope," and Linda Hiebert, who wrote the lyrics and music for "Heart of Winkler." Both moving pieces were commissioned by the Winkler Centennial Committee.

Finally, I would like to acknowledge Paul Kroeker as the concert host and all of the community members who attended or helped out in any way, and Peter Friesen, the chair of the Centennial Concerts Committee, for the work that he did in organizing this.

Mr. Speaker, the Centennial Concerts are yet another successful series of events celebrating the city of Winkler's centennial. With every event I attended, the dedication, talent and community spirit of the citizens of Winkler continues to impress me. Thank you very much.

National Day of Mourning

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, this coming Friday, April 28, is designated as Canada's National Day of Mourning for workers killed and injured in the workplace.

Mr. Speaker, for many years ordinary citizens, workers, organized labour have dedicated April 28 for remembering the dead and fighting for the living. In 1983, the Canadian Labour Congress declared April 28 as a National Day of Mourning. This day was chosen because it was on April 28, 1914, that the Ontario government passed the first workers' compensation legislation. In 1991, the NDP M.P. for Churchill, Rod Murphy, submitted a private member's bill called the Workers Mourning Day Act. On February 1, 1991, this bill received Royal Assent.

According to the Canadian Centre for Occupational Health and Safety, a staggering number of Canadian workers are killed or injured on the job each year; 835 employees die from accidents at work each year. That is an average of more than two a day. More than 10,000 people lost their lives due to workplace accidents between 1993 and 2004. It is estimated that nearly one million work-related injuries and illnesses are reported each year in Canada.

Mr. Speaker, our government has taken action to improve workplace safety. In Manitoba, the youth injury rate dropped 27 percent between 2000 and 2004. Our government has added workplace safety inspectors. There is an active workplace safety educational campaign underway. The acronym is SAFE: the "S" stands for spot the hazard; the "A" for assess the risk; the "F" for find a better way; and the "E" for everyday.

This Friday, as I join other speakers at the steelworkers' monument in Flin Flon, we will be doing what hundreds of other communities across Canada will be doing. We will stress the dignity of labour, mourn the unacceptable price that has been paid by some working men and women and vow to continue to improve the workplace.

Work should not hurt. Thank you, Mr. Speaker.

Phoenix Sinclair

Mrs. Mavis Taillieu (Morris): Mr. Speaker, yesterday, April 23, it would have been Phoenix Sinclair's sixth birthday, but her short life ended tragically some 10 months ago. Phoenix will never get to go to school. She will not grow up with a sense of culture or community. She will not be able to raise a family. She will never be able to recognize any of her dreams.

Phoenix was apprehended by the child welfare system shortly after birth, and although she had extensive involvement in the system, no one checked on her, no one knew where she was and no one noticed when she died.

There is something very wrong in a system like that, Mr. Speaker. It is the responsibility of the government to care for children they take into care, keep them safe, and it is their duty to make sure that children released from care are released into a safe environment where they will be cared for. Many Manitobans are concerned about other children in care and would like some assurances that no other children are put in harm's way. It is imperative that

we do have a public inquiry into the delivery of our child welfare in our province. The Phoenix inquiry would, like her namesake the mythical bird, initiate rebirth and renewal in child welfare.

Phoenix Sinclair was lost in life but let her not be forgotten in death, Mr. Speaker. Thank you.

Anne Nesbitt

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, I would like today to recognize an exceptional citizen in my constituency of St. Norbert, Ms. Anne Nesbitt. Co-ordinator of the Manitoba Labyrinth Network, Ms. Nesbitt has been working hard, along with a group of volunteers, to organize a tribute to internationally renowned author Carol Shields. To be located in King's Park near the University of Manitoba, the Carol Shields Memorial Labyrinth will serve as a testament to an important local author and an exceptional woman.

For Shields, labyrinths served a dual purpose. They were a symbol of how impenetrable other people's thoughts often were and the difficulty with which authentic meetings occur. They also serve to remind us that true understanding can only arise from a God's-eye view, a comment on a peculiarly human predicament. Shields' interest in labyrinths went so far as to have the main character in her best-selling work, *Larry's Party*, design the structures.

To commemorate Carol Shields' life and literary work, Ms. Nesbitt has committed herself to seeing this outdoor labyrinth all the way to its completion. The circular structure will be 45 metres in diameter, and it will have four entranceways and will contain a garden in its centre. Accessibility is a main consideration in this structure. Ensuring that the labyrinth will be wheelchair accessible, this outdoor, interactive monument will remain open to all Manitoba residents.

Mr. Speaker, I would like to recognize the exceptional efforts of Ms. Nesbitt in leading the charge to have this labyrinth built. I would also like to recognize and thank the 320 students and teachers from St. Avila whom I joined on March 2, 2006, to kick off the fundraising campaign for the memorial labyrinth by walking a snow labyrinth at King's Park. The work of Ms. Nesbitt and all those who collaborated with her on this project will leave a lasting monument for an author who left an enduring mark on Manitobans, Canadians and the rest of the world. Thank you.

* (16:00)

Point of Order

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

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, on a point of order.

Mr. Speaker: On a point of order.

Mr. Derkach: Mr. Speaker, earlier today in Question Period we realized that in this Chamber we often get into a situation where questions and answers tend to get a little heated, but we always try to do the honourable thing in accordance with the rules and the procedures in our House, the practices of this House, and also in accordance with *Beauchesne*.

Mr. Speaker, in our agreement with the government, we agreed that we would allow for preambles in our supplementary questions and we would forgive the issue of standing up on a point of order on *Beauchesne's* 417. Now, that is quite in order because we had all agreed that in a preamble to a question, a person can always frame the question, but it also gave latitude to the ministers to be able to respond to the question, and given some latitude, whether it is 50 seconds or if it is 45 seconds, within that time frame it would also allow for the minister perhaps to respond to some of the preamble that was put on the record, but then to get back to the answer to the question.

What is offensive and what threatens this agreement in the future is the fact that, although the questions are posed by members of the opposition, the response from the ministers has been anything but on topic. Now, Mr. Speaker, some of that can be tolerated, and we will not use 417 because we have agreed not to. But my point of order today is that just because 417 has been agreed to not to be used during Question Period does not absolve the Premier (Mr. Doer) or any of his ministers from responding to the question.

Now, I also know that in *Beauchesne* we cannot demand an answer from the government. Mr. Speaker, 416 talks about that; 416 (1) and (2) both talk about the fact that a minister cannot be compelled to give an answer to a question and may ignore, as a matter of fact, may not give an answer at all. So, therefore, then, it becomes incumbent upon the opposition to continue to press the government for an answer, but it does not give latitude for that

minister to talk about other extraneous matters that are not even relevant to the question raised.

I know that we get frustrated in the House sometimes and we display what might be termed unparliamentary practice. I also note that on my desk today I received a copy of an e-mail that was sent to this Chamber, to you, Mr. Speaker, but addressed to this Chamber, which talks about the decorum of this Chamber. One of the reasons for the lack of decorum, if you like, in this Chamber, is because of the way in which the government arrogantly has decided to conduct itself in response to questions that are posed.

Now, in a parliamentary setting and in a Chamber, there is a certain amount of heckling that is allowed, and you will tolerate that, Mr. Speaker, and you have done that very graciously over the period of time that I have been here. But, as a presiding officer, you have to, at some point in time, call this House to order. But, more recently, we have seen where the decorum in this House is directly related to the arrogant way in which ministers conduct themselves with respect to questions.

Now, Mr. Speaker, 417 says, "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate." Quite specifically today the Member for Charleswood (Mrs. Driedger) asked a question of the Minister of Education (Mr. Bjornson), and it was a very specific question that related to the chairperson of the Teachers' Retirement Allowance Fund. The minister could have responded to her preamble and that would have been fine, but to completely ignore the question, and then to go on with an unrelated matter as a part of his response does nothing more than what 417 talks about. It says that any question or answer should deal with the matter raised and should not provoke debate.

What the minister was doing was, No. 1, he was not dealing with the matter that was raised, and, No. 2, he was provoking debate because he was not dealing with the matter. So, Mr. Speaker, we can go on and on like this, and whether it is the Minister of Education or whether it was the Minister of Industry and Trade (Mr. Rondeau), the Minister of Finance (Mr. Selinger), the Premier (Mr. Doer), just because we have an agreement in this Chamber that says we will not use 417, the government has decided to use this as an advantage in the way in which they respond to questions. What this is doing is it is destroying the credibility, first of all, of the

responses that are coming in this House, but, secondly, what it is doing is upsetting and causing turmoil and creating a lack of decorum in this House.

I am quite serious about that, Mr. Speaker, because I believe that had the minister stood in his place and said, Yes, I endorse the appointment of person X as the chairperson or the vice-chairperson of that particular organization and that is the end of it, that would have been fine. But he went on to talk about some extraneous matter about the return on investment. Now, there was nothing in the Member for Charleswood's question about return on investment. Nothing at all. He talked about a Web site. That does nothing but provoke debate in this Chamber.

So, Mr. Speaker, my point of order is to try to bring some semblance of decorum back into the Chamber during Question Period because we are on television. We are watched by Manitobans in terms of how we conduct our affairs in this Chamber. We can heckle back and forth, but when it gets to the point of shouting because a minister chooses to show his arrogance to this Chamber and his disregard and his disrespect for this Chamber, then it has gone too far.

Mr. Speaker, I am not saying that everybody on my side and myself included are sinless. We are not without sin, but an action always causes a reaction. When ministers are charged with significant responsibility, ministers should take their roles very seriously. They are in charge of many millions of dollars. They are in charge of departments that affect the lives of many, many thousands of people in the province, and when they are asked a specific question, they need to deal with that matter.

The ministers can say: Well, if the Speaker rules on it, it will just be a dispute over the facts, so who cares. Well, Mr. Speaker, the public cares. Manitobans care. The people who are watching us care. The people who watch and comment on the decorum of this House care because we are supposed to represent—lawmakers who make laws for the province of Manitoba in a serious way.

So, to conclude, I simply want to raise this point of order as a departure from the rules and the agreement and the practices that we have all agreed to in this Chamber, and that 417, if it is not used and should not be used, then ministers should respond to the questions dealing with the matter that is raised in the question and not provoke debate, then I am sure

that all of us will enjoy more and more appropriate decorum in the Chamber. Thank you, Mr. Speaker.

* (16:10)

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, I would like members to turn to page 433 of Marleau and Montpetit. It is very, very clear in Marleau and Montpetit what the Speaker's responsibilities are in the Chamber. "The Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or the content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more of a question of debate and do not constitute a breach of the rules or of privilege."

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

Mr. Derkach: Well, Mr. Speaker, I challenge your ruling because—

Mr. Speaker: Order. A ruling of a Chair is either accepted or challenged. The ruling of a Speaker is not up for debate.

Mr. Derkach: Okay, then, as a matter of principle, I have to challenge your ruling.

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

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Derkach: 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

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

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 18.

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. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

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