

Third 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.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 12, 2005

The House met at 1:30 p.m.

*PRAYERS***MATTER OF PRIVILEGE**

Mr. Leonard Derkach (Official Opposition House Leader): Yes, Mr. Speaker, on a matter of privilege.

Mr. Speaker: On a matter of privilege.

Mr. Derkach: Mr. Speaker, thank you. I regret that I have to rise in this House so early in today's proceedings to do this. I know that a matter of privilege has to meet the test of two conditions; one that it is raised at the earliest possible opportunity, and secondly, that we can establish a prima facie case for the matter of privilege.

Mr. Speaker, I know that you have cautioned all of us in the House that the term "liar" or "lie" is an unparliamentary word and should not be used in this House. I know also that the First Minister (Mr. Doer) of this province has said, "if it walks like a duck and it talks like a duck, then it must be a duck." I think the Premier has proved today that he is the duck. I say this tongue-in-cheek, but, on the other hand, this is a very serious matter.

Earlier today the Premier hosted a radio talk show on CJOB. During the program he, on a number of occasions, made reference to the fact that Bill 10 that is before this Legislature and a bill which deals with seniors who deserve to have access to their retirement savings, which has been debated at some length in this House over the course of the sitting of this House but which has not yet passed, the Premier indicated that it was the opposition parties, both the Liberal Party and the Conservative Party in the House, who have to accept full responsibility for this bill being held up in the House because it was these people in the House that were holding this bill up. Mr. Speaker, that is an absolute untruth.

* (13:35)

Mr. Speaker, if you look at the Order Paper today and on yesterday's Order Paper, there has been no call for dealing with bills. The government is the

one who has to call the Orders of the Day. The Government House Leader (Mr. Mackintosh) is the one who has to approach the Opposition House Leader (Mr. Derkach) and the opposition party to get agreement to deal with matters if they are of such a pressing nature that we have to suspend the regular Orders of the Day to deal with matters. We have done this in the past on many occasions where we have taken an issue and said, "You know, this issue is of such importance to Manitobans that we would like to alter the order of proceedings in this House and deal with this matter." There has not been an objection to that by parties in most circumstances. As a matter of fact, in many circumstances there is unanimous agreement to do this.

Mr. Speaker, the responsibility, the onus is on the Government House Leader and on the government to call the business that is dealt with in this House. I have not had any approach by the Government House Leader or any members on the other side of the House to deal with this matter at this time.

Mr. Speaker, when you deal with a bill it is only natural that opposition members will make comment about the relevance of the bill, the intent of the bill, perhaps the amendments that might be forthcoming in a bill, whether the government is approachable in terms of amendments to make the bill stronger to meet the needs of Manitobans. Our critic on this side of the House has done nothing but co-operate in trying to accommodate the government in passing this legislation. Our critic was the one who led the charge on this entire legislation. It was this side of the House, under the leadership of the critic who has responsibility for this matter, that we met with seniors and devised a private members' bill for that matter that was put forward before this Legislature which was responded to by the government by them bringing in their legislation. They were shamed into bringing forth legislation as a follow-up to legislation that was put on the floor of this House by the member of the opposition.

Mr. Speaker, this is not the first time this has happened. We have firefighters with us here today, and I regret that I have to take this time to do this, but in the legislation that addressed the concerns of

firefighters, it was this side of the House under the leadership of this Leader, Mr. Stuart Murray, that we were able, pardon me, the Leader of the Opposition. I should rephrase that, the Leader of the Opposition, under his leadership, that we moved ahead and forced the government into, shamed the government into bringing forward legislation that addressed the needs of firefighters. That is a reality.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I remind the House a matter of privilege is a very serious matter and I have to make a decision after this is over, so I need to hear every word that is spoken. I ask the co-operation of all honourable members, please.

Mr. Derkach: Mr. Speaker, time and again we have seen the Premier and members on the government side of this House play politics on the backs of ordinary Manitobans, Manitobans who work hard for their communities, Manitobans who work hard for their families, Manitobans who work hard for this province.

Mr. Speaker, they have played politics on the backs of firefighters. They have played politics on the backs of seniors. Today was the perfect example. For the Premier (Mr. Doer), and I hope he is listening, the Premier today played politics on the backs of the seniors in this province who have a legitimate right to access their own retirement funds.

* (13:40)

It is the government that calls this House in, Mr. Speaker. It is the government that decides when this House is going to come in. It is the government that decides the order of business and whether or not there are matters in this House that have to be dealt with on a priority basis, and I have not been approached by the Government House Leader to put this item on the agenda ahead of other items.

So, Mr. Speaker, I regret that I have to rise in this House because this was not the first time the Premier made reference to this legislation. We have seen other ministers, and I point to the minister responsible for the Crocus Fund right now, the member from Assiniboia, who, in times of difficulty in this House when he is under attack, or his government is under attack, makes statements that are untrue, makes statements that lead Manitobans to

believe that he is doing everything he can but it is the opposition that is holding up the progress of government.

I refer to the Minister of Health (Mr. Sale), as well, who has made untruthful statements to Manitobans in the past, who, Mr. Speaker, when he was Minister of Energy, Science and Technology came to us hat in hand and said, "Please help me pass this legislation because we need it desperately in order to proceed with the ethanol industry in this province. We need this legislation desperately so that we can access the federal money that is on the table."

The result of his pleas to the opposition allowed us to be able to suspend the regular business in this House, to suspend the regular process that we usually follow in this House to deal with this legislation expeditiously. What did he say after the legislation was passed in this House? He went out publicly and said, "I had no support from the opposition to get this legislation passed." A blatant untruth, Mr. Speaker, a blatant untruth.

So it is time to halt this. It is time to stop the untruthful statements that are being made by this government in the public. That goes right from the front chair here that is occupied by the First Minister, Mr. Speaker, and that disease has been catching on to other ministers in his Cabinet. It is not doing any good to the reputation of this government in the eyes of not only Manitobans, but Canadians at large.

This government has gotten itself into a bag of trouble and to try to fight their way out of that bag of trouble they have decided to take that very, very unpopular route, which is telling an untruth to Canadians and to Manitobans, and they are not ashamed by it, Mr. Speaker.

Mr. Speaker: Order. I hate to interrupt the honourable member, but when information is brought to the Chair, to the House, I take all information as factual information. I caution the honourable member on the words of "untruth" and especially "the blatant untruth." I am sure the honourable member could pick and choose his words a little more carefully.

Mr. Derkach: Thank you for that caution, Mr. Speaker. I guess I am expressing an opinion, but an opinion that is shared by many. I know that you as Speaker have to take things at face value when they

come in to this Chamber, and you have to accept them as being truthful statements made by people whether they are on the opposition side or on the government side, but we have seen how the statements of ministers do not parallel the truth. The statements of the First Minister (Mr. Doer) do not parallel the truth when you really look at the truth of matters and the truth of the issues.

The First Minister has used the words, "The truth shall set you free." Well, Mr. Speaker, I suggest that he practise what he preaches. That would be the first step in correcting what he and his Cabinet ministers have been perpetrating in the last few months.

Mr. Speaker, I have to end this matter of privilege with a motion. One of the things that the First Minister should do to all Manitobans and to those seniors that this bill speaks to, what he should do is stand in his place and publicly apologize to those seniors on whose backs he has been playing politics. That would be the first and most honourable thing to do for the First Minister today. We can go down the line from there; we can ask others to stand in their place and do the same.

* (13:45)

But, Mr. Speaker, I doubt whether we will accomplish that, and I think that will continue because they are so frustrated with their inability to manage. They are so frustrated with their inability to meet the needs of Manitobans, whether it is in health care or whether it is in other areas. They have now started to point the finger at everyone they can, but more horribly, they have started to misrepresent what the facts and the truth of issues are.

Mr. Speaker, therefore, I move, seconded by the member from Emerson, that this House do now deal with Bill 10 in today's sitting and that the Premier of this province apologize to all Manitobans for his statements which did not parallel the truth.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Before recognizing any other members to speak, I would remind the House that contributions at this time by honourable members are to be limited to strictly relevant comments as to whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Hon. Gord Mackintosh (Government House Leader): As a preliminary matter, I cannot let it go that the Opposition House Leader (Mr. Derkach) would so much as suggest that in any way his caucus or the former government was at the forefront of protecting firefighters in the province of Manitoba. I think 11 years of inaction speak to it, Mr. Speaker. I am proud to stand with a government that not only provides leadership in Manitoba, but in Canada and North America in protecting firefighters.

The second preliminary—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would like to remind our guests in the gallery that there is to be no participation from our guests in the gallery and that also includes applauding. I ask the co-operation of all honourable guests in the gallery.

Mr. Mackintosh: Mr. Speaker, as a second preliminary point though, I have to respond to the regrettable suggestion that the pension legislation was promulgated by members opposite. As members opposite know full well, there was a full review of pensions ongoing and a bill was brought in by members opposite which did nothing to protect vulnerable persons and indeed it would make them more vulnerable. We brought in legislation that is balanced and has protections that are necessary for fair pension legislation in Manitoba.

Now, Mr. Speaker, I will just move to the substantive points. In terms of the timing, that is not an issue. But, of course, a matter of privilege under *Beauchesne* is absolutely necessary for the due execution of its powers when it is raised. It has to be absolutely an essential, fundamental concern about how members can operate as members in this Chamber. We have nothing of the sort alleged from the opposition.

First of all, I know that you have ruled, indeed, repeatedly on similar kinds of allegations. Just recently, Mr. Speaker, you made a ruling where you say that *Maingot* advises that, "An admission that a member had intentionally misled the House would be required in order to establish a prima facie case of privilege. This concept was supported by Manitoba precedents from Walding in '85; Phillips in '87; seven rulings actually from Rocan, or from former Speaker, the Member for Carman (Mr. Rocan), from

'88 to '95; nine rulings from Speaker Dacquay from '95 to '99, and it goes on and on.

* (13:50)

Speaker Dacquay ruled that, short of a member acknowledging to the House that he or she deliberately and with intent set out to mislead, it is virtually impossible, Mr. Speaker, to prove that a member deliberately misled the House.

Mr. Speaker, I also note that you have ruled repeatedly that statements made outside the House by a member may not be used for the basis of a matter of privilege and, again, that has been supported by rulings consistently for many, many years.

Mr. Speaker, I note just from the history of the bill in question that a second reading was moved on December 8, and there was an adjournment by members opposite. If members opposite want to prioritize debate on this bill now, we certainly are prepared to accommodate that, and we will have discussions on that issue.

Mr. Speaker, in conclusion, though, I suggest to you most strongly that this certainly comes nowhere near a matter of privilege. It is not a point of order. It is simply a dispute on the facts. Thank you.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, not only am I saddened by the comments that the Premier has put on the record, telling and misleading many Manitobans, if not all Manitobans, on the very nature of what has happened in terms of Bill 10 and the pensions issues, I am really disappointed also in the Government House Leader and the position that he would take.

I think that we need to recognize that it is absolutely fundamental to how we operate, Mr. Speaker, that what is being said is in fact consistent and that we are not being misrepresented. We have to take into account that what we are talking about is the Premier of this province who has gone on and said on radio that the opposition parties, the Conservatives and the Liberals, are in essence the problem in the passage of Bill 10.

Mr. Speaker, as backbenchers say "right," they are absolutely dead wrong. It was, you know, a year ago when we had opposition members, including

myself, challenging the government at the time in terms of Bill 10 and what Bill 10 was going to potentially be doing in terms of restricting people to have access to their pension funds. You had irresponsible comments like the member from Elmwood who said, "Well, we do not want seniors to buy cottages with their pensions and issues of that nature."

We had questions in terms of just how this government was dealing with the pensions issues. We have been pushing the government to deal with the pension legislation. For the Government House Leader to say, "well, the debate was adjourned December 8," how stupid of a comment that is, Mr. Speaker. Yes it was adjourned. This government at no point in time, period, no point in time, ever requested Bill 10 be given any sort of priority whatsoever.

I do not know how I can be more perfectly clear than that, Mr. Speaker. We have never, ever been approached by this government, by this Premier, and said Bill 10 is a priority and we want it passed. We have been approached with other bills, and we have accommodated those bills. The problem with this government is that it is a lazy government, that they do not sit enough days in order to deal with the issues that are important to all Manitobans.

Mr. Speaker, we sat 35 days in 2003, 55 days in 2004. We do not even have time to debate private member's business, let alone government legislation. We have a lazy, incompetent government that does not have a problem in terms of going out and misleading the public as to what is actually taking place inside this Chamber.

What offends me is that we are talking about the Premier (Mr. Doer) of this province. Has he no shame? It is critically important. *Beauchesne's* is very clear in terms of the rights of these members, and surely to goodness one of those rights has got to be that we are not going to be misrepresented in terms of what is actually happening.

The Premier himself said on CJOB was that the real question period, Mr. Speaker, which really says a lot in terms of how the Premier treats this Chamber. You know, at times I can be at a loss for words in terms of the way in which this government tends to disregard the important role that this Chamber plays in accountability of governance of

this province. We have seen this Premier and the Minister of Finance (Mr. Selinger) mislead the public on issues that are critically important like the deficit. We had a \$600-million-plus deficit. They go around the province saying we had a \$13-million surplus. Where does it end? There has to be some accountability.

* (13:55)

The Premier of this province owes Manitobans an apology. It is time that this government starts being more honest with what they are saying outside of this Chamber. It is time that we start doing more work inside this Chamber. You know, today I find out that the Victoria Hospital's obstetrics is going to be closing at the end of this month. It comes from nowhere. Two weeks later, it is all a done deal. Mr. Speaker, where is the accountability? This government needs to be more straightforward and honest.

We can talk about former Speakers' rulings and say, "well, these are comments that are made outside of the Chamber." I think that given the very nature that this is our Premier of our province, and there is no dispute, we have the Premier saying very clearly, we can get the printout from the radio program if need be, that it is the Liberals and the Conservatives that are preventing this bill from being able to be passed, and there is nothing. That is so bizarre for the Premier to be saying and trying to leave the impression when in fact it is the New Democrats that are shafting the seniors on this. They are the ones who are causing the problems in regard to this particular bill. If the intent of the government is to see this bill pass, we would be prepared to provide leave even though we do that with some reluctance, because this government constantly does try to get us to pass other legislation, tries to ram things through because they want to take more breaks.

We try to accommodate them the best way we can and sometimes that does not allow for true public accountability, and I say that with regret. We are prepared to see Bill 10 debated today and, in fact, if the government was true to its word, we would be prepared to even see it go to committee through leave of this Chamber today, but at least let us afford them a day or two, the public, to provide input on this bill because we know if the government had its way, it would be an absolute closed bill. We are the ones, Mr. Speaker, that try to allow the seniors the opportunity to have more control over their pension

monies, as the government of the day tried to shut it down, and we only have to review Hansard to reaffirm that statement. We recognize the importance of the legislation. We always have.

For the first time, today, actually, just walking into Question Period, when I first heard about the concern from the Opposition House Leader (Mr. Derkach), and then my leader told me in terms of what had taken place, this is the very first time I have heard that Bill 10 was a priority for this government. Having said that, we have always recognized that. We are prepared to accommodate the government the best way we can, and if the government had an ounce, a shred of integrity, Mr. Speaker, the moment that I sit down the government should be standing up indicating that they will call Bill 10 today if they really wanted to do a service to Manitobans.

I do not care if the Premier does not want to apologize inside this Chamber, but he owes an apology to Manitobans. That much he does owe. Get Riva to send out the press release indicating that this government is sorry for intentionally misleading the public of Manitoba, because I know the word, "lie," is unparliamentary, so I will refrain from using it.

Having said that, Mr. Speaker, I think I have emphasized why it is that it is indeed a matter of privilege in terms of the timely fashion. I agree with the Opposition House Leader. This is the earliest opportunity. I support the comments that the Opposition House Leader has put on the record and, I think, in all fairness, all political parties at different times try to support our good firefighters in the gallery, and it is encouraging to see them there. Thank you very much, Mr. Speaker.

Mr. Speaker: Order. Before we move on, I just want to remind all honourable members that the House has never allowed the words "deliberately misleading" and "intentionally misleading" is very, very similar. So I would caution all honourable members to pick their words very carefully. I am not going to allow this to turn into a debate, because when dealing with a matter of privilege, it is to point out to the Speaker that it is the earliest opportunity and to convince me that it is a prima facie case.

* (14:00)

This is not the time for debate. What has taken place is you are convincing me to allow the debate.

That is what is happening. I have been very, very, very lenient with the last three speakers, but I will not be allowing this to turn into a debate.

Mr. Ron Schuler (Springfield): Mr. Speaker, a matter of privilege is a very serious matter. I believe this is the earliest opportunity that the issue could be brought forward. I think what you have heard so far has certainly lent a lot of credibility to the argument that there is a case to be made for this.

I want to put some new information on the record, Mr. Speaker. I represent a constituency, and I know they are saddened by what the Premier (Mr. Doer) did today. It was dishonest at best and very unfortunate. I will keep my comments brief.

We have worked on this for over a year and a half. This is important to Manitobans. This was a government that would not move on it. It was the former Member for Turtle Mountain, Merv Tweed, who started the process, and I continued with it working with the Manitoba Society of Seniors when the government would not even open their doors to those individuals. It would not even listen to them.

The public pressure got to the point where Mr. John Klassen from Brandon brought a basket of impatiens, approached the Premier in the hallway and said, "When these no longer bloom, so too will my patience have run out." The Premier then realized he had a political problem and started to deal with it.

What is so shameful is we have a minister that got up in the House, trying to cover for his Premier, and he said, "And on December the 8 of 2004, we introduced Bill 10," and there was no debate. If the bill was so important, Mr. Speaker, then why did this government shut down the House on December 8? They introduced Bill 10 at the twilight hours of the closing of a session. That is how important it was for them.

The argument being put forward is why was the bill not then debated when we got back into session. Because the government chose, it is their choice, to introduce a budget. During the budget debate, you are not allowed to do any other business but budget debate and you are not allowed to debate bills. That is when this Premier gets up and says stuff like, "Well, it is the Tories that are punishing seniors."

Mr. Speaker, that is, first of all, disgraceful. It is dishonest. It is hurtful to this member, someone who has lived this for years, and I have fought on behalf of the seniors of this province. The Premier owes an apology for that.

We have not had an opportunity to actually speak to this legislation, Mr. Speaker. The Minister of Labour (Ms. Allan) can get up, the minister who introduced this, and we just finished Estimates yesterday. We did not have an opportunity to deal with the legislation and it is 44 pages of legislation. I got a briefing from the minister's department just about a week and a half ago. Deb Lyon, who wrote the legislation, did a very good job. It is important that that serious piece of legislation be given at least some attention by this House.

We have met with the vested-interest groups, gotten their opinions back from them and we are ready to proceed with the bill. But, just to do the flippant kind of political glib thing that this Premier is notorious for, especially in an era of what is going on in Ottawa, and to get up and blame the Conservatives for something that we have no control over, Mr. Speaker. We had a bill on the table that we would have just altered a little bit of it and would have protected seniors, all the rest of it.

This is disgraceful politicking, Mr. Speaker. We should get an apology from this Premier and move on. Start working on the important business at hand and that is debating and moving Bill 10.

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.

Order. We will move on to Routine Proceedings. Petitions.

Point of Order

Mr. Speaker: The honourable Official Opposition House Leader?

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

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

Mr. Derkach: Mr. Speaker, I may have erred in my motion because in my motion I asked that Bill 10 be

considered today. I am wondering whether the House Leader would consent to considering Bill 10 today since his Premier (Mr. Doer) said that it was this side of the House and the Liberal Party that was holding up this legislation.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I was hesitant to say this earlier, but the opposition can always ask and indeed they are invited to prioritize legislation on the Order Paper for calling. This is a priority for us. We would love for that bill not only to be debated in this House, but hopefully move to committee so that we can hear the views of Manitobans and get the bill passed.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order and I would strongly encourage House leaders to do their negotiation of House Business either in the loge or in the privacy of their office and not on the floor of the Chamber. I would strongly encourage the House leaders to do that.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We will now move on to Routine Proceedings.

ROUTINE PROCEEDINGS

PETITIONS

Riverdale Health Centre

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

These are the reasons for the petition:

The Riverdale Health Centre services a population of approximately 2000, including the Town of Rivers and the R.M. of Daly, as well as the Sioux Valley First Nation and local Hutterite colonies.

The need for renovation or repair of the Riverdale Health Centre was identified in 1999 by the Marquette Regional Health Authority (RHA) and

was the No. 1 priority listed in the RHA's 2002-2003 Operational Plan.

To date, the community has raised over \$460,000 towards the renovation or repair of the health centre.

On June 1, 2003, the Premier (Mr. Doer) made a commitment to the community of Rivers that he would not close or downgrade the services available at Riverdale Health Centre.

Due to physician shortages, the Riverdale Health Centre has been closed to acute care and emergency services for long periods since December 2003, forcing community members to travel to Brandon or elsewhere for health care services.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier to consider ensuring that acute care and emergency services are available to the residents of Rivers and surrounding areas in their local hospital and to live up to his promise to not close the Rivers Hospital.

To request that the Minister of Health (Mr. Sale) consider developing a long-term solution to the chronic shortages of front line health care professionals in rural Manitoba.

This petition has been signed by C. English, Gerri Allen, Don J. McFadden and others.

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

Generally Accepted Accounting Principles

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:

Manitoba's provincial auditor has stated that Manitoba's 2003-2004 budget deficit was the second highest on record at \$604 million.

The provincial government is misleading the public by saying they had a surplus of \$13 million in the 2003-2004 budget.

The provincial auditor has indicated that the \$13-million surplus the government says it has cannot be justified.

The provincial auditor has also indicated that the Province is using its own made up accounting rules in order to show a surplus instead of using generally accepted accounting principles.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider adopting generally accepted accounting principles in reporting Manitoba's budgetary numbers.

Signed by Z. Maglanque, O. Maglanque and R. Maglanque.

* (14:10)

Ambulance Service

Mr. Ron Schuler (Springfield): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

In May 2004, 46-year-old Peter Krahn suffered a heart attack while exercising in East St. Paul and was pronounced dead just under an hour later after being transported to the Concordia Hospital in Winnipeg. Reports show that it took nearly 18 minutes for an ambulance to arrive for Mr. Krahn.

The Interlake Regional Health Authority claims that 21 minutes is an acceptable emergency response time, whereas the City of Winnipeg uses a benchmark of 4 minutes.

Ambulance coverage for East St. Paul is provided from Selkirk, which is almost 25 kilometres away.

The municipalities of East St. Paul and West St. Paul combined have over 12 000 residents.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider providing East St. Paul with local ambulance service which would service both East and West St. Paul.

To request the provincial government to consider improving the way that ambulance service is supplied to all Manitobans by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Centre (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time.

To request the provincial government to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services.

Signed by F. Nizzola, P. Nizzola, A. Nizzola and many others.

Pembina Trails School Division—New High School

Mr. John Loewen (Fort Whyte): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Overcrowded schools throughout Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West subdivisions are forcing Pembina Trails School Division to bus students outside of these areas to attend classes in the public school system.

Elementary schools in Pembina Trails School Division have run out of space to accommodate the growing population of students in the aforementioned areas.

Five-year projections for enrolment in the elementary schools in these areas indicate significant continued growth.

Existing high schools that receive students from Whyte Ridge, Lindenwoods and Linden Ridge are at capacity and cannot accommodate the growing number of students that will continue to branch out of these subdivisions.

Bussing to outlying areas is not a viable long-term solution to meeting the student population growth in the southwest portion of Winnipeg.

The development of Waverley West will increase the need for a high school in the southwest sector of Winnipeg.

The government is demonstrating a lack of respect for the students and families in Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West by refusing to provide adequate access to education within the community.

The Fort Whyte constituency is the only constituency in the province that does not have a public high school.

NDP constituencies in Winnipeg continue to receive capital funding for various school projects while critical overcrowding exists in schools in Lindenwoods, Whyte Ridge and Richmond West.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government recognize the need for a public high school in the southwest region of Winnipeg.

To request the provincial government, in conjunction with the Public Schools Finance Board, to consider adequate funding to establish a high school in the southwest sector of Winnipeg.

Signed by Doug Farough, Angela Zinghini, Tony Zinghini and others.

Closure of Victoria General Hospital Maternity Ward

Hon. Jon Gerrard (River Heights): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

It has been decided that the birthing ward at the Victoria General Hospital in Winnipeg, Manitoba, will be closed.

Some say the birthing ward is being closed due to safety issues. It has been proven time and time again that outcomes for normal pregnancies in normal women are better in a community hospital like the Victoria General Hospital than in a tertiary care centre like the Health Sciences Centre and with a general practitioner or midwife rather than an obstetrician. Not a single study has ever shown the contrary.

Obstetrics services at community hospitals can work if the political will is there to make them work.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Mr. Sale) to allow women options when they give birth and to consider stopping the planned closure of the Victoria General Hospital maternity ward.

Signed by Angela Sawatsky, Daniel Bridal, Sherry McPherson and many others.

TABLING OF REPORTS

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I am pleased to table the Supplementary Information for Legislative Review, the 2005-2006 Departmental Expenditure Estimates.

Hon. Tim Sale (Minister of Health): Mr. Speaker, I am pleased to table a Supplementary Information for Legislative Review for the Department of Health.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I would like to table the following—

Mr. Speaker: Order.

Point of Order

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

Mr. Kevin Lamoureux (Inkster): Yes, on a point of order, Mr. Speaker. I realize I have only been in opposition for 14 years, and I always thought that the Supplementary Estimates were provided before you started the Estimates. My understanding was that the Family Services and Housing Estimates started yesterday. Should the report not have been tabled yesterday? What is the normal procedure I am looking for?

Mr. Speaker: Order. On the point of order raised by the honourable member for Inkster, he does not have a point of order.

Mr. Speaker: We are on Tabling of Reports.

Mr. Selinger: Mr. Speaker, I would like to table the following Supplementary Information for Legislative Review: the '05-06 Departmental Expenditure Estimates for Manitoba Finance.

Hon. Diane McGifford (Minister of Advanced Education and Training): Mr. Speaker, I am pleased to table the 2005-2006 Departmental Expenditure Estimates for Manitoba Advanced Education and Training.

Hon. Nancy Allan (Minister charged with the administration of The Workers Compensation Act): Mr. Speaker, I would like to table the WCB Annual Report for the year 2004, the Appeal Commission Annual Report for the year 2004 and the Five Year Plan for the WCB for the years 2005 to 2009.

INTRODUCTION OF BILLS

Bill 25—The Workers Compensation Amendment Act

Hon. Nancy Allan (Minister charged with the administration of The Workers Compensation Act): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 25, The Workers Compensation Amendment Act; Loi modifiant la Loi sur les accidents du travail, be now read a first time.

Mr. Speaker: It has been moved by the honourable Minister of Labour and Immigration, seconded by the honourable Minister of Finance, that Bill 25, The Workers Compensation Amendment Act, be now read a first time.

Ms. Allan: Mr. Speaker, the purposes of this bill are to respond to the report of the Legislative Review Committee on The Workers Compensation Act, and in doing so, modernize and update the act and establish a workers compensation system that is affordable, balanced and practical.

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

Introduction of Guests

Mr. Speaker: I would like to draw the attention of all honourable members to the loge to my left where we have with us Mr. Marcel Laurendeau who is a former Member for St. Norbert.

Also in the public gallery we have from Maples Collegiate Institute 23 Grade 9 students under the direction of Ms. Dawn Wilson. This school is located in the constituency of the honourable Member for The Maples (Mr. Aglugub).

Also from Ashern Central School we have 13 Grade 11 students under the direction of Mr. Kevin Johnson. This school is located in the constituency of the honourable Member for the Interlake (Mr. Nevakshonoff).

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

*(14:20)

ORAL QUESTIONS

Manitoba Securities Commission Public Hearing—Crocus Fund

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, Manitobans want to know the truth about the Crocus Investment Fund. Manitoba Securities Commission is to hold a public hearing beginning on May 6. The Premier's political appointment to the board, Mr. Ron Waugh, is one of several who will be required to testify under oath. In an effort to avoid the public hearing, the president and CEO, Alfred Black, is trying to work out a settlement.

Can the Premier advise Manitobans today: Is his political appointment pressing for the public hearing to go forward on May 6 to ensure that he and others can address the allegations? Is he pressing for what his government does best, to cover up the truth by pressing for a settlement?

Hon. Gary Doer (Premier): Mr. Speaker, in the vein of being frank with the people of Manitoba, there have been a number of occasions members opposite have stated, and I quote, "That the Government of Manitoba is putting some provincial money, \$2 million in shares at risk in this fund." I would point out there are five members of the former Treasury Branch that wrote that off in 1993.

I would quote from the prospectus in 1999 before we were elected. I know facts do not play any part in this. This is the 1999 prospectus, "The Province is not entitled to receive dividends or otherwise participate in the earnings or growth of this fund. As a result, the Class G shareholders' entitlement to repay in its investment on the liquidation dissolution of winding up the fund has been eliminated," page 31 of the prospectus and consistent with the Treasury Board minutes signed and authorized by members opposite in 1993.

Some Honourable Members: Oh, oh.

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

Mr. Murray: Thank you, Mr. Speaker. The arrogance of the Premier, he refuses to answer a very straightforward question. Manitobans want to get to the truth in this Crocus scandal. Yesterday the Industry Minister said the NDP's political appointee wants the opportunity to address the allegations. The hearing on May 6 would present him and all connected to this Crocus scandal to do exactly that.

Will the Premier confirm today that his political appointee is opposing the cover-up settlement and instead urging for the hearing to proceed on May the 6, so the truth can come out?

Mr. Doer: Mr. Speaker, in the 1990s, we called on the former Premier to investigate the share sales of the Manitoba Telephone System by various brokerage companies. The then-Premier basically stated and I paraphrase that this is a matter for the Manitoba Securities Commission and will be dealt with by the Manitoba Securities Commission in a quasi-judicial and independent manner, independent from the Government.

Subsequent to that, Mr. Speaker, the Wellington West brokerage company was found to be selling shares to a family trust, including Cubby Barrett. That finding was made when we were in government, but outside of any political interference whatsoever. The actions of the Securities Commission were conducted in a way that allowed them to make the decisions, not the government. We allowed the Securities Commission to proceed with projects we obviously were opposed to, independent of the government. It is crucial to the people of Manitoba that the Securities Commission not have political interference and political direction from the members opposite.

Mr. Murray: Mr. Speaker, we understand. We have heard this Premier from time to time say that the truth shall set you free. We also have heard this Premier say that you cannot handle the truth. That is what this Premier says. Well, the Manitoba Securities Commission has said that before reaching a settlement, Crocus would have to admit improper conduct.

The Premier's political appointee, if he wants the opportunity, as we have heard, to address these

allegations, I am simply asking this Premier today: Will he ensure that his political appointee does the right thing and makes the May 6 Securities Commission's meeting go ahead so that we can find out the truth of what happened during this Crocus scandal? Will he do the right thing and instruct his political appointee?

Mr. Doer: Mr. Speaker, the individual is not a political appointee. He is an appointment made on the recommendation of a Deputy Minister of Industry and Trade.

Mr. Speaker, the process—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, the process that will take place with the Securities Commission is a quasi-judicial body. We do not direct it; we do not instruct it. We do not tell people how to conduct themselves with that body. The only instructions we received from the Securities Commission was to stop the stuffing of civil servants' envelopes with promotions for Crocus, a practice that started in 1997 and was halted by this government.

We will utilize quasi-judicial bodies in an independent way, Mr. Speaker. I would point out to the member opposite that the \$2 million that his critic mentioned time and time again was written off by members opposite and was written off in the prospectus in 1999 when we came into office.

Crocus Fund Judgments/Fines Levied

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, Doug Brown, the legal director at the Manitoba Securities Commission, has said that he does not want to penalize the fund and the Crocus investors by imposing financial penalties against the fund. He further stated that the shareholders should be able to rely on a board of directors to operate the fund in a proper manner. The directors should be held personally responsible for any wrongdoing.

Will the Minister of Industry assure all Manitobans that any fines levied by the Manitoba Securities Commission for any wrongdoing by directors and any judgments levied against the directors will be personally paid for by the directors?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): First, Mr. Speaker, I think members opposite should allow the Securities Commission to hold the hearing to find out what the allegations are, find out what actual things occurred. That is the first statement. People are not guilty until they have a hearing and even then we have to allow the facts to come out. As Mr. Filmon and Mr. Manness said we have to allow the Manitoba Securities Commission to do its work before you throw mud, before you make allegations as to improper behaviour.

Second, what you have to do is you cannot have it where the government directs the board. It is an independent board and it is a board that operates separate from government. As Bernard Wilson of the chair of board governance said their fiduciary responsibility is to the shareholder and not to the government.

Mr. Hawranik: Mr. Speaker, I thank the Minister of Industry for the commitment that the Manitoba Securities Commission hearing on May 6 will go forward. The Securities Commission CEO, Alfred Black, has stated that a settlement of the Crocus Fund lawsuit is likely. It is clear that, before reaching a cover-up settlement, Crocus would have to admit improper conduct.

Will the minister assure the taxpayers of Manitoba and the Crocus Fund investors who have already been shafted by this NDP, will he assure Manitobans that the fines levied by the Securities Commission and any judgments levied against the directors will not be paid for by either the taxpayers or the Crocus Fund investors?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Hon. Gord Mackintosh (Government House Leader): I hesitate to rise, Mr. Speaker, but the question is hypothetical. As the first answer indicated, there is due process here that is important to be followed. The question he is asking about fines is entirely hypothetical. *Beauchesne* states in 409(3)

that questions based on a hypothesis are not valid questions and are out of order.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, on the same point of order. I regret to rise, but the House Leader of the government should understand that it is the government's responsibility to protect not only the people who have invested in Crocus, but to protect the taxpayers of this province. It is through this government the taxpayers of this province are exposed in terms of losses that are going to be incurred as a result of the devaluation. So the question is quite legitimate and should be answered by the Minister of Industry and Trade.

* (14:30)

Mr. Speaker: The honourable Minister of Industry, Economic Development and Mines on the same point of order?

Mr. Rondeau: No, sorry, to answer.

Mr. Speaker: On the point of order raised by the honourable Government House Leader, I recognize the honourable minister was rising to answer the question and that is entirely his right. I have to recognize the honourable Minister of Industry, Economic Development and Mines if he requests to answer the question.

Mr. Rondeau: In response to the allegations opposite, the Manitoba Securities Commission is conducting an investigation that started, I understand, in September. We have the Auditor General who is doing an investigation as to the management practices. We have allowed the professionals to do their jobs.

In the past, under the former government and in this government, we allow those who have the right and the responsibility to conduct investigations to do those investigations. We do not presuppose guilt. We do not take people's names and slag them in the mud. What we do is allow due process. We make sure the proper people with the right expertise get the right answers. Thank you.

Mr. Hawranik: I ask the minister to focus on the question. The fines that can be levied by the Securities Commission for any wrongdoing can be as high as \$100,000. The 33 000 shareholders of

Crocus should be able to rely on a board of directors to operate the fund in a proper manner. The consequences for these fines levied as a result of any wrongdoing and any personal judgment pronounced against the directors as a result of their wrongdoing should be borne personally by the directors of the fund.

I ask the minister, once again, to assure the taxpayers of Manitoba and the 33 000 Crocus Fund investors, who have already been taken to the cleaners by this NDP, that they will not pay for any of the fines or any part of any judgment levied against the directors.

Mr. Rondeau: Mr. Speaker, if the members opposite are worried about the investors, they should have worried about that when they investigated and invested in Isobord, which lost \$21.5 million under the former government. They should worry about it when they invested in Westsun, under the former government, which lost money and Winnport Logistics.

What we have done is we have decided—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Rondeau: We do not have a political appointee. We have a long-term civil servant. We allow the board to do its job. We allow the board to do its proper due diligence and invest. We do not politically interfere. What we do is we manage appropriately under the act and under law.

Crocus Fund Appointment of New Director

Mr. John Loewen (Fort Whyte): Mr. Speaker, that long-term civil servant has been employed by the government for less than three years. Does he call that long term? Get his facts right.

Mr. Speaker, over 33 000 well-meaning Manitobans have invested in the Crocus Fund. They did so under the impression this government left with them that they were monitoring the fund. They have lost half their value. They are in a situation where they are forced to keep their shares. They cannot even sell their shares.

What do they get? They have the very people who got them into this situation, who are still

spending their money freely, spending their money on lawyers, spending their money on lawyers for management, spending their money on consultants, spending their money on staff, even though they cannot sell. Now, to add insult to injury, we find out that the unit holders may even be spending money to pay fines for directors who have acted improperly.

Now, Mr. Speaker, I would ask the minister this: Given that every board member left to monitor the shareholders' interest is under serious allegations, I would ask him would he do the right thing? Do what he can do. Replace your director immediately with someone who is competent to look out for the interest of all shareholders.

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I look at this. The members opposite, when they set up the fund in 1992, they made high praise of the fact that the board and the investments were separate from government. The government did not operate the fund on a day-to-day basis. It did not make the investment. It did not direct the fund. The members opposite cannot have it both ways. They cannot say why did you not direct the fund, and yet, you are responsible for its everyday management. You set up the rules. We followed the rules where it was separate from government. You should understand how the basis of the fund works and then you will understand why we do not operate it day on day.

Mr. Loewen: Mr. Speaker, once again, this minister speaks with the arrogance and a cavalier attitude of somebody that has nothing invested in this fund whatsoever. I would ask him to do his job and look out for the interests of the taxpayers and the 33 000 Manitobans who invested in this fund in good faith. His government's job was to monitor the fund. They admitted to that. Instead, what we are seeing today is a fleecing of Manitobans in an unprecedented fashion. They are left twisting in the wind while they are being fleeced.

Mr. Speaker, I would ask this minister to do the right thing. He has one thing he can do. He can immediately appoint a new director who does not face any allegations, who does not have anything hanging over his head. Will he do that immediately? Will he appoint today an experienced investment professional, somebody who is competent to act in the best interests of all shareholders?

Mr. Rondeau: Mr. Speaker, it is very important to note that our appointment was not a political

appointment per se. What it was, was a government representative who works for the Department of Industry, Economic Development and Mines appointed to the board. It was not a direct political appointment as was done under the previous government.

The other thing is that most of the board members, the majority of the board members were appointed by the previous government and they were maintained by our government. So the appointments of the board members were made by your government when they established and managed the fund. What we have done is we appointed one person. Mr. Waugh is a long-term civil servant. He is a professional and he does his job.

Mr. Loewen: Once again, to get the facts right, there is only one person appointed to the board. The rest are elected and they are elected by the MFL. They are elected by the unit holders and they are elected by various classes of shareholders. This government appoints a director directly to the board to look after not only the taxpayers' interests but the interests of the shareholder.

Every board member left overseeing this fund is subject to very, very serious allegations. Every board member left has a threat of a lawsuit hanging over their head. Every board member left has had to rely on some type of legal advice in order to get themselves out of this sordid mess. What happens to the unit holders? They are left twisting in the wind while they are being fleeced, in part, by a government who will not stand up for them.

I would ask this government today to do the right thing. Stand up for the shareholders, as he said they are supposed to do. Monitor the fund properly and appoint a director who is independent, who does not have these allegations hanging over his head, who is not under threat of personal financial ruin. Do it and do it today.

Mr. Rondeau: I hope the members opposite understand the rules which board members have. I would like to quote Bernard Wilson, chairperson of the Institute of Corporate Directors, who is an expert in these matters. He said, "Board members have an obligation of confidentiality and the allegiance is to the company and its shareholders." The allegiance is not a double allegiance. It is to the shareholders. The

board members are appointed by all organizations. Their allegiance is not to the MFL. Their allegiance is not to the government. Their allegiance is not to their company. Their allegiance is to the board and all the shareholders. They do not report to us. You have it wrong and you should learn the system.

Some Honourable Members: Oh, oh.

* (14:40)

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

Hydra House Government's Awareness of Mismanagement

Mrs. Mavis Taillieu (Morris): Thank you, Mr. Speaker. The former minister and the now-Minister of Family Services have both misrepresented the facts regarding misspending at Hydra House. The former minister said that he only learned of mismanagement at Hydra House in November 2000. The now-minister confirmed yesterday that documents do exist dating back to April 2000, but she refused to answer questions and instead said they were unrelated issues.

I would like to ask the Minister of Family Services this: Were there any other issues raised about management at Hydra House in the spring of 2000?

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I have not misinformed the House. I informed the House yesterday that there were concerns raised in the spring of 2000. Those dealt with policies around a newly implemented respite program. The department realized they had to tighten up the policies and procedures. That is what they did. When issues were raised in November 2000, those again were taken seriously and the Auditor General did an investigation. We received the results of that investigation and are now currently implementing all the recommendations.

Mrs. Taillieu: Mr. Speaker, it has now been five years since the minister first learned about mismanagement at Hydra House and she still claims that it is just a respite policy program. We knew there was misspending. Misspending is misspending. They have mismanaged and they have misled Manitobans.

The minister says it is respite. Mr. Speaker, were there any other allegations around things like support for child care, nepotism, foster parenting, management issues, issues around other policies, funding, start-up funding for foster homes? Will someone on that side of the House please stand up and tell us the truth?

Ms. Melnick: Mr. Speaker, the incidents followed in the AG's investigation were traced back to the dissolution of the Agency Accountability in 1993-1994. Unfortunately, the department lost the capacity to do the sort of monitoring that we now have because we have reinstated the Agency Accountability and Support Unit. If the member has further concerns, I would be interested in hearing what concerns she does have.

Mrs. Taillieu: I would like to remind the minister it is now 2005 and she is the minister.

Mr. Speaker, the Auditor General of Manitoba has indicated clearly that all documents related to this issue were not provided to him. They have deliberately impeded the Auditor General's investigation and his report.

Will the minister commit today to immediately provide the Auditor General with these documents and any other documents this government has withheld regarding Hydra House?

Ms. Melnick: Mr. Speaker, upon learning about the concerns from November 2000, the Auditor General certainly was given open access to any documents he would have required. There was an office set up in the Department of Family Services and Housing. No documents have been withheld from the Auditor General, from the department, certainly since 19-

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Melnick: No documents have been withheld, Mr. Speaker, and no documents will be withheld.

Hydra House Government's Awareness of Mismanagement

Mr. Glen Cummings (Ste. Rose): This minister has now put some interesting information on the record. First of all, the audit capacity was there. It was

centralized in Treasury Board. She cannot hide behind that. Mr. Speaker, a new revelation. They obviously do not want that in the public venue.

Does this minister consider a matter of nepotism something that the Auditor or her department should have taken interest in?

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, we will talk about what has been done. In 1999, there were 55 service purchase agreements. Today, there are 166. The accountability is now within the department to monitor, not in another department, so-called centralized. We are working with all the organizations that we have service purchase agreements with. We are making sure we have the capacity to monitor, as well as to provide support needed for organizations that want to make sure they are doing things properly. This is what we have done.

Point of Order

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

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

Mr. Derkach: Earlier in this session, Mr. Speaker, you cautioned the First Minister (Mr. Doer) of the government to ensure that his answers to questions were relevant to the question asked. I would ask that you caution ministers, as well, to ensure that their comments are at least relevant to the question being asked.

The member from Ste. Rose asked the question about nepotism, Mr. Speaker. The minister did not even reference the question.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, we are trying to move the House into a new era. There has been an agreement that-

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Mackintosh: Mr. Speaker, we have been trying to move the rules in Question Period to make what happens in here more spontaneous. There was agreement that Rule 417 is no longer applied. That is the rule the honourable member was referencing in his interruption. Surely, if there are concerns about the way questions are answered, members in this House are experienced enough that they can deal with that when they get up next time to ask a supplementary.

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

Mr. Cummings: No, Sir, with a supplementary question.

Mr. Speaker: I have to rule on a point of order first.

On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. Raising of 417 had been waived. For answers and questions, I have allowed a lot of leeway, and the question I heard was pertaining to the services of Family Services. That is what I heard the minister addressing, the issue of Family Services. For the direct answers, we have always allowed a lot of leeway. So the honourable member does not have a point of order.

* * *

Mr. Cummings: Thank you, Mr. Speaker. The Government House Leader wants to move into a new era. We definitely believe this government has moved into a new era; misrepresentation, misleading and cover-up. That seems to be the standard here they now function under.

* (14:50)

We are trying to get to the bottom of an issue where it is our understanding that the government received notice in early 2000 that there was mishandling of money at Hydra House. It is our understanding that the government did nothing, and, in fact, they further compounded that problem by not admitting to knowing anything until near the end of 2000.

I ask this minister if she would choose her words carefully and come forward and be honest with the people of the province. Were there any issues raised

early in 2000 that relate to foster parenting or were there issues around policy issues? Were there issues around nepotism? Will she come clean with the people of this province?

Ms. Melnick: The issues raised were around a respite care program for foster parents. It was a newly implemented program. There were some policy decisions that had to be made, a tightening up of policies. Those decisions were made by the department and the policies were tightened up. Both the parties involved, the complainant and Hydra House itself were made aware of the concerns, were made aware of the direction of the department and those issues were dealt with. Those issues were of a very different nature than the ones raised in November of 2000.

Mr. Cummings: Mr. Speaker, this minister can hide behind the screen of not-related issues. They were all regarding mishandling and mismanagement within this department, primarily of funds that may not have been going to those who were deserving of the support. Up until just 30 seconds ago, this government did not admit they had anything other than one unrelated complaint. Now the minister has acknowledged they had complaints that were more serious. So let—

An Honourable Member: No.

Mr. Cummings: Oh, they say, no. Oh, nepotism is not serious. Okay, that is clear. Foster parenting problems are not serious. Mr. Speaker, I cannot believe—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Minister of Health (Mr. Sale), and the honourable Member for Minnedosa (Mrs. Rowat), if you wish to have a conversation, we have two free loges. You are welcome to use them, but the members here and myself are waiting to be able to hear the questions and we need to be able to hear the answers. I ask the co-operation of all honourable members.

Mr. Cummings: Very quickly, Mr. Speaker, we would like this minister to acknowledge whether or not she has now given this information to the Auditor.

Ms. Melnick: Certainly, Mr. Speaker, in the House yesterday, I conveyed the same information as today

that concerns were raised in May of 2000, around a respite care program. There were policy concerns and the department dealt with those. There were issues again raised in November 2000, which dealt with the misspending of funds at Hydra House for personal expenses. That is the message I attempted to convey yesterday. That is the message I am attempting to convey today.

Workers Compensation Volunteer and Part-time Firefighters

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, all firefighters, volunteers, part time and full time are all heroes in our communities. We applaud them for their service and their sacrifice. I would like to commend the firefighters for raising awareness of the occupational hazards that they face daily. We know all firefighters put their lives on the line everyday in our province of Manitoba.

On behalf of those heroes, I would like to ask the Minister responsible for Workers Compensation to ensure that all firefighters be protected by legislation that ensures they are treated equally in terms of the dangers they are exposed to.

Hon. Nancy Allan (Minister charged with the administration of The Workers Compensation Act): Mr. Speaker, I am pleased to have this question because this government showed leadership in regard to bringing in legislation, Bill 5, which provided presumptive coverage for occupational diseases for full-time firefighters. The bill that I tabled today, Bill 25, will expand that coverage and yes, we believe that all firefighters should be covered. Part time and volunteer firefighters will be covered in this legislation.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The clock is ticking

Mr. Cullen: Well, we certainly appreciate the minister's answers. I will remind the members opposite that is something we have been putting forward for the last several years.

Bill 25 Retroactive to 1992

Mr. Cliff Cullen (Turtle Mountain): The second question I have for this minister is this: Will this legislation also be retroactive to 1992?

Hon. Nancy Allan (Minister charged with the administration of The Workers Compensation Act): I would like to thank the member for his comments in regard to firefighter legislation, but I would also like to remind the member that the previous government had 11 long years to provide this coverage for firefighters and they did absolutely nothing. It is our government that has showed leadership on this issue and we will continue to show leadership.

Mr. Cullen: Mr. Speaker, does the legislation go back to 1992?

Ms. Allan: Mr. Speaker, we have been in constant dialogue and communication with the Association of Manitoba Municipalities and the Association of Fire Chiefs. I have every confidence that when we make this legislation available to part-time and volunteer firefighters, they will be supportive of it.

Health Care Quality Standards

Hon. Jon Gerrard (River Heights): Mr. Speaker, quality is essential to the delivery of good health care and yet everywhere in this province there are very serious problems with health care quality. For example, I heard this morning about a patient who had a severe blood infection after knee replacement surgery. She had to be treated in hospital for 17 days for this, and for 4 of those days, she was treated in a hallway.

Can the minister explain why the WRHA has gotten rid of the quality director and four positions in quality standards? Is this a recognition of the failure of this government's approach to quality issues in health care? What is this government's approach to quality now that their efforts in the last five-and-a-half years have been shown to be such a failure?

Hon. Tim Sale (Minister of Health): Mr. Speaker, far from being a failure, our record on infections is outstanding. We have one of the lowest rates of MRSA infections in Canada. We have very low rates of vancomycin-resistant bacteria in our hospitals. We have an outstanding record of infection control. If the member opposite has a specific case that he would have the courtesy to bring to the attention of my office, I would be glad to look into it.

Mr. Gerrard: What the government is saying by firing the quality director and four people involved in

quality audits is that their approach to quality is a total failure.

Mr. Speaker, a Manitoban with a very serious hospital-acquired infection, a serious medical error just like many we are hearing about in the news, and this NDP government operates a system so that a person who is seriously ill, as a result of a problem with the system, must then spend four days in the hallway in order to get treatment, the further indignity.

Will the minister please explain why there are such extraordinary problems with quality in the health care system in Manitoba?

Mr. Sale: Mr. Speaker, far from extraordinary problems, we have extraordinary results that are very, very spectacular in terms of waiting for radiation therapy. Under the previous government, we sent people out of Manitoba for radiation. They wait a week or less now. Under the previous government, we had cardiac problems in terms of cardiac surgery and the outcomes of cardiac surgery. This government has put a system in place in which we more than meet the Canadian standards for cardiac surgery.

*(15:00)

I remind the member opposite that he sat in the federal Cabinet which cut the funding to health, higher education and social services by \$7 billion. It was his signature on that budget, Mr. Speaker, that caused a great deal of the problems in the nineties. We fixed those problems. Our record on infections is outstanding. Our record on infection control outside of Winnipeg is outstanding. That is why we put more resources into our public health system, our tuberculosis prevention system. We are proud of our record.

Victoria General Hospital Maternity Ward Closure

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I understand that staff over at Victoria Hospital yesterday were, in fact, told that the obstetrics unit over at Victoria Hospital was going to be closed and shut down at the end of this month.

Mr. Speaker, one has to question where the members from St. Norbert, Fort Garry, Seine River

and Riel were. Were they sitting on their hands? Why have they not attempted to address this very important issue to the people living in that area of the city?

We, in the Liberal Party, recognize the value of obstetrics services over at the Victoria Hospital. We are asking for this government to revisit this decision and put back obstetrics into Victoria Hospital. It is not an issue of safety. It is an issue of stupidity on behalf of this government. This government is making a bad decision and at the end of this month, obstetrics is going to be closed at Victoria Hospital.

Will this Minister of Health do the right thing and make a commitment to the people living in the south end of Winnipeg?

Hon. Tim Sale (Minister of Health): What this government will not do is go against the medical advice of doctors, both at Victoria Hospital and with the WRHA.

I remind the member opposite that in 1997-98, Misericordia hospital was closed; 555 births that year, the previous year. In 1998-99, Grace had been closed; 510 births in that year. In those years, there were more births in Winnipeg than there are this year by a significant margin.

When the doctors at Victoria Hospital told us it was no longer safe to maintain birthing there, this was not something we wanted to know or we wanted to hear. We wanted a community option. We kept it open against the pressure to close it, but at the end of the day, we take medical advice. We act on patient safety.

Devils Lake Diversion Update

Ms. Kerri Irvin-Ross (Fort Garry): Given our continued efforts to lobby the United States government on the issue of Devils Lake diversion, could the Premier update the House on the results of his recent trip to Washington?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gary Doer (Premier): I would like to thank all members of the Chamber, since the unilateral

announcement of June 1999, for continuously working to try to get the project stopped, the unilateral project stopped, and working towards getting the project referred to the IJC.

I would like to thank our colleagues in Québec and Ontario and Grand Chief Phil Fontaine for coming and presenting with us. I would also like to thank Governor Pawlenty and the chair, Doctor Huntley of the Great Lakes Commission to try to introduce to the discussion the fact that this is a precedent that goes against almost 100 years of boundary water action.

I would also like to thank the ambassador, Mr. Frank McKenna. I think he is doing an excellent job on this file. He is seeing to the details and the options. I would also like to thank the Prime Minister for raising this with President Bush because, ultimately, it is at the Secretary of State level.

We think it is extremely important. Again, I want to thank members of this Chamber because all of us have been united, whether former Premier Filmon was opposed to the project in June of 1999.

We require this to go to the IJC. We made progress by joining in with American states and Canadian provinces last week in Washington, but I would say, Mr. Speaker, it is an uphill battle. We are going to continue to battle as hard as we could.

Mr. Speaker: The time for Oral Questions has expired.

MEMBERS' STATEMENTS

Souris Suspension Bridge

Mrs. Leanne Rowat (Minnedosa): I am pleased to stand before the House today and bring to your attention—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We have moved on to Members' Statements, and I recognized the honourable Member for Minnedosa. We need to be able to hear the Members' Statements.

Mrs. Rowat: Thank you, Mr. Speaker. I am pleased to stand before the House today and bring to your attention the debut of a commemorative stamp

collection from Canada Post that includes the Souris Swinging Bridge.

This collection honours the engineering marvels that these bridges represent, and I am proud to see a historic symbol of Souris recognized in this manner. At 177 metres in length, this is the longest suspension bridge of its kind in Canada and an integral part of the Souris community. The bridge was built in 1903 by Squire Sowden to span the Souris River and joins two sides of the community. After being destroyed in the flood of 1976, the community did not hesitate to rebuild it in 1977. The swinging bridge is a well-known tourist attraction bringing countless visitors to Souris, but locals also use it every day.

Mr. Speaker, I would like to commend the mayor of Souris, Jack Denbow, and his council for their tireless efforts to promote our community and the many citizens who participated in the letter-writing campaign to bring the 100th anniversary of the bridge and its significance to the attention of Canada Post. It is because of these efforts that this unique icon for Souris will be showcased across Canada on a beautiful stamp. Thank you.

James Arthur Coulter

Mr. Doug Martindale (Burrows): Mr. Speaker, I rise to pay tribute to the life of James Arthur Coulter, who died yesterday at the age of 88. Mr. Coulter, or Art, as he was affectionately called, was an extraordinary and caring man who dedicated his life to people, social justice, politics, labour and his church.

He volunteered generous amounts of time to work on behalf of seniors, the infirm and the poor, and was a founding member of the United Way of Winnipeg, Meals on Wheels, Manitoba Blue Cross and the Winnipeg Social Planning Council. He also served on the Board of Directors of St. Boniface General Hospital, and as a board member of the Manitoba Medical Service, Manitoba's forerunner to medicare. In recognition of his many contributions to Manitoba, Art was named to the Order of Manitoba in 2003.

Art served our country during the Second World War in the Royal Canadian Air Force as a flight sergeant from 1942 to 1945. He was a tireless advocate of labour relations and social justice. Throughout his career, he worked in many different

capacities to further both causes. He served on the Winnipeg Labour Council, served as chair of the Workers Compensation Board and, from 1968 to 1981, he served as Executive Secretary of the Manitoba Federation of Labour.

Art was a very active member of Sparling United Church where he was on the board and finance and property committee. He was also a founding member and resident of Fred Douglas Place where he served two six-year terms on the board. In addition, he was on the residents' council.

Art also used a political arena to make a difference. He spent more than 15 years in city politics, starting as an alderman for Ward 2 in 1956 and later was re-elected to city council. He was also a campaign manager for the long-time Member of Parliament Stanley Knowles, as well as a prominent founding father of the New Democrat Party.

On behalf of all the members of the Legislature, I would like to extend my condolences to Art's family: his brother, Jack; his two sons, Larry and Randy, and his daughter Val. Thank you, Mr. Speaker.

Rotary Club of Southeastern Manitoba

Mr. Kelvin Goertzen (Steinbach): Thank you very much, Mr. Speaker. Certainly we know that throughout Manitoba there are a number of service organizations that provide very valuable work to our communities right across our province. The constituency of Steinbach, I think, is proud to often lead the way in those kinds of efforts of raising funds for good causes and for good concerns.

One such organization is the Rotary Club of South Eastman which was established some years ago to bring forward initiatives and money for a variety of causes that were seen to be important within the community, within the province, within our country and indeed within the world. We know that the Rotary Clubs throughout Canada and throughout the world have an international reputation for the work they do in terms of providing leadership and providing direction in terms of good causes that can be supported.

* (15:10)

In southeastern Manitoba, we are proud to have a strong president in Mr. Leonard Klassen, who is

the Rotary Club president of southeastern Manitoba. He took over from Ken Wersch, who was one of the initial presidents who did a very good job as well. I understand there are other individuals who are looking in the future, such as Chris Erickson, to become actively involved in raising funds for worthwhile causes.

In the past, the Southeast Rotary Club has raised funds for the health- and palliative-care initiatives within southeastern Manitoba and the Regional Health Authority, and literacy in relation to the Hanover School Division and the Seine River School Division. They have been involved with the Musical Ride, which was brought to our community, and also to the restoration of a home and then the selling of that home and using the profits from that for good causes in the community.

So we certainly want to extend our congratulations to all those community groups throughout the province who work very hard in ensuring that these good causes are supported, and in particular thank the Southeast Rotary Club of Manitoba for the good work that they do. Thank you very much, Mr. Speaker.

Greyhound Bus-Northern Services

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, in northern Manitoba maintaining a high standard of living and quality of life is dependent upon reliable transportation links.

Recently, Greyhound Bus Lines proposed a cut to services for northern Manitoba. These cuts would cause hardships for all northern residents as well as for many businesses, health facilities and government offices depending on Greyhound's services.

Mr. Speaker, I was heartened to see residents of Lynn Lake, Leaf Rapids, Snow Lake and Flin Flon turn out in large numbers to make their voices heard at the Motor Transport Board hearings. According to *The Winnipeg Sun*, their efforts have paid off. Brad Shephard, vice-president of business development, announced that Greyhound will not cut services to Flin Flon, but some of the proposed route changes would add several hours to a trip. Although this is relatively good news for Flin Flon at least, other northern communities need similar good news from Greyhound.

It comes at a time when our government has also brought good news. Last month, the Minister of Transportation and Government Services (Mr. Lemieux) announced the allocation of funds for extensive improvements to Highway 10A in Flin Flon from Wanless Avenue to the south end of Main Street to the Saskatchewan border. These repairs to Flin Flon's major traffic artery are essential to commerce as well as safety.

Unlike the previous government, the current government has invested in the highway infrastructure in northern Manitoba. Since 1999, our government has dedicated approximately one quarter of its transportation budget to the North.

Reliable highway infrastructure and transportation are crucial for economic development in the North. Decent roads, winter roads and airports are essential for northern Manitoba to attract tourism and business opportunities. Improved transportation is an integral part of our Northern Development Strategy.

This government will continue to work with northern Manitobans to address all issues of concern relating to safeguarding, improving and modernizing transportation links in the North. Thank you, Mr. Speaker.

Victoria General Hospital

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I just want to use this opportunity to emphasize the importance of the obstetrics over at Victoria Hospital and to once again appeal to the government of the day to reconsider and to allow for obstetrics to remain in the Victoria Hospital. In the response that was given, the minister tried to, through that response, indicate that there is nothing wrong with its closure. After all, look when others were being closed.

For me, Mr. Speaker, I think it is a question of whether or not one believes in community hospitals. I, for one, do, and delivery of obstetric services I think is a very positive thing. It adds a great deal to the hospital. Most importantly, it is a valuable service to be able to provide a growing community, a community that warrants a service of this nature.

If anything, what we should be doing is we should be looking at how we can better deliver obstetrics in other areas of the city as opposed to

gloating how other obstetric wards were, in fact, closed down, Mr. Speaker, that the government should be looking in the opposite direction.

I would ask the government to give it another consideration. Time is going to have to close very quickly, and with that, Mr. Speaker, I will leave it on that note. Thank you.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I am pleased, after discussions on the record, to call the following bills: No. 10, and I am confident that following its swift passage to committee, I would ask you to call report stage amendments on The Water Protection Act, Bill 22.

DEBATE ON SECOND READINGS

Bill 10—The Pension Benefits Amendment Act

Mr. Speaker: Resume debate on second reading of Bill 10, The Pension Benefits Amendment Act, standing in the name of the honourable Member for Southdale (Mr. Reimer).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Southdale?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Speaker: No?

Point of Order

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, in this House earlier today members opposite urged that there be consideration of Bill 10 on a timely basis. We are very keen to see that happen. It was just called so it can move to committee, and now they want to stand the bill. I want that on the record.

Some Honourable Members: Oh, oh.

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

Mr. Leonard Derkach (Official Opposition House Leader): Yes.

Mr. Speaker: I saw you rise.

Mr. Derkach: That is right.

Mr. Speaker: On the same point of order.

Mr. Derkach: Mr. Speaker, this is becoming a bit of a charade. I ask the House Leader to get his wits about him. It is quite customary in this House that if a member is not present, because he has gone to get his notes, that we continue with the debate by allowing the matter to stand in his name and allowing another member to speak.

So, Mr. Speaker, it is not as though we are delaying the bill in any way, shape or form. We are prepared to carry on with the debate. The member from Southdale, Question Period and members' statements have just ended, there was no advance warning that we were going to be debating this bill, the member has gone out to get his notes. At the same time, we are prepared to carry on with the House business and allow the leader of the opposition party to speak to the bill.

Mr. Speaker: Order. I called second resumed debate on second reading. All this is probably through my error. I called second reading of Bill 10, and what I had requested, maybe some members misunderstood me, but I had asked the House if it was the will of the House for the bill to remain standing in the name of the honourable Member for Southdale (Mr. Reimer), not for the bill to remain standing. I asked for the bill to remain standing in the name of the honourable Member for Southdale. That is all I asked.

If there was an affirmative, I would have moved on to the next speaker but it was the way I announced. So I am sorry. I apologize for the way I introduced it. I should have said, "Is it the will of the House for the bill to remain standing?" but I said, "Is it the will of the House for the bill to remain standing in the name of the honourable Member for Southdale?" That is a technical difference or difficulty that I created. I apologize for it.

This time I will try again, but this time I will ask the House if they wish the bill to remain standing in the name of the honourable Member for Southdale. I will recognize other speakers if they wish to speak. We have done that many, many times in this House.

* (15:20)

Mr. Mackintosh: That is precisely the point, Mr. Speaker. When the House allows a bill to remain standing in the name of a member who has adjourned a debate, it means the bill remains standing on the Order Paper. That is not what the opposition said they were prepared to do, nor the Member for Inkster (Mr. Lamoureux). *[interjection]*

Mr. Speaker: Order. The honourable Government House Leader—

Some Honourable Members: Oh, oh.

Mr. Speaker: I have to deal with the point of order first. I have one point of order now. I will recognize the honourable member for a new point of order once I have concluded this. Okay?

An Honourable Member: Speak up, Gordie.

Mr. Speaker: No, just hold on. This is a point of order. I have heard from the honourable—*[interjection]* Order. I have heard from the Government House Leader. Now I will hear from the Official Opposition House Leader on the same point of order. Then I will go to the Member for Inkster (Mr. Lamoureux) on the same point of order, because you were all up. On the same point of order, the honourable Official Opposition House Leader.

Mr. Derkach: Mr. Speaker, to try and get some sanity into how we deal with these matters in the House, I mean this is the Chamber for the Province of Manitoba. The reason why the member from Southdale excused himself from the House was to get his notes so that he could speak to this bill. The bill was not one that was indicated on the Order Paper, that we would be dealing with it today. This matter just came up. The Government House Leader decided to call this bill for debate now. I think it is quite appropriate for a member to be able to get his speaking notes so that he could respond intelligently to the contents of the bill and that is what the member of Southdale is doing.

In his absence, Mr. Speaker, we were prepared, not to hold up the business of the House, but to proceed with the debate on this bill by allowing the Leader of the Opposition (Mr. Murray) to speak while the bill remains standing in the member from Southdale's name. That is all we have asked for. I think with that we can continue.

Mr. Speaker: Before I move on to the Member for Inkster, I just want to clarify for the House that all I was asking was if the House was willing for the bill to remain standing in the name of the honourable Member for Southdale (Mr. Reimer). If the House said no then that member would lose his speaking right and we would go to the next speaker. That is all it is. That is all I was asking the House.

The honourable Member for Inkster, on the same point of order.

Mr. Kevin Lamoureux (Inkster): On the same point of order, Mr. Speaker. I was not going to stand. I am not too sure why it is that the Government House Leader (Mr. Mackintosh) brought me into the discussion. We had indicated earlier that we want to see this bill pass this afternoon. We are prepared to provide leave in order to be able to accommodate it. I think the Government House Leader might have been somewhat confused in the sense that what we want to do is to ensure that individuals that wanted to be able to speak to the bill prior to its passage be allowed to do so. Had they turned down, had they stood or declined the leave to allow the bill to remain standing in the member from Southdale's name, he would not have been allowed to be able to speak to the bill.

So I think the concern in the Chamber is in essence the same. All of us want to see, at this point in time, Bill 10 passed. No one in this Chamber wants to prevent anyone from being able to speak on the legislation prior to its passage. That is what I just want to get on the record. Thank you.

Mr. Speaker: Okay, on the point or order raised by the honourable Government House Leader, I just want to make it very clear to the House, because right now it is not a point of order. It is a dispute over the fact, but I want to make it very clear to the House. When I call a bill standing in that person's name, I have to ask if the member is willing to speak to it or not. If the member is busy somewhere else, elsewhere, and if the bill were to remain in that

individual's name, if there is a no then that person would lose their right to speak to that bill. If there is agreement, then the bill would remain standing in that person's name, and they would have a chance to speak to it later. Whoever had the floor when debate concluded, that individual's name would also stand on that same bill. That is all I was asking. That is all I was asking for.

* * *

Mr. Speaker: The honourable Government House Leader, on a new point of order. *[interjection]* No? Forget it? Okay, we will move on.

Resume debate on second reading of Bill 10, The Pension Benefits Amendment Act, standing in the name of the honourable Member for Southdale.

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Southdale?

An Honourable Member: Agreed? No.

Mr. Speaker: Is there agreement? I heard a no.

An Honourable Member: Agreed?

An Honourable Member: He has to speak then.

Mr. Speaker: Is there agreement? *[interjection]*

Point of Order

Mr. Speaker: Okay, the honourable Government House Leader, on a new point of order.

Mr. Mackintosh: Mr. Speaker, there is a long-standing practice in this House that when a bill is allowed to remain in a member's name, that means that it remains on that at the end of the day. In other words, it remains standing on the Order Paper in that member's name. If they are asking that somebody else go ahead of that member, that is another question.

Mr. Speaker, I am very concerned about where this is going. If the Member for Southdale (Mr. Reimer) is now in the House, surely he is prepared to speak to the bill. That was their challenge earlier.

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

Mr. Derkach: Mr. Speaker, the Leader of the Official Opposition (Mr. Murray) would like to have the opportunity to speak to this bill.

Mr. Speaker, when the member stepped out to get his notes, our Leader of the Opposition had to reshuffle his calendar to be able to speak in the House now. Now, that is all he has done.

If it is such a big handout that we will not allow the Leader of the Opposition to speak now, that the member from Southdale is being forced to speak, that is fine. But, Mr. Speaker, all that we were doing was ensuring that, while the member was out getting his notes, we would continue to proceed with the debate. If that is not the will, we can revert back to the old way and that is fine. Just to get the debate underway. The clock is moving.

Mr. Speaker, so I ask for leave then to allow the Leader of the Opposition to speak at this time.

Mr. Speaker: Okay, I have two requests. I have to deal with the point of order first. The point of order raised by the honourable Government House Leader, he does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: I was asked to ask the House if the House would be willing to let the Leader of the Official Opposition speak before the Member for Southdale (Mr. Reimer). Is the House willing? Will the House allow that? *[Agreed]*

So Bill 10 will remain standing in the name of the honourable Member for Southdale, but the Leader of the Official Opposition will be speaking.

First of all, we have to ask the House, Bill 10, The Pension Benefits Amendment Act, if there is the will of the House for the bill to remain standing in the name of the honourable Member for Southdale. Is that agreeable? *[Agreed]*

* (15:30)

Point of Order

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

Mr. Ron Schuler (Springfield): Mr. Speaker, I was wondering if we could get unanimous consent to

have leave for five minutes. I know the minister responsible for this legislation would like to be here. It is very urgent and important legislation.

Mr. Speaker: Order. The mention of members' presence or absence is not allowed in this Chamber.

* * *

Mr. Speaker: I am going to call now the honourable Leader of the Official Opposition to speak to Bill 10, The Pension Benefits Amendment Act.

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I am very delighted to be here to speak to Bill 10.

I think it is important that we put a few words on the record about Bill 10, because this, I think, speaks to some extent about how important this issue is to a lot of Manitobans.

I must tell you that I am delighted to put a few words on the record, but I am also concerned because of some of the insinuations, some of the comments that have been made by members opposite, the government, the NDP government, in relation to this issue that is important to Manitobans which is that hardworking Manitobans who put their money matched by an employer's money into a pension should have the ability to have access to that money.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Mr. Speaker, recall how this debate and how this bill, Bill 10, came forward. It was first and foremost the Manitoba Society of Seniors and other pensioners that called my office at one point and said they were concerned because they had lived in Saskatchewan where that NDP government had introduced legislation that allowed pensioners to not have a locked-in pension, but, in fact, allowed them to have access not only to their pensions, but the portion that the employer also put in. That is really how this discussion was born.

We brought it into the House as members on our side of the House. We brought in a private members' bill because we felt it was important without the government taking any action or responsibility on behalf of the seniors. We felt it was important to allow those seniors who have locked-in pensions to be able to access those pensions. Mr. Deputy

Speaker, again, I think the principle overriding this is that hard-working Manitobans who at retirement should be able, in their twilight years, to enjoy their life and go out and do the kinds of things they want to do.

I think it is important as we move toward recognizing Bill 10 that it is equally important that we recognize why, for some unknown reason, and the member from Springfield and I, the member from Springfield, who was very instrumental in dealing with all sorts of groups throughout Manitoba concerned that the current NDP government was not listening to their concerns, and so the member from Springfield and I convened a number of meetings. We listened to some of their concerns. We believe in our seniors in Manitoba. We believe them when they come forward and say this is something that they would like. We believe it when they say it is something that was introduced in Saskatchewan and should be in fact brought into Manitoba.

That was the genesis, the beginning of the private members' bill that we brought into this Legislature. The current government did not want to have anything to do with it. In fact, I can tell you that during the debate some of the very interesting things that came across from the government's side were very revealing about how they judge and value our seniors in the province of Manitoba.

One of the things that we heard from the member from Elmwood was he was horrified that if seniors were able to access all of their pension money, they might do some things that would somehow be offensive to that side of the House, to the NDP government. What they were going to do simply was, he alleged, they might go out and buy a cottage.

Can you imagine seniors that have grandchildren, in the twilight of their years, inviting those grandchildren to a cottage that they can enjoy. Why? Because they earned it by working hard and that was the way they wanted to reward not only themselves but maybe their grandchildren by having that opportunity to spend time with them at a cottage. Members opposite were absolutely shocked that that is the kind of thing that seniors might do, pensioners might do, if they had access to all of their pension.

I want to draw a clear distinction. In this Chamber we talk about ideology. We talk about what

it is that the values of the New Democratic Party, the values of the Liberal Party, the values of the Progressive Conservative Party. We will have debates on this and so we should. For example, this side of the House is totally opposed to forcing non-unionized workers to pay union dues. We are opposed to that. We do not believe in that. We think it is a democratic right for any worker of any company to decide democratically if they want to be part of a union. We think there should be a secret ballot. The NDP took that away as well.

In terms of expanding the floodway, that is an issue that comes down to ideology. The NDP believe in forcing non-unionized workers to pay union dues to cost more to the taxpayers. We on this side of the House do not believe that that should be an issue. That is about ideology.

Point of Order

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

Mr. Derkach: Mr. Speaker, on a point of order, the Premier (Mr. Doer) earlier today on radio appealed to Manitobans how important this bill was. On that point of order, I think we should have a quorum count, because I do not see the Premier or the minister responsible for this bill here.

Hon. Steve Ashton (Deputy Government House Leader): The member opposite can call for quorum if he wishes. To stand up on a call for quorum and then allege the absence of members, I would expect better from the Opposition House Leader than to break the rules. The member knows that we do not make reference to either the absence or presence of members, Mr. Speaker, and I would like to ask you to in fact call the member to order and ask him to withdraw those comments.

He can make calls for quorum if he wishes, but I thought that was a rather cheap attempt in this particular case to bypass rules. Our rules are very clear. You do not make those references.

I might add, Mr. Deputy Speaker, I find it quite incredible that the Opposition House Leader got up and interrupted his own leader. It shows I think that members opposite are more interested in playing political games with Bill 10 than they are in terms of this bill being debated as the Leader of the

Opposition was doing. We want to see it debated and passed.

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

Mr. Lamoureux: On the same point of order, Mr. Deputy Speaker. A quorum count has been called. I would also suggest to you, in keeping with past practices, that MLAs not be allowed to come into the Chamber while this debate seems to be continuing.

Mr. Deputy Speaker: It is clear that the Opposition Government House Leader has a right to call for a quorum, but, certainly, he violated the rules when he referred to the absence of some member.

I should like to ask all members present to rise in their places, and the Clerk at the table will call out and record the names of those present.

Madam Clerk (Patricia Chaychuk): Honourable Mr. Chomiak, Honourable Ms. Wowchuk, Honourable Ms. McGifford, Honourable Mr. Ashton, Mr. Derkach, Mr. Murray, Mr. Reimer, Honourable Mr. Lemieux, Mr. Jennissen, Mr. Dewar, Ms. Korzeniowski, Mr. Aglugub, Ms. Brick, Ms. Irvin-Ross, Mr. Swan, Mr. Lamoureux.

Mr. Deputy Speaker: The Chair now says that the quorum is present.

* * *

Mr. Deputy Speaker: The honourable Leader of the Official Opposition, to continue debate.

Mr. Murray: Thank you very much, Mr. Deputy Chair. I appreciate the opportunity.

Mr. Deputy Chair, I think that I was making the comments earlier about the fact that there are differences between ideology and difference about what is the right thing for Manitoba. I talked about forced unionization. That is something that the NDP believes in. It is something that we on this side of the House oppose.

When you look at ideology, when you force money out of Hydro, as the NDP government did because they were short of cash and could not balance the books, that is ideology that we do not believe in. We do not believe in raiding Manitoba

Hydro because we cannot control our spending. The NDP do, we do not.

* (15:40)

So I tried to draw that distinction because those are the things that separate the New Democratic Party and their belief in forced unionization and raiding Crown corporations, Mr. Deputy Chair, and the way that the Progressive Conservative Party in government has managed the Province of Manitoba in terms of making Manitoba that kind of province that is respected, that is managed and gives an opportunity for people to move ahead.

So, Mr. Deputy Chair, that brings me to the crux of why I would like to put a few words on the record on Bill 10, and it simply is this. Those were ideological arguments, ideologically driven by the NDP. We, on this side of the House, that is why we brought in the private member's bill, because we believe that we should support those pensioners that had locked-in pensions and allow them to have access to it.

Now we know that the NDP have brought in this Bill 10 and, Mr. Deputy Chair, the member from Thompson made comments about "cheap attempt." Well, I do not think there can be anything cheaper than to have the Premier (Mr. Doer) of the province of Manitoba publicly mislead the people of Manitoba with respect to this bill. It is petty. It is the kind of things that Manitobans absolutely, I think, find frustrating about their Premier, their leader of the province. That Premier should be above that, but if it is all about scoring political cheap points, then I guess that is what this Premier of the province wants to do.

So, again, Mr. Deputy Chair, I say to this Chamber, to Manitobans, that we on this side of the House want this bill to go through as soon as possible because we think it is the right thing to do. It is all about working together with this whole Legislature. We want to ensure that this bill gets speedy passage. We think it is unfortunate that it does not answer the call that we thought was important, that all the locked-in pensioners should have access to their pension. But the point we make simply is this, that we see this NDP government trying to make cheap political points over something that should be held precious to all of us, and that is all parties working together to do the right thing.

I know that in my office I received calls from a number of people that had their pensions locked in. They said that they had talked to the member of Assiniboia. Mr. Deputy Chair, it was the member of Assiniboia's name that came forward, and the comment was made was that somehow the opposition was holding up Bill 10.

So I spoke to those people personally, as I know did the member from Springfield speak to them personally, to explain what is actually happening and that is that the NDP cannot manage bills through the Legislature. They are clumsy. They do not know how to do it in a timing basis. Sometimes they come begging to the opposition saying, we have to get bills through, and then we get those bills passed and nothing happens. So this is a colossal NDP government that clearly cannot manage, and it is most unfortunate because it is the seniors and the locked-in pensioners of Manitoba that are suffering because of this NDP government.

So, Mr. Deputy Chair, I want to say very, very clearly I hope that maybe there is a small chance, maybe there is a sliver of a chance that somehow the Premier of Manitoba misspoke, because if the Premier of the province of Manitoba, on public radio, starts to mislead Manitobans down a path that somehow we on the opposition side are stopping Bill 10, he knows, the Premier knows that that is absolutely not true.

So why he would do it, other than perhaps to score cheap political points, I guess that is what drives him. I think that is unfortunate. I do not think Manitobans expect that of him. As I say, we will battle it all out all the time over forced unionization or forcing Hydro being raided of money. That is fine. We will debate that, but when it comes to being honest with Manitobans every member in this Chamber should do so. I think that the Premier should ensure that when he goes on public radio that he does not mislead Manitobans in a way that frustrates them and gets them excited that they start making calls and asking what is happening.

I can tell you, Mr. Deputy Chair, when we get a chance to explain the truth to those people when they call, they are very, very, annoyed at what it is that the Premier misled them with. So I can tell you that Bill 10, and I make reference to our House Leader who I think has done a tremendous job in trying to bring this bill forward. I daresay we might not even

have had Bill 10 come forward this afternoon if it had not been for our House Leader.

So, Mr. Deputy Chair, this side of the House wants Bill 10 to move quickly. We want to ensure that those pensioners are looked after as best as they can. I hope that the NDP, the government of the day, does not drag their feet any more on this, and that they do what is right, and that we get Bill 10 sent to committee and passed so those Manitobans can do the right thing and enjoy their pensions in their twilight years. Thank you.

Mr. Kelvin Goertzen (Steinbach): I appreciated hearing the comments from our leader on this issue. I know it is an important issue for him as he has gone through the province raising a number of different issues, not just on pension freedom, of course, but certainly this was one of the issues that I know many Manitobans have spoken to him about and all members of our caucus.

I do think it is important in the interests of fairness, Mr. Deputy Speaker, to give credit where credit is due, and I want to commend the Member for Springfield (Mr. Schuler) for the work that he did in terms of bringing forward private member's legislation which brought this issue to the light.

I know we have done that on other issues before. The Member for Lakeside (Mr. Eichler) brought forward legislation regarding significant recognition for our veterans, and that was adopted by the government, and now the Member for Springfield has also done something very similar. I think that it will be something that the Member for Springfield for many years in the future, maybe in the immediate future, maybe in the distant future, will be able to look back on with pride as something that he accomplished from the opposition benches at this point. He will be able to say that he made a difference in the lives of thousands of Manitobans and that his initiative was something that would impact the retirement years of many, many people across our province from the south to the north and in our urban centres. It is really something that he brought forward for Manitobans because he believes that they have the right to manage the money that they have earned, and I commend him for that effort.

An Honourable Member: Thank you.

Mr. Goertzen: Certainly, I have heard from many of my own constituents regarding this issue after

the private member's legislation was brought forward; from seniors, of course, who believe that they have the right to access their own funds, or to use it in a way that they deem appropriate; also, from employees of credit unions throughout the constituency. I certainly heard from a number, hundreds I would say, of members of the Steinbach Credit Union who wrote to me and said that it did not seem like it was equitable.

I understand the irony that that raised with me, Mr. Deputy Speaker, when they said, here we are, individuals who are working in a financial institution, and we are trusted to give advice, to give advice regarding the financial well-being of their individual members and they are trusted to give advice regarding their future retirement and where best to place those retirement funds. While they are entrusted with that advice of the various regulating bodies that give them that power to provide that type of a service, their own government, the NDP government, did not trust them as individuals to manage their own pension, to manage their own wherewithal and to plan for their own future.

It truly was, I think, Mr. Deputy Speaker, a great matter of irony for them. For them, I think it was really a matter of almost an insult, I would say, that it did not seem as though this government cared enough. So they came to me, as I know they came to many members of the opposition and launched a bit of a campaign.

I think it is unfortunate, because seniors in our province, or employees of institutions like the Steinbach Credit Union and other credit unions, Grunthal Credit Union, Niverville Credit Union, Community Credit Union, have better things to do with their time than to have to go and lobby government and try to shame them into something like this.

They are working within their communities. They are working to try to advance their own individual communities and try to better the province, but instead of being able to give their full effort and their full amount of time to that particular effort, they are kind of sent off on this mission to try to convince a government that did not seem to care about their individual needs. I think that that is unfortunate because so much time and energy was wasted when, whether they were in the twilight of their career or whether they are active in their career,

I know they would have been looking to do other things than to come to the Legislature or to get forward petitions or all those sort of things that they needed to do to kind of shake this government into action.

Mr. Speaker in the Chair

It is important to know that it was a reluctant government. They were reluctant to give that kind of freedom to those individuals who have worked for their pensions. Often those individuals, some of whom have fought for our country, I would say, as we talk about this being the year 2005, the Year of the Veteran, I think, were veterans of the province and of the country who have gone overseas to defend the freedoms.

* (15:50)

"Freedom" is the key word. The freedoms that we enjoy here within our own nation at a time when they were looking to retire and looking to enjoy that aspect of their life now where they could have more freedom to do what it was that they wanted to do in their leisure time, they did not have the freedom, the very freedom that they had fought for to do what they would with their own money.

I know I heard stories from individuals throughout my own area, from my own constituents who came forward to me and said, "We have done the calculation. We have sat down with those people in the know about how long it would take to withdraw the funds from our pension." And many people were coming back with stories to say that they would have to live to be about 160 or 170 to be able to expire their entire pension. Not since biblical times, I think, have we seen many individuals who are living to those ages.

I know that the members opposite certainly might have the mindset of some of those archaic times, but certainly today in the modern era we believe that those people who have worked hard and saved responsibly for their funds should have the access to bring forward them and to draw them at a time when they have been saving for them for their entire lives.

It is an interesting parallel that the Leader of the Opposition brought forward when he looked at forced unionization and the issue of pension. I think

it draws a very clear comparison between the government priorities. On the one hand, they were very reluctant to allow seniors and to allow people who are working in institutions like credit unions to have access to those funds, to have the freedom once they retire to use it to their discretion. On the other hand, they were going to force individuals to either join unions, I believe that was the original plan of the government, and now forced to pay union dues. I find it more than passing strange, but I think disconcerting that that would be the kind of government, how they look at the rights of individuals, because it really is, I think, an issue of rights.

There is a lot of talk these days about whether it is the Charter of Rights and Freedoms or various individual rights, but here we have a government that sometimes likes to espouse themselves as being the champion of rights. They like to go forward and try to pretend that they are there, that their party stands on the issue of rights, but when you really look at it, when you drill down below the surface, and you do not have to go much further than the surface, I would say, to find out what the real agenda of the New Democratic Party is.

We see that when it comes to rights, it is only rights as they prescribe them. It is only rights as they believe they should be administered, so the right to freely determine whether or not you join a union is not something that they believe in. They look at the issue of forced unionization. Of course, we know that they took away the secret ballot shortly after coming into government. They decided that it would be much easier to allow unions to organize in organizations if they took away that secret ballot and they put in a formula where there was a certain number of cards that were signed and bring back the system that has undue pressure and that has undue influence that really makes people weigh off their different challenges, whether or not they feel threatened about having to join the union or to keep their job.

They took that away initially, and now they have gone the next step, of course, about forced unionization. I see that the Minister of Labour (Ms. Allan) is interested about this particular topic, and she should be because it is a topic that falls both under her organization. I know she does not like to talk specifically about the forced unionization of the floodway. She tries to pawn that off to other

departments and say it is not her responsibility. In fact, it is her job to defend individuals who are in labour and those individuals who are in the workforce. Those are the kinds of responsibilities that she has within her ministry and those are the sorts of things that she is responsible for.

Yet when it came time to defend those particular values and to ensure that freedom was in place the minister abdicated her responsibility and decided not to fulfil it. Now we have a system in Manitoba where there is no secret ballot, where that democratic right has been taken away from employees and the balance is tipped in favour of the unions that were trying to organize.

I know, and it was mentioned, I think, by the Member for Pembina (Mr. Dyck), that the government travels all over the world and tries to extol the values of democracy, yet here within Manitoba they risk their own challenges by trying to eliminate a secret ballot on an issue.

But, coming back to the issue of pensions, because it is about democracy and it is about freedom, allowing those who have spent their entire lives responsibly saving for their pensions is something that we initially, or immediately, saw as something that was important and that we needed to take action upon. I think it is why the honourable Member for Springfield (Mr. Schuler) brought forward the bill, his own bill, to try to get the government to go forward on this particular issue. I wish the minister was here to hear some of these comments because I know that she would appreciate knowing these particular issues.

But I know that as we talk about the importance of—

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The Minister of Energy, Science and Technology, on a point of order.

Hon. Dave Chomiak (Minister of Energy, Science and Technology): I am certain that the member opposite, in referencing in his speech to the presence or absence of the minister, inadvertently referenced an absence of an individual in the Chamber, and I am sure the member would be quite willing to withdraw

that inadvertent reference to the absence of individuals in the Chamber.

Mr. Goertzen: Yes, Mr. Speaker, I do apologize. I did reference the fact that the Minister of Labour (Ms. Allan) was not in the Chamber and I withdraw that.

Mr. Speaker: Okay. Order. The honourable minister on the same point of order.

Mr. Chomiak: I appreciate the fact that the member has withdrawn the reference to individuals that are not present in the Chamber.

Mr. Speaker: On the point of order raised by the honourable Member for Steinbach, I accept the withdrawal, but I would like to take this opportunity to, once again, remind all honourable members making reference to members that are present or absent is not really required in this Chamber and it is against our rules.

* * *

Mr. Goertzen: I thank the honourable minister for bringing that forward. Certainly, he has brought more attention to the issue than I ever could.

I want to go back and talk about the issue of freedom, freedom that seniors have within our own province to ensure they have that ability to use the funds at their discretion when they need them. We understand that when you have spent your entire life planning for your retirement and you have spent your entire life looking forward to those golden years, we can imagine the disappointment—not there yet at this particular time—but we can imagine the disappointment that individuals must feel when they realize.

I suspect that many of these individuals were not aware that when they reached their retirement, this would be the situation, that they would not be able to access their funds, or when they did the calculations on their own particular funds, they would not be able to access a good portion of those and they would be constrained. They would be constrained to within their own living style, and they would not be able to access much of the money over the period of time, Mr. Deputy Speaker.

I do want to say that we do look forward to this bill passing. We are somewhat disappointed that it

did not have all the full measures that we were looking for in terms of the private member's bill that was brought forward by the member of Springfield, but we are glad that there is something that has been taken forward.

I want to conclude my comments by, again, giving commendation to the Member for Springfield (Mr. Schuler) for the work that he did in terms of bringing forward this particular bill. I look forward to its passage and, perhaps, in the future it will be addressed again by another government in future days.

* (16:00)

Mr. Jack Penner (Emerson): It gives me a great deal of pleasure to put a few words on the record on Bill 10.

Bill 10, as you all know, is actually an afterthought by the Government of Manitoba after it was proposed by the opposition members that there should actually be support given to allow pensioners to withdraw a portion and/or in total. Actually, I believe it was the resolution that we put forward or the bill that we introduced in the House. I believe Mr. Schuler indicated, the Member for Springfield—sorry about that, Mr. Speaker; I should know the rules by now—introduced a bill in the House that clearly would have allowed pensioners to withdraw all their pension benefits for their own use, and not only for their own use but to invest in matters that they would think best, that would suit them best for their retirement purposes.

I think therein lies the problem that we see many, many times in such bills as Bill 10. Not only did this government not agree with the position that the honourable opposition and the Member for Springfield brought forward in his bill, but they, in fact, chose to limit it again to 50 percent of the total amount contributed by an individual pensioner into a given fund. I would suspect that this is the kind of control we will continually see from this government, and I think the people of Manitoba had better be prepared that if and when the next election comes, they should judge very, very significantly on how honestly this government has dealt with the people of Manitoba.

I want to refer to the person that should, in fact, be a leader in this province, is deemed to be a leader,

the Premier (Mr. Doer) of this province, but when he goes out in public and talks to thousands of people on a given radio show this morning, and tells the people that the Official Opposition and, indeed, the honourable Member for Springfield (Mr. Schuler) have stalled this bill and have not allowed this bill to come before the House, that is the epitome of irresponsibility. I think we have seen that kind of irresponsible—

Mr. Speaker: Order. I want to remind all honourable members, the subject that the honourable member is referring to, the Speaker has taken it under advisement. It has been under advisement, and any matter that is under advisement, members should not be referring or speaking to it until I bring back a ruling.

Mr. Penner: Thank you very much, Mr. Speaker. I apologize for bringing this back to this House, because I honestly thought that those of us that had to deal with these matters as legislators and having the responsibility to make sure that the people of Manitoba were fully aware of what government does or does not do and how Premiers act or react to situations and how they communicate that, was our responsibility at any time, to ensure that the people of Manitoba were aware of this. So I apologize, and I will wait to do that again when the time allows and when you, Sir, have dealt with this matter in the manner prescribed by the rules of this House. I truly appreciate that.

I want to raise another issue that is somewhat similar to what we have seen here today. That, of course, is the issue of agricultural support and how this government, this NDP government, has dealt with agricultural support. Again, I refer to the matter of being forthright with the people of Manitoba and the responsibility of those of us who are elected to in the best way we can exercise that responsibility in the most honest way we know how, and that is by providing the facts as we see them and hear them.

Now, Mr. Speaker, I want to say to you this, that the people of Manitoba have not only been dismayed, but they have been misled time and time again, using the people's own money, the taxpayers' money, to do large ads in all the media that this government could find to tell the people of Manitoba that we were paying cattle producers, ruminant producers, \$180 million last year to support the difficulties experienced by producers in border

closures; \$180 million is what the minister said was made available to producers in Manitoba.

Yet, when we looked into the actual spending of government, we found when those ads were run that there was less than \$30 million that had actually been paid out, less than 30 million of the 180 that they had advertised. Now I say to you, Mr. Speaker, is that misleading advertising or is it not? We certainly thought it was. All the people of Manitoba, once they found out what the truth was, were appalled that this Minister of Agriculture (Ms. Wowchuk) in this province would, indeed, dare to put out that kind of information. That was simply not correct.

Now, Mr. Speaker, the other part of that \$180 million that the minister said she made available dragged the farmers, the ruminant producers in this province, into further debt by \$63 million of further debt imposed by this government on those producers. We had constantly said that it was imperative that the minister should lobby the federal government and they, jointly, should put in place a cash-advance system for the ruminant producers, many of them, by the way, who are pensioners.

So what I am saying to this House, Mr. Speaker, is that this government has embarked on a process of misleading the people of Manitoba time and time and time again. The epitome of it was this past week, when we saw the large advertisement that the minister made in the papers again saying that she had made available another \$63 million to the people of Manitoba. Well, all she did was agree to signing a piece of paper that said, "Now we will allow farmers to use their own money that they have in their own bank accounts. We will no longer as a government, as a socialist government, put restraints on the bank accounts that farmers have." In other words, we will unfreeze the bank accounts of the farmers of Manitoba and allow them to use their own money to finance their own operations. What a revelation. What an absolute revelation by the minister.

I do not know how much those ads cost her, Mr. Speaker, but I would like to see the amount of money that this minister has spent on misleading the people of Manitoba, the very taxpayers that pay her way and her bills in this Legislature. I think it is deplorable. It is absolutely deplorable that these ministers, time and time again, will dare to mislead.

Next we have the minister of Health. During the first election, back in 1999, he came along and his

Premier (Mr. Doer) came along and said, "You know, people of Manitoba, we will not only fix the pensions of the people of Manitoba, for the seniors of Manitoba, but we will also, at the same time, fix the health care system, and it will only cost you \$50 million and we need six months—"

An Honourable Member: Fifteen.

Mr. Penner: Fifteen million dollars, I am sorry, Mr. Speaker, I stand corrected, Fifteen million dollars and six months and we will fix the whole thing.

Well, here is the problem with how the socialists in this province fix the problem. They promise you one thing and they deliver something entirely different, and that is what people are starting to see day after day after day. I go to coffee shops now and they say, "We can hardly wait. We can hardly wait till we are given the opportunity to change the government to the party that we were used to." They said, "At least we could trust the Conservative politicians. When they made a commitment to us, we knew what the commitment meant, and we know what the commitment will mean in the future."

* (16:10)

Mr. Speaker, let me say this. We owe the seniors of this province, be they school teachers, be they nurses, be they doctors, be they farmers, or be they housewives, homemakers, whoever they are, we owe our seniors a great debt of gratitude for having given us the legacy that we now enjoy. They are the people that built this province. They are the people that made this province as great as it is.

Here we are as politicians. As lowly politicians, we are going to now tell them that they did not know how to spend their own money, Mr. Speaker. We are now telling them in this legislation we still do not trust you as seniors to, and by granting you, as seniors, the right to make your decisions about your own finances, we do not trust you. These are the people that built this great province. Look at the tremendous sacrifices they made. Look at the tremendous decisions they made. Look at the tremendous industries they built and the businesses they brought forward and the education facilities they built and the health care facilities.

We, those of us that stand in this Legislature that represent those people, should respect them

enough to do what they requested, to fully commit to giving them the right to take their money that they set aside over the years. Whether they were working for themselves as individuals, as independently employed, or whether they worked for the government of Manitoba, whether they worked through the education system, the health care system, or any other business, the pensions that they have set aside for themselves, surely, in their senior age, we would trust them enough that they would invest those funds wisely in their own manner, in their own way.

If they choose to spend them in their way, to get enjoyment out of the hard years of labour that they have committed to the welfare of this province, surely, we have enough common sense, and we can gather enough support amongst ourselves to see the wisdom in allowing them to use the total amount, not just 50 percent of those funds that they set aside. Surely we trust them enough.

So I say to you, Mr. Speaker, those of us that are nearing that age of retirement, I think probably look at this in a much more critical manner than those in this Legislature that are not reaching those retirement years. We know how difficult it was to set aside an amount of money every year, even though sometimes our children did not quite get what we might have wanted to give them. We set aside some money. We set aside some money in the years that we might have wanted to go south as others did, go on holidays, but no, we kept the money. We put it into pensionable funds that we could in fact enjoy our senior years.

Now we have a socialist government in this province of Manitoba that is saying to the people of Manitoba, "We know better than you do. We know what is best for you, and we will pass laws that will ensure that you will at least keep 50 percent of what you have in a bank account." Almost exactly the same mentality that the Minister of Agriculture (Ms. Wowchuk) used in making a deal with the federal government that was called the Agriculture Policy Framework that said, "You, as farmers, must contribute and keep in a bank account for safekeeping, forever. You cannot spend it. It has to be there and only can you draw it on a rainy day when your income has declined totally. Then we will tell you, as government, that you can withdraw, and we will even tell you how much you can withdraw of your own money."

Now, I think, therein lies the difference between us as Progressive Conservatives and them as the New Democratic Party of Manitoba. I believe the distinction will be seen and admired when the next election time comes, the distinction between us recognizing the importance of the individuals' rights to make decisions for themselves.

Mr. Speaker, I thank you for the time that you have allotted me for this. I would only suggest to the seniors of Manitoba that we, as the Progressive Conservative party, and especially myself, those of us that took part in the lobby efforts for all of Manitoba seniors from my area and from all other parts of the province, we commend you for aggressively having pursued this. We make you one commitment, that when we are elected we will make sure your pension funds will be at your disposals. As seniors of this province you deserve it, you have earned it, and you need it.

Hon. Theresa Oswald (Minister responsible for Seniors): Mr. Speaker, for the benefit of members in the House, I will make reference to the fact that we are speaking about Bill 10, just so that we can focus on that. Certainly, as the Minister responsible for Seniors, I indeed would like to put some words on the record regarding Bill 10.

Just in reference to the previous ramblings of the member from Emerson, I would say that he is, in fact, speaking in a valid way on the subject of what voters are going to remember. Voters are going to remember that during that decade of neglect, the Tories had every opportunity in the world to discuss the notion of unlocking pensions and they did absolutely nothing. Despite the tornado of rhetoric, voters know that actions indeed speak much louder than words. We launched a review of The Pension Benefits Act, the first one in 20 years. We are moving towards making changes for the seniors in our province. They had a decade to do it, did not do a thing, and here we are today talking about Bill 10 and how it is going to be of benefit for all Manitobans.

We are quite aware of the concerns of our aging population, Mr. Speaker, and the importance of financial security, and, indeed, freedom in retirement. We are delivering on our commitment to modernize Manitoba's pension and, in fact, bringing more flexibility in how pensions are saving. It can be assessed. Our bill balances the need for a minimum

retirement income with a desire for more flexibility in accessing funds and balancing flexibility with the rights of spouses. This is something that I think is absolutely critical in this debate.

When we have a look at the bill that was proposed by the member opposite we notice that, of course, it completely lacks balance and it has not been thought through. We know that the Tory unlocking ideas certainly have none of the basic protections provided even in the Saskatchewan bill, none of those basic protections. Certainly, we hear our seniors, we hear women generally, asking for financial freedom, not for total disregard that is apparent in the bill from members opposite. Certainly, we see in their ideas no spousal protection, no creditor protection. This is not something that we are interested in.

Our bill, of course, provides the right to unlock up to 50 percent of pension savings, that is the employee's contribution, while maintaining a minimum retirement income for retirees. Our bill requires that there be informed consent before the funds are unlocked to ensure that retirees have information about the implications of this very critical decision for their future retirement income.

Our bill, Mr. Speaker, protects the rights of spouses in any decision to unlock. Certainly, we see that even the Leader of the Opposition (Mr. Murray) suggests that they would urge us not to put any restrictions on access to locked-in funds. This, of course, flies in the face of the protection of spouses, many of whom are women. We just could not possibly support that kind of thinking.

* (16:20)

We are providing protection for seniors' retirement savings with creditor protection for unlocked funds. This is very important, Mr. Speaker. Certainly, we are entrenching in law the existing right to unlock a hundred percent of pension savings for members with terminal illnesses.

Again, I have to say that the Tories had a decade to bring more flexibility to pension unlocking rules, and they did not do it. They can bluster about it all they want today, Mr. Speaker, but they did not do a thing, and we are.

Certainly, our bill is about more than unlocking. It addresses the consensus recommendations of the

Pension Commission, and this is important, having a broader vision than just simply disregarding women and flying in the face of what we want to stand for as a government in protecting spousal rights.

Our bill gives workers a voice in decisions about how pension fund surpluses are dealt with. It provides phased-in retirement, Mr. Speaker. It provides flexible and ancillary benefits so that plans are better able to offer additional benefits to workers.

Our bill provides representations for workers and retirees in the management of pension plans through the establishment of a pension committee for certain plans where there is no joint trusteeship.

Certainly, our bill provides full and immediate vesting. Our bill provides clarification and entrenchment in law of the existing right to unlock a hundred percent of pension savings for members with terminal illnesses, issues that were not addressed by members opposite. Our bill certainly allows pension plans to adopt ethical principles for investment of pension funds and provides harmonization of many Manitoba pension rules with laws in other provinces.

Certainly, we have seen many people coming forward in support of our bill, Mr. Speaker. The *Free Press'* "Dollars and Sense" columnist, back in December, Mr. David Christianson, has called our pension bill a home run. He says it is a good package of improvements and calls our creditor-proof unlocking vehicle a new and welcome addition to the sanctity of retirement assets.

The Manitoba Society of Seniors called our bill a great step forward. It is good and it gives people the ability to get into their funds.

Certainly, even that pillar of sensible thinking, the MLA for Steinbach, in his submission to the pension review, endorsed the same unlocking percentage that we propose in our bill, 50 percent. He states, "I am writing in support of their position that, concerning locked-in pensions, the employee portion of contributions plus accrued earnings be unlocked at retirement."

So, really, there are people agreeing with us from all over the sides of this House, Mr. Speaker.

Finally, and again I do not want to take too much time as I express my enthusiasm for our bill and the

work that has been done on this bill, I want to say that it is a bill that takes action, does not just spew forth words about could have, would have, should have. It is one that protects spouses, it is one that cares for women in Manitoba, and I am proud to stand in support of this bill and look forward to the opposition standing with us in support of it. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak to Bill 10.

This bill deals with pensions and the ability of Manitobans to have more influence, more ability to manage their funds that are in pension accounts and to make sure that they are managed in the best possible way.

Mr. Speaker, the Manitoba Liberal Party supports, certainly in principle at this stage, second reading. We are looking at the principle of the bill. We support in principle the concept that Manitoba seniors should have more ability to manage their own pension funds and to have the flexibility to do that in a way that is at the best advantage for each individual person and their particular circumstances.

I want to make it clear, Mr. Speaker, that we in the Liberal Party have been ready to debate this bill in the Legislature and to listen to comments at the committee stage for quite some time. But the movement of Bill 10 through the Manitoba Legislature has been delayed on several occasions by the NDP government. The government was slow to introduce this bill to start with. Indeed, it was not produced for members of the Legislature to see until the very dying hours of the session before Christmas. It was not produced in the Legislature until December 8 of 2004 and the NDP at that time already knew that the Legislature was due to break on December 9.

Clearly, the NDP had the option of bringing this bill in earlier in the session in the fall. The NDP had the option of calling the fall session earlier than they did. We were ready to sit in September, but the NDP were not ready to come and sit in the Chamber. The Liberals, we were ready to sit in October, the NDP were not ready to come to the Chamber to debate this bill.

We were ready to come to the Chamber the beginning of November, but the NDP did not want to come to the Chamber in the beginning of November

to debate this bill. Instead, what they did was to wait until the dying hours of the session and introduce it on December 8.

After Christmas, by the agreement that we made, I believe it was in December 2002, the rules stipulate that we normally would be coming back in February. We could have been here in February. We were ready to be here as Liberals in February, but the NDP apparently were not ready. They were still, perhaps, vacationing in the Caribbean or travelling in Asia or doing all sorts of exotic things. We were ready, but the NDP were not ready in February.

In March they called the session so that there were just three weeks before the break, and that break was allowed for in the agreement of December 2002. We could have started that session just a few days earlier so that this bill could have been debated, but the NDP were not ready to come to the Chamber a few days earlier. Oh, no, not at all.

We could have, in the last week of the session, after we debated the budget, we could have debated Bill 10, but the NDP did not bring it forward to debate it. They did not put it on the order table. They did not even ask for it to be debated.

Now, here we are. It could have been brought forward yesterday. Why was it not brought forward yesterday? Why was it not even on the Order Paper today? There were lots of opportunities to bring this legislation forward, but unfortunately, because of delay after delay after delay after delay by the NDP, this bill was not even on the Order Paper today. It clearly was not a priority legislation.

On CJOB this morning, the Premier (Mr. Doer) said that it was not the NDP's fault, which it clearly was. He blamed the Liberals and the Conservatives, and we are the ones who have been ready to debate this bill. We have been ready to look at it seriously and they have delayed and delayed and delayed and delayed.

You know, we on the Liberal side of this Chamber are actually very pleased that the NDP Premier of this province was so deceiving this morning. He was clearly trying to be deceptive and manipulative of this Legislature and the people. This was—*[interjection]* I am just trying to say that we are pleased that the NDP Premier of this province showed his true colours this morning. Oh, the NDP

Premier showed that he could say one thing when the reality was something else.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would like to remind the honourable member the issue that the honourable member is referring to, I have taken that under advisement and it is under Speaker's advisement at this moment. I would kindly ask members to not make any reference until I bring back my ruling.

* (16:30)

Mr. Gerrard: I thank the Speaker for his advice.

As I was saying, we are pleased that the Premier of this province has shown his true colours this morning on CJOB. We are pleased because the fact is we have known for a long time, we have been watching the Premier in this Chamber and we have seen him do exactly the same sort of thing time and time again here in this Chamber.

We are pleased that the greater public who are listening to CJOB had the opportunity this morning to see the true colours of the Premier and to see exactly what he is made of because we have seen it here and we know it here. We are glad now that people around the province have had an opportunity to see what the Premier is really like.

Quite frankly, when we are looking at this important piece of legislation dealing with an issue which is very important to the seniors of this province, and, indeed, to everybody in this province because most of us at some point will be seniors, and most of us will have to work and look at our pensions. The reality is that this is an important issue for Manitobans and it should be dealt with with integrity. This is an issue which we would expect honesty and straightforward responses which had some accuracy from the Premier.

What is very clear is that the NDP Premier of this province has shown on CJOB this morning what he is made of. His approach to issues on the public stage and why he wants to sometimes say the things that he does because the fact of the matter is that we are dealing with important issues which should be debated. When we are looking at how the Chamber works, there should be a level of respect given to statements that are made and processed. The fact is

that for too many Manitobans, they do not appreciate what happens here, or understand what happens inside the Chamber. So we want to make sure that what is said outside is a real reflection of what has happened here.

When we are debating today and discussing the situation and making it clear that people have an understanding of the delays in this legislation which have been called as resulted from the NDP, that people realize it is the NDP's own fault that we are now in such a delay in addressing and debating this and having the committee stage of this legislation. That, clearly, is something that is important for the general public in Manitoba to understand, that there were many opportunities that the NDP had to move this forward, to bring this forward, and they failed to take advantage.

Indeed, it is just like many other things that could have been done by the NDP but have not been done, and that is clearly one of the reasons why we have poor outcomes in a lot of areas of health care, long waiting lists in a lot of areas of health care, lack of attention to some agricultural issues, and where is that 40 percent that we would have expected, you know and it is missing. Maybe it is delayed. Maybe it is never going to appear. We do not know. That is the sad part. All of what is happening on the other side, in the NDP side of this Chamber, and it is good to see that it was exposed on CJOB this morning. Now, the people of this province will have a much better understanding of the situation with respect to what is happening in this Chamber.

I will close now in saying that, once again, as Liberals, we support this bill in principle, which is what we are doing at this second reading. We look forward to comments that people have on this, I think it is a 44-page bill with a lot of details, and we are ready to take seriously the comments that are made at committee stage and look very carefully at this legislation when it comes to committee.

Mr. Lamoureux: Mr. Speaker, I want to put a few words on the record on this very important issue. We attempted, or at least I attempted, to express some thoughts just prior to Question Period today in some disappointment that we had, in which I am not going to go into the details, Mr. Speaker, because you have taken it under advisement, and I respect that fact.

If by chance, during the next 20 minutes or so I deviate a little bit, please do not hesitate to let me

know and I will quickly get back on course. It is primarily because that, as the Leader of the Liberal Party quite eloquently pointed out, the government has, on so many occasions, been afforded the opportunity to be able to address this issue. This is an issue which is of very critical importance to all Manitobans, because we all retire at some point in time in life, and when we do retire, we like to think that our pensions are one of those critical issues in which people want to feel are being addressed in a quick, in an appropriate and a safe way that is going to protect the vested interests of our retirement funds well into the future.

I have received correspondence. When I first really learned of the issue, it would have been early last year, in 2004, when the government was talking about changing the legislation, and in that discussion, it talked about, "Here is a special committee that we have. We are going to take that committee's recommendations, we are going to incorporate and then ultimately bring to this Legislature some form of legislation that is going to bring the act into this particular decade."

Having said that, it was shortly after that point at which I started to receive correspondence. I even had a few individuals visit me at a local restaurant on a Thursday evening to express their concerns in regard to this bill. At that time, I actually had raised the issue inside the Legislature, because the public as a whole did not feel that the government was listening to what opposition was already there, what concerns were already being expressed in regard to this bill. The concern, in essence, was one of trust and faith. The public, in particular the individuals that were looking at retirement, were concerned on how this government was putting in restraints that would prevent pensioners to be able to have flexibility with their money.

* (16:40)

I guess I would want to emphasize that point. The money we are talking about is, in fact, the pensioners' money and at the time it appeared as if the government was looking at it as their own money. They came down very hard, indicating in terms of they do not want the public to have access beyond a certain point to that money. I think they were losing the argument and that became abundantly clear after members of the opposition, myself included, raised the issue on the floor last

year about why it is the government was taking such a narrow focus, a very strong socialistic approach, at dealing with this legislation as if only government knows best on how it is that you might be able to spend this money.

Mr. Speaker, we saw that and I know the member from Elmwood, who I have got a great deal of respect for, brought up one of the concerns. I do not want to misrepresent what it is that he said, but the essence—[*interjection*] He says that the member from Portage la Prairie, who has inspired him to say this, but whatever it might have been, the issue that the member from Elmwood had raised that I had heard was that, "Well, we do not really know what the pensioner is going to do. That they might take out their money and buy a cottage," and he expressed a little bit of horror at that thought.

Mr. Speaker, you know what? I look at it and I say, well, we have to have a reality check here, which is often used on some of those radio programs, a reality check. That reality check says that this is not the government's money. It is the individual pensioner's money.

Now I cannot blame the member from Elmwood for making a statement of that nature. I truly believe on the political spectrum within that caucus he is probably closer to the centre than most members of that caucus, philosophically speaking. Having said that, it can be a little bit scary, but I do believe that a good percentage of that caucus bought and supports what it is the member from Elmwood was really talking about. I would classify that as the cottage argument.

Well, you know, we, in the Liberal Party, Mr. Speaker, believe in doing the responsible thing here. We need to acknowledge that the pensioners should have a right to be able to access some of the funds, but at the same time we want to make sure that there is some sort of protection. That is why when we look at this particular bill we welcome it to go to committee. We want to see it go to committee because we want to hear from the pensioners and others in terms of how they feel pension should be administered in the province.

What I do know is, prior to the introduction of this bill—because I have not gone through every clause of this bill, I must admit, Mr. Speaker, and I trust by the time it is passed, we will have gone

through it in great detail, but, having said that, I do believe that we need to afford flexibility. If we do not afford flexibility, what we are really doing is we are showing individuals, we are encouraging individuals to move outside of the province of Manitoba.

I had one individual in particular who showed up at that famous restaurant on that Thursday evening, Mr. Speaker, and he had indicated that he had a vested interest. If the legislation would have passed the way in which the government was looking at it he would have been better off to move outside the province of Manitoba to Saskatchewan where he would have had the ability to tap into whatever amount of money necessary. The choice was left for him. I thought it was interesting that that was a New Democratic administration in Saskatchewan that has really opened up the issue.

No matter what your political philosophy might be and how far into the Manitoba's pockets you want to be, no matter how far to the left you might be on this issue, there is still a practical end to this legislation in the sense that we have to be somewhat consistent with what other provinces are doing in regard to this type of legislation. It would appear, and I will give a little bit of credit that the government did open its mind a crack on this issue, and it has decided to look at what some of the other provinces might have been doing.

One of the pieces of correspondence that I had received, Mr. Speaker, indicated, and this goes down to where they are talking about provisions made in Ontario back in May of 2000. Legislation was amended and an Ontario provision actually permitted issues like hardship withdrawals, because they felt that was something that was critically important. In fact, under the regulations, as pointed out in one of the letters, they had indicated that there are six circumstances where an individual may apply to withdraw money from a locked-in plan due to economic hardship. Then it went on to list six points.

I believe the Premier (Mr. Doer), shortly after I had posed the question, somewhat admitted that, yes, you know, maybe we should be a little bit more flexible. When you talk about that flexibility, it lists six points in terms of what they would classify as hardship. To avoid eviction due to a creditor's claim secured on the property of the owner was one. Two, to avoid eviction for rent owing by the parties noted

above. Three, to pay first and last month rent. Four, to pay for medical expenses of parties or dependents noted above. Five, to renovate a property, to accommodate a personal illness, or disability of parties noted, again, above. Six, to increase low income if the person's expected income before taxes for the next 12 months is less than the sum of \$27,000 in the year 2004.

You know, I think this was an excellent piece of correspondence that was really provided in the name of hardship, why it is an argument in the name of hardship, why it is that a senior should be able to have access to their own money, Mr. Speaker. I believed, as I did back then, that for hardship reasons, why not, and it would appear that after the Liberals raised the issue in the Legislature last year, in those very few days that we did sit, the government now is prepared to acknowledge, yeah, you know, that hardship, it makes sense.

Well, no one owns a good idea, as the member from Steinbach has often made reference to. This is something that has come from other jurisdictions that was brought to our attention as a party from other people, Mr. Speaker. We share that because what I am hoping is the government's mind, which seemed to have cracked open a little bit here, is in fact open to what other people have to say in regard to this very important issue. You know, life is a very interesting cycle in the sense that we all are going to retire, and we all are going to need to have some sort of pension security into the future. That is why it is a critical piece of legislation. For some, it is more important than others, depending on their stage in life.

An Honourable Member: Electability.

Mr. Lamoureux: I will stay away from that one, but the bottom line is that we are encouraged to see the legislation. We were encouraged to see the change, the suggestion that the legislation was going to be changed, a year ago and we were encouraged by that. We were supportive of that. We questioned the government on the issue.

* (16:50)

The Leader of the Manitoba Liberal Party espoused quite well as to the opportunities that the government had to see this legislation pass, Mr. Speaker. You know, the rules allow for this Chamber

to sit many more days than it had and, quite frankly, the government has done a disservice by not sitting more days, because if we were sitting more days we would have been able to have dealt with this. We would not have even required leave, but the reality of today is because of the incompetence of this government, because of the lazy attitude that this government has, some would suggest the issue of dishonesty, because of all of these reasons, we are now in a position, today, of having to provide leave, to expedite, once again, in order to be able to accommodate a government that is virtually unable to muster any sort of House leadership in passing bills of this nature.

It is a question of House management. We have seen, whether it is this bill, other legislation that has been brought forward and we were approached at the last minute saying, "Well, look, this is really important, let us say it has to be passed." There was the one bill, December of 2003, I believe, is when I was approached, and they said, "Well, here is a bill, it has something to do with revenues from Canada and if we do not pass it, then we are not going to be able to tap into those revenues from Ottawa. It will be you; it will be the opposition that will be at fault, not us."

Well, Mr. Speaker, they are the ones that put themselves into that position. You know, the ultimate irony is that that legislation gave—oh, no, I am not talking about the gas haul; this is a different one. This is for revenue support for individuals on paternity and so forth, right? So, anyway, the government was so anxious to see this bill passed because they needed it passed in order to try to make it look as if—not make it look as if—in order to be able to tap into the federal revenues and support Manitobans. So they really needed this. They really needed this bill passed.

Well, you know, Mr. Speaker, even though, again, we were concerned in the way in which the bill was being brought forward, we accommodated them. We allowed that bill through leave and so forth to pass, and the ultimate irony is today you see ministers and members of this government who talk about the passage of that bill in terms of how they went ahead and they brought in this program.

Well, Mr. Speaker, this bill was only brought in just so they would be in sync with what Ottawa had done. They should not even be taking any of the

credit for it. If anything, they almost messed it up. They almost denied Manitobans the opportunity to be able to tap into those resources. Yet they have the tenacity to say that they are the ones that brought forward the legislation and try to give the impression that if it was not for them, Manitobans would not be receiving the benefits from Ottawa in regards to this.

Truth be known, once again, that government was incompetent in bringing forward that legislation, just like they are incompetent in bringing forward this legislation, Mr. Speaker. You are relying on the opposition once again to save the day. I have news for the Minister of Labour (Ms. Allan). We are prepared to save the day again. We are prepared to save the day again, you know, but this Minister of Labour has to take some responsibility also. She cannot just say it is the Government House Leader and it is the Premier (Mr. Doer) and their lack of accountability to this Chamber and to Manitobans.

If she felt strong on this legislation, she should have been talking about it last fall. She should have been asking for us to be passing this back then, but did the Minister of Labour raise the issue? She did not raise the issue one iota. She did not raise it with me or, I believe, any other member of this opposition, whether it is the Conservatives or the Liberals, in terms of, "Well, we want to see this legislation passed. Will you debate it and pass it?"

In fact, I believe it was December 8 when they gave second reading, and that is when she actually spoke to it. In her speech, did she ask that we pass this bill today or anything of this nature? Well, the truth hurts to the Minister of Labour as she seems to want to react. That is the reality of it. Then her leader says something on radio that says it is the opposition. Well, the Minister of Labour failed our pensioners.

Some Honourable Members: Oh, oh.

Mr. Lamoureux: I am sorry, Mr. Speaker, I will withdraw those comments.

Mr. Speaker, I would indicate to the government that we are, in fact, prepared to accommodate in an expeditious way the passage of this bill. What I would suggest to the Minister of Labour if she wants to do something right, what she should do is she should notify those individuals that have a vested interest and make sure they are aware that it is going to be going to committee, as much as possible so that

we can in fact get it into committee, get it back. You know, if the will is there from the government, I suspect, in fact, we could even have this bill passed by the end of this week. We could, in fact, get it passed before the end of this week, depending on public presentation.

So, if the government really wants this bill passed, they should be prepared to let the L.-G. know to come in this week and give it Royal Assent. They will get support. There is only one caveat I put on it, Mr. Speaker. We want to make sure that there is some public input in the committee stage, at least that people are afforded the opportunity and that the government have an open mind when it is in committee stage.

With those few words, we are quite prepared to see this bill and try to get the government out of a little bit of trouble and see this bill passed to committee. Thank you.

Introduction of Guests

Mr. Speaker: Order. I would like to draw the attention of honourable members to the public gallery where we have with us today Mr. Darren Praznik, who is the former member for Lac du Bonnet.

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

* * *

Mr. Jack Reimer (Southdale): Mr. Speaker, is it not ironic that we are debating a labour bill here when the former Minister of Labour sits up in the gallery here, the former Minister of Labour, the Member for Lac du Bonnet, that at one time talked about pension reform? We had a lot of conversations in regard to that area. So it is ironic that he is in the gallery today as we speak about this Pension Benefits Amendment Act that was brought forth by the government.

It is something that has been indicated that was forced, really, by our members here. The Member for Springfield (Mr. Schuler) brought forth Bill 212 which was brought forth because of the concerns of seniors. As the critic responsible for seniors, we had a chance to meet with a lot of seniors' groups in regard to their concerns, the unlocking of the pension

benefits. I remember meeting with the MSOS and some of the other groups and some of the individuals that either wrote or phoned or talked to me on a personal basis as to some of the difficulties they have had in trying to access their pension and this is one of the reasons why we are finally moving this bill forward.

* (17:00)

It was alluded to earlier that the bill was brought in on December 8. The House shut down on December 9, and it is now April 12 and this is the first time we have had an opportunity to debate the bill.

At the same time, Mr. Speaker, we are of the opinion that it should move forward. It should be going to committee. We feel that there is room for input by the public that is going to be addressing this bill, and we think that this is a good move in the sense of what we have lobbied for, what the government has responded to.

Mr. Conrad Santos, Deputy Speaker, in the Chair

The only difference, in a sense, is some of the wording in Bill 10 that was in Bill 12. They have managed to change it a bit from, pardon me, Bill 212, and change it a bit, so it is more of the flavour of what they feel that they want to bring forth.

There are differences. There are differences in the sense that we were wanting other concessions and other considerations brought forth, but it is something that will be of benefit to the seniors.

One of the concerns we did have is the fact that, as was mentioned, and I know we are not supposed to be into a discussion about some of the things that happened today in regard to comments that were made by the First Minister (Mr. Doer) and in the area of holding up the passage of this bill, but it is just something that this government becomes very, very glib with, and that is managing off-the-cuff, in a sense, as to how they feel that they want to bring forth legislation and sort of ram it through in the last minute, in a sense they are going public and blaming other people for their shortcomings.

That is something that we have become accustomed to. I think the people of Manitoba are finally seeing that the glow is coming off the NDP.

We have seen that in the Easter present that we got in the paper a while ago. It is like anything. The tide starts to grow small and it keeps building. The business of governing is something that it will come about as time progresses.

This bill is a bill that does address some of the issues that were brought forth. Like I mentioned earlier about some of the issues of the MSOS and some of the other groups, some of the credit unions, they approached us. We had some very constructive meetings with them. I know the Member for Springfield (Mr. Schuler) has been very, very forward in trying to bring forth even more changes and it is something that we will look at, I am sure, very seriously as time progresses, as to how we can make it even better for the seniors of Manitoba to enjoy some of their retirement years. The fact that these benefits were locked in and the accessibility of it was something that we fought for quite heavily, is something that I think we all would like to see a benefit for the people of Manitoba.

Manitoba, as a lot of people know, has a lot of seniors in this province. We have one of the highest proportions of seniors in Canada, in fact. So a lot of the things that I say before, and I revert back to The Pension Benefits Amendment Act, and I would think that as we go forward, as it goes to committee, we will not only hear some other concerned people, there even may be a chance that some of the amendments that people bring forth, this government will look at it in a favourable manner and maybe there will be even more changes to this act.

With those short words, Mr. Deputy Speaker, I will let my other colleagues that want to speak be on record.

Mr. Leonard Derkach (Russell): I am pleased to offer a few comments with respect to this legislation that we finally got to today. I am pleased that we were able to shame this government, not only into bringing this legislation forward, but I want to congratulate at the outset, my colleague, the member from Springfield, who very boldly brought legislation into this Chamber that would address the issue that had been brought to the government's attention, had been brought to our attention.

The Government would not move on it. They would not even open their doors to meet with seniors who expressed frustration and wondered why a

government that was elected by Manitobans would not open its doors to the citizens who had elected them to deal with the concern these citizens had. After meeting with us, and us understanding their plight, we moved ahead with legislation, under the guidance of the member from Springfield.

After this legislation, there was brought forward by the member from Springfield had been before this Chamber for quite a long time, and the government had made it very clear they were not interested in debating it; they were not interested in moving on it, but they said, "Oh, we are going to come back with our own legislation."

Mr. Speaker in the Chair

The House Leader, who has responsibility to call legislation from week to week, knew how important this was, but he did not bother to call this bill that was before the Chamber by the member from Springfield. He did not bother to call it forward. They just let it die on the Order Paper from session to session. Finally, they came in with their own legislation that did not mirror what we had put forward. It was kind of a half-baked pie, Mr. Speaker.

Although we still have concerns about it because it does not meet the goals and the hopes that the seniors had with respect to this legislation, it does move toward meeting some of the goals and some of the desires of the people who have now their pensions plans locked up, cannot get them out. As one individual told us who had just recently retired, I think he was in his mid-sixties, he said he would have to live to 120 to be able to draw out all of his pension funds. That is simply not fair because these are hard-earned dollars that these people put away in these pension plans, and they should have access to them.

As we go through this debate, I just am amazed that the government who has put this legislation forward has not had a significant number of its own members stand up and share their impressions on this bill, share their reasons for wanting to move this ahead, share their debate on this bill. The government continues to hide. It continues to lie in the weeds. Then the Premier (Mr. Doer) goes out on radio and says that it is the opposition parties that are holding up this legislation.

Mr. Speaker: Order. I have to remind the honourable member that I have taken this under

advisement, the subject that he is referencing, and I kindly ask to wait until I bring back a ruling to make a comment.

Mr. Derkach: I wish we would be able to have this debate after you bring back the ruling because then we would be able to make reference to the issues. I respect your ruling, Mr. Speaker, so I will not go there.

Having said that, I am just amazed that there is not a member on the other side of the House, especially the ministers, with the exception of one or two, who would stand in their place and defend this legislation, explain it so that on record we would have the government's comments with why they did not move all the way with the legislation, why they did not move all the way in ensuring that seniors could access 100 percent of their money, why they only chose to allow seniors to access only 50 percent of their money.

Put those comments on record. Put your reasons on record why you did not go all the way so that seniors here could judge you by what you do. They have not done that. I think I heard a comment. I believe that this government is in its dying days, and I think Manitobans will let them know at the next election what they really think about them.

* (17:10)

Mr. Speaker, we do not have to take any lessons from the member from Brandon East. He was a minister. He was a member of significance, but his own premier and his own Cabinet have sort of indicated to him that he is a persona non grata and he can sit in the backbenches of the government. It was strange how he developed a cough all of a sudden and could not carry on in his portfolio because of his cough. So I think that people from Brandon East will judge him soon as well.

So, Mr. Speaker—[interjection]

Mr. Speaker: Order.

Mr. Derkach: So, Mr. Speaker, with those few comments, I am going to allow our critic to continue with this debate.

Mr. Ron Schuler (Springfield): Today, we have seen a substantial dent take place in the dishonest Doer government. I know we are not allowed to reference the radio show that takes place once a

month in this province, the show notoriously known as Blowhard with the Premier. I will not reference it because it is under advisement, but it has brought us to this point.

I do believe that there are a lot of facts that have to be put on the table but, before I proceed, I wish to take the opportunity to extend some thanks to individuals who were very important to bringing this legislation where it is today.

I would like to start with speaking about Merv Tweed, the former member from Turtle Mountain. He is now, of course, the Member of Parliament from Brandon-Souris. When this issue started to percolate over two years ago, actually more like three years ago, the government and the ministers would not even open up their doors. They did not see it as an issue.

I would like to take this opportunity to read some of the feelings that some had. This is the member from Elmwood, and I quote from Hansard in which he said, "The last thing you want is to be 80 years old and have no pension money available, and if you follow what the opposition are advocating here, you are going to see increasing numbers of older people in their seventies, in their eighties with no money because they bought cottages when they were 65 years old, rather than retiring with all their money intact."

Mr. Speaker, I know that the member from Elmwood has had to apologize to many people about this speech because it was disingenuous at best and cynical, more to the point. Now, voilà, we have a bill brought forward, the very thing that the Member for Elmwood (Mr. Maloway) was criticizing.

So, anyway, I would like to give credit to Merv Tweed, the former member from Turtle Mountain, for having started this process. I would like to, actually, thank a few individuals who put a lot of pressure on, lobbied the government, albeit with very little impact.

I would like to start with Chuck Cruden from the Manitoba Society of Seniors. I know Chuck is not feeling very good these days. Certainly, on behalf of all members, I wish him Godspeed with his health.

I would like to thank Brian Peto, who was very straightforward, brought us incredible information, the kind of data that we needed.

Audri Wilkinson, I would like to thank her very much for the credibility she brought to all of this.

I would like to thank Peter and Sabina Long who are no longer in the province in Manitoba. Because of age and health, they had to move back to where their children are. They so bitterly begged this government to please listen, please open up their pensions. The stone hearts, the cold draft from NDP government benches would not even meet with these individuals. I am glad to see that we have seen the stone-heart NDP government come our way with this issue.

I would also like to thank John Klassen from Brandon, who also was snubbed time and time again by this cold-hearted government. I believe it was John Klassen who pinned down the Premier in this very hallway last year. He presented the Premier with a beautiful, beautiful basket of impatiens flowers. He said to the Premier, and he looked him in the eye and he said, "Mr. Premier, when this basket no more blooms, so, too, will my patience have run out, and by then I expect some action."

The Premier was so taken aback, because when he actually sees the whites of voters' eyes and he sees how displeased they are with his government and the bungling and mismanagement of this government, the Premier actually backed down and he said, "I will see to it that something takes place." Even though it took longer than he had committed to, we finally have something happening.

I would have to say it was the John Klassen basket of impatiens that actually moved this government forward, Mr. Speaker.

I would like to congratulate Francis Tetrault, Travis Dreger, Barry McPhail, John Hamilton, Herman de Vries. Mr. Speaker, there were many, many others. I would like to thank all of the thousands of individuals who sent letters, who sent e-mails, who, actually, more than anybody, put this government's feet to the fire, when constituents would approach these government members, and some of them would not even meet with the people from their own credit union. They actually did not have time to meet with them. Shame on them. But it was that pressure, with the pressure on the Premier's Office, that actually brought us to this point.

Mr. Speaker, I would also like to give my leader, the Leader of the Opposition (Mr. Murray), a lot of

thanks for backing me up on this. We know that the kind of mean-spirited comments that were coming from the other side, the cottage argument from the member from Elmwood and from other members who did not have the vision, did not have the foresight, did not see that this is where people wanted to go. I would like to thank the Leader of the Opposition for his support all the way through this and for my caucus members who, when I took this issue to caucus, said, "Absolutely. Go forth with it. Bring forward a bill."

That was, of course, Bill 212, Mr. Speaker. Bill 212 was introduced May 7, 2004, and it was just to amend a few parts of it. Then the government, in the typical dishonesty we have seen of the dishonest Doer government, Mr. Speaker, what they did then is said, "Well, there is no protection," even though there is protection right now in the legislation which this was only going to be an addition to. The dishonesty of the members opposite was shameful.

Mr. Speaker: Order. We have always cautioned members that all members in the Chamber are all honourable members, and we have always cautioned to pick and choose words carefully. So I would ask the honourable Member for Springfield to pick his words carefully.

Mr. Schuler: Well, Mr. Speaker, we are slowly running out of words to describe the displeasure Manitobans have at the lack of integrity of this NDP government, I guess the lack of integrity of these members. May 7, 2004, Bill 212 was introduced, and the first time the Minister of Labour (Ms. Allan) even had the courtesy to speak to that bill was December 9, 2004. That is how little she cared about the issue. That is how little she cared about what was going on with seniors in this province. We need no lessons from members opposite when it comes to timing and when it comes to speaking to bills and when it comes to pushing forward bills. This minister took almost a year to get up and speak to Bill 212, which we know that people in this province wanted.

The other thing, which is really unfortunate, is that Bill 10 was introduced, and we seem to have a lot of dates flying out there, and we did some research. Bill 10 was actually introduced on December 2, moved into second reading on December 8 and, as we know, the House was closed on December 9, and you have the rest of my argument why there is such displeasure on this side

of the House of what all took place today. I will leave it at that.

Mr. Speaker, there were many issues that the individuals that I listed brought forward. What it was is that, first of all, individuals who had a substantial amount of money felt that it would take, basically, some had calculated until about 120 years to get all their money out, so what they were arguing for—right now there is a \$16,000 ceiling that if you are below the \$16,000 you can withdraw that amount. Personally, and on behalf of those individuals who lobbied, I think it would have been prudent for the government to have moved that anywhere from \$30,000 to \$40,000. They could have put that into an RRSP. It really is not a substantial amount of money. It is very difficult for an institution to actually administer that, and I think it would have been the reality of where we are today. That would have been a first step.

* (17:20)

The second thing is individuals who are looking for a one-time draw. We were advocating that they be allowed to move their entire—of course, we are speaking about defined contribution, not defined benefit, making very clear that these are individuals, but with a defined contribution—that they would have been allowed to have moved 100 percent. The government came down with a 50% one-time withdrawal. You know what, Mr. Speaker? I think all of those involved are saying, "Listen, we have moved a stone cold-hearted government that slammed the doors on seniors before this. We have actually got them to the point of a 50% withdrawal. Well, that is probably about the best we can get out of this government right now, is half a glass." They are saying basically, "We will just have to live with that."

There is another area that the minister and I disagree with, and that is the yearly draw. Right now the minimum is 6 percent. Certainly, we would have liked to have seen an 8 or 10% minimum draw, Mr. Speaker.

There is another issue. I have raised this with the minister and I know she is going to look into it. The issue was raised when I happened to be driving on the highway, and it had to do with the compassionate care which we passed some time ago. What they found out, Mr. Speaker, is that individuals could not access the money because, actually, doctors are very

reluctant to put a death sentence on someone's loved one. That is where, in this case, in the event of illness, etc. etc., you are allowed to withdraw the money if you are not going to live beyond two years. The problem, of course, being is that doctors are very reluctant to put that kind of a death sentence on letter and have someone take it. That is an area that definitely has to be dealt with.

I have already mentioned the yearly withdraw. We think that the ceiling should have been, the minimum should have been raised from 6 percent and should have moved up to a degree, Mr. Speaker. However, I think all of those individuals from the Manitoba Society of Seniors, all of those individuals who, over the years, e-mailed, sent letters, phoned, spoke to, cajoled, pushed, tried to crush that stone-cold NDP heart, and finally got the government somewhere.

Certainly, this has been basically the first opportunity that we have had to speak to this legislation, and we are pleased that the government came our way. Although they did not come entirely over, we got them over to a certain degree. I do not want to be remiss in thanking Deb Lyon from the department who did an amazing job, just an outstanding job drafting this legislation.

We also know that there are currently ten individuals on the list who wish to speak to this legislation, Mr. Speaker. We know that various individuals are going to come forward. I think it is very important that people have the opportunity to come forward, speak to the legislation. I think it is important that they come forward with some technical information so that we know where it is that this could be improved on, where they think that there are areas that could be dealt with. Certainly, that is what we are looking forward to.

We believe that Bill 212 would have addressed the needs that seniors were asking for. We believe that 212 would have taken care of things, and that the process of revising the entire legislation, perhaps, could have been done in a different fashion, in a slower fashion, and not in the hurried and get-up-and-go that it was, Mr. Speaker.

We recognize that Bill 10 does address a lot of the concerns that individuals had. Again, it does not go as far as they might have liked. Coming from a government that had zero interest, that had shown no compassion towards these individuals, that did not

even have it on their radar screen, we think that this is a step in the right direction.

I would like to thank the Department of Labour, the Pension Commission. Of course, that would be deadlines, in particular, for the briefing that we received. We certainly appreciated that very much and had the opportunity to go through the bill.

As we know, Bill 10 does a lot more than just address defined contribution issues. It deals with a lot of other issues. It modernizes a lot of language and basically puts forward a completely rewritten piece of legislation.

So we certainly are looking forward to hearing the individuals. So far, of course, we have on the list Rod Reykda, who is a private citizen; Doris Mahoney, who I should comment has been an activist on this legislation. She has certainly been in contact with my office and with a lot of offices and has, with credibility, put forward her argument. She would like to see the ceiling raised at least to \$50,000. Last, I have to say to her that this government will not budge on that. I know she would like to see that. We have tried to advocate on her behalf but, again, an individual who worked very hard on this issue. We thank her very much for that.

Jim O'Neil, from the City of Winnipeg Retirees' Association; Maureen Mahoney, who I have also spoken to. She has advocated in a substantial way for the changes that have been forthcoming. Albert Cerilli, who is not a stranger to this Chamber. We look forward to his presentation. Dee Dee Rizzo from the Retired Teachers' Association, Darlene Dzewit from the Manitoba Federation of Labour. We look forward to hearing her comments. Wesley Stevens, private citizen. They are, of course, Audri Wilkinson, Cooperative Superannuation Society Pension Plan, who did an awful lot of work on this issue. We really appreciate the credibility and the integrity that she brought to this whole issue.

Of course, John Klassen, this Premier's friend on this issue who I credited and will continue to credit with having shaken-up the cold heart of this Premier, on bringing that basket of impatiens and saying to this Premier, "I will give you until fall and, after that, when the impatiens are no longer blooming, I will no longer have patience on this issue." He will have no more blooming patience. The Premier committed to him in the hallway. I was there and stood next to

John Klassen. The Premier said that he would push the minister. Maybe a basket of impatience is what it takes to push the cold heart of this Premier and push the cold heart of this government to actually listen to seniors and those who put a lot of money into this.

Mr. Speaker, we are going to hear presentations at committee. I think it is time for this bill then to move forward. We look forward to hearing what individuals have to say. Thus we are prepared to move this legislation of Bill 10 to committee. Thank you very much.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading of Bill 10, The Pension Benefits Amendment Act.

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

House Business

Mr. Mackintosh: Mr. Speaker, I would like to announce that Bill 10, the Pension Benefits Amendment Act, is being referred to the Standing Committee on Human Resources, Thursday, April 14, at 6:30 p.m.

Mr. Speaker: It has been announced that Bill 10, The Pension Benefits Amendment Act, is being referred to the Standing Committee on Human Resources on Thursday, April 14, 2005, at 6:30 p.m.

REPORT STAGE AMENDMENT

Bill 22—The Water Protection Act

Mr. Speaker: As previously agreed, we will now move on to report stage amendment of Bill 22, The

Water Protection Act, amendment standing in the name of the honourable Member for Portage la Prairie (Mr. Faurichou).

What is the will of the House? Is it the will of the House for the amendment to stay standing in the name of the honourable Member for Portage la Prairie? *[Agreed]*

Okay, then we will move on to amendments standing in the name of the honourable—*[interjection]*

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I am prepared to talk to the amendment.

Mr. Speaker: Okay. That is fine. The honourable Member for Inkster is to speak to the amendment.

We have seven amendments to be moved by the honourable Member for Portage la Prairie. What is the will of the House?

Mr. Lamoureux: Mr. Speaker, we are prepared to move an amendment. I know the leader of my party has a number of amendments also that need to be moved. We would welcome that opportunity if that is possible. I realize that there are about 30 seconds left before it is 5:30, so, if you would like, we can debate on one of those amendments, or possibly I would not suggest that we leave early because I do not think we sit enough, so I am not going to make that suggestion, but I would suggest—

Mr. Speaker: We will have to leave the report stage amendment as is because the hour is 5:30 and, according to our rules, the hour being 5:30, this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 12, 2005

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