

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

Official Report
(Hansard)

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

Vol. LVII No. 47 - 1:30 p.m., Tuesday, April 11, 2006

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 11, 2006

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 32—The Real Property Amendment Act

Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs): I move, seconded by the Minister of Water Stewardship (Mr. Ashton), that Bill 32, The Real Property Amendment Act, be now read a first time.

Motion presented.

Mr. Lathlin: Mr. Speaker, this legislation will enable parties to create an easement that is a true legal interest in land for public purposes. The Government of Canada requires this legislation in order to accept land transfers from the Province that are subject to easements for public purposes.

One important effect of the legislation is to assist the Province in meeting its obligations to transfer Crown land to Canada for Treaty Land Entitlement, the Northern Flood Agreement and other hydro-electric impact settlement agreements. Thank you.

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

Bill 33—The Northern Affairs Act

Hon. Oscar Lathlin (Minister of Aboriginal and Northern Affairs): I move, seconded by the Minister of Water Stewardship (Mr. Ashton), that Bill 33, The Northern Affairs Act, be now read a first time.

Motion presented.

Mr. Lathlin: Mr. Speaker, I am pleased to introduce the bill to redraft The Northern Affairs Act. The current act has not been comprehensively reviewed since it came into existence in 1974.

In 2001, my department began a consultation process that encouraged people in communities managed under the current act to tell us what concerned them and how we might improve The Northern Affairs Act. We have considered their suggestions carefully, and we have included them in this redrafted act wherever possible.

Mr. Speaker, I am proud of the work that we have done to revise The Northern Affairs Act, and I am pleased to present this draft for a first reading in the House. Thank you.

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

* (13:35)

PETITIONS

Funding for New Cancer Drugs

Mr. Jack Reimer (Southdale): Mr. Speaker, I wish to present the following petition.

These are the reasons for the petition:

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) of Manitoba and the Minister of Health (Mr. Sale) to consider providing CancerCare Manitoba with the appropriate funding necessary so they may provide leading-edge

care for patients in the same manner as other provinces.

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

This petition is signed by Jennifer Schoenberger, Bunty Anderson, Bruce Anderson and many others.

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

These are the reasons for this petition:

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

To request the Premier of Manitoba and the Minister of Health to consider accelerating the

process by which new cancer treatment drugs are approved so that more Manitobans are able to be treated in the most effective manner possible.

This petition is signed by Lisa Koss, Marcie Naismith-Martinuk, Pat Weir and many, many others.

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

Crocus Investment Fund

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

These are the reasons for this petition:

The Auditor General's *Examination of the Crocus Investment Fund* indicated that as early as 2001, the government was made aware of red flags at the Crocus Investment Fund.

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

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

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

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

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

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

The people of Manitoba want to know what occurred within the NDP government regarding

Crocus, who is responsible and what needs to be done so this does not happen again.

We petition the Legislative Assembly of Manitoba as follows:

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

This petition is signed by Bob Anderson, Jake Marks, B. Giesbrecht and many, many others.

*(13:40)

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for the petition:

The Auditor General's *Examination of the Crocus Investment Fund* indicated that as early as 2001, the government was made aware of red flags at the Crocus Investment Fund.

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This is signed by Roger Matas, J. Barwinsky, Tammy Wood and many, many more.

Crocus Investment Fund

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by T. Boron, M. Gagiya, B. Derksen and many, many more, Mr. Speaker.

*(13:45)

MINISTERIAL STATEMENTS

Night of Champions

Hon. Eric Robinson (Minister of Culture, Heritage and Tourism): Mr. Speaker, I have a statement for the House.

Mr. Speaker, it gives me great pleasure as the Minister responsible for Sport to rise before the House to recognize Manitoba's amateur and Olympic athletes who will be honoured tonight at the Night of Champions event.

During the Olympic Games, Manitobans came together with community pride and admiration as we witnessed our athletes competing with the world's best and producing well-deserved medals. Manitoba congratulates all of these exceptional competitors on their accomplishments at the 2006 Winter Olympic Games in Turin, Italy. Their success is a result of great dedication, sacrifice, many hours of intense training and a lot of hard work. These men and women provide inspiring role models for Manitobans pursuing excellence in any field.

Tonight's Night of Champions event will honour Manitoba's sports accomplishments and most outstanding performers in amateur sport over the past year, including our Olympic athletes and mission staff. Awards will be given for individual athletes, teams, volunteers and officials in a number of categories including the Tom Longboat awards for Manitoba's Aboriginal athletes of the year.

Awards will also be given to some of Manitoba's renowned volunteers whose skill and hard work allow our sports community to thrive. Manitoba is proud of our sports delivery system which develops many amateur athletes into well-respected, high performance competitors. Besides providing friendship, fun and fitness for people of all ages and skill levels, amateur sport provides important development opportunities for young Manitobans who are at the beginning of their Olympic journeys. This year's nominees are all champions in their field, be they athletes, coaches or volunteers. Their skill, determination and dedication have earned the respect and admiration of their peers and all of Manitobans.

We are pleased that some of Manitoba's 2006 Olympians are here for the event: Jennifer Botterill, Clara Hughes, Shannon Rempel, Sami Jo Small and Cindy Klassen. I also welcome this opportunity, Mr. Speaker, to recognize Manitoba's 2006 Olympic athletes who could not be here with us today: Mike Ireland, Brittany Schussler and Delaney Collins.

I ask all members to join me in recognizing the achievement of Manitoba's athletes over the past year and extending well-earned congratulations. Thank you.

Mrs. Bonnie Mitchelson (River East): I want to thank the Minister responsible for Sport for his statement. I also would like to thank my colleague, the Member for Russell (Mr. Derkach), who is the critic for Sport, to allow me to respond to the minister's statement today and say congratulations once again to the many, many congratulations our Olympic athletes have received and the five that are here in the gallery today: Cindy Klassen, who happens to be a constituent of River East, Clara Hughes, Shannon Rempel, Jennifer Botterill, Sami Jo Small; and those three that could not be here today, Brittany Schussler, Mike Ireland and Delaney Collins. Congratulations. You truly are our champions and our role models, Mr. Speaker, and it is a lot of hard work and dedication, but the support of family, the support of community, the support of coaches that truly make our athletes the people that we can be so very, very proud of.

* (13:50)

I want to thank the minister, too, for the announcement that he has made and the grants that will be provided both to KidSport which we as a caucus have supported in the past, and in the Right to Play organization. It is so very important for us to ensure that there are others that will be able to follow in the footsteps of our proud Olympians as a result of opportunity that might be provided to them.

Mr. Speaker, the event that is going to happen tonight to recognize athletes in the province of Manitoba is one, too, that we should all support and ensure that as we move forward and try to make sure that children have the opportunity to participate, to lead healthy active lifestyles, that we can all benefit.

So, as a province, we are extremely proud to have you represent us as ambassadors, and we know that as a result of your hard effort, your work, your determination and your dedication, that many, many other children will follow in your footsteps.

Congratulations again on a job well done.

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

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Gerrard: Mr. Speaker, I join representatives from the other parties in saluting our 2006 Olympic athletes and say to you, congratulations. You have inspired us all, and perhaps more importantly you have inspired the children of Manitoba.

My colleague, the MLA for Inkster (Mr. Lamoureux), had the opportunity to meet at the MTS Centre the other night Cindy Klassen, and my colleague's daughter whose name is Cindy was just entranced and had a photo taken. She now has this blown up and on her wall and she is all set to do her best to become an athlete at some point in the future.

I think what you have done, not only in terms of athletics but in inspiring people to be more active and healthier, has just been wonderful. So thank you, thank you, thank you.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today Manitoba Olympians: Jennifer Botterill, who has represented Canada at the last three Winter Olympic Games; Clara Hughes, a four-time Olympian; Cindy Klassen, the most decorated Canadian Olympian ever with a total of six medals, five from the 2006 Turin Olympic Games and one from the 2002 Salt Lake City Olympic Games; also Shannon Rempel, who represented Canada at her first Olympic Games in Torino and won a silver medal in the team pursuit; and also Sami Jo Small, named as an alternate for the 2006 Torino Olympic Games.

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

Also in the public gallery we have from Athlone School 60 Grade 5 students under the direction of Mr. Ed Hume. This school is located in the constituency of the honourable Leader of the Official Opposition (Mr. Murray).

Also in the public gallery from The Laureate Academy we have 16 Grade 9 students under the direction of Ms. Nicole Werbicki. This school is located in the constituency of the honourable Minister of Industry, Economic Development and Mines (Mr. Rondeau).

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

* (13:55)

ORAL QUESTIONS

Crocus Investment Fund Superfund Concept

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I just want to pause and say it truly is a great day in Manitoba when in the gallery today we have today's heroes and tomorrow's heroes as well.

Mr. Speaker, as far back as 2002 this NDP government was in discussions regarding a superfund, which is the pooling of funds to invest in Manitoba companies. On November 2002, the former chair of Crocus, Mr. Sherman Kreiner and the former CEO met with the Premier (Mr. Doer) to discuss this superfund concept. It is recorded in the minutes in the Auditor General's report from Crocus that this working group was a very political group of people and they were going to push this as hard as we can. Those were the quotes from the minutes of the meeting.

What concerns me is that there was undue political influence put on a number of agencies such as the Teachers' Retirement Allowance Fund, the Workers Compensation Board and the Manitoba Government Employees Union to co-invest with Crocus. In January of 2004, the Member for Brandon West (Mr. Smith) and Peter Olfert, the president of the Manitoba Government Employees Union, signed a letter of understanding to allow the parties to create a superfund using pensioners' money.

Mr. Speaker, what Manitobans want to know is why the government, why would they use pensioners' money to bail out an already Crocus-sinking ship?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the salient point that the Leader of the Opposition fails to make is nothing happened. There was no superfund set up and, as a result, the question that we have in front of us—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Selinger: The Auditor General's report is very clear. There was no superfund set up. The superannuation fund, which is itself a superfund when it has been performing at 13 and 14 percent returns in the last few years, is under the control of its own trustees. The member's question is purely hypothetical, Mr. Speaker.

Mr. Murray: Well, Mr. Speaker, the salient point is that 33,000 Manitobans lost \$60 million because they did nothing. That is the salient point of this description.

When you look at the history, the history is very, very clear. In January of 2001, Industry Department officials raised concerns, red flags about liquidity in Crocus in 2001. In 2001, the former CEO, Pat Jacobsen, raised red flags and concerns about co-investments with WCB and Crocus. In 2002, officials in the Finance Department did their jobs. They raised red flags again with concerns about Crocus. That same year, the former chair and CEO meets with the Premier to talk about creating a superfund. In 2004, the Member for Brandon West (Mr. Smith) and the president of the MGEU signed a letter, a letter that we have tabled in this House, that says they were going to create a superfund—*[interjection]*

Mr. Speaker: Order.

Mr. Murray: Thank you, Mr. Speaker. The facts are clear. Over that time period, this government knew that there were issues around Crocus and yet they met to talk about creating a superfund.

My question is this: Why did this NDP government suddenly abandon the superfund? Was it because they knew that Crocus was taking on water, Mr. Speaker?

Mr. Selinger: There were several inaccuracies put forward in the preamble to the question. First of all, the Auditor General's report makes it very clear that the government had no idea of what was happening with respect to valuation. That is exactly what the report says and, Mr. Speaker, it is very clear that any valuation information was the responsibility of the board, the auditor for the Crocus Fund, as well as the issuer and the underwriter.

Secondly, the member suggests that it is wrong for people to meet and discuss things. That is the business of government, to meet and discuss things and then to make prudent decisions. The member has now finally admitted that the superfund was not proceeded with. The superfund was not proceeded with and I am glad that has been confirmed by the member.

Mr. Murray: In 2004, this NDP government was actively pursuing the superfund concept in a desperate attempt to prop up the Crocus Investment Fund at a time that the Crocus—*[interjection]*

And they laugh, Mr. Speaker. Is it not interesting that members opposite laugh when 33,000 Manitobans lost \$60 million because of your incompetence? They find that funny; we do not on this side of the House.

Some Honourable Members: Oh, oh.

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

* (14:00)

Mr. Murray: Well, thank you, Mr. Speaker. At this time that they were actively pursuing the superfund, the Workers Compensation Board, the Teachers' Retirement Allowance Fund and the Province were all co-investing with Crocus. The minister knew that he had to prop up Crocus. The minister turned to his supporters and forced the president of the MGEU to sign a letter of agreement so that pensioners from the Manitoba Government Employees Union, those pension funds would be used to prop up Crocus.

I simply ask the Premier of this province: Why would he sacrifice the retirement incomes of his own employees simply to prop up his own investments?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): The member opposite is confused about what actually occurred. The only investment that government made with Crocus was made June 29, 1999, made under the Conservative government where the former government, the Minister of Industry, Merv Tweed, the Conservative Minister of Industry, put in money under the Science and Technology Fund and put James Umlah and Crocus in charge of management.

This government has never been shy of saying that we discuss issues, we discuss concepts and we meet with people. We will continue to do that. But, Mr. Speaker, the bottom line is we did not move forward with the superfund and we did not put pensioners' money at risk.

Crocus Investment Fund Superfund Concept

Mr. Glen Cummings (Ste. Rose): The really troubling part about this is the more people demand a public inquiry to find out what this government was really doing, the more this government modifies its answers. Because that minister who just got up, Mr. Speaker, yesterday I quoted him from his previous statement when he said: Once again, there is no movement to create a superfund. There is no

superfund. I tabled the agreement and he still denies that he was talking about the superfund.

Will this minister stand up and explain whether or not he believes that agreement was a legal agreement?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I hope the member talks to his leader beside him because, just a few questions earlier, his leader confirmed there was no superfund. This government did not move forward with a superfund.

We have been very consistent with the comment that we do meet with people. We do get lots of proposals and ideas and concepts into government. We do consider what people have to say, but then we make prudent decisions. The prudent decision in this case was to not proceed with that superfund, not take pension money and put it together. That concept was started in 1994 under you, the Conservative government. What we have done is listen to people and showed them not to proceed and not create a superfund. The only money—

Mr. Speaker: Order.

Public Inquiry

Mr. Glen Cummings (Ste. Rose): Well, Mr. Speaker, most people in the public, I believe, now understand that this minister does not understand what happened ahead of his tenure in that office. It was the Member for Brandon West (Mr. Smith) who signed the agreement with the head of the Manitoba Government Employees Union, a minister that we cannot now ask questions of. That is why we need an inquiry. We cannot ask that minister what his plans were when he signed that agreement.

Even the Minister of Finance is denying, denying, denying. It is one of the best-known shell games in this House or in the House of Commons, Mr. Speaker, where as long as you deny and you pretend nothing happened then maybe an inquiry will not be called.

Well, Mr. Speaker, we on this side and the public of Manitoba want an inquiry so we can get those answers.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, we have fully acknowledged that there were discussions and those discussions were fruitless. They yielded no results in terms of any money being reallocated for any superfund and the members fully well know that.

When the members opposite were in government, they had many discussions about the same concept because the recommendation was originally made in 1994, on a study that was commissioned during their term of office to look at how venture capital could be structured, organized and made available for economic development in Manitoba. There is a general consensus in the province that there is a need for venture capital. The question is what is the best way to proceed with this. The superfund was deemed not the appropriate way to move forward. The members opposite know that.

Child Welfare System Public Inquiry

Mrs. Mavis Taillieu (Morris): Mr. Speaker, 31 deaths of children either in care or released from care in the past five years is tragic. Nine of these were in the last five years, the largest number ever in Manitoba. Yet, it has taken repeated calls from this side of the House for the Minister of Family Services to finally act.

Why did she not act after Henry Okemow committed suicide? Why did she not act after John Demery died? Why is she still dragging her feet after Phoenix Sinclair died? Why will this minister not ask her Premier (Mr. Doer) to call a public inquiry? Is she waiting for the authorities to do it?

Hon. Christine Melnick (Minister of Family Services and Housing): If we want a record of a government that does not act, I will give it to you now. In 1996, after the death of Sophia Schmidt, it was recognized that Winnipeg Child and Family Services caseloads were approximately 45. In 1996, it was noted that Westman Region Child and Family Services caseloads were approximately 80.

Mr. Speaker, that government did nothing about it. In fact, when asked about caseloads at Winnipeg Child and Family in '98, the former minister, who sits in the front bench of members opposite, replied, "Winnipeg Child and Family Services is an externally funded and managed agency," taking no responsibility, not working with the community. We are in the best interests of the children.

Mrs. Taillieu: Mr. Speaker, it was that government, that minister, that received the recommendations from Judge Conner in 2003 and they did nothing. This minister has failed. The child welfare system failed 31 times under the NDP watch. Anybody with common sense would say this government has failed to protect children in care.

The NDP government has not implemented the recommendations from inquiries, has not listened to warnings from the Children's Advocate, has not listened to the Medical Examiner, MGEU, nor front-line social workers. We need a public inquiry into the delivery of child welfare in the province and we need it now.

Will this minister push her Premier to call the public inquiry? Will she not do her job? Is she just waiting for the authorities to do it for her?

Ms. Melnick: Well, Mr. Speaker, let us talk about the Conner report, and here is a quote from page 155: "The total number of protection cases being handled by a social worker as of January 31, '96 was 44." That same social worker, by 2001, was down to approximately 30 files, and, furthermore, in 2001, she also had a case aide that did a lot of the running around and phoning.

Mr. Speaker, we are listening. We are working with the community. We are taking action as opposed to the dismal record of members opposite.

Agriculture Issues Government Accountability

Mr. Ralph Eichler (Lakeside): Mr. Speaker, yesterday members on this side of the House raised a matter of urgent public importance with respect to the crisis the agriculture industry in Manitoba is currently facing.

What does this minister do in response? She sits back in her chair and does nothing. Nothing, Mr. Speaker, how lame is she?

Mr. Speaker, farm families need help today, not tomorrow, not next week, not in July at her next ministers' conference, today. When will this lame minister start fighting for our Manitoba farm families?

*(14:10)

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Well, yesterday he tried to raise a matter of urgent public importance and they asked it under the sixth or seventh question. Today, they are trying to make this out as an important issue to them and they raise it as their fifth question. Mr. Speaker, this is not a priority for the members opposite.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Wowchuk: Thank you very much, Mr. Speaker. I can assure the member that as soon as we had a new federal minister, I raised the issue with him. I asked him to take action at a national level because we in the provincial government have taken action, and we have supported our farmers in many ways.

Mr. Eichler: Mr. Speaker, what we saw in this House yesterday was another example of a minister with no respect for farm families. This minister blames everyone else for her problems and refuses to use her power to address or fix them. It seems the only thing that this minister has used her power for lately is to impose a backdoor tax on our cattle producers. Shame on her.

This minister is gasping for air. She is not listening to our producers. She is out of her element. I ask her: Will she start working for our farm families and negotiate a fair deal for them before she bankrupts every Manitoba farm family?

Ms. Wowchuk: I would urge the member opposite rather than ranting here to talk to his federal relative, the federal Minister of Agriculture from the Conservative Party, whom I have raised the issue with, whom I have asked to bring in a program to help the farmers.

But, Mr. Speaker, I will stand by our record. I will stand by the fact that we introduced excess moisture insurance, something the members opposite refused to do and, in 2005, that paid out \$58.3 million. We have made further improvements to that program at the request of the producers. We have put money into the various programs such as CAIS and crop insurance as is needed and we will continue to work with the producers.

Campground Reservation System Wait Times

Mr. Larry Maguire (Arthur-Virden): The Minister of Conservation's made-in-Manitoba solution to campsite registrations was . . . Manitoba campers of the difficulties they experienced last year when trying to book campsites. Mr. Speaker, 1,500 Manitobans, Internet users here in Manitoba, were trying to access the system to book their sites with many more attempting to use the telephone system. Many of them sacrificed over four hours trying to register and most were forced to give up. The ministry was left scrambling to fix this problem, something the minister promised would be fixed a year ago.

I ask the minister why he did not ensure that appropriate measures were put in place well ahead of time, thereby avoiding this very embarrassing fiasco for his government and the huge inconvenience for Manitoba campers.

Hon. Stan Struthers (Minister of Conservation): Mr. Speaker, I want to make clear to all of those folks, all those Manitobans who phoned in or over the Internet yesterday, wanting to participate in camping in Manitoba—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Struthers: We agreed very early in the day that we had to move resources in to make sure that the wait times that some campers were experiencing would be taken care of. By the end of the day, I want members opposite to realize that at the end of the day, we processed more than 6,000 camping sites in one day.

Mr. Maguire: Mr. Speaker, the only thing really clear here is that old cliché of the closing of the barn door after the horse has escaped is sure fitting in this situation. Today on the Internet and over phones, citizens can buy kids' toys, rental cars, hotel packages, airlines, concert tickets. They can do it immediately.

Mr. Speaker, even though the minister has increased camping fees by 20 percent, can he explain to exasperated Manitoban campers why, after two years, it is still impossible for many to reserve a simple campsite?

Mr. Struthers: The Member for Arthur-Virden is exactly wrong. Mr. Speaker, 6,047 bookings were made yesterday which is more than any time his government was in place all through the 1990s. We eclipsed their record by a long way. We ensured that the rotation of phone calls were there so that nobody jumped queues as what happened in the old days under their regime.

You know what, Mr. Speaker? The people who phoned in talked to a Manitoban, not somebody from Sacramento, California, like we had to under those folks.

Flood Forecasting Risk Assessment

Mr. Jack Penner (Emerson): Mr. Speaker, after the disastrous '97 flood, we were assured that an effective communications network was established

between Manitoba, North Dakota and Minnesota. It was supposed to provide reliable warnings about the risk of flooding and its severity. Given the inaccuracies of forecasting made this spring, I ask the Minister of Water Stewardship: What went wrong? Why was the Minister of Water Stewardship so in the dark about this year's serious flood risk?

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I am very disappointed in the member opposite who yesterday in response to my ministerial statement and today continues to question the fine work of Alf Warkentin and our forecasting staff.

Mr. Speaker, I want to stress that that is based on the most up-to-date information from the U.S. that is communicated directly to Canada but is also based on factors such as precipitation, the speed of the snow melt, all factors that were included in the forecast.

I know the members opposite would want to congratulate our staff, Mr. Speaker, who are doing a very difficult job, and indeed based on the information day in and day out, they revised the forecast, they made the best available forecast and will continue to do so.

Mr. Penner: Well, Mr. Speaker, having been the minister in that department, I know of the good work that the staff can do. However, I also recognize that the staff needs direction.

Obviously, when the government stated that forecasting methods showed little risk of flooding in the province, meanwhile the water was rising in Fargo and Grand Forks, North Dakota; 48 hours after stating there was little risk, Manitoba residents were instructed to prepare for the worst. This does not suggest the minister was on top of the issue.

One of the valuable tools used by government to assess flood risk includes snow pack measurements. Mr. Speaker, will the minister today table the documents indicating what the snow depths and moisture levels were in Manitoba in the Red River Valley and the rest of Manitoba?

Mr. Ashton: Mr. Speaker, indeed the member opposite was minister when they slashed funding in terms of water initiatives in this province, so he should not lecture us based on his experience as a minister.

I wonder, Mr. Speaker. You read the comments made by the member yesterday, I wonder if he has

one of those mail-order Ph.D.s that seem to be in vogue with members of the Conservative Party. I take the advice from the experts and, indeed, if he reads the forecast that Alf Warkentin tabled, if he reads the current forecast, he will note that it is based on a number of factors, including precipitation and weather.

I am very disappointed that the member opposite would not understand the tremendous work that the staff of the Department of Water Stewardship have been doing, Mr. Speaker. All departments and the municipalities, we have been doing the best possible job under the trying circumstances of any flood situation.

* (14:20)

Point of Order

Mr. Speaker: Okay. Is the honourable member rising on a point of order?

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

Mr. Speaker: Okay.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would remind members in the House that a point of order or matters of privilege are very important matters and I need to be able to hear every word that is spoken, so I am asking the co-operation of all honourable members here. The honourable member is rising on a point of order and I need to hear every word that is spoken.

Mr. Derkach: Yes, Mr. Speaker, on a point of order. This is rather a serious matter when so many Manitobans are facing the prospect of their homes and their yards and property being flooded. The Member for Emerson has asked a very serious question and asked the member to table the snow-pack information that he has available to him so that Manitobans would know what has perhaps gone wrong or, in fact, what the prospect of flooding down the road is going to be. The minister did not table it. I am wondering if we could call him to order and ask him to comply with the request that has been made by the Member for Emerson.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, a request by a member to another member, it is entirely up to the minister if he wishes to table it or

not. *[interjection]* It is entirely up to the minister if he wishes to table it or not.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. It is not a private letter, so there is no requirement for the honourable minister to table it, so he is not obligated to do so. If he wishes to, that is entirely up to him, but our rules state that if it is some member quoting from a private letter, then the requirement of the House is to table it. Otherwise, it is entirely up to the minister if they choose it or not. It is not within our rules. *[interjection]* Order.

The honourable member does not have a point of order.

* * *

Mr. Speaker: The honourable Member for Emerson, do you have your second supplementary?

Mr. Penner: I did it.

Mr. Speaker: No? Okay. We are on Question No. 7.

Child Welfare System Leaders Task Force

Hon. Jon Gerrard (River Heights): Mr. Speaker, my question is for the Premier. (Mr. Doer).

Yesterday, we three party leaders stood shoulder-to-shoulder in the face of the flooding crisis in the Red River. We all know that there is another crisis in Manitoba; the deaths, the killing of 31 children in care over the last six years. Mr. Speaker, this crisis demands that we as a Legislature offer remembrance and hope in the spirit of a candle, the universal symbol of remembrance and hope. I call for all of us, all 57 MLAs to focus our collective responsibility to move forward in remembrance and hope.

So I ask the Premier today: Will the Premier establish a task force led by the three leaders into the deaths of the 31 children to make sure that we not only get to the problems but that we are there with an action-oriented task force with solutions?

Hon. Rosann Wowchuk (Deputy Premier): I wish the member opposite would make up his mind on what he wants. He comes forward with different suggestions every day on what he thinks should be done. But I can tell you, Mr. Speaker, this government has taken action. An external review is taking place, an external review that is looking at the

caseload levels of social workers. As well, there is another review that is taking place.

I would ask the members opposite, particularly the Leader of the Liberal Party, not to try to play politics with this by putting candles on his table and calling the people that have been put in place to look at this "minions," but, rather, let them do their work. Show the trained people some respect.

Mr. Gerrard: Mr. Speaker, I have been calling for respect and remembrance and hope for the 31 children who have died, killed in the care or shortly after leaving care of Manitoba's Child and Family Services.

I say to the Premier and the Deputy Premier, as a father, a grandfather and a pediatrician that this crisis in children in care, this killing of children in care is the worst crisis I have seen in the six years that I have been here, the six and a half years as a member of the Legislature. It demands unprecedented action on behalf of the children of our province. So I call again for the Premier and vice-Premier to have a task force led by the leaders, all three leaders, to work together—

Mr. Speaker: Order.

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, I, like the Deputy Premier, am very saddened to see the behaviour of the Member for River Heights. Yesterday, and I quote from Hansard of April 10, he said, and this is a direct quote: "I have had many calls that this not be politicized." His next line was: "And I am very cautious about that."

I encourage him to be more cautious than he is today. I encourage him to respect the external review. I encourage him to respect the section 4 reviews. I encourage him to respect the CME review, the RCMP review and the agency review, and I encourage all members opposite to show this very serious incident the respect that it deserves so that we can find out what happened and receive recommendations—

Mr. Speaker: Order.

Crocus Investment Fund Due Diligence

Mr. Kevin Lamoureux (Inkster): The government dropped the ball. They neglected the Crocus Fund, Mr. Speaker, and turned it into the Crocus fiasco.

We have over 33,000 Manitobans all over the province that have lost cumulatively in excess of \$60 million. The question that comes to me time and time again from investors is: Is this government prepared to look into financial compensation for the neglect that this government had by not doing due diligence on the Crocus file?

Is this government looking into any form of financial compensation for the neglect of the Crocus file?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, the member opposite is still confused. He remains confused. The government was not responsible for the investment policy. The government was not responsible for valuation. The government was only responsible to ensure the public policy objectives were to invest in Manitoba.

So when the member opposite says are we neglectful, no. We followed what the law was. We established the law and we followed it. We did not run the Crocus Fund. There was an executive. There was a board of directors. I hope the member looks at what the management for the Securities Commission, the Canada Customs and Revenue and the RCMP are doing, because they are investigating appropriately the people who are responsible for the fund.

Economic Development Update

Mr. Bidhu Jha (Radisson): Mr. Speaker, yesterday I had an opportunity to participate at the Waterfront Drive opening of a new condo, and the audience there, you could feel the spirit of economic fortunes and positive news that Winnipeg is enjoying. I would really appreciate receiving from the Minister of Industry, Economic Development and Mines an update of the factual economic news despite the gloom and doom that we hear from the opposition all the time on economic development.

Would the minister inform the House about the good news that is factual to Manitobans?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): I am pleased to let all the House know that the annual population growth over the past five years is 5,965. More workers are working today than in the nineties. In fact, the labour force grew by an annual rate of 5,950 which is more than three times what happened under the Conservatives.

Not only that, Statistics Canada is predicting that Manitoba will lead the country in capital investment with a 14 percent growth, more than double the national average. Private sector growth is booming with a growth of about 10.4 percent, double the national growth rate. In the last 12 months, an additional 13,400 private sector jobs have been created, a 3.1 percent growth that far exceeds the national growth rate. We are growing.

* (14:30)

Rural Manitoba Crown Lands Branch Displacements

Mrs. Leanne Rowat (Minnedosa): In March, this NDP government announced that jobs within the Crown Lands Branch would be moved from Minnedosa and Neepawa. Despite saying that no jobs would be lost, public servants are being forced to choose between their jobs and their communities. The Minister of Government Services has said we understand that these are real people and being a rural Manitoban I can understand their consternation. When one of the displaced employees wrote to the Premier (Mr. Doer), her delivery notification indicated her e-mail was deleted without being read. Her March 24 letter to the Government Services Minister has remained unanswered.

Mr. Speaker, my question is for the Minister of Government Services: Is this the kind of understanding rural Manitobans should expect from this NDP government?

Hon. Ron Lemieux (Minister of Transportation and Government Services): This government moved prudently according to a 2003 report to make sure that we had transparency with regard to land transactions, not to the friends you know in the departments to find out what land is available to buy and so on. Is this government listening, Mr. Speaker? Yes, we are.

We have reduced the taxable portion of farm property assessed value 30 percent to 26 percent, saving farmers \$7 million a year. Mr. Speaker, this government speaks for rural Manitoba. We have created many, many jobs in rural Manitoba. We put money into the—sorry, Mr. Speaker, into the Husky plant in Minnedosa. We put money into libraries in Manitoba. We have increased ambulances in rural Manitoba. We fixed hospitals in rural Manitoba. We fixed highways in Manitoba.

Mrs. Rowat: Mr. Speaker, the provincial government puts in a minimal amount of money into the

ethanol project in Manitoba and then takes out nine families out of the community to boot. That is economic development. The rural Lands staff in Minnedosa and Neepawa are facing unfair and harsh treatment from a government which boasts of revitalization of rural communities and strengthening the agriculture industry. What a joke, Mr. Minister.

One employee expressed her frustration in a letter to the Minister of Agriculture (Ms. Wowchuk), which the minister referred on to the Minister of Government Services, which is also a joke: We are simply not able to put up our entire farm and family roots, sell our land, buildings, cattle and more. We are heavily mortgaged and thought this year we may have a chance to get back on track. Then the news of my transfer came.

Mr. Speaker, why is this NDP government abandoning rural Manitoba?

Mr. Lemieux: Mr. Speaker, some of the comments I made to the previous question answers that in totality, I believe, with the investments we have made in rural Manitoba.

Mr. Speaker, what we are trying to do as a government is certainly be prudent. We want to make sure that there is transparency with regard to land transactions. This came out in the Auditor General's report of 2003, and we are addressing that. We are addressing the jobs with regard to these employees. There are no jobs being lost. In fact, we are moving jobs out of Winnipeg to Portage la Prairie. Indeed, I have to tell you that when the member opposite talks about the investment in rural Manitoba—we are abandoning it—it is a true falsehood. I have mentioned about many investments we have made in the province of Manitoba, and we will continue to do so and continue to listen to Manitobans.

Crocus Investment Fund Superfund Concept

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, there may be no jobs lost, but when you have to drive 60 miles in the wintertime to get to your job on a two-lane highway that is not considered safe, that is the same as giving up your job.

Mr. Speaker, two minutes ago, this government again was denying any knowledge of a superfund.

Some Honourable Members: Oh, oh.

Mr. Cummings: And I think their laughter compounds their embarrassment because we have here the president, Peter Olfert—*[interjection]* Maybe they would like to hear what their friend, Peter Olfert, was saying about the superfund: For some time we have been moving towards joint trusteeship of a superfund which means the pension plan will be jointly administered by employees and management. As part of this process we are beginning to explore the potential of an equity fund.

Will the Minister of Finance—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Cummings: Mr. Speaker, the government continues to laugh and chirp when we demand information about this action. Does the Minister of Finance still deny that there was serious consideration of a superfund?

Hon. Greg Selinger (Minister of Finance): If the member will review my comments, I indicated fully that there were discussions about this. The Auditor General's report, under the additional powers we gave the Auditor General, reported on this matter as well. There is no question that there have been many discussions that have gone on since 1994 about the idea of a super equity fund in Manitoba. The facts are that fund was not proceeded with and, therefore, the member's concern about the superfund is purely hypothetical because it did not happen.

Mr. Cummings: Mr. Speaker, the Minister of Finance just said they did not proceed. We believe we have ample evidence that they were certainly planning to proceed. *[interjection]*

Well, you know, 33,000 shareholders lost \$60 million, and they sit over there and chuckle when we want to know what the thinking was that led to that kind of a loss. Mr. Speaker, will the Minister of Finance now tell the public why they withdrew from this plan?

Mr. Selinger: I have clearly indicated that the discussion did not result in any plan being proceeded with. There was no superfund set up. Therefore, there was nothing that could be withdrawn from because it was not created.

Many groups approach government. Since 1994, members of the community have been making recommendations to the provincial government about how to organize and structure venture capital in Manitoba. No government since 1994 has proceeded

with the superfund. Other forms of venture capital have been organized, and, as the member knows, some of those funds have done extremely well.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Ruling

Mr. Speaker: Order. I have a ruling for the House.

During Oral Questions on Friday, March 17, 2006, the honourable Official Opposition House Leader (Mr. Derkach) raised a matter of privilege regarding the death of a child that had been in the care of the Department of Family Services and Housing and the responses provided by the Minister of Family Services and Housing (Ms. Melnick). At the conclusion of his remarks he moved "THAT the Legislative Assembly no longer has any confidence in the Minister of Family Services and Housing in discharging her duties; and THEREFORE recommends to the Lieutenant-Governor-in-Council and the Premier that she be relieved of her duties immediately."

The honourable Minister of Energy, Science and Technology (Mr. Chomiak), the honourable Member for Ste. Rose (Mr. Cummings), the honourable Minister of Finance (Mr. Selinger) and the honourable Member for Inkster (Mr. Lamoureux) also offered comments to the Chair. I took the matter under advisement in order to consult the procedural authorities.

* (14:40)

I thank all members for their advice to the Chair on this matter.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached in order to warrant putting the matter to the House.

The honourable Official Opposition House Leader asserted that he was raising the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue of whether a prima facie case was demonstrated, I would note for the House that Joseph Maingot advises on page 224 of the second edition of *Parliamentary Privilege in Canada* that allegations of misjudgement or mismanagement or maladministration on the part of a

minister in the performance of his (or her) ministerial duties does not come within the purview of parliamentary privilege. This finding is supported by one ruling from Speaker Rocan in 1994, three rulings from Speaker Dacquay in 1996 and by a ruling that I made on March 15, 2006.

I would therefore rule that the matter raised is not in order as a prima facie case of privilege.

* * *

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

Mr. Speaker: On a point of order?

Mr. Derkach: Are we doing members' statements? Are we going to do members' statements?

Mr. Speaker: Yes.

Mr. Derkach: Okay, I will wait.

MEMBERS' STATEMENTS

Charleswood Olympians

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I rise today to pay tribute to our Olympic athletes who competed in Turin, Italy, in February and to say how proud we are of all of them who represented this province so well.

Manitoba and Charleswood were well represented at the recent Olympics. Five athletes and one coach from Manitoba made up the 19 speed-skater contingent. Three of those skaters and one coach are from Charleswood. Shannon Rempel, Brittany Schussler and Mike Ireland are all from Charleswood and are Oak Park graduates.

Although they currently live in Alberta where they train, we still consider them our own. One of the speed skating coaches, Sean Ireland, can also be included as one of ours.

Shannon earned a silver medal at the Olympics in an event that was a first for the Olympics, Team Pursuit. In her Olympic debut, Shannon also skated in the 500-metre, 1000-metre and 1500-metre races. Following the Olympics, she placed 11th at the World Cup in the women's 1000 metres.

Things look very good for Shannon's next appearance at the Olympics in Vancouver, 2010, and Charleswood will certainly be cheering her on. Shannon, a world-class sprinter, placed fifth in the 500 metres at the World Cup in Salt Lake City in November. She was a silver medalist in the 1000

metres at the 2004 World Cup in China and a bronze medalist at the 2004 World Junior Championships. Shannon was also the World Junior Champion in 2003.

She grew up playing hockey and ringette in Charleswood. She tried speed skating at age 10 and focussed on it full time by age 11. Her family is also athletic as both her parents ran track growing up, and her brother and sister both played hockey. Shannon graduated from Oak Park in 2002. A social evening which I had the honour to attend recently was held in Charleswood to honour Shannon and the community turned out in full force in support of her efforts.

Mike Ireland, who is recovering from a cycling injury, competed at Turin in the men's 500 metres, coming seventh. He has also had opportunities to skate in other championships throughout the world. In 2001, he was the World Sprint Champion. Mike started speed skating at the age of five and graduated from Oak Park in '91 and was at the Olympics in '94 and 2002.

Mr. Speaker, we are very proud of our Charleswood athletes, congratulate them and all that they accomplished and to their parents who also gave so much to help their skaters and their children achieve what they were able to. Thank you very much.

Clara Hughes

Mr. Jim Maloway (Elmwood): Mr. Speaker, I rise before the House today to congratulate Clara Hughes on her success at the recent Winter Olympic Games in Turin, Italy. Clara made us proud striking Olympic gold for the first time in the women's 5000-metre race and silver in the Women's Team Pursuit with fellow Manitobans Cindy Klassen and Shannon Rempel. These were Clara's fourth and fifth career medals as an Olympic cyclist and speed skater.

Mr. Speaker, Clara has had an exceptional athletic career. She began competing as a speed skater in 1988 but quickly shifted her focus to cycling where she won two bronze medals in the road race and time trials in the 1996 Summer Games in Atlanta. Her first international cycling medals came in 1991 at the Pan Am Games and in 1995 at the World Cycling Championships. She also competed in four Tours de France Feminine.

In 2000, Clara Hughes returned to speed skating after a 10-year hiatus. Within less than two months she earned a spot on Canada's National Team. In 2002, at the Olympic Oval in Salt Lake City, Utah,

Clara claimed the bronze medal in the women's 5000-metre race to become the first Canadian and only the fourth Olympian in history to win a medal in both the Winter and the Summer Games.

Clara was one of seven Manitoba athletes who preformed exceptionally well at the Turin Games. Our athletes made a major contribution to Canada's best-ever showing at the Winter Olympic Games. These athletes were: Cindy Klassen, Clara Hughes, Shannon Rempel, Brittany Schussler and Mike Ireland in long-track speed skating, and in women's ice hockey, Jennifer Botterill and alternates Sami Jo Small and Delaney Collins.

Mr. Speaker, on behalf of all members, I congratulate our Manitoban Olympic athletes. I would also like to extend personal congratulations to Clara Hughes, a former constituent of mine, who has had an outstanding athletic career. I would also like to thank and congratulate Clara's father, Ken Hughes, and her sister, Dodie, who live in Winnipeg and her mother, Maureen Hughes, and grandmother Dodie, who are residents of the Elmwood constituency and must be very proud of their daughter and granddaughter.

Thank you, Mr. Speaker.

Morris Recreational Complex

Mrs. Mavis Taillieu (Morris): On Saturday, March 18, I had the pleasure of attending the official grand opening of the Morris Recreational Complex, the new 4,200 square metre state-of-the-art arena with NHL sized indoor hockey rink and wellness centre. The building is a pilot project utilizing an integrated heat storage system with geothermal piping which will reduce the economic and environmental impact of this facility.

I had the pleasure to meet Shannon Rempel, whose family hails from Morris. She was able to take time out of her busy schedule to be in Morris to officially cut the ceremonial ribbon. Shannon won the silver medal for ladies' Team Pursuit in the 2006 Olympics. Her parents, aunts, uncles, cousins and grandmother, who are still in Morris, are very, very proud of her. Congratulations to Shannon and to the rest of the Olympic champions.

I also want to congratulate the people whose efforts and determination have made the Morris Recreational Complex a reality. Without dedication and hard-working people, this could not have been done. The team consisted of Barrie Stevenson, Cindy Todd, Ray Muller, Barry Lewis, Stan Siemens, Bill

Fulford, Cliff Peters and Glen Munford and many other volunteers.

Of course, another equally important part of the mix is the money. No matter how determined you may be to do something, we all know it cannot be done without the dollars. The Green Municipal Fund and the Government of Canada contributed \$2.2 million to this project. There were other corporate and individual donations as well as funds raised through several community projects.

The Recreational Complex will serve the people of Morris and surrounding areas well. It is a showcase of the community and a place for all to enjoy. On behalf of all members of the Legislature, I want to congratulate Morris and district on their accomplishments. I would also like to invite all members to the Scott Tournament of Hearts to be played in Morris January 24 to 28 in 2007.

Thank you, Mr. Speaker.

Canada Sports Friendship Exchange Program

Ms. Kerri Irvin-Ross (Fort Garry): Mr. Speaker, I was pleased to participate in a luncheon to welcome to our province a group of youth curlers from Halifax, Nova Scotia, as part of the Canada Sports Friendship Exchange Program this past February. It is exchanges such as these that weave the fabric that strengthens and enriches our Canadian mosaic.

In December 2005, 25 youth curlers from Manitoba engaged in the first part of the exchange and travelled to Halifax. Billed by local families, the curlers were able to experience first-hand the richness of Canada's linguistic and cultural communities. In addition, the Manitoba contingent was able to take in a number of the local historic sites as well as some of eastern Canada's ruggedly beautiful geography at Peggy's Cove.

In February, a group of curlers from Halifax had the opportunity to visit our province for nearly a week. Hosted this time by Manitoba families, the curlers were able to experience some of the cultural, linguistic and geographic diversity that Manitoba can offer.

A volunteer-based organization, the Canada Sports Friendship Exchange Program, facilitates these exchanges in the hope that by bringing Anglophone and Francophone youth together through a common interest in sports, a deeper and broader understanding of the nature of Canada's two

official languages, regional diversity and cultural heritage might result.

I want to thank the local organizer, Gordon MacKay, for seeing this project through as well as all the families that welcomed the curlers from Halifax. I also want to commend the youth who participated in this program, from Winnipeg and from Halifax, for having opened a uniquely Canadian conversation that can only result in a better mutual understanding.

Thank you, Mr. Speaker.

*(14:50)

Winkler Centennial

Mr. Peter Dyck (Pembina): I would like to recognize that this year the city of Winkler is celebrating its centennial. I have had the pleasure of attending many festivities planned throughout 2006. Most recently my wife, Irene, and I attended a gala evening honouring this historic event in Winkler's history.

It was great to see so many fellow Manitobans sharing this celebration, including His Honour the Lieutenant-Governor for Manitoba, John Harvard, His Worship Neil Schmidt, mayor for the City of Winkler, with council members and many other dignitaries too numerous to name from the neighbouring communities and municipalities.

Mr. Speaker, I would like to especially recognize the exceptional jazz choir led by Ms. Loretta Thorleifson, from Garden Valley Collegiate, who received a standing ovation for their outstanding performance. Community members and volunteers have worked very hard to plan these events. I witnessed our community's pride first-hand at the opening ceremonies and medal presentations at the 2006 Manitoba Open Free Skate competition hosted in Winkler. These events showcase our local talent, and a fine example among many is a dinner theatre we enjoyed entitled "Grandma's Quilt" recounting Winkler's proud heritage.

As the city of Winkler celebrates 100 years I know we will embrace our past but also the future as this community continues to grow and prosper. It is a privilege to represent the city of Winkler in its centennial year and the constituency of Pembina in the Manitoba Legislature. Thank you.

Point of Order

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

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

Mr. Speaker: On a point of order.

Some Honourable Members: Oh, oh.

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

Mr. Derkach: Mr. Speaker, I rise today on a point of order as it relates to the fundamental rights of members in this Chamber.

Mr. Speaker, this is one that we can underscore as restricting members from being able to have the full opportunity to participate in this Legislative Assembly. It deals with the fact that the Standing Committee on Agriculture, now called Agriculture and Food, has not been called by this government since May 9 of 2001.

Indeed, Mr. Speaker, if you were to look at the standing committee membership list on the Legislative Assembly Web site as of March 16, 2006, you will see that this is one of only two committees which does not have a chairperson or a vice-chairperson. In short, this committee has not even met for organizational purposes for nearly five years.

Mr. Speaker, we need to pause for a moment to remember why we have committees in this Legislature. I would like you to direct your attention to Marleau and Montpetit on page 797, where it states the following: "Committee work provides detailed information to parliamentarians on issues of concern to the electorate and often provokes important public debate. In addition, because committees interact directly with the public they provide an immediate and visible conduit between elected representatives and Canadians." With respect to their formal proceedings committees are microcosms and extensions of the House.

The Standing Committee on Agriculture and Food, when it last met on May 9, 2001, met to review an all-party resolution related to the needs of the agricultural sector. The seven meetings that were held provided the Legislature with the ability to address an immediate concern by holding the

necessary hearings to come to a resolution which expressed the view of this body.

Mr. Speaker, we have been leading the charge against this government in their lack of support of the agriculture sector. We have requested that the minister undertake meaningful discussions with the agriculture community in order to address their needs. We, as late as yesterday, requested an emergency debate on this matter. However, what we have seen from this government is a lack of commitment to the point that even the Standing Committee on Agriculture and Food does not have a role to play in addressing the needs of our agriculture community.

Mr. Speaker, honourable members will respond and say, well, it is the opposition who has to request this. We have in this House, time and time again, requested action from this government, but no action has been forthcoming. As a matter of fact, even the news media are referring to this Minister of Agriculture (Ms. Wowchuk) as a lame duck.

The fact of the matter is that it is the Government House Leader (Mr. Mackintosh) who is responsible for calling committees. In fact, Mr. Speaker, he has not even called the committee to consider agricultural legislation which, when we were in government, we used to do.

Mr. Speaker, *Beauchesne*, 6th Edition, Citation 761 states that "it is the duty of all committees to give the matters referred to them due and sufficient consideration." It is time that this committee was called in order to deal with the serious issues surrounding the agriculture sector.

Mr. Speaker, farmers, agriculture producers, rural communities are under significant and severe stress. As we move into the spring planting time of the year, this stress shows itself in relationships. It shows itself in things like suicide. To that end, I want to say that tomorrow I will be attending an event that is a result of stress on a farm for a young man who took his life because of stresses in the agriculture sector. I am not pleased about attending the event, but it is an event that one is compelled to be at.

Mr. Speaker, government has a role to play in all of these matters. Government, in co-operation with the federal government, can do a great deal to relieve the kind of stress that we see in the rural communities and in agriculture.

I know I am not to refer to ministers not being in the House, and I am not going to, but this is such a

serious matter, Mr. Speaker, that it requires the attention, especially, of the minister who is charged with the responsibility for agriculture.

Mr. Speaker, if you were to go out into the real world, outside the Perimeter Highway, for farmers today do not know which way to turn with regard to the spring season. The season will last approximately a month when farmers have to put their seed in the ground. What are they to put in the ground? How can they afford to do this when there is no signal of any meaningful support by a provincial government that has responsibility?

Mr. Speaker, the Minister of Agriculture is charged with being an advocate, with being the person who advocates for the people that she is responsible for, and those are the producers. As go the producers, so go the rural communities. As go the rural communities, so is the impact felt right here in our larger cities. Sixty cents of every dollar produced out there in rural Manitoba finds its way into the city of Winnipeg, 60 cents of every dollar.

Mr. Speaker, the Standing Committee on Agriculture and Food has not met since May 9, 2001. That means that this government does not care about what the concerns are out there in rural Manitoba. We have been waiting patiently. We have even talked about the issue. We have mentioned it to the minister. We have attempted to raise the debate in this Legislature through matters of urgent public importance.

Because this is the time of year, we have constantly asked for changes in the government putting forth their position on the CAIS program. Mr. Speaker, this government has acted in such a draconian way that it has even scooped the money that is supposed to be going to producers and would not allow that money to flow. So we have a very disturbing and very serious situation in front of us.

So, Mr. Speaker, to that end, I would move, seconded by the member from Emerson, who has been the critic for Agriculture who understands agriculture—

* (15:00)

Mr. Speaker: Order. It is not within our rules to move a motion when you have the floor on a point of order. [*interjection*] Order. Just let me conclude. Members cannot move a motion when they have the floor on a point of order, and I can only deal with one point of order at a time, so, the honourable

Opposition House Leader, to conclude your point of order.

Mr. Derkach: Mr. Speaker, on this point of order, I have to say that I would recommend very strongly and very seriously. I think I speak on behalf of this side of the House. I speak on behalf of the many agriculture producers that are out there who are waiting with bated breath for some news, some hope from this government. I would recommend that our House, the Manitoba Legislature here, instruct the Government House Leader to call the Standing Committee on Agriculture and Food for the purpose of undertaking a review of the current state of agriculture within the province of Manitoba; and that the Committee on Agriculture and Food have the power to call witnesses, receive representation from the general public; and that the committee have the power to meet intersessionally and during the prorogation period; and that this committee have the power to travel throughout the province to engage with the agriculture and the rural agrifood sector and also our community leaders as part of this mandate; that this committee then come back with its final report to this Legislative Assembly no later than December 1 of 2006. Thank you.

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

Hon. Gord Mackintosh (Government House Leader): On the same point, Mr. Speaker. Simply, the matter raises just another continuation of the obstruction of the House. If they want to make a case that somehow the sitting of the standing committee—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Mackintosh: Mr. Speaker, if the members want to make a case that the standing committee is key to agriculture policy in Manitoba, that is belied by the fact that they have not even raised the matter for five years. Of course, our legislation has gone to the standing committees of the House to make sure that those pieces of legislation are expedited in the interests of agriculture. Indeed, if members opposite were truly interested in agriculture, as this side is, they would debate the budget, pass the budget and get on with the legislative agenda.

Mr. Speaker: On the point of order raised, I have listened to both House leaders. I will give the courtesy to the honourable Member for Inkster for a very, very brief period of time.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I do think that it is important. I was looking at *Beauchesne's* Citation 761. This is a citation that the Opposition House Leader made reference to. I think that people should pay very close, special attention to it. It is the duty of all committees to give the matters referred to them due and sufficient consideration.

I believe it is a valid point of order, Mr. Speaker. A point of order is there for us to raise issues where rules of this Chamber are being called into question. I truly believe that these standing committees that we have serve a purpose to this Legislature. If, for whatever reasons, the government decides not to call a committee, that does not necessarily make it right. There is, in fact, an obligation. *Beauchesne's* very clearly shows that there is an opportunity for due diligence through our committees, that they are very unique.

So, Mr. Speaker, the government is not doing the rules, and I would ultimately even argue to a certain degree the practices of this Legislature service by not allowing these committees to be called. We can ask all we want of the government to call committees, but, ultimately, because the government is the one that calls a standing committee, we can get very frustrated and that is what leads to points of order of this nature.

We just had a Premier (Mr. Doer) yesterday that brought forward legislation in regard to changing our democratic process, The Elections Finances Act, The Elections Act and so forth. It makes a decision and then it moves in a direction, whether opposition, the parties or other political parties want to be going in that direction or not.

Well, Mr. Speaker, the rules of the Chamber suggest to us that there is a need for these committees to be meeting, and, if the government continues to refuse calling a committee, then I believe that it is important for us to raise it inside this Legislative Chamber. I believe that is what the Member for Russell (Mr. Derkach) has done. He is raising an issue, and we are not talking two years ago or three years ago or four years ago or five.

You know, the member stated it was May 9, 2001, when the committee last met, Mr. Speaker, and I believe that it is important that we have our committees. Otherwise, why do we even have committees? If the committees are going to be that infrequent, and look what has happened over the last number of years in regard to agriculture. Are we

saying that that particular committee is useless and plays no role?

If that is the case, then the government has a responsibility to get rid of it because if they do not believe that it is of any value then get rid of it. But, if they do believe it is of value and they are keeping it there, well, then, we need to reflect the value of that committee through allowing, as *Beauchesne's* states. You know, it is very, very quickly. It is the duty of all committees, including this committee of agriculture to give the matters referred to them due and sufficient consideration, Mr. Speaker. Are we to understand that there has been nothing since May of 2001 affecting agriculture that has not warranted that committee? Is that what we are expecting from this government?

I would argue otherwise, and that is the reason why I do believe it is a valid point of order, and I believe the Member for Lakeside (Mr. Eichler) was also wanting to add some words, if he could, on this issue.

Mr. Speaker: Well, this has kind of turned into a debate, and points of order are not to be used for debate; they are to draw attention. The only reason I will recognize the honourable Member for Lakeside is because he is the critic. If you have new information, I will entertain it but very, very briefly.

Mr. Ralph Eichler (Lakeside): Thank you, Mr. Speaker. Indeed, a point of order is very serious. I know the Member for Russell (Mr. Derkach) was trying to drive home, for the pleasure of the House, to understand the importance of this particular issue. If we go back to May of 2001 to try and deal with just a few of the issues that we as members of the Legislative Assembly are responsible to, we think about Crown lands, the position that we have taken there without consultation; we think about BSE; we think about drought. Without proper consultation, without committee, we as legislators cannot do our job. It is imperative that we try and do the best we can, and without the minister doing her job in calling a committee then we are not doing our job here as legislators.

Also, when we talk about the flooding issue, the drought, the other issues that have to be dealt with in this House without proper consultation, the \$2 backdoor tax that this government imposed upon our cattle producers, it does not get the proper standing information that we should have put forward as we need to. So I think it is important that we move

forward with the committee and listen to the point of order brought forward by the Member for Russell, and we look forward to your ruling on it, Mr. Speaker.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, I am going to take this under advisement, so I will get a chance to peruse Hansard and also an opportunity to consult with the procedural authorities. I will bring a ruling back to the House.

MATTER OF PRIVILEGE

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

Mr. Leonard Derkach (Official Opposition House Leader): Yes, Mr. Speaker, and I rise again—

Mr. Speaker: On which?

Mr. Derkach: Mr. Speaker, I rise on a question of privilege.

Mr. Speaker: Okay, the honourable member on privilege.

Mr. Derkach: Mr. Speaker, I rise on a question of privilege which affects the rights of all members of this Legislature. Following my submission to you, I will conclude my remarks with a substantive motion.

* (15:10)

Mr. Speaker, the Rules of our Legislature, Rule 61 and 62, state that "if the government accepts a motion for an Address for Papers, or an Order for Return the motion is not debatable."

61(4) states: "A motion for an Address for Papers, or an Order for Return, is not subject to amendment."

61(5) Addresses for Papers, and Orders for Returns, that remain unanswered shall be listed at the end of the Order Paper, once every two weeks."

62 A prorogation of the House shall not have the effect of nullifying an Order or Address of the House for Returns or Papers, but all Papers and Returns ordered at one session of the House, if not complied with during the session, shall be brought down during the following session, without renewal of the order."

The rules which I have cited for the House form the basis of traditional rights within Parliament, Mr. Speaker, and within this House. We have requested

information from the House time and again. But for some reason the government has chosen not to comply with those. The rights of Parliament or the rights of the House is an ancient one, one which has been practised in the Assembly since 1870. It is one of the fundamental underlying principles of our system of government that was designed for ensuring ongoing accountability on the part of government and timely releases of information to the duly elected representatives of the people, who are the MLAs in this Chamber.

Erskine May, on pages 224 and 225 of the 22nd edition, outlines the extent of this power. The power to send for papers extends to the main to papers which are in possession of ministers or which ministers have the authority to obtain. In recent years, motions for unopposed returns have been used exclusively for that purpose.

Mr. Speaker, Marleau and Montpetit, on page 399, states the following on this matter, namely: An order of the House is used for papers concerning matters directly related to federal departments, addresses for formal messages to the Crown through which the House requests the production of documents in the Crown's possession such as correspondence between the federal and other governments, Orders-in-Council and papers concerning the administration of justice and judicial conduct of judges and exercises of the prerogative of the Crown. Motions for papers should be carefully prepared and state clearly and definitely the exact information required.

I would refer you to *Beauchesne's*, Sixth Edition, Citation 446, on page 129, where the general principles of this topic are brought into even sharper focus when it states, and I quote: "To enable Members of Parliament to secure factual information about the operations of Government to carry out their parliamentary duties and to make public as much factual information as possible, consistent with effective administration, the protection of the security of the state, rights to privacy and other such matters, government papers, documents and consultant reports should be produced on Notice of Motion for the Production of Papers unless falling within the categories outlined below, in which case an exemption is to be claimed from production." Mr. Speaker, Citation 446(2) outlines these exemptions.

The purpose of these motions is similar to our Legislature. Although at the federal level when you study this matter in preparing for your ruling and

look at the many precedents from Manitoba, you will see, Sir, that the provisions of *Beauchesne's*, Sixth Edition, Citation 446(2) has been used by government in the past in determining acceptability of these questions.

Mr. Speaker, my colleague the honourable Member for Charleswood (Mrs. Driedger), on November 22, 2005, proposed a series of written questions to the government which have yet to be answered by this government. The order, once passed, is an indication that the government is willing to make the information public by tabling a response to the order; otherwise, it would not or should not have acquiesced to.

What we are seeing now, Mr. Speaker, which I think you have to take into consideration, is a deliberate action, not only an attempt, by the government to frustrate the expressed will of members of this House, and this is an important aspect of a parliamentary procedure.

The House has not dealt with this particular matter of delay in the past. Our Rule 1(2) states the following: "In cases not provided for in these Rules or the orders of the Assembly, the Speaker or Chairperson is to be guided by the usages and customs of the Assembly or, if there are none, by the parliamentary traditions of the House of Commons and any other Legislative Assembly in Canada, to the extent they apply to this Assembly."

To resolve this matter, Mr. Speaker, we must take upon us the resolve of a former federal Government House Leader, the Honourable Allan McEachen, who, when dealing with a similar situation on March 7, 1973, stated the following on pages 1985 of the Debates and Proceedings of the House of Commons, and I quote: The fundamental principle we have adopted is to make as much information as possible available. Only when the refusal can be founded on solid grounds is the request refused.

Mr. Speaker, should you find that the prima facie case of privilege exists, I would be prepared to move the following motion which would allow the House to rectify the matter immediately and the motion would be:

THAT the Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba be amended by adding immediately after Rule 61(5) the following:

Request for Ministerial Response

61(5.1)(a) A Member may request that Government respond to a specific question within forty-five days by not indicating when filing his or her question.

61(5.1)(b) If such a question remains unanswered at the expiration of the said period of forty-five days, the matter of the failure of the Government to respond shall be deemed referring to the Standing Committee on Legislative Affairs. Notwithstanding any other Rule or practice of the House, within five sitting days of such a referral of the Chair of the Committee shall convene the matter of failure of the government to respond. The question shall be designated as referred to committee on the Order Paper. The committee shall report back to the House within fifteen sitting days, and the report of the Committee shall be deemed received by the House, and notwithstanding Rule 31(3), the motion to concur in the Committee's report shall be deemed as prioritized resolution, and placed at the bottom of the list in the established Rule 31(4).

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I do not know who writes this stuff, but I would hope that, I would expect that the member opposite would try and guard his reputation a bit better rather than reading it. It is the opposition; they are the ones that gave up getting the answers to those questions. Indeed, we could have been in Estimates yesterday, but they have decided not to pursue answers to questions like that.

Mr. Speaker, the timing of a government response to a written question is hardly a matter of order, let alone a matter of privilege. It is just another way to wilfully obstruct the public business in this Chamber.

Mr. Speaker: On the matter of privilege raised by the honourable Official Opposition House Leader, 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.

Point of Order

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

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

Mr. Speaker: On a point of order.

Mr. Derkach: Mr. Speaker, on a point of order, if you were to canvass the House this afternoon, you

would see that it is very difficult for us to do any business in this House. If we were to do anything, we would need to have a quorum in this House, at least a quorum of the government.

Mr. Speaker, at the present time, I do not think there is a quorum of the government in the House. Now, there is a quorum in the House of legislative members but there is not a quorum of the Executive Council in this Chamber.

Now, I am not referring to any specific member, Mr. Speaker, but in order for a Legislative Assembly, and I know that the public of Manitoba if they were watching were to say to us, where is the government today—

An Honourable Member: Where are the leadership contenders?

Mr. Derkach: Well, Mr. Speaker, the leadership contenders are where they ought to be. The leadership contenders are where they ought to be—

An Honourable Member: They are not in the Chamber.

Mr. Derkach: —with the people of Manitoba and, Mr. Speaker, oh, but the member is now referring to specific individuals.

* (15:20)

Mr. Speaker: Order. We are obviously into debate here. A point of order is to point out to the Speaker a breach of a rule of the House or a departure of Manitoba practice. I have heard very clearly the point of order that was raised by the honourable Official Opposition House Leader, and I have heard sufficient information to make a ruling.

All members in this House know that our rule states that a quorum is of 10, including the Speaker, in the House, of all members, and there is no such thing as a quorum of government ministers. There is no such thing in our rules, so there cannot be a breach of a rule that is not in our House. I am going to rule that the honourable member—*[interjection]*

I have heard very clearly what the honourable member's point of order was, and I have heard enough to make a ruling because the point of order was that there is not a quorum of government ministers. There is no such rule in our book. If the honourable member can find it in our book and point out the rule number to me, that would be a different matter, but, as far as I know from readings of the books of my own, I have come across no such rule.

So I have to rule that the honourable Official Opposition House Leader does not have a point of order.

* * *

Mr. Derkach: Well, Mr. Speaker, I move that the House do now adjourn.

Mr. Speaker: Okay. I have made my ruling on the point of order, and the honourable member rose to move a motion. I will inform the honourable member that he cannot move a motion until we get into Orders of the Day, and we have not yet reached that stage. So that is information for the honourable member.

An Honourable Member: Well, Mr. Speaker, with the greatest of respect, I have to challenge that ruling.

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

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

* * *

Mr. Derkach: Mr. Speaker, how can four ministers out—

Mr. Speaker: Order.

Formal Vote

Mr. Derkach: Recorded vote, please, Mr. Speaker.

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

* (16:20)

Sixty minutes has expired. Please shut the bells off.

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

Division

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

Yeas

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

Nays

Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Lamoureux, Maguire, Mitchelson, Penner, Reimer, Rowat.

Madam Clerk (Patricia Chaychuk): Yeas 33, Nays 15.

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

Point of Order

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

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

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

Mr. Derkach: Mr. Speaker, I just want to draw to the House's attention that, indeed, it takes a vote to get the Cabinet ministers back into the House, and that is a good thing to see.

But, Mr. Speaker, if they want to come over to opposition, they can any time. As a matter of fact, the electorate will help them.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Derkach: Mr. Speaker, on a more serious note, I am raising a point of order because of the earlier comments that were being made in Question Period by the Minister of Water Stewardship (Mr. Ashton) in our province. Now *Beauchesne* Citation 495(5) says, where a document is cited, "a document must be quoted or specifically used to influence debate." Now, the member in my estimation was using a document to make his point or a report. He was using a report to make his debate in the House on why his actions, with regard to the flooding situation, were indeed the correct ones.

My point of order is that when a document like that is used as a basis for debate, then that document

should be tabled. *Beauchesne* 495(5) does indicate that when a document like that is used to influence debate, then it should be tabled. Mr. Speaker, I contend that the Minister of Water Stewardship did, in fact, use the report as a document for influencing his debate and, therefore, that document should be tabled.

Mr. Speaker, because of the importance of this document, because of the importance of this report, Manitobans may gain greater information as to what might happen with regard to the water that is coming down the Red River right now at Winnipeg and indeed at southern Manitoba. This is not an insignificant event. Back in 1997, when we experienced the Flood of the Century, we learned some things, and so, as a result, following that flood, certain protocols were put in place, protocols that would allow for all of us to have information as the snowpack built up and then went down, and as the melt began and then proceeded. This information would allow us to act in an appropriate way.

Now, Mr. Speaker, what we have seen is, and I certainly do not discredit any of the work that has been done by the departmental people, but, at the end of the day, it is up to the minister to be providing information to the citizens of Manitoba as to how they should prepare themselves or, for that matter, take action that would mitigate any kind of flooding that might occur.

* (16:30)

Now, as the Member for Emerson (Mr. Penner) has stated here on numerous occasions, there are dikes that were built after the 1997 flood or during that have now eroded, collapsed and have never been rebuilt, and now those areas that were being protected by those dikes are vulnerable to the water and to the flood that is coming at us. Mr. Speaker, for that reason, I think the document or that report that the minister was referring to and was using as his basis for debate needs to be tabled in this House. We know it is available. If it is not available, then somebody has to follow the protocol, and the minister has not given the instructions to follow that, but there was a protocol that was clearly established and agreed to by not only Manitobans but, indeed, by people from North Dakota as well.

So, Mr. Speaker, my point of order is that the minister, by omission, has misled this House and needs to table that report that he referred to, the report that was asked for by the member from Emerson, the report that we know the protocol

demands to have been done. If that report is out there, Manitobans have the right, especially those people who are living in the Red River Valley, especially the citizens of Winnipeg, need to have access to that information so they can properly and adequately prepare for what might be coming down the stream in the next week or in the next days.

The minister should not hide from that. The reason the protocol was put in place was to allow everybody to have that information. But, Mr. Speaker, we see the gross mismanagement of not only this issue but whether it is the Crocus issue, whether it is issues in education, when you talk about the Seven Oaks School Division, and how this government has acted inappropriately for a government to act in some of these circumstances. We see, once again, a minister who is hiding information, not making it available to Manitobans, not making it available to the people who are going to be most affected by what is coming at us.

Mr. Speaker, what is going to happen in the next few days when, in fact, the dikes can no longer hold the water? Is the minister going to say, oh well, we did not realize that there was this much water coming at us? Well, back in the 1997 flood, those protocols were put in place so that the information would be available. If the minister is saying now that he did not give instruction to have that information available to him, he is flagrant. He has dropped the ball on this very, very important and possibly devastating issue, and at the end of the day it is going to cost Manitobans. It is not going to cost him personally, but it is going to cost Manitobans because they are the ones, the ratepayers of this province, that are going to be the ones who have to pay for the repairs of the damage that might be caused.

So, Mr. Speaker, my point of order, coming back to *Beauchesne* 495(5), is, if the minister used this information as the basis for his debate today when he was answering the question, then he has an obligation to table that information in the House.

Mr. Speaker: Order.

On the point of order raised by the honourable official opposition, I have already dealt with this ruling in Question Period. I have dealt with the issue in Question Period. For the information of the House, the honourable member did not quote from the document that he was referring to, and I had made a ruling at that time.

So, by raising it again, I would be very careful on reflecting on a Speaker's ruling. Also, when an occurrence happens, it should be dealt with at that time, not raised at a later date. This issue has already been dealt with.

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, on a follow-up, I was going to say that I have all the information available, if the Member for Emerson (Mr. Penner) wishes a briefing or wishes the forecast that was tabled, referred to in the House, your ruling was quite correct. That information is public information. I will be more than happy to make it available to the member and to all members of this House. It is an open process, and if that may be of assistance I was not reading from that, in fact, it will include all the detailed forecasts, which, by the way, does include the information that is available in terms of the state-of-the-art measurement of snow water content, something the member, I know, was questioning. That is public information. I will be of any assistance. I will undertake tomorrow in Question Period, or perhaps, if the member wishes to have a direct briefing with our staff, to provide any and all of the information that was part of that flood forecast.

Mr. Speaker: For the information of the House, I have indicated that I did deal with this during Question Period. I would just caution members to be careful on raising issues that the Speaker has already dealt with because that could be seen as reflecting on Speaker's rulings. Also, I indicated at that time that I did hear him quote from it, and also our rules are very clear that, if a member has quoted from a private letter, then that letter would, if a signed private letter, have to be tabled. That is just for information for the House.

Point of Order

Mr. Derkach: Well, Mr. Speaker, I rise on a new point of order.

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

Mr. Derkach: Well, Mr. Speaker, we have just witnessed exactly what it is that I was objecting to because during Question Period, when the cameras are in this Chamber, we seek information from government. In this instance, with the flooding in southern Manitoba, we were seeking information today to allow Manitobans to prepare better for the flood that is coming down the river.

Now, Mr. Speaker, this was not a frivolous question, but there was omission on the part of the minister. Now the minister comes forward and he gives us the information when we stand up on a point of order. Now, he is now willing to provide it, but he gave the distinct impression in his answers today in Question Period that that was not information that he had. It was just, you know, we have done our work, this is a bogus question and et cetera, et cetera. He went on and on—*[interjection]* Well, it was not a bogus question.

An Honourable Member: Bogus assumption.

Mr. Derkach: And it was not a bogus assumption.

The assumptions are based on information that the member from Emerson has, as best he can get it, Mr. Speaker, from people he has been conversing with and the research that he has been doing, without having the resources of a department that the Minister of Water Stewardship (Mr. Ashton) has. I certainly cannot fault him for that because he is seeking information. He comes to this House having been given some information, seeks information from the minister, says, please table the document so that we can share it. During Question Period the minister refused, but now he is saying I will be able to table it. I will have a meeting. I will share the information.

My point of order, Mr. Speaker, is the minister has been obstructing this House by his lack of forthrightness in this House.

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

Mr. Ashton: On the same point of order, Mr. Speaker.

You know, Mr. Speaker, I am more than disappointed that members opposite have been using the current situation in terms of the flooding as part of their tactical political approach in this House. I point out that the member from Emerson yesterday stated, and then repeated this in Question Period, that it was his view that there were no snowpack measurements done in the winter, and this was the reason why there were issues relating to the forecast.

Mr. Speaker, if the member was to read the forecast, and I, just a few minutes ago, offered to make the forecast that the member was talking about, all of the forecasters, all public information, public information. The forecast which the member has been referring to was consistent with the March 24

outlook. This is the April 24 outlook which provided, and it is in the forecast, that there was a serious flood similar in magnitude of that of 1996 when looking at various conditions such as unfavourable weather which includes such conditions as rapid melt, additional precipitation during the snow melt and unfavourable north-south timing of runoff. This is all in the report that was given to Manitobans.

It is all part of the public communications, and it was this condition that led to the timing of the runoff in the tributaries relative to the arrival of waters from the south to the U.S. border that contributed to the updated forecast and indeed snow was measured. The assumption yesterday and today was that somehow the amount of moisture in the snowpack is not measured and that this is somehow some fault of either the minister or the department or who knows, Mr. Speaker.

* (16:40)

So I want to stress again that I am very disappointed that members opposite would now include the very fine work that is done in terms of flood preparation in this province by technical staff, Mr. Speaker.

Now, by the way, I want to make it very clear that, as Minister of Water Stewardship, I respect the technical expertise of our staff. They do, contrary to what the Member for Emerson (Mr. Penner) says he was told, take into account many of those factors. Those forecasts are indeed public information. I offered to make all of that public information, Mr. Speaker. It has been on the Web site since day one, part of it.

The member also references various issues in terms of dikes. Indeed, I know the Member for Emerson made some reference yesterday to dikes. If the Member for Emerson has any particular concerns about any dikes, he should make that information available certainly to myself or to department staff. I was out yesterday, Mr. Speaker, and over the weekend in various locations and the report certainly that I received is that the No. 1 issue of concern is to make sure that the dikes, whether they be the temporary dikes, the permanent dikes, be put in place.

But these are issues of debate. Again, the member, I know, wants to create a point of order, wants to have the opportunity to ring the bells. You know, there are a lot of tactical ways of looking at these. But bringing in the issue of flood preparation,

I think, is beyond the pale. Traditionally, Mr. Speaker, going back to '97, we have had a very different approach. I would suggest again that this is not only not a point of order, that there are far more appropriate ways in which the members opposite could raise any of the concerns that they have about flood preparation. I offered to make that available—

Mr. Speaker: Order. This has turned into a debate, and points of order are not to be used for debate. *[interjection]* Order. If the members wish to have a debate, there are two loges they are more than welcome to use. Any members can have a discussion in the loges, but the floor is not the time for debate.

This was raised as a point of order, and the information that I have received, the honourable member does not have a point of order. It is clearly a dispute over the facts.

An Honourable Member: Then I will stand up.

Mr. Speaker: Order. Are you dealing with the rule?

An Honourable Member: Mr. Speaker, I was going to add further information to the point of order.

Mr. Speaker: Okay. Well, I will allow the member very briefly then, on the rule.

Mr. Jack Penner (Emerson): Mr. Speaker, the point of order was raised specifically because we are very concerned of the people that live behind dikes that have been provided for their protection and the collapse of those dikes last summer when the floodgates were operated at higher levels all summer which collapsed the river bank and collapsed the dike. Those people had begged long and hard to have their dikes rebuilt and the minister refused to have them built. They need the kind of information that has been requested from this government. We have not seen the information that we have requested. We believe it is important for those people to know exactly what levels will be and how those levels forecasted are being arrived at. That is the information we have asked for. The minister has not given us any satisfaction that he has that information at hand, that is why the point of order.

Mr. Speaker: On the point of order raised, it is not up to the Speaker to instruct any member in the House on how much information or how little information that they should bring into the House. That is not up to the Speaker. My responsibility in the Chair is to deal with this book, our rules, and also our rule book. Any disputes that happen between members, that is entirely up to members to sit down

in the loge, and, hopefully, they can work it out. But my job is to enforce the rules of the House. I cannot instruct members to bring more information or to start judging on if the information that is brought forward is what a member required or did not require. That is not my role as the Speaker. So I have to rule that the honourable member does not have a point of order. It is clearly a dispute over the facts.

* * *

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

Mr. Derkach: No, Mr. Speaker, I challenge your ruling.

Mr. Speaker: Okay, the ruling of the Chair has been challenged.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Derkach: A recorded vote, Mr. Speaker.

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

Order. Sixty minutes has expired. Please turn the bells off.

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

Division

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

Yeas

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

Nays

Cullen, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Lamoureux, Maguire, Mitchelson, Penner, Reimer, Rowat, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 15.

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

* * *

Mr. Speaker: The time being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 11, 2006

CONTENTS

ROUTINE PROCEEDINGS		Agriculture Issues Eichler; Wowchuk	1452
Introduction of Bills		Park Reservation System Maguire; Struthers	1452
Bill 32–The Real Property Amendment Act Lathlin	1445	Flood Forecasting Penner; Ashton	1453
Bill 33–The Northern Affairs Act Lathlin	1445	Child Welfare System Gerrard; Wowchuk	1454
Petitions		Gerrard; Melnick	1455
Funding for New Cancer Drugs Reimer	1445	Economic Development Jha; Rondeau	1455
Stefanson	1446	Rural Manitoba Rowat; Lemieux	1456
Crocus Investment Fund Rowat	1446	Speaker's Ruling Hickes	1457
Taillieu	1447	Members' Statements Charleswood Olympians Driedger	1458
Crocus Investment Fund Lamoureux	1447	Clara Hughes Maloway	1458
Ministerial Statements		Morris Recreational Complex Taillieu	1459
Night of Champions Robinson	1448	Canada Sports Friendship Exchange Program Irvin-Ross	1459
Mitchelson	1448	Winkler Centennial Dyck	1460
Gerrard	1448	Matter of Privilege Derkach	1463
Oral Questions		Mackintosh	1465
Crocus Investment Fund Murray; Selinger	1449		
Murray; Rondeau	1450		
Cummings; Rondeau	1450		
Cummings; Selinger	1451, 1456		
Lamoureux; Rondeau	1455		
Child Welfare System Taillieu; Melnick	1451		