

Third 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. LVI No. 54 - 1:30 p.m., Monday, May 30, 2005

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 30, 2005

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

TABLING OF REPORTS

Mr. Speaker: Order. I am pleased to table, in accordance with Section 16(3) and 28 of The Auditor General Act, the Auditor's report on the Examination of the Crocus Investment Fund.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today visitors from South Korea. We have Hee Jin Noh, Yoonglai Noh and Sukja Lee. These visitors are accompanied by Mrs. Beryl Maguire and are the guests of the honourable Member for Arthur-Virden (Mr. Maguire).

Also in the public gallery we have from King Edward Community School 40 Grade 5 students under the direction of Mr. Paul Vernaus and Mrs. Irene Okamura. This school is located in the constituency of the honourable Member for Burrows (Mr. Martindale).

Also in the public gallery we have from Springs Christian Academy, Youville Campus, 20 Grade 11 students under the direction of Mr. Brad Dowler. This school is located in the constituency of the honourable Minister of Finance (Mr. Selinger).

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

ORAL QUESTIONS

Crocus Fund Premier's Awareness of Devaluation

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, what we are seeing at Crocus is the consequence of very strong personal

relationships that have taken place between this NDP government and labour.

To be clear, Mr. Speaker, we are talking about relationships between former labour leaders like this Premier, Eugene Kostyra, Rob Hilliard, Peter Olfert and others that date back about a quarter of a century. It is now so patently obvious that as a result of these incestuous relationships that the fund had the implicit support of this NDP government to spend flagrantly and to make many of its business decisions outside of proper business practices.

Will the Premier come clean with the Crocus unitholders and all Manitoba taxpayers about why he did nothing when concerns were raised about this Crocus Fund some three years ago?

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite raises issues. I do not believe when I was involved as head of an organization, elected head of an organization, there was any such thing as a Crocus Fund. I believe the date it was established was in the early 1990s. I actually remember the former Premier bragging that no NDP government has ever brought in such a fund.

Mr. Murray: Mr. Speaker, the fact is this government's representative on the Crocus board is there to notify government if there is something wrong going on. Government is the entity that can rush in and act on those concerns. This Premier and his ministers were the ones who could have and should have stepped in, but clearly the incestuous relationship between this NDP government and labour-leader friends made proper management impossible. As a result, the unitholders and all Manitoba taxpayers are paying the price.

Mr. Speaker, the board members and this NDP government through its appointed representatives should have been aware of over-evaluations and should have been aware of the overexpenditures of personal expense accounts. Why, when it was raised three years ago, did this Premier allow that to continue?

Mr. Doer: I will table for the member, I have not got it here, the 1992 memorandum of agreement which

formally recognizes the sponsorship of Crocus and formally recognized the sponsor as being the Manitoba Federation of Labour, and further signs that up in a memorandum of agreement between the Manitoba Federation of Labour and one Eric Stefanson. It is in writing, Mr. Speaker, and it is part of the public record.

On the second point, Mr. Speaker, we have maintained that the board member appointed by government has a fiduciary responsibility to the shareholders. That is what we maintained. I have not read the report yet, but—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Yes, and that issue, Mr. Speaker, will await the Auditor General's recommendations.

* (13:35)

Mr. Murray: Mr. Speaker, there is a very clear trend with this Premier that any time a scandal erupts, first he denies there is any truth to it, then when the facts come out, he attempts to blame his mess and his mismanagement on the previous government.

Mr. Speaker, allegations around Hydra House misspending were raised with this NDP government years ago. This Premier did nothing, and then when the Auditor General confirmed that the misspending was under this Premier's watch, this Premier then tried to blame the previous government.

Mr. Speaker, allegations around Crocus were raised with this government years ago. This Premier did nothing, and now that the Auditor General has released a condemning report, this Premier's response is to try to blame the previous government. This Premier has allowed his personal relationships with his labour-leader friends to get in the way of doing the right thing, and he has to be accountable for that decision.

Mr. Speaker, I ask this Premier: Why did he sit by and allow Crocus unitholders to get fleeced?

Mr. Doer: Mr. Speaker, the members opposite were raising questions last week about one of the funds, the \$10-million Manitoba Science and Technology

venture capital Fund. I want to report that this fund was established in May of 1999 by a person named Mr. Merv Tweed. It provided for funds for the superannuation fund. It provided for funds from the teachers fund and the provincial MIOP. I would point out that the CEO of this fund, as announced by Mr. Tweed, was one Mr. James Umlah in 1999, May.

So, Mr. Speaker, I am sure that we will all have some reflections to do upon the arrival of this report.

Crocus Fund Government Monitoring

Mr. John Loewen (Fort Whyte): Mr. Speaker, once again this Premier tries to dodge and deflect. The real issue is who was monitoring this fund on behalf of taxpayers and unitholders.

In 2001, this government brought in legislation. Their minister of the day said that they were going to monitor the activities of the Crocus Fund to ensure they were adhering to the provisions of the legislation. It is clear, it is entirely evident from the Auditor General's report that nobody on that side of the House was paying any attention to what was going on at Crocus, in spite of the fact that they were warned over and over again that there were serious evaluation problems.

I would ask the Minister of Finance to stand up today and explain to unitholders and to taxpayers why he and the Premier of this province, in the face of these allegations, did nothing.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the member opposite forgets that in 2001, we brought in legislation which improved over the previous government, the reporting requirements for this fund. The Auditor General in his report makes additional recommendations on how to improve compliance with legislative objectives. Valuation objectives are to be monitored by the Manitoba Securities Commission, a quasi-judicial body that operates at arm's length for government which was stated by the former Premier Filmon.

Mr. Loewen: Mr. Speaker, this is a government that has been in power for 2019 days, and yet they refuse to take any responsibility or do anything. I would refer the minister to the Auditor General's report, and I quote, "Industry, Economic

Development and Mines was not proactive in assessing Crocus Investment Fund's compliance with critical sections of the act, and thereby missed an opportunity to provide assurance to Manitobans that the Crocus Investment Fund complied with this legislation."

Stand up in the House today. I would ask any minister on that side of the House to stand up and explain to unitholders and to Manitobans why they failed to monitor the fund, why they sat by and did nothing while investors were fleeced of \$60 million.

Mr. Selinger: Mr. Speaker, the draft report which I had a chance to read indicated that in 1997 the promotional and the monitoring activities were both located in the Department of Industry and that there was role confusion about how to handle those roles at the same time. The Auditor in this report makes a recommendation on how to deal with that.

We will follow precisely the recommendations made by the Auditor in this report, but it is important to note by locating both promotional and monitoring activities in the same time, in the same place in 1997, that there was role confusion. We will straighten out that role confusion by bringing in new legislation to separate those functions.

* (13:40)

Mr. Loewen: Mr. Speaker, the only people that seem to be confused are members on the opposite side of the House. They, in 2001, brought in legislation which they said, and these are their words, that they would monitor the fund to ensure that it was adhering to the provisions of the legislation. Words from that side of the House, and yet, in spite of knowledge on the street that there were problems in this fund, in spite of warnings given to this government, they decided to sit by and do nothing.

The question is why. The only answer is because they are too closely tied to their friends in labour that they did not want to hear about the problem.

The question is, Sir, in 2001 you were told, you said you would monitor: Why did this government not monitor the fund? Why did they leave 34 000 Manitobans out there swinging in the wind and losing \$60 million?

Mr. Selinger: I thank the member for the question because he confirms that we were the ones that brought in improved reporting requirements with respect—

An Honourable Member: And you did nothing.

Mr. Speaker: Order. The honourable Member for Steinbach (Mr. Goertzen), I called order. If the Speaker is standing, the rule in the House is that all members should be seated and the Speaker should be heard in silence.

I ask the co-operation of all honourable members. We are very, very early in Question Period.

Mr. Selinger: Thank you, Mr. Speaker. The member opposite has confirmed that we brought in the improved legislation with respect to monitoring of the fund, with respect to its legislative objectives, its public policy objectives.

The monitoring of the disclosure of the valuation process of the fund is always handled in every jurisdiction in this country by quasi-judicial bodies, called Manitoba Securities Commission in Manitoba, and security commissions in other parts of the country. We will follow all the recommendations made by this report. We will ensure that future legislation, which we will bring in very quickly once we have digested the final recommendations, will clarify that matter.

Crocus Fund Government Monitoring

Mr. Gerald Hawranik (Lac du Bonnet): More than 33 000 Manitobans lost more than \$60 million of their retirement funds because the NDP government failed to monitor the fund as it said it would do in 2001. They promised to do that in 2001, Mr. Speaker.

I ask the Minister of Finance why did he fail to monitor the fund and why did he, in fact, turn a blind eye to what was going on at Crocus.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, it is important to note that the members opposite are implicitly admitting that, before 2001, they did not do any monitoring. They are admitting that nothing was done when they were in

government to monitor this fund. The 2001 legislative improvements were the responsibility of the Department of Industry to monitor the fund, meeting public policy objectives in terms of investing in Manitoba to create jobs and to encourage employee ownership. The monitoring of all securities in this country, including securities for labour-sponsored venture capital, are the responsibilities of securities commissions. In Manitoba, that is the Manitoba Securities Commission, an arm's-length, quasi-judicial body.

Mr. Hawranik: Mr. Speaker, I ask the Finance Minister to listen carefully to the question. From the Auditor's report I quote, "we noted several problems that should have alerted the . . . government and officials responsible for monitoring the Fund," directly from the Auditor's report.

The NDP is a union-sponsored government and the Crocus Fund is a union-labour-sponsored venture capital fund. When more than 33 000 Manitobans lost more \$60 million, the Minister of Finance failed to act. He did not want to hear the bad news from his friends, the unions. As a result, he did nothing.

I ask the Minister of Finance did the government's relationships with the unions stop him from protecting the more than 33 000 unitholders, or was it simply mismanagement on his part. Which is it?

Mr. Selinger: I must say I actually appreciate getting that question from the member opposite because, as usual, he tries to paint a story that is in fact opposite to the facts. This is the government that banned, made illegal corporate and union donations. This is the government that did that. Mr. Speaker, it is important to note for the record that members opposite, if they were ever the government again, would return us to the dark days where corporate and union donations would be legal. They have refused to support that legislation.

Now, as to the specifics, if the member would look at page 4 it says here very clearly, the instruments of the Department of Industry and the Securities Commission "were not designed to prevent or detect issues regarding portfolio investment valuations." That is what the Auditor's report says. The member opposite should read the report.

*(13:45)

Mr. Hawranik: Mr. Speaker, this NDP are the ones that have had it for the last two weeks. Why have they not read it? This NDP government was negligent in dealing with the Crocus fiasco. It had a duty to the taxpayers of Manitoba. It had a duty to the Crocus unitholders. In spite of this duty, it failed miserably, and now 33 000 unitholders are left to salvage what is left.

I ask the Minister of Finance why did you fail the more than 33 000 unitholders of Crocus. Why have you failed the taxpayers of Manitoba?

Mr. Selinger: Once again, the member skips over the period of time when the Crocus Fund had no monitoring at all. That was the time the members opposite were in government. The member skips over without reading carefully what the report says. The report says very clearly the monitoring activities—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Selinger: Thank you, Mr. Speaker. The report reports clearly that the monitoring activities of the Manitoba Industry, Economic Development and Mines and the Manitoba Securities Commission were not designed to prevent or detect issues regarding investment valuations. That is what the report says. The member wants to skip over that and try to make other allegations. We are going to follow all the recommendations made in this report. We are going to create a more accountable system that the members opposite failed to put in place when they set up the fund.

Crocus Fund Government Monitoring

Mr. John Loewen (Fort Whyte): Mr. Speaker, this minister again glosses over his own incompetence. There is lots of emotion in this House, but the real emotion belongs to the 34 000 Manitobans who have been fleeced of \$60 million and who will see their retirement days in jeopardy as a result of this government's lack of ability to monitor this fund.

I would direct the minister to page 1 which says, and I quote, "During the course of our review, we

noted several problems that should have alerted the fund's board, as well as," and he should pay attention to this, "the government officials responsible for monitoring the fund, that a deeper review of the fund's operations was warranted."

Mr. Speaker, the government was warned in 2001 by many people, workers on the street. The question is: They gave themselves the authority under the legislation to monitor the fund, why did they not do it?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, at the risk of repeating myself, the member keeps admitting that, until 2001, their government had never put any monitoring provisions in place. It was only in 2001 that this government put in place monitoring provisions.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I cannot hear the honourable member. [*interjection*] Order. Can I ask the co-operation of all honourable members, please. We need to be able to hear the questions and the answers.

Mr. Selinger: Thank you, Mr. Speaker, and thank you for calling the House to order because I want to put on the record once again that this was the government that put monitoring procedures in place. The fund was started in the early nineties. There was no proper monitoring of that fund throughout the course of the nineties. As a matter of fact, the monitoring responsibilities that the former government put in place were located in the Department of Industry, the same department that was responsible for promotion.

The Auditor is very clear that the monitoring and promotion activities should not be located in the same department. We agree with that recommendation. We are going to correct what was incorrectly put in place in the first place. We are going to make sure that this fund operates in a more transparent manner.

Mr. Loewen: Mr. Speaker, if the minister had paid any attention to this file, he would simply understand today that prior to 2001 the board director, the government-appointed board director, actually made presentations to Treasury Board. The fund was monitored. It is under his watch that this whole thing

has gone awry and he needs to take responsibility for that.

The fact is, yes, he did bring in legislation in 2001 that gave the government full and complete and unfettered access to Crocus's books. At or about the same time they were warned of serious issues and serious problems, they did not do anything. One can only draw the conclusion that they did not do anything because they were too close to their labour friends who were running the fund and they did not want to hear any bad news. The minister owes taxpayers, he owes those 34 000 unitholders a response.

Why Sir, why is it, Mr. Speaker, that this minister, that this Premier (Mr. Doer), that this government did absolutely nothing to monitor the fund? Why? Why will they not explain that to the people of Manitoba?

* (13:50)

Mr. Selinger: Mr. Speaker, I want to reiterate that it was only this government that brought in improved monitoring requirements. We are prepared to make additional improvements to monitoring as recommended by the Auditor's report. We have never been afraid and will never be afraid to make everybody accountable for how tax dollars are spent.

When we brought in the new Auditor General Act, we put in that act specific provisions to be able to investigate labour-sponsored venture capital. That provision is unique in the country. It is a unique power given to the Auditor General. The Auditor General has used that power to provide this report. That is accountability. Members opposite never imagined providing those kinds of powers to the Auditor General, and we will correct the problems they created.

Mr. Loewen: Misinformation abounds, but the truth will come out. The truth will come that when the Auditor General first suggested going in, in December, it was this Finance Minister and his Minister of Industry (Mr. Rondeau) that said, "Oh, we do not think the Auditor General needs to go in. The Securities Commission will look after it." And he knows that.

In fact, Mr. Speaker, this government is totally culpable. As a result—well, you should listen to this,

Mr. Premier (Mr. Doer). As a result of your personal relationships with the board members and the unitholders at the fund—

Mr. Speaker: Order. Please direct questions and the answers to the Chair.

Mr. Loewen: Well, thank you, Mr. Speaker, and I apologize for that. I will bring my questions through the Chair, but that does not remove the fact that this government is totally culpable in this situation. As a result of the personal relationships that existed at the highest levels between the people who were supposed to monitor this fund and this Government of Manitoba, there was even a reluctance of the civil servant of the government-appointed board member to bring the bad news back to government. It states clearly in the Auditor General's report that the government representatives should have known and further investigation should have been done.

I would ask the minister simply to stand up, Sir, and explain to Manitobans why this was not done.

Mr. Selinger: First of all, I must say the member seems to have a high degree of imagination in his recollection of the facts. We were the government that gave the additional powers to the Auditor, in general, to investigate exactly these kinds of situations. When that power was called into question, myself as the Minister of Finance and the Minister of Industry provided specific letters authorizing the Auditor General to be able to pursue his investigation in a completely unfettered manner.

Those are the facts, Mr. Speaker. They are on the record, the letters are on the record, and we have provided the Auditor with a completely unfettered field of activity to investigate this fund. Now that we have the Auditor's report, we will clearly follow up on all the recommendations in that report. We will take this situation, turn it around and ensure that the monitoring in the future is even better and the legislation is even stronger.

Mr. Speaker: The honourable Member for Fort Whyte, on a new question.

Crocus Fund Government Monitoring

Mr. John Loewen (Fort Whyte): On a new question, Mr. Speaker. Again, half-truths from the

Finance Minister. That letter to the Auditor was not sent until February. This fund was in crisis for a long time, and, in fact, the shares stopped trading in December. Why did he not issue it December 11? Because he said at the time he did not think the Auditor General needed to go in.

So after being requested by the Auditor, he gave him a letter in February. Mr. Speaker, too little, too late, but the question that needs to be answered for the unitholders is, again, as the Auditor pointed out during the course of our review, we noted several problems that should have alerted the fund's board as well as the government officials responsible for monitoring the fund that a deeper review of the fund's operation was warranted. You were warned, the government was warned, there was word on the street that there were problems in this fund at the same time that they introduced the legislation that they said gave them the power to monitor the fund.

The question is why did they not do it. Why did they not monitor the fund? Why did they not use this legislation that they brought in? Why, Mr. Speaker?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I must say that the member once again seems to be putting on the record facts for which I can find no documentation and no evidence to support those facts. If he thinks that we told the Auditor not to proceed, he is completely wrong. The Auditor only was able to proceed because of the legislative changes we made. The Auditor was further assured of his ability to proceed when he requested a letter to firm that up, and he got that letter from both myself and the Minister of Industry. This legislation is unique in the country giving these kinds of powers to an Auditor General.

The Auditor General has spent the last several months investigating what is going on in this labour-sponsored fund. The Auditor General has brought forward over about 120 recommendations on how the functioning of the fund can be improved. Twenty of those recommendations are directed at government, and we will follow up on each and every one of those recommendations to ensure that they are implemented.

* (13:55)

Mr. Loewen: Again, reality and the minister's perception, Mr. Speaker. The minister has had the

power from the day he took office to send the Auditor in if he wanted to. The legislation that he passed, that was well before 2001. You, Sir, could have sent the Auditor in at any point.

Mr. Speaker, with regard to page 11, and I quote again, "We concur that IEDM is not responsible for CIF's performance." We all agree with that. "However, there were sufficient red flags to justify a detailed review in the latter part of 2002. While such a review may not have identified problems with CIF evaluations and investment performance, it is our view that such a review would have highlighted the gaps between their management and investment practices and the legislated rules."

The question remains to be answered: What is it that forced this government to not act? Why did they not take their responsibility to monitor the fund seriously? Red flags were issued in 2002, they should have known. They have to answer to the people of Manitoba why they did not respond.

Mr. Selinger: Again, Mr. Speaker, when we changed The Auditor General's Act, those powers were provided to the Auditor General to act on them any time that office wished to act on them. There has never been any encumbrance to the Auditor General to act on any question that that office feels should be reviewed.

Now on page 4 of the report, "We note as well," it says "that the monitoring activities of the Manitoba Industry, Economic Development and Mines and the Manitoba Securities Commission were not designed to prevent or detect issues regarding portfolio investment valuations."

The new powers given in 2001 were powers to check compliance with public policy objectives of creating jobs and generating venture capital investment in this province. Securities commissions, which are arm's-length bodies all across the country, monitor disclosure of valuation activities.

Mr. Loewen: Not good enough, Mr. Speaker, not good enough. I will take the minister back to 2001 and his own Minister of Industry in this House, and I quote again from Hansard, "Also it is important that Government monitor the operations of labour-sponsored funds to ensure that they are adhering to the provisions of the legislation. In this regard

important new reporting and compliance provisions are being added to the Crocus Investment Fund."

Was this all smoke and mirrors? Was this just a dance to hide other problems within this legislation? The Auditor's report says specifically that there were red flags issues raised from 2002. This government had the ability, they had the authority to go in and look at any information. An unfettered view of that fund was at their prerogative.

The questions remains: Why did they not stand up for the taxpayers? Why did they not stand up for the unitholders? Why did they not do their job and monitor this fund? We could have saved \$60 million.

Mr. Selinger: Once again, Mr. Speaker, the member deliberately confuses two issues. There is monitoring for performance and meeting public policy objectives of creating jobs and generating venture capital for the creation of jobs in this province. That monitoring responsibility was negligent before 2001. It was improved by legislation of this government in 2001, and it will be improved again to reflect the Auditor's recommendations as laid out in this report.

Monitoring disclosures with respect to valuations and the prospectuses put out by labour-sponsored venture capital or any security in this province is the responsibility of an arms-length quasi-judicial body called the Manitoba Securities Commission. That is the way it is in every province in this country. That is the way it is enforced by every province in this country.

Crocus Fund Government Monitoring

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, we have had this Auditor General's report for about 20 minutes. It says very clearly in page 1 that "we noted several problems" this is the Auditor General, that alerted the fund's board as well as the government officials responsible for monitoring the fund.

It is this government that puts a responsible person, supposedly, Mr. Speaker, on that fund. They note that. Then, very clearly it says monitoring by Industry, Economic Development and Mines. It says that red flags were raised to justify a detailed review in part of 2002. We hear a lot of quasi-judicial discussions from the other side. They knew there was

a problem three years ago, they did nothing. Why is that?

Hon. Gary Doer (Premier): The member opposite has made a lot of allegations about the board member, Mr. Speaker, you know, and I recall some of the comments about a political appointee and other comments. We will have time to deal with those allegations—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (14:00)

Mr. Doer: Thank you, Mr. Speaker. I note on page 4, "We note as well," and this is under the executive summary of the report, "We note as well that the monitoring activities of the Manitoba Industry, Economic Development and Mines and the Manitoba Securities Commission were not designed to prevent or detect issues regarding portfolio investment valuations."

It goes on quite considerably to talk about the board structure, Mr. Speaker. I am reading that the staffing structure, the disclosure provisions, the process that dealt with the Crocus Investment Fund trading and the halt on trading, there are going to be, the minister was just noting over 100, I believe it was over 100, recommendations on this report. There will undoubtedly be recommendations to government.

We have always viewed the Auditor General's report, whether it was the '98 Auditor General's report on Crocus Investment Fund or this report, as very important to the Manitoba Legislature. Where it identifies the weaknesses that this Legislature should deal with, we will enable our government and our ministers and, hopefully, this Legislature to bring in that appropriate legislation. Where administrative changes are necessary, we will also be dealing with that.

But, Mr. Speaker, we still believe when former Premier Filmon brought this in in 1992, and he actually took a shot at us for never bringing it in before, we actually think the intent of this was a good idea. Obviously, we have a lot of work ahead of ourselves to deal with the framework that obviously is fundamentally flawed.

Mr. Murray: Mr. Speaker, all of that rhetoric from this Premier is cold comfort for those 33 000 stakeholders and all Manitoba taxpayers because this is three years too late, \$60 million. They have been fleeced out of \$60 million more because this government did nothing.

I would just like to ask the Premier, very clearly, did he not act on the issues that came forward three years ago because he has close ties to the labour leaders in this province of Manitoba. He should have known. That is the whole purpose behind this. I would like to ask this Premier: Why, when three years ago this issue was raised, that he sat back and did nothing?

Mr. Doer: Mr. Speaker, I have the original memorandum of agreement signed by one Eric Stefanson and one Rob Hilliard that creates a board situation where the Manitoba Federation of Labour board of directors, or Manitoba Federation of Labour, appoints a majority of the board.

Mr. Speaker, obviously there is a new board today than there was four months ago, but the original memorandum of agreement that gave rise to the legislation was not signed by members on this side. Having said that, you have to, by federal law, have the sponsor of the fund able to articulate and implement the delivery of that fund.

Mr. Speaker, there are framework issues that have been identified by the Auditor General. I am just reading through them. Some of the major issues members opposite are raising in dealing with the performance of the fund I am just reading through, and there are a lot of issues of the staff that were managing the fund. As I recall directly, those individuals are there from the inception of the fund.

Mr. Murray: Mr. Speaker, this is typical of this Premier. When a scandal erupts, he looks for somebody else to blame.

Mr. Speaker, everybody in Manitoba knows the relationship between this Premier and the labour leaders in the province of Manitoba. Everybody knows that this government gets a chance to put somebody on the board of Crocus. Everybody knows in Manitoba that it is up to that board member to monitor the Crocus Fund, and everybody is going to know that the Auditor General says very clearly that

red flags to justify detailed review in the latter part of 2002.

Why is it that everybody knows the situation, Mr. Speaker? This Premier knew and he did nothing. Why did he hang 33 000 Manitobans out to dry over the Crocus Fund?

Mr. Doer: Mr. Speaker, the issue of who was on the board and how that was structured, that was in legislation that followed a memorandum that was signed in 1992. The issue of the staffing at Crocus Fund and the brokerage firms responsible for the sale of those shares, all those were established before our years.

There are weaknesses identified in the report on the legislative side. There are some identified in our legislation in 2001, and there are many more identified in the original legislation that came in before 2001. We will deal with both the issues, the framework of legislation before 2001, and we will deal with, obviously, the legislation after 2001.

Crocus Fund Reporting Process

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Auditor General in his report says on page 3 that Crocus' annual operating expenses exceeded annual operating revenues for the whole period that the NDP was in government. The Auditor General says, "Behaviour at Crocus was highly unusual," page 7. The Auditor General says, page 1, that government officials should have ordered a review much earlier. In a strange move, this government has said its appointed director to the board of Crocus was not to report to the Government or Cabinet. The Government did not want to know what was happening.

If the Premier will not be responsible, will the Premier provide for twice yearly reporting of the Government appointee to a legislative committee so that there will be, at a minimum, reporting to this Legislature?

Hon. Gary Doer (Premier): One of the areas, and the member opposite was asking us just a few months ago to put more money into social investments in the Crocus Fund, Mr. Speaker. I would point out that in our view, and members opposite have raised this in the House and questions

have been raised by the media, how can you on the one hand represent the shareholders and also be a government board member.

The Auditor General, I believe, would have dealt with that issue. My belief is, and I will have to read the final report, I started reading the draft report this morning, the issue of the board member is a legitimate issue. I think the dilemma was created in its original form.

I have looked back at the government representatives over the years. The first three of them were appointed and reported directly, starting with Mr. Bessey, to the Economic Committee of Cabinet chaired by former Premier Filmon. That changed later on to be a bureaucrat. Obviously, we believe that appointing Mr. Buchwald is more appropriate. Having somebody outside of government is our first step to ultimately removing the role of government in appointing any board member to an outside risk capital fund.

Mr. Gerrard: Mr. Speaker, the Auditor General said there were conflicts within government about the way this fund was monitored. That was a problem. The Auditor General also says June 30, 2001: the Crocus Fund's investment in one company exceeded the 10 percent legally allowed. Crocus broke the law, but guess what happened? The Premier changed the law instead of ordering a review of Crocus. There must be some mechanism for accountability. The NDP and this Premier insist on deserting their post. The Premier insists on not allowing reporting and accountability to them.

Will the Premier, at the very least, allow for twice yearly reporting by the provincially appointed representative to a legislative committee—*[interjection]*

Mr. Doer: Mr. Speaker, I just finished saying that it would be my recommendation to eliminate that conflict or that perceived conflict because—

An Honourable Member: A little late now.

Mr. Doer: Mr. Speaker, it was in the legislation in '92. You are right. It is a little late. We will take responsibility for that situation. Unlike members opposite, we are not perfect, but we will change it.

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

Mr. Doer: Mr. Speaker, the member opposite should be careful because some of these investments were made, including Isobord, when the member opposite was a federal minister. When he was talking about—*[interjection]* Well, he laughs, but Crocus lost \$7 million under that account. We will go through every file, and we are able to compare our co-investments with their co-investments any day of the week.

Crocus Fund Reporting Process

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, we have had this report now for about 35 minutes, and what we have seen in a quick read of it is that this report really condemns this government in a very real and tangible way. They have let down 33 000-plus investors. They have made a mess of public tax dollars in good part. I would quote two specific spots in this Auditor's report, and I quote, "The fund did not have in place the necessary leadership."

Only this Premier (Mr. Doer), Mr. Speaker, and his government had the opportunity of direct input in the leadership of the Crocus Fund. It goes on to quote, "The board did not provide sufficient control and oversight of the fund and did not hold senior officers sufficiently accountable for the fund's operations and performances."

Why did the Premier of this province drop the ball? Why is he avoiding accountability? Will he not agree that we need to have his rep in standing committee today?

* (14:10)

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): What the member opposite does not realize is the government is not responsible for the operation, management or performance of the fund. It says that in the report. What we are responsible for is to set up the law. We set up the laws to set up the parameters to create venture capital, create employment and grow our economy. The former government set up the laws to establish the Crocus Investment Fund. We are following that law. We improved it in 2001. We will continue to improve it, but we do not operate the fund, we do not operate the management of the fund and we do not have the board member report to government. They report for all the shareholders.

We want to improve this situation for all the shareholders.

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

Introduction of Guests

Mr. Speaker: Before we move on to Members' Statements, I would just like to draw the attention of honourable members to the Speaker's Gallery, where we have Darlene Berger, who is the mother of our page Andrea Berger.

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

MEMBERS' STATEMENTS

St. Nicholas Parish Hall

Mr. Tom Nevakshonoff (Interlake): It is with great pleasure that I rise today to tell the Assembly of a very special event which occurred this past Saturday, on May 28. I refer to the grand opening of the centrepiece building, the St. Nicholas Parish Hall at the Arborg and District Multicultural Heritage Village. The hall was donated to the village by the community of Poplarfield and will now serve as the main venue for meetings, displays, socials and so on.

A number of officials were on hand, but I think it was most fitting that 90-year-old Mike Ledushowski, long-time resident of Poplarfield, did the honours in cutting the ribbon as he, no doubt more than anyone present, knew the old hall best. After the opening, there was a variety show at the community centre, which was highlighted by a fashion show of clothes from bygone eras put on by the Dugald Costume Museum. Entertainment continued into the evening as a social with a reggae theme was held there as well.

The opening of the St. Nicholas Parish Hall can be viewed as a turning point in this ambitious project which, from the very beginning, has been a prime example of community pride and volunteerism. Many, many people have donated their time and money, but I am sure all would agree that the co-chairs, Pat Eyolfson and Barb Wachal have been steadfast and tireless in their commitment to this noble undertaking. The pioneer era is now history,

but it is not so removed that there are not still some around to tell us first-hand how things were.

Now is the time to take steps to preserve the past. I commend the people of Arborg for having the foresight and vision to take action. Thank you, Mr. Speaker.

* (14:20)

Kiwanis Club of East Kildonan

Mrs. Bonnie Mitchelson (River East): On Monday, May 16, along with members of the River East Transcona School Division, Kiwanians, teachers and other distinguished guests, I had the pleasure of attending the Kiwanis Club of East Kildonan Youth Services Recognition Night held at the Rossmere Golf and Country Club.

This evening was dedicated to honouring Kiwanis Club students of all ages for their tremendous efforts, volunteerism and dedication towards improving not only their local neighbourhoods but improving the lives and communities of individuals around the world.

Currently the Kiwanis Club of East Kildonan has an impressive 350 students working together through three high school Key Clubs, four junior high Builders Clubs and two elementary school Kids Clubs. Together with 19 faculty advisers and 10 Kiwanians, these students have left an indelible mark on countless individuals and communities.

Key Clubs, Builders Clubs and K Kids Clubs in our local schools have for many years been instrumental in fostering and building important leadership qualities in their members. Moreover, the efforts of these clubs have left a lasting impact that has been felt far beyond the boundaries of our city and the province of Manitoba.

This year is no exception. Through their own initiative, these clubs were able to raise \$7,000 for Asia disaster relief in the wake of last December's devastating tsunami. This amount was matched by the federal government, totalling \$14,000 to help those families that were impacted by this tragic event. Furthermore, through many other fundraising activities, these clubs raise money for local charities and humanitarian causes.

It is my pleasure to again congratulate the students who were presented with awards that evening. These noteworthy recognitions are a reflection of the many positive contributions made by all students involved in Kiwanis activities in our community. These students are truly our leaders of tomorrow.

I would like, also, to thank Mr. Al Rouse, who has been an important catalyst in the formation of Kiwanis clubs in the River East Transcona School Division. I ask all honourable members to join with me in wishing the Kiwanis Club of East Kildonan and all their members continued success in the years to come. Thank you.

Teddy Bears' Picnic

Ms. Bonnie Korzeniowski (St. James): Yesterday, along with my colleagues the honourable Premier (Mr. Doer), Minister of Health (Mr. Sale), Minister of Healthy Living (Ms. Oswald), Minister of Industry and Mines (Mr. Rondeau) and the honourable MLA for The Maples (Mr. Aglugub), I participated in the Children's Hospital Foundation of Manitoba's 19th Annual Teddy Bears' Picnic in Assiniboine Park. This year's picnic was a huge success, and approximately 35 000 Manitobans attended the sun-filled afternoon of entertainment.

Besides being great fun, the Teddy Bears' Picnic is a valuable educational experience for children. They are taught about the importance of safety and health care while also gaining a positive experience to remember in the event that they require services at the Children's Hospital.

Mr. Speaker, the Teddy Bears' Picnic is also a significant fundraiser for the Children's Hospital Foundation of Manitoba. Since inception, the CHF has contributed over \$27 million to support the special health care needs of children through reliable funding of pediatric medical research as well as equipment and programs at the Children's Hospital of Winnipeg.

As a member of the St. James Rotary, I had the honour of helping out at the St. James Rotary Breakfast House. The crew I worked with was an inspiration, starting as they did at daybreak and feeding hungry visitors and volunteers pancake breakfasts from 8:30. With a switch in menu to hamburgers, they kept feeding the crowd right up

until 5:30. I am always impressed by the skill and leadership Stu and Beth Pudavick demonstrate each year in organizing and leading this challenging but ultimately very successful endeavour. As well as recognizing the Pudavicks, I thank the members of the St. James Rotary Club and their families as well as the group of student volunteers from the Stevenson-Brittania Adult Learning Centre for their willing contribution to the effort.

Mr. Speaker, the fine work of all these people was rewarded when this year the fundraising was a good 10 percent higher than their previous record.

Mr. Speaker, on behalf of our government, I would like to congratulate the Children's Hospital Foundation of Manitoba for hosting this wonderful event. Thank you, also, to the thousands of volunteers who annually donate valuable time and energy to this cause and to the dozens of community groups and public and private businesses that sponsor the picnic and provide the infrastructure to make it an overwhelming success. Thank you.

Whiteshell Volunteer Firefighters' Dinner

Mr. Kelvin Goertzen (Steinbach): This past weekend I had the pleasure of being in the wonderful constituency of La Verendrye at Falcon Lake to attend as a guest the Southeast Whiteshell Volunteer Firefighters Department gala dinner. As their guest, I was pleased to learn about the good work that the volunteers of the Whiteshell firefighters department continue to do. They are truly volunteers, Mr. Speaker, in the truest sense in that they receive no remuneration for the hours that they put in, the hours that they volunteer responding to calls many, many kilometres along the highway on No. 1, within Falcon Lake itself, within Caddy Lake and a number of other lakes within the region.

I was pleased to see there were over 250 people at the event, the 12th annual gala in support of the volunteer firefighters department. I was pleased to sit with Maureen Carlton [*phonetic*], who organized the event and who did a tremendous, tremendous job in ensuring that it was another sell-out and another great fundraiser for the constituency. Mr. Richard Vandekerckhove from the Office of the Fire Commissioner, representing the eastern region, was there.

I particularly note the tribute that was given to the former chief of the Whiteshell Fire Department,

Pat Mason [*phonetic*], who passed away this past year. There were many heartfelt tributes to the work that he did when he was fire chief. Many, many residents from La Verendrye, from Falcon, from cottagers who come from the region were very appreciative of the work that Mr. Mason did when he was chief.

I want to wish all the volunteer firefighters in the department well in the coming year. I thank them for their invitation to attend, and I look forward to attending next year as well. Thank you very much, Mr. Speaker.

Winnipeg Blue Bombers

Mr. Andrew Swan (Minto): Mr. Speaker, I rise today to speak about one of the most important businesses operating in Minto constituency, the Winnipeg Blue Bombers. The Big Blue are celebrating their 75th anniversary this year, hopefully with a trip to the 2005 Grey Cup game.

In the late 1990s, the Blue and Gold had sunk to an all-time low both on and off the field. Attendance sagged as the team lost game after game.

During a tough 1999 season, the Blue Bombers almost ceased to exist, which would have been a terrible blow to a city which has a long and proud football tradition. However, concerned Manitobans put together a plan to carry the team forward, which I am proud to say this government endorsed and supported not by way of a handout but by support for a new business plan.

From that day forward, the financial picture of the Bombers brightened as fans returned to the Stadium, and the Manitoba business community appreciated the value of teaming up with the Big Blue. The Bombers went on a 12-game winning streak in 2001, although they fell short in the Grey Cup game. While the last few seasons have ended in disappointment on the field, the finances and the future of the team shine brightly. With the signing of the CFL's best running back, Charles Roberts, to a long-term deal and a series of shrewd trades and free-agent signings, I know that the Bombers will be a force to be reckoned with in 2005 and beyond as the club hosts the 2006 Grey Cup game.

The financial recovery of the Winnipeg Blue Bombers over the past six years is just another great example of the renaissance of Manitoba's economy.

Mr. Speaker, I have renewed my season tickets. My wife and I will be making our annual pilgrimage to Regina to cheer on the Bombers on the Labour Day weekend. I hope that all members of this House will not only join me in wishing the Blue Bombers success this year but also buy tickets to see them in action.

Go Bombers go.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, until four o'clock, if you would interrupt proceedings at that time and call Supply, we will go into concurrence then. Until then, would you call the bills in the following order: 25, 29, 31, 34, 37, 39, 5, 8, 9, 11, 16, 24, 30?

Mr. Speaker: We will proceed in order of bills 25, 29, 31, 34, 37, 39, 5, 8, 9, 11, 16, 24, 30, and at 4 p.m. we will move into Supply.

* (14:30)

DEBATE ON SECOND READINGS

Bill 25—The Workers Compensation Amendment Act

Mr. Speaker: We will resume debate on second reading of Bill 25, The Workers Compensation Amendment Act, standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen). What is the will of the House? Stand?

Some Honourable Members: Yes.

Mr. Speaker: Okay. It will remain standing in the name of the honourable Member for Turtle Mountain.

Mr. Ron Schuler (Springfield): Mr. Speaker, I look forward to taking this opportunity to speak to Bill 25 and some of the issues that it covers off. Certainly, after a Question Period like today, it is probably something you look forward to, to the slightly toned-down speeches to bills. I am sure that the debate on Bill 25 will not overshadow the Crocus fiasco and the mess that the Doer government has gotten itself

in with its mismanagement and bungling of the Crocus file.

But, back to the bill at hand. I want to take this opportunity to express, on behalf of the people of East St. Paul and Springfield, the kind of confidence and the kind of support we have in our constituency for our volunteer firefighters, and, of course, for those who are on staff, the fire chiefs. I had the opportunity to meet with the fire chief of Springfield just no more than two weeks ago and had a great tour of the facility of Springfield. Of course, it is in great hands. It could use a little bit more equipment, but it is doing just a wonderful job.

They have a large population to cover off; some over 12 000, close now to 13 000 individuals, perhaps even over, a large area that they cover off and are certainly modernizing their equipment. They have got great volunteers that they take the opportunity to send them for a lot of training. They send them to a lot of different courses. In fact, when I was there they were preparing for another exam that they had to go through to move some of them onto a higher level. Our volunteers are our first responders. They are the individuals who come to our aid when we need aid the most.

If anybody has been in a house fire, and years ago, Mr. Speaker, I was in an apartment block. Early one Saturday morning, somebody came into the apartment block and lit the storage facility in the apartment on fire. It was amazing how, from when the bell started to ring, to when smoke started to overtake the building, how quickly that actually went. I felt it was like a lifetime before we saw any kind of emergency vehicles, and it was just a matter of minutes, in fact. It was a matter of minutes, and the fire crews came quickly, but by that point in time, people had crawled onto the overhangs of the entrances and climbed out of windows trying to escape the smoke. As all of us will know, it is actually smoke that is the worse part of a fire, that is where most people succumb. Unfortunately, in this fire, one individual did die because of smoke and then, of course, because of the draft. It was very cold.

Mr. Conrad Santos, Deputy Speaker, in the Chair

We certainly do appreciate our emergency services, and I always encourage individuals that when you hear those sirens, make sure you pull over,

allow them to pass by. Their job is difficult. It is very dangerous as we have seen from 9/11. They put themselves in harm's way and often are harmed; to over 300 in the case of 9/11.

Certainly, we were so pleased to see Bill 25 covering off some of the needs of our volunteer fire fighters and I know the honourable Member for Turtle Mountain (Mr. Cullen) brought in a private member's bill that covered off that part of it, because we actually wanted to see this bill split so that the difficulties we have with Bill 25 do not get caught up with the issues of our firefighters. I know the government is probably more than agreeable to see this take place. We would like to see the firefighters portion move on and then we can start dealing with some of the difficulties communities have about Bill 25.

Probably one of the biggest stumbling blocks, one of the biggest problems, with Bill 25 is that it moves from the Workers Compensation Board deciding who is included in workers compensation to the Premier and Cabinet deciding who is out. Probably most people would not even notice the difference until they start to look at the details. That is clearly an issue; it is clearly a problem when it comes to the whole notion of a workers compensation board. I think what it is is it is a government that has lost its way, that has not understood where all this comes from, has not understood and does not understand that, first and foremost, the Workers Compensation Board is an insurance company paid for by the employer, and is an insurance company that covers the employee.

What we see now is an NDP government, the Doer government in this case, that is taking this over and basically trying to make this an NDP government insurance policy/slush fund, and that is a concern. We would rather see the board, which is appointed through a proper mechanism, that they decide who is in the Workers Compensation Board, and, unfortunately, Bill 25 shifts that responsibility to the Premier and Cabinet. Basically, it is in secrecy, and after that you have no idea why the decision was made, who might have had influence on the decision, who was part of the decision and, basically, why the decision was made. So that is why we decided to, and the honourable Member for Turtle Mountain decided to present a bill that basically took the firefighters out of this. I know that this House is probably more than prepared to look at

that legislation and will notice that the legislation is an exact copy of the part of Bill 25 that deals with firefighters.

We know that Bill 25, The Workers Compensation Act Legislative Review Committee, was struck. We know that there were four members on there: Chairperson Wally Fox-Decent, representative of the employers was Chris Lorenc, representative of the public interest was Susan Rogers, and worker representative was Pete Walker. We know that the committee held public hearings across the province over three months in 2004, and that they received over 2003 submissions containing hundreds of suggestions. Based on these submissions, the committee submitted 100 unanimous recommendations to the minister that were achieved as a result of compromise on the part of all groups represented on the committee. Just as workers compensation is considered to be a historic compromise between employers and employees, so, too, are these 100 recommendations a historic compromise, the 100 unanimous recommendations achieved as a result of compromise by all groups represented on the committee.

We understand 22 of the 100 recommendations are policy directives to be developed by the board of directors. We would hope that the government would ensure the board as the authority under the act to implement these policies. We also are concerned that all the 100 recommendations be looked at. Certainly, we are very interested in seeing this legislation going to committee and hearing from communities across Manitoba. We know that so far there are 67 presentations on the list, so that will make for a long evening. It will be a very involved committee meeting. We know that there are going to be a lot of individuals that want to have their input and, rightfully so, should have their input into the legislation.

* (14:40)

Again, I am sure there are going to be those that will have different viewpoints. I know that in a lot of cases individuals will be questioning why it is that an insurance company that is entirely funded by employers, that is supposed to be seen to protect employees, why it is that the government, clearly a cash-hungry, cash-starved NDP government, needs to involve itself in decision making at that board. We certainly look forward to hearing some of the

responses that come forward at committee and look forward to hearing those when this bill in fact does move forward. Thank you very much, Mr. Speaker.

Mr. Ralph Eichler (Lakeside): Mr. Deputy Speaker, I rise today to put a few things on the record regarding Bill 25, The Workers Compensation Amendment Act. In particular, I would like to talk about the firefighters. I know in rural Manitoba, especially in the constituency of Lakeside, we have mostly all volunteer firefighters who are part-time or that are not necessarily involved on a day-to-day basis. These are businesspeople. These are people that make their living elsewhere, but they do offer a service that is very important to the community and the well-being.

I know we had a fire just recently at the Inwood Manor in the constituency of Interlake. I remember very clearly the call going off at one in the morning. They called three jurisdictions, and they were able to save the majority of the building. However, there are 16 people now that are in the process of looking for housing. If it had not been for the volunteer firefighters within the area of Inwood, I know we would have lost the building entirely and, thank goodness, there was no life lost; however, there is substantial damage to the building.

I know I can count back a number of times that, whereby we call on volunteers of all types to come forward and make sure the needs of the community are met, I know that when these people go out, they have no idea, especially in rural Manitoba, what they are going to be getting into.

Just recently, I do not know if many of the members of the House had the opportunity to travel No. 7 highway, but we had a large number of railway cars parked there waiting to be sent to Mandak and melted down. I know some of the concerns that came forward, and these tanks were supposed to be all empty and there was supposed to be no residue left in them. However, about two weeks ago, prior to the cars being moved, they were being a playtime for the children in the area. Not knowing what was in those tankers was a great hazard to not only the children but the firefighters if there was a fire to ever come about. Sure enough, two weeks ago we had that very incident happen.

The tank was supposed to have been emptied, flushed, but yet, the engine, the main unit to pull

these trains back, sparked and caught one of the units on fire. So the fire department, not knowing what was in these cars, caused an alarm. I think it is a serious alarm that we need to be cognizant of and about the fact that we need to be sure, whenever our firefighters go out there to protect it, that they are able to go out with authority and make sure they can handle the crisis that is put towards them.

I know in this particular case they had no idea of what was in it, and so they were very reluctant. So they had to keep their distance and keep sure that they were, you know, downwind or upwind from the fire in order to make sure it was contained within the area but not to be able to take any of the fumes in that might have caused them damage. So you hear of situations like that that bring back reality. When you look at The Workers Compensation Act and the people in rural Manitoba, in particular, I know we on this side of the House want to make sure that they are looked after and not only them but the other volunteers within our organizations, people in the social field that volunteer for different boards, not just the firefighters.

I know there were a hundred-and-some recommendations that were brought forward in The Workman's Compensation Act, and this is a couple of them that the government has decided to act on. I am not 100 percent sure if we are going to be doing the right thing. I guess we will find out when we get into committee, whereby some of these other people want to make presentations and let their voices be heard. It concerns me that the new legislation states that the full expansion of coverage to all industries unless excluded by the Premier and Cabinet, and the word "consultation" is nowhere to be found in the legislation. That bothers me. I mean it comes down to just a handful of people that are going to decide what is going to be done. I do not think this is a position that the government should be putting themselves into, nor would I like to see anyone be put in that position. It is a group that recommendations have been brought forward and should be dealt with accordingly.

Also, it goes on to say just where is the balance when the coverage currently determined by the WCB will now be decided by this Premier and this Cabinet. So the balance, as I just alluded to, brings us to the fact that with these other volunteer groups, whether they be people working with people with disabilities, whether it be firefighters, whether it be

ambulance drivers, whether it be any walk of life, in a volunteer position or even a paid position, we have to make sure those people are protected, that they are able to be fulfilled if some life-threatening case comes along.

I know out of the short time that I have been there—June 3, it will be two years, Mr. Deputy Speaker. I know the number of calls and the complaints that I get are largely based upon, other than the BSE in agriculture which is the No. 1 one area in our riding, but the second biggest area would be Workers Compensation. The problem with Workers Compensation is that there is no direct communication. The time lines that have to be taken to deal with a case issue and then you have to go through the appeal process, I mean it is a very timely, very intense program.

As a business owner, I know I was in business for a number of years on my own, and we would gladly pay into these premiums so our employees could have that safety, based on the fact that whenever an accident happens, these people would be covered and looked after. Yet, when they got to the hospital or got to the point where they needed that money to be coming in, we would go through the process of this long ordeal.

We meet with doctors; we meet with people that are going to help us make our appeal. I know I just went through one with a young fellow and family that became disabled because of an accident, and, lo and behold, his own company abandoned him. Also, the Workers Compensation Board went after him and said, no, your benefits are going to be cut off. Well, he had to go to a specialist, he and his family, was very determined to make sure of the fact that they were going to be able to get coverage. Yet they had to do this all on their own. His wife called me several times and just broke down in tears. Here she became the main focal point, the main person bringing in the livelihood. It took a toll on her. So it just passes on down from the husband to the wife or visa versa from the wife to the husband, depending on who the advocate is.

Now, with that in mind, I know that they in this particular case went and found another doctor all on their own. In fact, it was a doctor with lots of credibility and lots of information that dealt with his particular case. They went back to the Workers Compensation Board and worked with the appeal

officer. Finally, he saw the light after the doctor made his report. Lo and behold, the four doctors would not allow his wife to talk, would not allow the doctor who did the examination, other than his written presentation, to be heard. The husband actually broke down during this hearing with the four people sitting on the review panel at the Workers Compensation Board. I do not know if that is what changed their mind, but I do know that the information that was submitted to the Workers Compensation Board did decide, in fact, that this young person was, indeed, in need of disability. They awarded him two years in back pay that he had coming to him, which made a significant difference between their survival and not survival. Plus, his benefits were reinstated on a monthly basis.

*(14:50)

Now, the average person would not have the stamina or the desire to take on government, to take on the cause of which they were trying to make their living, plus be able to raise a family, do the things that they needed to do in order to make ends meet, plus fight with the government.

I know that there is abuse in any system. In fact, I got snowed on another issue when I first got elected and I guess that is why the process is in place, but there is enough information out there that I think we can make intelligent decisions. I know that on the situation where I did get blindsided a little bit, it was an open-door case and there was no need for this person to do such a thing, but once we had the meeting, it was clear and imperative that it was a situation that did not need help. So I met with the person once again and made sure that she would not be bringing that forward again.

There are other situations whereby the compensation board and government needs to take a long, hard look at some of these cases and make sure that the tools are in place to make sure that we do not let the client down, and on the other side of the coin, make sure that we do not pay out dividends to people that are falsely making claims. It seems these people have a track record of making sure that they try and take advantage of every opportunity and loophole that is out there.

But, I think with input from employers, input from the people that are involved on a day-to-day basis, people that seem to know what is going on

within their community, and I know that they have a number of investigators that can make sure that this thing takes place in a way that it should. I know that a lot of this will be coming forward over the next couple of weeks when we go to committee and talk about this particular Bill 25, and I want to thank the member from Turtle Mountain for his input and guidance and making sure that we have the information needed to debate and discuss this bill of importance. I know we are bringing forward a separate bill to deal with the firefighters, and I know there are other issues there that we are going to have to make sure that we deal with.

In fact, there is another quote here I would like to talk about. It says, "We believe the WCB should be engaged in prevention of workplace injuries. However, Workers Comp should not be paying for anything outside of its mandate and certainly not funding any government program." So we have to make sure there are a number of dollars that are sitting in the Workers Compensation bank and there is a reason for that. They are very frugal and we had some very good members on that board, but we have to make sure that we do our due diligence and make sure that the people pay and the premium is in.

I know that the number of years while I was in business, my premiums rose a bit from time to time, but surely with good reason, and we took that in stride. I know that we did have a couple of incidents whereby we worked with the Department of Labour. We had them out and go through our facility, which was a manufacturing facility, in order to make sure that the safe place was for each and every one of our employees because it was of the utmost importance. We did have one or two situations where I think anybody that is in business, anybody that is doing anything, will have an accident, and that is when we want to make sure that our coverage is there in order for them to make sure that something is going to be there for them in case it happens.

The balance portion that I talked about earlier, I think it has to be sure that we reach a consensus and make sure that the representatives that are going to be on the committee, that there is no trade-offs. There is no missed opportunity here for the people to be dealing with this issue. I know it is important, I know it is imperative, that, in fact, we get all the information. I know that this government has a lot of backdoor taxes and backdoor fees that they like to sneak in from time to time because they promise

over and over again, "We are not allowed, we are not elected to raise taxes." But I will tell you there is one thing they are very good at, and that is backdoor fees. They take no shame in raising fees from time to time in order to raise and handle their spending habits. It is just unfortunate they have to do it on the backs of good, hardworking Manitobans that elected this government on their word. Unfortunately, we cannot let them have that opportunity because it just seems to go on and on and on.

The sad part, again, Mr. Deputy Speaker, is that we want to make sure that when this bill goes to committee, we are able to move it forward in such a way that it is going to look after the issues that are brought before us and not issues that are not going to be covered in the issue where it should be, because we know there were other recommendations that were brought forward and we are not sure all of those are going to be met. We think that this bill does need some work.

Having said that, I know there are lots of others that want to speak on this bill, but we do want to see that it is going to get to committee. So thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: When this bill is considered again by the Assembly, it will remain standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen).

Bill 29—The Municipal Councils and School Boards Elections Act

Mr. Deputy Speaker: The next bill that we will consider will be Bill 29, The Municipal Councils and School Boards Elections Act; Loi sur les élections municipales et scolaires.

It is standing in the name of the honourable Member for Arthur-Virden (Mr. Maguire). Is it to remain standing in his name?

Some Honourable Members: No.

Mr. Deputy Speaker: No. Denied.

Mr. Larry Maguire (Arthur-Virden): It is my privilege to say a few words in regard to Bill 29, The Municipal Councils and School Boards Elections Act, that has been brought before the Legislature by the honourable Member for Brandon West (Mr.

Smith), Mr. Speaker. I just want to say that I will be talking about the changes that have been proposed in this bill as I make comment on it, and there are just a few issues, a few areas, I think, that are of concern. I believe, as we move this bill to committee, we will hear from those people as they move forward as well.

Of course, the bill has been brought in with the idea of modernizing and streamlining some of the election processes in municipalities and school boards, trying to modernize them and bring them up to date a little bit. But, Mr. Speaker, I had the opportunity when I was first elected in '99 to deal with the minister then in charge, the Member for Wolseley, who was in charge of Intergovernmental Affairs at that time, in regard to bringing in amendments to the local elections amendment act and The Local Authorities Election Act, and we worked diligently in regard to some of the changes that were required to modernize the bill at that time.

I will concede, as I travelled the province to a number of the Association of Manitoba Municipalities district meetings that were held throughout Manitoba during those years, as Rural Development critic, that the elected officials in the municipal areas of Manitoba at least were looking for further clarity in regard to some of the bill and changing its tone. I believe the City of Winnipeg had similar concerns from speaking with some of the city councillors as I did at that time.

Mr. Speaker, that was in the year 2000, and people were calling on the government at that time to make some changes in updating the bill and, of course, here we are in 2005, five years later, and they are just bringing the bill forward. I guess we see that so many times with the government in regard to particularly even the discussions we were having today around Crocus, where they brought in a bill to study the outcome of such a circumstance in regard to that area in 2002, brought it forward in their own legislation in 2001, and here, five years later, four, five years after the fact, finally bringing it forward.

I do not believe it is because this government's agenda has been extremely heavy that they have neglected bringing this bill forward until now. When you have such heavy bills, and I am not saying that they do not have a purpose, but to spend much time on the repeal of The Margarine Act is not something that I think should take a lot of House time. So it

leaves quite a bit of time to debate in this House on some of the more important issues that we have in Manitoba. I think that this government has been a bit deficit in regard to bringing forward bills with a great priority. I know there are some. There are a number of bills in this House that they have brought forward that are very good and certainly, from their point of view, need a lot of debate and we will debate them, but they have limited the time on some of those issues with bills like the one I just described.

* (15:00)

Mr. Speaker, The Local Authorities Election Act has been completely cancelled under this bill. It is a complete rewrite of that former bill, and it will, as I have said, impact all of the municipal councils and school boards across the province of Manitoba. That is very clear in the act that it does cover the whole of the province of Manitoba. It very much clearly outlines that a municipal body is allowed to appoint one senior elected official for each of those areas to run the election and clearly allows that person to hire the other staff that that person may need to carry out the function of the election in regard to Bill 29 and in regard to any of the local elections that may take place. This person can also be the person, the senior elected official may be the official, that looks after not only the local municipal elections, city elections, but also those of school boards in Manitoba as well in the same jurisdiction.

While I think the government feels that that is a move to modernize, I want to hear what people say across Manitoba when they come to committee on this particular clause, because, of course, while it is, presently, that council appoints the elected official as well as the deputies, I think the government's intent was to take out some of the bias that might be held in some of those local elections but, at the same time, they have given complete control to one person. That has to be, then, a very carefully chosen individual, and I think that we need to watch what kind of regulations may come in if there are any criteria that the government may have in regard to those particular appointments.

Mr. Deputy Speaker, the purposes of that person are to, of course, supervise and give direction to the election process and ensure fairness of the election officials, and I think that is straightforward. That is what has been taking place in all of these jurisdictions by the people in charge. They do it and I

think we need to, in this House, from time to time, commend them for the invaluable job that they do. Those elections, of course, municipal-wise, are taking place now every four years across the province of Manitoba. So, while this person is put in place not just every four years, this person is put in place to deal with maintaining the voters list and any other changes that might come into being on a consistent basis from year to year until that person is replaced or a new one is appointed by the councillors or school board personnel in that particular area.

Mr. Deputy Speaker, this person may only—pardon me, this is in regard to persons who are eligible to vote. We have seen in the past that, of course, if you are a ratepayer in those regions and a person living in those areas, then you certainly do have the right to vote in those particular jurisdictions. It also allows for non-residents to continue to vote. I, again, want to hear what persons have to say at committee in regard to this because, of course, in provincial and federal levels of government, persons do not have to live in the jurisdiction that they wish to represent or the jurisdiction that they wish to seek election in but, at the municipal level, that is what would certainly be the outcome of this bill, as well, that the persons seeking election would be allowed to be from outside of those areas as well.

I think it is important that we hear from the citizens of Manitoba what they feel in that because I have had some express to me that maybe the way to clarify who can vote and who cannot vote is to just have a person from that jurisdiction, he has to be a resident of that jurisdiction. He or she would have to be an actual resident of a municipality or a school board to run for election in that area, never mind whether they were allowed to vote outside, but the person who is actually running, seeking that election, would have to be a resident. Now I have had that expressed to me, and I am eager to hear what comes before us at committee in regard to that because, of course, it was being proposed as parallel to both the provincial and the federal systems when you can be a non-resident and continue to run in that area.

Mr. Speaker, this bill changes a few things in regard to candidates who may come forward and have their name on a ballot that through unfortunate circumstances pass away. If a candidate dies before the election period, this bill prohibits from not automatically calling an election or cancelling the

election. This bill would allow, in the death of an individual, the opportunity for the election to proceed as opposed to cancelling that whole election at that time. Of course, as I have said, the death of a candidate activated a new by-election in the old act, whereas in this area the election will continue as planned with the new ballots where there is time to print those new ballots. If there is no time to print those new ballots, then the death of that candidate would be posted at each voting site, if there were multiples of that, and the election would proceed. I believe that to be a worthwhile move. I certainly see little or have had little representation to me at this point in regard to that being changed.

Mr. Speaker, there are issues around establishing residency of persons who can vote in this. It does allow for the opportunity for a person to vote by designating that if they do not have a permanent address that they can establish their residency according to the latest hostel they were in or that sort of an area. It certainly would allow for those individuals to also vote in this type of an election as well.

Mr. Speaker, Bill 29 creates that up-to-date voters list that the appointed CEO will be required to keep accurate. It requires that person to keep it accurate, as I have stated, and that the enumerator process does not have to be determined at the beginning of each election. It should be an ongoing process under this bill. Anyone moving out or moving in will be kept in track, as they are regularly in municipal elections anyway, but this allows for that to happen in a formal manner.

The election process allows, this Bill 29 allows for the use of vote-counting machines. Some jurisdictions already have that authorized, but this bill allows the whole province to have voting machines used at it. It also allows for the voting by sealed ballots. It expands on the existing clauses in order to ensure proper conduct and fairness. It also allows for advance voting in a more open process than has been done in the past. It requires that there be at least one advance poll, but it does not restrict it to one. There may be more. Those polls will remain open from eight o'clock in the morning until eight o'clock in the evening, just like your regular voting day, Mr. Deputy Speaker. I think that would give more opportunity for persons to vote; nevertheless, advance notice of those polling dates just needs to be made very public.

There are provisions within the bill in regard to the pre-election and the post-election period. The election is deemed to be completely over 90 days after election day. The nomination period begins 42 days prior to election day. These kinds of postings of the time frames, Mr. Speaker, are what are important in a bill like this, just so that everyone can very clearly know what the rules are.

* (15:10)

Mr. Speaker, this bill would allow in cases of tie votes, and there are some, there are many tie votes in regard to our municipal elections and school board elections. I can recall, in fact, a very close vote in my own family where my wife won a school division election once by one vote. It just happened to be the first time she ever ran. She won by one vote and went on to spend 11 years and ended up as chairman of the school board in Souris Valley. So that is the significance, as we always talk about the significance of one vote. What does one vote mean? I think in federal politics we have seen that very clearly lately, the power of one vote, but I use this as a local example as well.

Because of the smaller numbers of persons voting within particular wards or within municipalities, there are a number of more tie votes and this bill will authorize the senior election officer to move immediately to a by-election unless a judicial recount is asked for first. In all other cases previously, at the present time, Mr. Speaker, they cannot do that until after a judicial recount has been held. So, if that has not been called for, the senior election official does have the authority to move forward and call for that vote again. Perhaps this would eliminate any unnecessary delays. I do not know how many times it would be used, but it certainly provides that person with the provision to do so.

Mr. Speaker, under the current system, office holders must resign before running in the new by-election and cannot hold two offices at the same time. That is the provision that this bill is trying to deal with as well and moving that forward and opening that up somewhat. So I think I am going to end my comments there. There will be another opportunity once we have heard persons make presentation on this bill at committee to look at adding amendments or further discussion to this bill as it comes into third reading.

I would also like to say, however, that withdrawal of nominations in this particular bill can take place at any time up until 24 hours after the nomination period ends, the candidate may withdraw their candidacy. The candidate's signature must be on the withdrawal and must be witnessed by another person who must sign as a witness. Mr. Speaker, I think this is important because I, just over this last weekend, had an indication from an individual who was away who indicated that, you know, at one point he or she may have just said, "Well, no, if so-and-so is running I will not," and the person said, "Well, I am not going to run so you are fine to run." What really happened in the end is when that person left the jurisdiction, the person who said they were not going to run came in and tabled their papers and actually said, "And now he is not going to run."

So, Mr. Speaker, you know, the individual did not feel like challenging it because it was a relatively well-known person to them that did this, but I guess this would mean that you absolutely have to have a signature on a withdrawal in order to make it happen. It would have to be the actual candidate's signature, not just the word of another person. I think that is fair, but there is one thing here that I have a concern with in regard to this bill and that is the limitation on withdrawals. In section 47(3) it says, "A candidate may withdraw only if enough candidates remain to fill the offices to be elected."

Mr. Deputy Speaker, if for some personal reason this person still cannot run or chooses not to, how can you force that person to run because they happen to be the last one on the ballot? I just do not see that as making good common sense at all. Mostly in those kinds of cases, the councillors that are remaining after the election would have the opportunity to appoint a school board member or a councillor to a vacant ward or call another election.

So that is what I mean. While the bill looks like it may be modernizing and clearing up some of these issues, there are these kinds of small issues that can be very important in local election processes. I am looking forward to hearing from persons from municipalities and school boards across Manitoba as we move this bill on to committee, Mr. Deputy Speaker. Thank you very much.

Mrs. Myrna Driedger (Charleswood): I am pleased to have an opportunity to put a few

comments on the record in regard to this particular bill, Bill 29, The Municipal Councils and School Boards Elections Act. As the Education critic, I am pleased to be able to make some comments on this.

As the Member for Arthur-Virden has indicated, it certainly does appear that the NDP government has dragged their heels in bringing about amendments that could improve the act. When requests for amendments were made a number of years ago, it certainly has taken this government a number of years to come forward in making some fairly basic improvements to this particular legislation. Not unlike other situations, this government does seem to have difficulty addressing issues in a timely manner, considering that their legislative agenda is not that heavy.

I would note that in bringing forward this bill, the government has indicated that the previous bill, The Local Authorities Election Act, was outdated and this Bill 29 is going to modernize and streamline the election process in municipalities and in school divisions.

The intent is that the proposed new act will make the voting process easier to administer, introduce more local flexibility and simplify voting. Certainly, those are really important in looking at the voting process. At the same time, it will ensure appropriate checks and balances exist to continue our long tradition of democratic local elections.

A significant aspect to the changes is the appointment of one person who is going to be responsible for all aspects of the election. This person will be called the senior election official, and hopefully through this type of an appointment, there will be an improved co-ordination and supervision of the election process. It also has the intent of ensuring fairness in the voting process and the monitoring of the work of the election officers. It is an influential position, Mr. Deputy Speaker, and important that this person that is given this opportunity avoid any bias in their roles. That is extremely important.

I would, at this time, like to congratulate and tell election officials that we certainly appreciate the work that they do. They do provide a very valuable service in an election process. We certainly appreciate the work that they do on the behalf of candidates that are running in any election.

The voters list is another area in this bill that is going to be changed. The senior election official is going to be responsible for this, and the method of preparation and format of the voters list will rest with the senior election official. This person will have an obligation to maintain and continuously update the voters list.

Having been involved in one particular by-election a few years back, where we did not have an updated voters list because no enumeration had taken place, it was actually quite difficult to door-knock and to know where people were. It is also a bit disconcerting sometimes when you find that people have passed on but they are still on voters lists. I am sure a lot of us might have run into that at one time or another, but it does make it difficult for the candidate and credibility and for the credibility of the election process. Hopefully, there will be a voters list that is as up to date as one can possibly make it. The list may be stored in a computerized format, and in today's world in modernizing and trying to improve efficiencies within the voting process, I think that that is important.

*(15:20)

In some of the changes, election officials may request a voter to prove their identity even if the person's name is on the voters list. Certainly, this is important, Mr. Deputy Speaker, and officials in the voting areas can be asking for satisfactory evidence when somebody does come to cast their vote. Election officials can accept satisfactory evidence if the voter does not have identification. This is going to be useful for homeless voters or in smaller, local authorities where the voter is known, et cetera. The senior election official must advertise the need for voters to bring identification to the poll. Certainly, this will bear some monitoring and observation as this legislation is enacted so that we can indeed be sure that the intent of this is moving along satisfactorily and improvements can be made as necessary.

The rules of residency have been streamlined in this legislation so that provisions are included that recognize shelters, hostels, et cetera, as residences, and this should enable persons with no permanent address to vote. Again, as I have indicated, I think this is going to bear some monitoring so that we can ensure that the intent of the legislation does support this and improvements can be made as necessary.

In addressing the issue of ballots, the decision for the order of names on the ballot paper will rest with the senior election official, and rotational or random order of names is going to be permitted, and the ability to order names alphabetically is eliminated. Again, the senior election official is going to have to be someone that is going to ensure fairness and has no bias to maintain the fairness of the situation.

Candidates are going to be able to use their usual names on ballots, and we have seen that come up in the past, and there will no longer be a restriction for legal names. I do have a bit of a concern about this, Mr. Deputy Speaker. I think it will bear some monitoring to ensure that it is not going to create any confusion in any way. Vote-counting machines can be used, and I think, again, having this type of equipment in place has the intent of modernizing and improving efficiencies and that is a good thing.

Mr. Speaker in the Chair

In regard to advance voting, local authorities must hold a minimum of one advance voting opportunity, but the senior election official will have the authority to establish additional opportunities. The required advance voting opportunity must be open from 8 a.m. to 8 p.m. and that will make this more consistent with other elections. Hopefully, too, it would be a benefit if there would be one benefit from this to see more people perhaps voting in these types of elections.

Voting by sealed envelope will continue to be limited to those who cannot attend the regular voting place or who expect to be absent during advance voting or on voting day. Persons can apply to vote by sealed envelope and proof of identification is required.

In regard to tie votes and if no ballots are objected to during the count, candidates can choose to go to a by-election. A judicial recount must be held if either of the tied candidates objects to any ballots. This we have seen is something that small municipalities want changed because ties are not uncommon in smaller communities.

An Honourable Member: Ties are pretty close.

Mrs. Driedger: As the member from Arthur-Virden has pointed out and given some excellent examples,

they can be quite common. As he also pointed out, we have certainly seen where one vote can make a huge difference at any level; we have just seen that in the federal level, in Parliament. A by-election's consequential amendments are made to the three home statutes, The Municipal Act, The Public Schools Act and The City of Winnipeg Charter Act. Consequential amendments are made within those bills, those pieces of legislation. The one item that I would point out is that it does require a sitting councillor or trustee to resign from their current position before running in a by-election for a different seat.

The nomination period creates a new set period for nominations, bringing consistency to all local authorities, rather than a different period for the municipal school board and City of Winnipeg elections. You know, hopefully, again, the more consistencies that we can have between the different types of elections out there, the easier it will be for the public to understand and, perhaps, more inviting for people in terms of attending at the different voting polls and in the different elections. So we hope that that might also be a benefit from some of this.

So, Mr. Speaker, we are certainly prepared to hear what the public has to offer with public input at committee and, you know, look forward to seeing these streamlined recommendations and amendments be made to an important piece of legislation. Thank you.

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, I too have a few words that I would like to put on the record in regard to Bill 29 before its passage into committee stage.

At first glance, Mr. Speaker, one takes a look at it, and you would think that it is a piece of legislation that would receive fairly decent support. We, I think, all inside the Chamber have a very real interest in democracy and the way in which it works and I think that, to a certain degree, we all want to see future successes in terms of just more and more people being involved in the democratic process. So in most part, the changes that are being proposed, I think, are fairly reasonable and I think will have a positive difference.

What I wanted to do was take this opportunity to emphasize a point to the minister responsible for the

legislation. There is one aspect to it that I am very much concerned about, and that is in regard to where we are now suggesting that if you are a school trustee, as an example, you are not going to be able to run in a provincial election unless you are prepared to resign your seat. I would be very much interested in hearing the arguments on that particular issue. I think that it is a very significant change. I do not see how, right up front, democracy is better by making a change of that nature. I would use, you know, other possible examples of how I think that, in fact, it could be worked to the detriment.

I suspect that government would ultimately argue that, when a school trustee runs for MLA, it could cause a by-election. Quite often, Mr. Speaker, there are by-elections that do occur as a result of a school trustee that runs and is successful in the campaign, and I think that is wonderful. I have participated in caucuses where we have had school trustees run and prevail, win at the end of the day, and they had resigned their seat. But, equally, I have had colleagues as candidates that have ran in provincial elections that were school trustees but did not win the seat. As a result, they continued on in their capacity as school trustee. Quite frankly, I think they continued to do a fabulous job as a school trustee.

In particular, I was talking to even my leader earlier today in regard to this issue and what sort of an impact that it could have. What sort of a message are we, in fact, sending out? I look at it as we should be encouraging people to participate, and a great way to participate is to be a candidate. We want to encourage people to vote. We want to encourage people to be candidates. I do not think that this amendment facilitates that.

* (15:30)

A school trustee would have to decide to step down in order to seek the seat. Well, Mr. Speaker, I wonder if we would apply the same principle of having to make that sort of a commitment to other professions. There are other professions out there that require a great deal of training, that require a considerable amount of effort in order to find a replacement. If we applied that same principle, again, you would get fewer people participating in elections.

As a result of this particular amendment, I am not too sure in terms of whether or not this is

legislation that can be supported. Ultimately, we want to see it go to committee. I am very much interested in what the minister has to say in regard to it, what rationale was actually used. Generally speaking, as I indicated, we want, as much as possible, to encourage people to put their name on the ballot, and by saying that "Look, you are going to have to surrender your seat as a school trustee in order to put your name on the ballot," I think it could be a backwards step.

The government might argue, "Well, look, if you are an MLA, you want to run for MP, you have to step down as MLA." That is true. It does not necessarily mean that I agree with that either, Mr. Speaker. If, as a result of seeking a specific office, you have to resign from another office, I would like to hear the justifications for it. I would look to the minister to give a better explanation. I have made off-the-cuff remarks in regard to if he were to apply this to other jobs that are out there, or other professions, that if you run as a candidate, you are not able to come back for the next two or three years. Would that have an impact? Obviously, it would have an impact on whether or not that person is prepared to commit to be a candidate in an election.

Ultimately, Mr. Speaker, you will find history has shown very well that we have had school trustees that have run and been successful. We have had school trustees that have run and have not been successful. If you, in particular, look at the school trustees that have ran and not been successful, you will find that they continued on with school boards and continued to contribute in a very real and tangible way. I do not quite understand why it is that the government has seen fit to bring in an amendment that would, in essence, discourage a lot of these fine people from being able to run in the future, because it will be factored in. I know myself, personally, I have had opportunity to talk and encourage people to seek office, and that includes school trustees, so I raise that because I am very much concerned in regard to that particular clause.

There are other things such as the vote-counting machines. It is always great to get caught up in the enthusiasm of technology and bringing that technology to the forefront, you know, having voting machines, and we saw this in terms of the City of Winnipeg legislation, where everyone kind of comes in here, you connect the line and then at the end of the day you put it into a machine and out comes the

election results. It is a viable option. I do not want to be accused of being a Luddite or anything like that, Mr. Speaker. I am open to that sort of a change.

There are some aspects to technological change. You know, we have heard about voting, for example, over the Internet as an option. I am not necessarily a big fan of that because I know how people can be manipulated and forced in order to get something done behind closed doors. There is a lot of merit to be saying, going behind a blind and being able to vote and feel confident that your vote is not being manipulated or the population's vote is not being manipulated.

So I think we have got to be cautious while, at the same time, respect that there are things that do happen through technological advances that could make the whole process a little bit easier and the counting machine are one of those.

I recognize the importance of assigning an election officer or a returning officer and empowering that returning officer to do some of the basics, such as maintaining a voters list and updating that voters list, Mr. Speaker. There are other issues that may be required in terms of identification. More and more, I think that we are seeing identification being requested in order to be able to vote.

Again, the bottom line from us, personally, from a party perspective, is to see the democratic process enhanced so that we get more participation, more candidates, and at the end of the day, we will have a healthier system. With those few words, Mr. Speaker, we are prepared to see it go to committee. Thank you.

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

An Honourable Member: Yes.

Mr. Speaker: The question before the House, second reading Bill 29, The Municipal Councils and School Boards Elections Act.

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

Bill 31—The Condominium Amendment Act

Mr. Speaker: Now we will move on to second reading Bill 31, The Condominium Amendment Act,

standing in the name of the honourable Member for Pembina (Mr. Dyck).

Is it agreed to leave it standing in the name of the honourable Member for Pembina? *[Agreed]*

Mr. Kelvin Goertzen (Steinbach): It is a great pleasure to rise to speak on Bill 31, The Condominium Amendment Act, and I have certainly been looking forward to speaking to this act for some time. It is with great anticipation that I have the chance to speak to this particular piece of legislation. I think some of the anticipation that I have built up is given thanks to the Member for Portage (Mr. Faurchou), who has spoken passionately to me personally and to members of our caucus about this particular bill because he truly believes in the importance of looking at legislation from all angles, from a matrix perspective, to see the ins and outs and the pros and cons. That is simply the kind of member the Member for Portage la Prairie is, very even-handed and very balanced, and tries to look at legislation from all angles. I am glad that he has given me new insight into this legislation and a great appetite to speak towards it, Mr. Speaker.

I notice that The Condominium Amendment Act has a number of provisions in it that will, I suspect, be good for those individuals who are purchasing condominiums. Certainly, we know that this is a growing trend within Manitoba that began, I would say, several years ago, Mr. Speaker, where a lot of individuals, and certainly not just those who are looking to downsize their particular residence, but all sorts of individuals across our spectrum, across our society in Manitoba, who move into condominiums because they simply believe it fits their lifestyle, because the economic arrangement fits their particular means and their particular time in their lives and where they are in that issue.

I know that one of the perspectives or one of the changes to the Condominium Act is the 48-hour time period between purchasing or signing an offer to purchase, I suppose, and actually having the culmination of the deal. I believe that this is commonly referred to in real estate and in law I suppose as a cooling-off period. It gives an opportunity for individuals, and this practice is sometimes used, I believe in real estate, but it gives an opportunity for individuals who have signed an agreement that time for sober second thought, that 48 hours, that two-day period, to look and determine

really if this is what is good for them at their particular stage of their life, whether or not this is a good agreement for them to maintain.

I think that is appropriate. I think all members of this House would agree that that ability to kind of step back from what is often a heated time when one is negotiating to purchase anything, let alone something as significant as a condominium. Give them that time to step back and determine whether or not they made the right decision. Negotiations for things, homes or condominiums, can at times elicit a variety of emotions, Mr. Speaker. There can, at times, I think, not intentionally, but quite unintentionally, be pressure put to bear upon a bearer, sometimes put to bear upon a seller of a home, or of a condominium in this case.

* (15:40)

Here we now have a provision written into the act where individuals can step back and determine whether or not they want to go forward with this. They can take the time to speak to their friends and loved ones, maybe gather the experience of others who have purchased condominiums either in the same complex or in another complex, to gauge whether or not their experience was a positive one and to take just that little bit of extra time to find out about whether there are pitfalls in that purchase and whether or not it would be wise to move ahead given their own individual circumstance.

I notice that within the legislation, then, that Land Titles will not register the purchase until the 48-hour period has expired, and the purchaser and, I suppose, the seller in some cases have that opportunity then to step back and ensure that this was the right thing to do. There are methods within the act that allow for the cancellation then of the offer to purchase, the offer of the agreement on the condominium. There are ways that can be faxed in, ways that can be brought forward on registered mail where there is a verifiable way to ensure that it was the seller or the purchaser of the condominium who, in fact, was putting forward the cancellation.

Those are all I think, Mr. Speaker, things that members on this side of the House can support. We believe it is a consumer issue, and it is another way to ensure that consumers are protected when they are purchasing condominiums within our province. That

protection we think is good for individuals, and we certainly support that perspective of the legislation.

I also know that in section 8(1.1) of the act, there now is an amendment that will allow the purchaser to obtain up-to-date financial documents, budgets for the current year for the condominium complex as a whole. This will give information to those who are looking to purchase, again, who already have purchased condominiums and who are already existing and working within the individual complex. It will give them the assurance that what is going on with their money, whether it is their fees or their dues or a variety of other things that people who own condominiums pay, that it is being used in an appropriate manner, Mr. Speaker, that it is being used in a way that they intended when they signed the agreement. In fact, I would say it is a method of oversight, and perhaps on this day of all days, it is ironic that we talk about financial oversight.

During Question Period today, we talked about the oversight of an investment fund, of a labour-sponsored investment fund here in Manitoba and the lack of oversight that has happened with this government. Despite the fact that there were legislative changes in the year 2001 to the Crocus Investment Fund, that oversight has not happened. The relevance of this when we are looking at The Condominium Act is here again is a provision that will provide oversight, that will provide financial oversight for those individuals who are purchasing condominiums to look at the financial wherewithal and where their money is going in the budgeted statements from those who are in charge of running the condominium.

While that financial oversight is good and the ability to use it is good, if it is not in fact used, we then see what problems can occur. Certainly, that maybe is one aspect or one area where this government has developed a trust deficit, I would say, Mr. Speaker, where not everyone believes that they truly have their hands on the switch, that they are awake at the wheel when things are happening.

We have seen in other aspects of the government, the Minister of Education (Mr. Bjornson), who was asleep with the issue of Seven Oaks, even though he too, like this legislation, has a supervisory role and ability to supervise things, Mr. Speaker. We have seen other aspects, other areas of the government. I know the Minister

of Intergovernmental Affairs (Mr. Smith) had a supervisory role that he could certainly take with Waverley West and did not take that supervisory role. Today, we saw where the Minister of Finance (Mr. Selinger) had the ability as well within his capacity and the Minister of Industry (Mr. Rondeau) to take a role to look at what was happening with the Crocus Investment Fund when the red flags were raised, and they did not take the opportunity.

So, in relation to The Condominium Act, while we are certainly glad that there are abilities to look and to ensure that money is being used properly within the condominium itself, we know that those powers and those provisions are not, in fact, valuable if they are not used. So we certainly hope that those individuals who are getting into condominium agreements will use those provisions and will be made aware of them in the days ahead.

There are a number of other provisions that I could speak to, Mr. Speaker, but I do know that there are others who may want to speak to this bill or other bills that we will be considering in this fine Legislature this afternoon. I want to provide the opportunity for that to happen, so with those few comments, I look forward to hearing other presentation on this and further bills.

Mr. Speaker: Okay, when this matter is again before the House, it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

Bill 34—The Highway Traffic Amendment Act

Mr. Speaker: We will now move on to Bill 34, The Highway Traffic Amendment Act, standing in the name of the honourable Member for Portage la Prairie (Mr. Fauschou).

What is the will of the House? Stand?

An Honourable Member: No.

Mr. Speaker: It has been denied.

Mr. Kelvin Goertzen (Steinbach): When I said that I was looking forward to hearing further speakers, I was not speaking of myself coming right after the last bill. I know that there are many other members across the way who are glad that I am up and speaking on Bill 34, The Highway

Traffic Amendment Act. *[interjection]* I particularly appreciate the comments from the Member for Wolseley (Mr. Altemeyer). I know he is a strong supporter of mine and believes in the work that I am doing in the Steinbach constituency and around the province. I appreciate those words of encouragement from him.

I want to speak specifically, Mr. Speaker, to The Highway Traffic Amendment Act and the changes that the Minister of Justice (Mr. Mackintosh), has brought forward. I believe that comments have been put on the record by the Member for Inkster (Mr. Lamoureux) on this particular bill. In fact, I have to say that I echo many of the comments that the Member for Inkster said, and the sentiments that he put forward in terms of the Minister of Justice's ability to make announcements and to make changes to legislation, but to have very, very limited results from those legislative changes. In particular, I note that we have now seen the Minister of Justice in action, as it were.

Now, I meant that as two words, in action, but in fact, truly there has been real inaction, one word, from the Minister of Justice on a number of different issues. While he has passed, I think, a cadre of bills in this House, a huge volume of legislation within this particular Chamber, we do not see the results coming within our justice system and with the Province of Manitoba. There is no minister on the opposite side, perhaps, other than the First Minister (Mr. Doer) himself, who remains in the same position since forming government, perhaps maybe the Minister of Finance (Mr. Selinger). *[interjection]* I hear the Member for Brandon East (Mr. Caldwell) speaking, saying that I am wrong. Certainly, I know that the member from Brandon East is no longer in Cabinet, so he would not be one of the individuals that I am referring to.

I know that, in fact, Mr. Speaker, that the Minister of Justice (Mr. Mackintosh), has remained within his position for six years and has received very, very few results for the time that he has been there, even though he has had a lot of time, and the Member for Brandon East will have plenty of time to put his words on the record on this bill. He says that I am wrong on this and a few other issues. I look forward to hearing his comments when I have concluded my remarks. I am sure that he will bring wisdom to this debate. We look forward to hearing his words.

It is true that one has to examine a minister's record in the context of the time that they have spent within that particular department and to look at the results that they have had. This particular bill is intended to deal with, well, a number of things. It is intended to bring forward stronger penalties for drinking and driving, for impaired driving, within the province of Manitoba. One only has to look, I believe, at Christmastime and the checkstops that were brought forward by our fine folks in our law enforcement in the past year and the high number, in fact, the much higher number than has been in the past, the number of stops and apprehensions that they had for impaired driving in the province.

* (15:50)

This despite the fact that we do have, I believe, tough legislation here in Manitoba on drinking and driving. Much of that can be accredited to the former Conservative government of the 1990s who were a leader in bringing forward legislation. In fact, I believe that during the 1990s the former Conservative Minister of Justice brought forward legislation on the seizure of vehicles and the impoundment of vehicles when dealing with drinking and driving. There were those, and I believe maybe even members of the now government, then in opposition, who said this would not be constitutional. We could not do such a thing in the province because it was impeding upon the criminal jurisdiction that rests with the federal government in terms of impaired driving. But, in fact, the Minister of Justice at the time in the Conservative government was correct in suggesting that, in fact, it was a property issue, that the seizure of vehicles was a matter of property. They said it would withstand any Constitution or Charter challenge, Mr. Speaker, and, in fact, they were proven right.

So I give members here who continue to be with us from those days in government, I give them credit for the foresight that they had in setting forward initiatives and real new legislation that has now been mirrored across the province and across, sorry, across the country, and has been seen as groundbreaking and has been seen as constitutionally correct and on four solid terms.

I do think that the Minister of Justice sometimes speaks from a duplicitous position on this and many other issues, Mr. Speaker. You know, on the one

hand, he talks about having tough laws against drinking and driving and that this will send a signal through Manitoba. We know it is a signal that is not getting through. We know that it is a signal that people are not hearing because the incidence of drinking and driving as we saw in Checkstop Program at Christmastime, this past Christmas, are still going up.

So what is all this tough legislation? What does all this tough legislation amount to, Mr. Speaker, and why is it not working? I know that the Minister of Justice prefers to get a couple of flashy headlines and it gets him in the paper. Perhaps that is politically astute to do from a pure politics point of view, but it is not in fact making a difference to those within the system. It is not reducing the number of drinking and drivers or drunk drivers that we have on our roads.

Perhaps we did see part of the problem last week when we saw that the minister for highways was talking about three separate government departments being needed to fix a toilet on a highway this last month. One wonders if that is the problem that is plaguing the Minister of Justice, if there are too many people involved. You know, he thinks that there is such a complexity of this situation that it cannot be resolved in a simple way.

I would say to the Minister of Justice and in fact there have been some good simple suggestions put forward by, not just members of the opposition on this side of the House, but in fact Manitobans across the province have come forward to the Minister of Justice and said, "Sure, it is fine to pass tough laws and it is fine to say that we are going to have stricter penalties for those individuals who are caught drinking and driving, but it is not truly having the effect." We have to wonder why that is, Mr. Speaker. I would suggest that there are a couple of reasons.

One, certainly, I think, is on the issue of enforcement. You know the Minister of Justice likes to talk about resources for police officers and yet we do not truly see that happening. He likes to talk about the number of officers that are being increased, but it is not happening in the province of Manitoba, Mr. Speaker.

I had the opportunity to speak to officers from across our province and our municipal forces and in the national RCMP force who are assigned in various communities. What I hear from them is that our

numbers on our complement is not going up because there is not the training that is happening for officers because there truly are not the resources being put in place that the minister says that there are. That I think is unfortunate the minister would take kind of a political stand by trying to, in the way that he does, force opposition into a corner and put on paper 54 officers, but in fact it is not translating into the streets.

We know that paper positions do not perform law enforcement duties. We know that paper positions do not go and check to ensure that there is compliance on certain conditions. We know that paper positions are not on our highways, Mr. Speaker, patrolling those highways, responding to calls, responding to accidents and ensuring that drunk drivers are not on the road. In fact, I would say that most Manitobans understand that and realize that there are not as many officers on our road today as there was even a few years ago.

There have been detachments, highway detachments, closed. We heard last week about the possible closure of the Morris detachment in the constituency of Morris and its centralization into another, the traffic services detachment being concentrated into another area. I certainly know that the Member for Morris (Mrs. Taillieu) has worked hard to ensure that there are true resources being put forward to officers, and I compliment her. I compliment her for the work that she does, but I wonder why the Minister of Justice (Mr. Mackintosh) does not listen. I wonder why he does not listen for those Manitobans who are saying, "You can talk about putting more officers on the street, but they are not really there." I think that is one of the reasons we are not having the effect, and we are not seeing a reduction of numbers of instances of drinking and driving in the province, Mr. Speaker, because Manitobans know as they travel the highways within our province, they travel our roads within the city, that they are not seeing those officers.

I had the opportunity of being in Falcon Lake this past weekend, as I mentioned in the House earlier, and I talked to a number of individuals who travel the highway between Winnipeg and Falcon Lake, the Trans-Canada Highway. It was interesting that a number of these people, some who live in Winnipeg, some who live in Falcon Lake and south, some who live within La Verendrye have mentioned that they do not see officers patrolling that particular

stretch of highway anymore. Certainly, as somebody who has travelled down the Trans-Canada Highway, the No. 1, between Highway No. 12 and the city of Winnipeg almost on a daily basis for a number of years, I know, in fact, that there are not as many officers on those highways anymore, and it is certainly not the responsibility of the police. They are dealing with limited resources, and they can only assign officers where they have enough officers to put them into place. I think it is disappointing that this Minister of Justice has not given them the resources.

The other issue, the second issue, Mr. Speaker, that I think that we are not having the impact with drinking and driving that we would otherwise have in the province of Manitoba is because the sentencing that has been recommended from the minister's department when those individuals are caught causing death from drinking and driving, those sentences that are being brought forward are conditional sentences. I have raised this issue with the Minister of Justice on numerous occasions in the House and outside of the House and recommended to him that there be a policy put in place, a prosecution policy, so that recommendations of conditional sentence are not brought forward from his particular department, that these house-arrest sentences are not the ones that will be used from his department, and yet that continues to happen.

I have heard the Minister of Justice in responding to my calls for a prosecution policy say that we simply cannot do that, we do not give that kind of direction to our prosecutors because every case has to be examined on its own merits. Yet last week there was a new policy put forward by the Minister of Justice regarding the use of weapons in the commissions of crimes in the province of Manitoba, and, in that case, he put forward and said we are going to have a prosecution policy, but we are going to ask for specific and strict sentences for those individuals who are using handguns and weapons in the commissions of crimes. Certainly, Mr. Speaker, I publicly said that I agree with the position that the Minister of Justice has taken in terms of having a prosecution policy to ensure that those individuals who commit crimes using weapons will have a strict sentence recommendation from our Crown prosecutors in the province.

I commended him for that stand saying that it was possible, but I wondered then why he does not

take the same position, the same stand, with those individuals who cause death from drinking and driving. Why is it on the one hand that he says it cannot be done, and, on the other hand, he says it can be done and we are going to do it? In fact, I think, Mr. Speaker, there is an inconsistency here that we have seen and a problem that we have seen within this particular venue.

I say to the Minister of Justice that bringing forward tough legislation that has higher sentences, that has higher recommendations for sentences, is good in and of itself, but it will not make a difference if we do not have the enforcement on the streets, so we do not have the enforcements of the crime on the street, and that we do not have the sentences when individuals are caught. That truly will make a difference, if individuals know that the chance of them getting caught when they hit the roads after drinking too much, that they know that there is a higher chance of being caught, and they know that once they are caught those sentences will be stronger than they are being asked for now under the Minister of Justice. That will truly make a difference within our province, not just laws that go on the book and then are not used.

With those comments, Mr. Speaker, I look forward to seeing this bill move towards committee. I suspect that we will have individuals who will speak in favour of the legislation because of course we all want tougher legislation brought forward on the issue of drinking and driving. I would ask the Minister of Justice before we get to committee if he could review my comments in Hansard and heed the advice that I have provided not for myself personally, but in fact many, many other members of this Chamber and members of the community and Manitoba have suggested that there needs to be more enforcement and stricter sentences, stricter recommendations of sentences once these commissions of crimes are brought forward before the courts.

With those words, I look forward to recommendations and presentations in committee.

* (16:00)

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 34, The Highway Traffic Amendment Act.

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

The hour being four o'clock, as previously agreed, we will now move into Committee of Supply.

COMMITTEE OF SUPPLY

Concurrence Motion

Mr. Chairperson (Conrad Santos): The Committee of Supply has before it for our consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2006.

The floor is now open for questions.

Mrs. Mavis Taillieu (Morris): Mr. Chair, I have some questions of the Minister of Family Services.

Last December 6, 2004, the minister said that, in regard to the Aiyawin Corporation, they would wait to see if they would be able to put a plan in place for corrective measures, and if not, they would move to remove funding.

Has Aiyawin put a satisfactory plan in place?

Hon. Christine Melnick (Minister of Family Services and Housing): They did a present a plan. We are monitoring their performance. There are concerns around Aiyawin Corporation and we will continue to monitor.

Mrs. Taillieu: Can the minister outline what the concerns regarding Aiyawin are?

Ms. Melnick: Well, certainly, as had been discussed in the House, were concerns around the non-tendering of work that was being done on behalf of the Aiyawin Corporation in terms of the upkeep of the different houses and different units that comprised the 219 units of the Aiyawin Corporation. We were looking at the concerns that were raised there and we will continue to be working with the board to make sure that they are aware of what is

expected, what would be appropriate process and what would not be appropriate process.

Mrs. Taillieu: If the corporation has submitted a plan to address the concerns, has that resulted in reinstatement of their total funding?

Ms. Melnick: The funding was never cut, so there was no reinstatement to be had. There was a process to go through in which concerns were brought to their attention. The internal review that was done was discussed with them. From that time, they did bring forward a plan and it is that plan that we are working around. It is the Aiyawin Corporation that is looking at the concerns that were raised by us, and are looking at ways of rectifying the concerns that we have, but there was not a funding cut so there was not a reinstatement.

Mrs. Taillieu: Can the minister table the plan released by Aiyawin?

Ms. Melnick: I believe that would come under third party, Mr. Speaker, so I do not believe it would be possible to table that.

Mrs. Taillieu: Well, this was clearly a plan that was requested by the department, by the minister because there were some irregularities at Aiyawin, and to have the funding to continue, they were to come up with a plan. In fact, the minister only gave them two weeks and then extended that and, recently, in *The Drum*, it says that they have made progress. Well, certainly, we are wondering what kind of progress. If there has been a formalized plan to address the concerns raised at Aiyawin in November of 2004 requested by the department, it certainly should be available.

I am asking the minister, again, why would it not be available.

Ms. Melnick: Mr. Speaker, it is my understanding that that would come under a third-party designation and that the plan would not be releasable. That is my understanding.

Mrs. Taillieu: Mr. Chair, but this is an agency funded by the minister's department so she must be able to, if she has requested a report to comply with and to concur with some of the recommendations that were set forward, then certainly there must be no reason why she could not table the report that

Aiyawin put forward. How else do we know if, in fact, there is a report?

Ms. Melnick: Again, Mr. Speaker, it is my understanding that this would come under the third-party designation and that the plan would not be able to be tabled in the House.

Point of Order

Mr. Leonard Derkach (Official Opposition House Leader): A point of order, Mr. Chair.

Mr. Chairperson: A point of order being made by the honourable Leader of the Official Opposition in the House.

Mr. Derkach: Mr. Chair, what is being requested is a report that was given to the minister on how an agency operates. I do not know what authority the minister points to in not disclosing this information. An area of concurrence is that ministers are required to answer questions or table reports as they are requested to. Now the minister is stalling and is refusing to comply with some of the rules of this Legislature. If she, in fact, says that it is not legal for her to table this, I want to know what authority this minister is using to hide behind.

Mr. Chairperson: Disputes on issues are not points of order.

* * *

Mr. Derkach: Mr. Chair, under the rules of our House, in a concurrence session, a minister is required to answer questions and table documents that pertain to her responsibility. The minister is refusing to table documents, and yet she is not citing what rule, what law she is trying to hide behind in not providing the information.

Mr. Chair, ministers are supposed to provide this information, and this minister is not. This is not a dispute over the facts. This is obviously a transgression of the rules under this Legislature as agreed to by all parties when we agreed to a concurrence sitting in this House.

Hon. Steve Ashton (Deputy Government House Leader): . . . ruled on the previous point of order, Mr. Speaker, because I believe the member raised this as a point of order. He referenced the rules; I am

not clear on that. If it was raised as a point of order, I believe you have dealt with it.

* (16:10)

I would like to know what version of the rule book the Opposition House Leader is reading because nowhere does it get into whether the Opposition House Leader or any member of this House is happy with the question, any more than ministers can rise on a point of order and say they are unhappy with the questions.

We are in concurrence and, Mr. Speaker, if the Opposition House Leader has questions he would wish to ask, all he needs to do is talk to his critic, and I am sure the minister will oblige afterwards. But it is not a point of order because the Opposition House Leader is not happy with this or any other answer. The Minister of Family Services (Ms. Melnick) was responding, had responded to the critic. That is what concurrence is all about.

Again, Mr. Speaker, I would suggest you ruled previously the member did not have a point of order. I would suggest if this was raised again as a point of order, the member does not have a point of order. He should get in the list for questions.

Mr. Chairperson: Points of debate are not points of order, and it is now becoming a point of debate. There is no point of order. *[interjection]*

* * *

Mr. Chairperson: Another point of order?

An Honourable Member: No, I am challenging your ruling, Mr. Chair. You have not got the right to say that.

Mr. Chairperson: The decision of the Chair has been challenged.

Order, please. The decision of the Chair that there is no point of order has been challenged.

Voice Vote

Mr. Chairperson: All those in favour of sustaining the decision of the Chair, say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the Chair's opinion, the Yeas have it. The ruling, therefore, is sustained.

Formal Vote

An Honourable Member: I challenge your ruling, Mr. Chair.

Mr. Chairperson: The honourable Government House Leader—*[interjection]* The honourable Opposition House Leader.

Mr. Derkach: Yeas and Nays, Mr. Chair.

Mr. Chairperson: A recorded vote has been requested. Call in the members.

A point of order has been raised by the honourable Official Opposition House Leader (Mr. Derkach) about the Minister of Family Services and Housing (Ms. Melnick) not tabling a report. The Chair ruled that there was no point of order and that this issue was a point of debate, not a point of order. The ruling of the Chair was challenged and was sustained on a voice vote.

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

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 31, Nays 18.

Mr. Chairperson: The ruling of the Chair is accordingly sustained.

* * *

Mr. Chairperson: The floor is now open for questions.

Mrs. Taillieu: Mr. Chair, we know that in November of 2004, the Aiyawin Corporation, the operational review report was done by the department. We also know that there is an investigation by the Auditor General. We know that that report has findings, conclusions and recommendations. We would simply like to know if Aiyawin has tabled a plan which would ensure that the funding is to be continued because we know that

the funding is continued, and we know in fact, that it has actually increased. We simply are asking, we simply want to know, what the accountability here is for the funds that are being channelled into the Aiyawin Corporation.

We saw in Hydra House that allegations were made and then guess what happened, more funding was doled out by the department. We are simply asking on behalf of Manitobans where the money is going, and is there an accountability process here. All we want to know, we would like to see the report, the plan, the operational plan put in place by Aiyawin, so that we can be sure that there is accountability. Will the minister table that plan from the Aiyawin Corporation?

* (16:50)

Ms. Melnick: Mr. Speaker, I have the Division 3 of The Freedom of Information and Protection of Privacy Act, and I am looking at section 17, which begins

"Disclosure harmful to a third party's privacy

17(1) The head of a public body shall refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of the third party's privacy."

We then go down to section 17(2), and it talks about disclosures deemed to be an unreasonable invasion of privacy, and it outlines from section (a) to (i) on that.

If we go down to section 17(3) **Determining unreasonable invasion of privacy**, 17(3) reads,

"In determining under subsection (1) whether a disclosure of a personal information not described in subsection (2) would unreasonably invade a third party's privacy, the head of a public body shall consider all the relevant circumstances including, but not limited to, whether

(a) the disclosure is desirable. . ." I could read the individual sections. I could read all the sections if the House would like, but those are guidelines that I am going by.

There are section 17(4) **When disclosure not unreasonable**, and section 17(5) **Disclosure with third party's consent**. So these are the guidelines that I am going by.

Then we have **Disclosure harmful to a third party's business interests**. Mr. Deputy Speaker, 18(1) deals with business interests of third parties. So that is the sense in which I am responding.

I could take the question under advisement and I could have a look at it, but certainly looking at The Freedom of Information and Protection of Privacy Act, it appears to me that the report that was requested by members opposite would fall under this criteria.

Mrs. Taillieu: We are not asking for personal information on a third party, and we are not asking for any individual information. We are not invading anybody's privacy by simply asking for the plan that was to be done by the corporation in response to the operational review report in which there are findings, conclusions and recommendations.

We would like to know if, in fact, those recommendations have been acted upon to the extent that they should be receiving their continued funding. I am simply saying some of the recommendations are revolved around how many board members there are. Some of them are in regard to is there a tendering process in place. Are board members receiving remuneration? Certainly, this is not confidential information. We are not violating any third party here.

In fact, there is a funding arrangement between the department and Aiyawin Corporation. We are simply trying to determine what the accountability is there for the funding that is still in place. It is just a very simple plan. There is a plan that Aiyawin was asked to proceed with to ensure that funding would continue. We simply want to know what plan they came up with. It is a plan. There is nothing personal. We are not asking for personal information, and we are not invading privacy here. We are asking on behalf of Manitobans. Manitoba taxpayers want to know their money is well spent. If there is a plan in place that is appropriate, then what is the concern? Why will she not table it?

Ms. Melnick: Again, Mr. Speaker, I talked about section 17. I also talked about business interests of third parties which is section 18, which deals with business interests.

I will just repeat, again, as I had to my previous response, that I have taken the request under

advisement. It is these guidelines that I am responding under, and I will just have to take it at that, that my concerns are to table the plan that the member has asked for today, I am concerned would, in fact, be infringing upon The Freedom of Information and Protection of Privacy Act.

Mr. Derkach: I have never heard such a pile of bunk in my days in this House as I have just heard from this minister.

Now, Mr. Chair, this minister is doing nothing but stalling. We have asked for the information. That is information the public has a right to know. If you are going to be basing recommendations and funding on a report and recommendations that have come from a body that is funded by the department, members of this Legislature have a right to that information. We are not asking for personal information, we are not asking for any individual's personal data. We are asking for a report that was done on an agency which, in fact, has recommendations in it that would, in fact, determine whether or not the funding level should be maintained.

That is information that the public of Manitoba has the right to know, least of all the critic for the department has the right to know that, and how else do we measure any standards, any accountability of this minister, which we have not been able to do because she continues to stall in Question Period, in the hallway, in this House, Mr. Chair? Now, if that is how the minister wants to play the game, I guess we can have a few strategies of our own, but she does not have the right to stall and stonewall information that is requested of her, legitimately, by Manitobans, through the critic for Family Services. She does not have the right to do that. Now, she may want to be judge, jury and executioner, but in this case she is up to her ears in a mess that she cannot clean up, she will not clean up and now she uses the only ability that she has, and that is to stall.

Now, Mr. Chair, this minister has demonstrated very effectively that she is incompetent and cannot manage that department, and when she has asked for information, she withholds it, because that is hiding information, and she does not have the right to do that. Now, I am going to ask her one more time whether or not she is prepared to table this information in this House, in concurrence, for the critic who was asking her these questions. The

sections that she quoted from, and we are well aware of, and they do not apply in this incident.

Ms. Melnick: Again, Mr. Speaker, I will repeat that I have looked at the sections 17 and 18 of The Freedom of Information and Protection of Privacy Act. I have taken the question under advisement. It is my understanding that to table the report as requested today would, in fact, infringe on The Freedom of Information and Protection of Privacy Act, so I have taken the question under advisement.

Mr. Derkach: Just as usual, she is confused again, Mr. Chair. The minister now says she is taking this under advisement. What is she taking under advisement, specifically, if I might ask her?

Ms. Melnick: Well, what I have taken under advisement, Mr. Speaker, is the request to table the plan. I have read what I believe are pertinent sections of The Freedom Of Information and Protection of Privacy Act, sections 17 and 18. The opposition appears to continue to request the document. However, I have taken their advisement under request, and I will be looking into it in regard to the freedom of information act as to whether or not it certainly would be appropriate or not to be tabling the plan as they had requested.

Mr. Derkach: Mr. Chair, has the minister consulted with any legal counsel, with regard to the legality of not tabling this report?

Ms. Melnick: Mr. Speaker, again, I have taken the question under advisement. As the member knows, I have been sitting here as the questions have been coming across the floor. In concurrence, we do not have the staff here as we would in Estimates, so what I have done is that I have looked at the sections of the FIPPA act that appear to be relevant and I have taken the question under advisement.

* (17:00)

Mr. Derkach: Mr. Chair, I ask her to clean her ears and listen. I asked her whether or not she had legal advice—

An Honourable Member: Oh, come on.

Mr. Derkach: Well, answer the question. I asked if you had legal advice, Mr. Chair. Do you have legal advice with respect to this issue?

An Honourable Member: Through the Chair.

Mr. Chairperson: Through the Chair.

Ms. Melnick: Again, I will repeat for the House in case members opposite need to be cleaning their ears, Mr. Speaker, that I have taken the question under advisement.

Mr. Derkach: Is the minister now taking under advisement the question that I asked about whether she has legal advice with respect to this? Is that what she is taking under advisement now?

Ms. Melnick: Mr. Speaker, I am taking under advisement the request for the plan as requested by two members opposite today.

Mr. Derkach: What is the answer to my question, Mr. Chair?

Ms. Melnick: The answer to the question is that I have taken the request for the plan under advisement, and I will be looking into that as soon as I can.

Mr. Derkach: I think the minister has made it quite evident that, first of all, she is stonewalling and she will not table the information; secondly, that she has not consulted with authorities as to whether the legality of not tabling this is within her realm, Mr. Chair. So she is refusing to co-operate in this House with the critic. She is refusing to table information that should be public. She has no leg to stand on when it comes to this issue.

Mr. Chair, I think it is time that this minister got some medicine from this House because, Mr. Chair, there is a way to sanction ministers for not complying with the rules of this Legislature. So I think the Legislature has every ability and every right to, indeed, condemn this minister for what she is doing. We are in a session of concurrence. We are in a session where we should be getting answers from ministers, not simply sitting here wasting the time of Manitobans, wasting our time, listening to somebody who does not have an answer, somebody who refuses to answer and somebody who simply stonewalls.

So, Mr. Chair, I want to move a motion of censure against this minister.

Mr. Glen Cummings (Ste. Rose): Mr. Chairman, one of the disappointing aspects about this debate

going down this track is that this is the same minister who refused for a week and half or two weeks to table a report in this House put together by LeVan Hall on Hydra House, then proceeded to supply that report to the media and not to the House, and still refused to supply it in this Chamber.

I would think that the members on the government side who are defending the actions of this minister might want to consider that the opposition is very concerned that that would be the type of activity that is adhered to in the concurrence process. Concurrence was the trade-off for a lot less hours in Estimates process. I think, for the record, that this current Minister of Family Services should consider that, in order for this House to proceed and do its business, it requires co-operation on both sides of the House. On that basis, I am pleading with the minister to answer the question to the best of her ability.

Mr. Chairperson: More questions?

Mr. Derkach: Mr. Chair, I would like to ask the minister, while we are waiting for the motion to be corrected—*[interjection]*

Point of Order

Mr. Chairperson: Point of order being raised.

Mr. Ashton: Mr. Speaker, I would suggest we have the motion read. That is the normal process, and then debate to take place on the motion before we return to questions.

Mr. Chairperson: The situation is that he expressed the intention to move the motion, but the motion has not been moved so far.

Mr. Derkach: It is amazing, Mr. Chair, to see how now the acting House leader is in defence of the minister who refuses to answer questions. *[interjection]* Oh, no, he is not the acting; I do not know what he is.

Mr. Chair, let me just say that, you know, in an attempt to try and ferret information from government regarding government's accountability, we simply ask straightforward questions so that we could base our measurement of accountability of this government on information that is before us. We are not asking for any personal data or personal information.

The critic for the Department of Family Services asked very legitimately whether or not the report could be filed so that she could compare whether or not those recommendations that have been made indeed have been followed up, how many may have been followed up, and how many are still to be followed up, Mr. Chair.

Now how else is any opposition supposed to operate? If this were an autocracy, as the minister would like it to be, then she would have free reign of it; we would not be able to ask her questions. But she must come from an autocratic society somewhere where it does not have to answer questions, and she has come into this Legislature with her attitudes intact.

Mr. Chair, we are asking her to share with this House legitimate information, which she refuses to do. She has not told us that she has had legal advice that has said to her, "No, you cannot table this." She simply has pulled out a form, a freedom of information form, which describes under what conditions you cannot allow certain information, but none of this pertains to the report that, in fact, we were asking for.

Mr. Chair, I want to know why this minister feels that she can stonewall Manitobans in this way and what she has to gain from it.

Ms. Melnick: . . . for the House that I have read a couple of sections from the freedom of information act, and I have taken the question under advisement, Mr. Speaker.

*(17:10)

Mr. Derkach: Well, Mr. Chair, I did not hear the answer from the minister. So, therefore, I move

THAT the following words be added after "the full Committee": but this House condemns the actions of the Minister of Family Services for her refusing to provide information to this House which is of a public nature, and that the minister apologize to all Manitobans for her inexcusable and insulting conduct.

Mr. Chairperson: This motion is not a motion by itself, but an amendment to the concurrence motion. So the following words will be added to "the full Committee": but that this House condemns the

actions of the Minister of Family Services for her refusing to provide information to the House which is of a public nature, and that the minister apologize to all Manitobans for her inexcusable and insulting conduct.

The floor is now open for debate.

Mr. Ashton: Mr. Deputy Speaker, I think, if you were to consider doing an addendum to the dictionary definition of "hyperbole," you could just add the words that the Opposition House Leader put on record about a minister.

Let us look at what we are dealing with. We are in concurrence. The members opposite did not feel it important to ask this question during Estimates when staff was available. The minister is erring on the side of caution when it comes to protecting the privacy of information. I know the—

Point of Order

Mr. Chairperson: Point of order being raised.

Mr. Derkach: Mr. Chair, where is this minister coming from now, I wonder. Concurrence is an extension—

An Honourable Member: I want to know where the coffin is.

Mr. Derkach: Yeah, where is the coffin?

Mr. Chair, this is an extension of Estimates. This is not a time when, because we failed to ask questions in Estimates, that we come into concurrence to continue the questions. This is a legitimate process where a minister still must be accountable to Manitobans.

Now, if the minister of highways is suggesting, no, Water Stewardship—he has had so many portfolios, it is hard to follow him. But if, in fact, the Minister of Water Stewardship (Mr. Ashton) is suggesting that we should extend the time for Estimates, we can do that.

But, Mr. Chair, there was an agreement between all parties of this House that, in fact, we would contain the Estimates to 100 hours and that we would, as always, be able to carry on questions of the ministers in concurrence, including the Premier (Mr. Doer). This is a legitimate process.

So let not the Minister of Water Stewardship try to indicate by insinuation that, in fact, these are questions that we did not think about before, so therefore we are asking them now, and the minister then now is incapable of answering them because she does not have her staff around her. Mr. Chair, her responsibility is to be accountable, to have the information and to answer questions truthfully and honestly in this House.

Mr. Chairperson: Is this the same point of order? This business is becoming a debate.

Mr. Ashton: Mr. Speaker, I think the rules are very clear. That was not only not a point of order, I find it interesting the members filibustering his own motion on a point of order.

Mr. Chairperson: The Chair has to make a ruling. There is no point of order. It is a point of debate.

* * *

Mr. Ashton: I will be very brief because I had thought the intention of going into concurrence this afternoon was to allow us to actually go into concurrence, Mr. Deputy Speaker.

I think it is important to put on the record that the minister is erring on the side of protecting privacy, and the kind of inflammatory rhetoric that is involved in this motion really does not fit. A minister who has been asked questions, and who expressed the need to be very careful to protect privacy, indicated in the latter part of the questioning that she would certainly be looking, taking matters under advisement in regard to questions. Any responsible minister would be doing the same thing. You do not err on the other side. You are dealing with some very sensitive issues here. And just because the Leader of the Opposition (Mr. Murray) does not like the answer does not lead to the kind of rhetoric that we have seen there.

The member can use all of those kinds of descriptive terms and motions, but I think anybody that is listening to this debate with an objective view will understand that the responsible thing for a minister to do in this kind of circumstance, whether it is concurrence or in any other public forum, is to err on the side of protecting privacy.

Given the fact the minister also indicated she would take various issues that were raised under

advisement, the minister is being responsible and accountable, and I would suggest this motion has no merit whatsoever.

Mr. Chairperson: Is there any more point of debate on the motion?

Hon. Jon Gerrard (River Heights): I think that in this case there are legitimate public concerns, and that the document should have been provided. There is lots of priority for blacking out individual names where there are concerns about confidentiality, but there clearly should be access to this report.

I have raised concerns about Aiyawin Corporation and the government's role, and the lack of accountability on numerous occasions. I think it is about time that we had this report tabled in the Legislature as quickly as possible. I see no reason for delay.

Mr. Chairperson: Are we ready for the question?

An Honourable Member: No.

Mr. Cummings: Mr. Chairman, I come from the old school where you stood up in the Estimates process. I feel more comfortable standing when asking a minister questions.

I find it very distressing that this House is rapidly coming to a close and government has managed to squeeze some fairly heavy legislation in just under the wire, so there is expected that there would be a significant amount of work done over the next number of days.

We also expect that the government ministers would come prepared to answer questions and to move forward on the concurrence questions that are being asked.

As I said a moment ago, one of the—

Point of Order

Mr. Chairperson: Point of order being raised.

Hon. Dave Chomiak (Minister of Energy, Science and Technology): I am trying to hear, and I appreciate the comments of the Member for Ste. Rose, but the Member for Springfield (Mr. Schuler) and the Member for Steinbach (Mr. Goertzen) are

yelling so loud, I literally cannot hear what the Member for Ste. Rose is speaking.

I wonder if you might call those two members to order, because I literally cannot hear the Member for Ste. Rose, who is sitting in the front row, in his comments dealing with this issue.

* (17:20)

Mr. Chairperson: On the same point of order, the Member for Steinbach.

Mr. Kelvin Goertzen (Steinbach): Mr. Chairperson, I want to offer my apologies to the minister. I know he is dutifully reading the Crocus report, the scandalous report that came out this afternoon. I did not mean to interrupt him. There is a lot of good reading there. He should look at the page where his government is implicated in not showing oversight. I will be quiet so he can look at that report and maybe have a response from his government.

Mr. Chairperson: The Member for Springfield, on the same point of order.

Mr. Ron Schuler (Springfield): Yes, thank you very much. On the same point of order, there is no point of order. Perhaps why the minister cannot hear, he has his feet up on another chair and he is actually snoring. Maybe that is why he cannot hear anything.

Mr. Chairperson: The Chair is encouraging members on both sides of the House to please respect the proceedings or else we are not giving honour to ourselves by doing so. We should have some kind of semblance of order at least.

* * *

Mr. Cummings: Actually, I was enjoying the verbal support of the members of Springfield and Steinbach, but I would have to say, in debating this motion, it is very disconcerting that, at the same time as we are listening to this minister deflecting questions and using what we believe are rather flimsy excuses to not answer—perhaps I could give her some suggestions as to what might be appropriate. Certainly, she can reference a document and provide a significant amount of information without breaching privacy. She has not even made an attempt to do that.

Furthermore, this is an issue where private funds are not at risk. This is an issue where it is a publicly funded process, that we believe the public has a right to know what actions the government is taking to adequately protect and follow up on issues and concerns that were raised about expenditures, much the same as my colleague from Steinbach pointed out. Do we have to have the Auditor publish another document the thickness of the Sears catalogue to help this government on with governance? It seems to me that when the minister stonewalls, as she has today and as has been her practice, that is why we on this side of the House, Mr. Chairman, are calling on her to cease this practice within the Chamber or there will be consequences in terms of how the House operates. We, on behalf of the public, have a responsibility to push the issues as far as we possibly can to get what we believe is legitimate information about whether the department and the minister are doing their job to provide accountability and provide leadership. You know, if the government does not want to provide accountability, at least they should provide leadership in terms of how issues like this are being dealt with.

I appreciate your attentiveness, Mr. Chair, but the fact is it seems to me that the very people we are trying to get the attention of, and that is the members of Treasury bench on the government side, in this case the Minister responsible for Housing, we want them to think about exercising their responsibility. Sometimes that is not easy and sometimes it is not a popular thing to have to do, but it is not good governance to simply roll along every time there is an issue, throw a little bit of money at it, have somebody write an internal report and, when we receive that internal report, we say, "Well, we have it all in hand, but I cannot release the information."

Eventually, that leads to more fear, criticism and worry about whether or not the government is actually hiding something. It seems to me in this day and age we have a responsibility as leaders in our province, and certainly the Cabinet ministers have that lead role, that we have a responsibility to act in the eyes of the public in an accountable way so that we can clearly explain whether or not their best interests are being respected.

I said earlier, Mr. Chair, that this minister has a long record of filibustering these types of questions. This government has a record of filibustering. I asked the question back in 2002, early 2002, about

whether or not there should be a call made to the Auditor's office to take a look at what was happening in Hydra House. They can say what they want about when some of the expenditures occurred, the fact is that they inherited a report in 1999, which they sat on. Then they sat on a request in 2002, and now this minister again demonstrated the willingness to cover up and not deal with the questions that are being raised legitimately about how she is handling certain outstanding issues within her department.

If this is accountability, if this is responsible actions on behalf of the minister, then what accountability can we in the opposition impose on the government, if they are unwilling to co-operate in answering these types of questions? Has the opposition a right to impose? That might be a question that you would think about answering sometime when you take a philosophical look at the way government operates yourself, Mr. Chair, but the fact is to the best of our ability we have to hold up the government to a mirror to the public as to whether or not they are acting responsibly. It makes it very difficult. It is very frustrating, as my House leader has said very succinctly, I think, that the Minister responsible for Housing does not make a sincere effort to answer these types of questions in the House. Until she does, we will end up with her sitting in concurrence for hour after hour after hour, and if there are no answers forthcoming, then the public will start to ask all of us in government: Is anybody minding the shop, is anybody doing their homework, is anybody being accountable for what is happening to my tax dollars, is anybody honestly looking after the public interest, or are they only looking after their own interests?

Last night, Mr. Deputy Speaker, I am not going to talk about my personal habits, but late at night I turned on the Gomery commission, and I saw the current Minister of Finance, trying to defend how it was that he knew three years before that there were things going wrong with the sponsorship program. The legal counsel asked, "So this was not a program even then. This was simply a sponsorship expenditure. It was not being delivered as a program. Why did you not decide you were going to deliver it as a program?"

That is what is wrong with this government and many governments today who refuse to take action

until somebody pushes them to take action. That is why this side of the House will dig in and make sure that this minister and this government answer questions, or we will stay here until they do start answering questions. That is the one right that the opposition has. We can make it difficult for government to move forward.

We have offered on many respects the opportunity to openly negotiate process in this House and how we will move forward with the decision-making process. There are a number of bills, most of them quite light bills, that are available for debate in this House, but there are some heavy bills that have been introduced that will not get adequate discussion when they were introduced in the end of May within the shadow of the deadline that the government set by which they would introduce—the last date that they would introduce legislation. Combine that with what I have just said about this minister basically filibustering her own time in concurrence. It only leads to fear and loathing of all of us in government and questioning about our willingness to take on responsibility. When I look at the workload of the Auditor General and his department in this province right now, we are gradually getting to where we have government by Auditor, where government is unwilling to move far too often until they have the hot breath of the Auditor breathing down their neck, figuratively speaking.

It seems to me that this government and all of us in this Chamber could service the needs of the public a lot more adequately if we were prepared to deal forthrightly with the questions and with the issues.

This should be such a simple issue, Mr. Chair.

Mr. Chairperson: The hour being 5:30 p.m., consideration of this motion shall proceed next time we meet tomorrow, or whenever we meet.

Committee rise. Call in the Speaker.

IN SESSION

Mr. Speaker: The hour being 5:30 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 30, 2005

CONTENTS

ROUTINE PROCEEDINGS		Winnipeg Blue Bombers Swan	3062
Tabling of Reports			
Auditor General's Report—Examination of the Crocus Investment Fund dated May 2005 Hickes	3051		
Oral Questions			
Crocus Fund Murray; Doer	3051		
Loewen; Selinger	3052, 3054, 3056		
Hawranik; Selinger	3053		
Murray; Doer	3057		
Gerrard; Doer	3059		
Lamoureux; Rondeau	3060		
Members' Statements			
St. Nicholas Parish Hall Nevakshonoff	3060		
Kiwanis Club of East Kildonan Mitchelson	3061		
Teddy Bears' Picnic Korzeniowski	3061		
Whiteshell Volunteer Firefighters' Dinner Goertzen	3062		
		ORDERS OF THE DAY	
		GOVERNMENT BUSINESS	
		Debate on Second Readings	
		Bill 25—The Workers Compensation Amendment Act Schuler	3063
		Eichler	3065
		Bill 29—The Municipal Councils and School Boards Elections Act Maguire	3067
		Driedger	3070
		Lamoureux	3072
		Bill 31—The Condominium Amendment Act Goertzen	3074
		Bill 34—The Highway Traffic Amendment Act Goertzen	3076
		Committee of Supply	
		Concurrence Motion	3079