

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

Official Report
(Hansard)

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authority of
The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 25, 2006

The House met at 1:30 p.m.

PRAYER

Speaker's Statement

Mr. Speaker: I have some information for the House.

The Honourable Jobie Nutarak was a wonderful and very caring man. He was the Speaker of Nunavut Territory, and I am sad to announce that he passed away on the weekend due to a hunting accident. I am informing the House that I passed along sympathies and condolences to his family on behalf of all members, and also on behalf of everyone that is associated with the Manitoba Legislative Assembly.

ROUTINE PROCEEDINGS

PETITIONS

Funding for New Cancer Drugs

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, thank you for that message, and our condolences to your colleague.

I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

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

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

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

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

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

CancerCare Manitoba has asked for an additional \$12 million for its budget to help provide

these leading-edge treatments and drugs for all Manitobans.

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by S. Holden, D. Jeanson, G. Peck and many, many others.

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

* (13:35)

Point of Order

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

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

Mr. Derkach: Well, Mr. Speaker, for the last two weeks in this House, we have been reading petitions, and, basically, the petitions urge the Premier (Mr. Doer) and the government.

Mr. Speaker, the Premier has said quite out loud in this Chamber that petitions are a waste of time. I am wondering whether we could encourage that the reading of petitions should not begin until the Premier is present since they are, in fact, directed at him and his government.

Mr. Speaker: The honourable Minister of Energy, Science and Technology, on the same point of order?

Hon. Dave Chomiak (Minister of Energy, Science and Technology): Yes, thank you, Mr. Speaker. I just want to make two points to the House. Firstly, we changed the order of petitions in order to allow petitions to be read in this Chamber. So the order was changed by agreement of all parties of which I think the member opposite signed on.

Secondly, Mr. Speaker, I think the member misappropriated what the Premier said. He said the bell ringing was a waste of time.

And, thirdly, Mr. Speaker, the Premier was just returning on behalf of the Province of Manitoba—*[interjection]*

Mr. Speaker: Order.

Mr. Chomiak: The Premier was just returning from speaking on behalf of the Province of Manitoba at the Holocaust Memorial ceremony that just took place, Mr. Speaker. *[interjection]*

Mr. Speaker: On the point of order raised by the Official Opposition House Leader, all members are aware that mentioning the presence or absences of members is not allowed in our rules. The honourable member does not have a point of order.

* * *

Mr. Speaker: But we will continue on with petitions.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I ask for leave to present the petition on behalf of the Member for Tuxedo (Mrs. Stefanson).

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

Mr. Cullen: Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by Graham Hnatiuk, Leanne Peixob, Kristjana Wood and many, many others.

*(13:40)

Grandparents' Access to Grandchildren

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

It is important to recognize and respect the special relationship that exists between grandparents and grandchildren.

Maintaining an existing, healthy relationship between a grandparent and a grandchild is in the best interest of the child. Grandparents play a critical role in the social and emotional development of their grandchildren. This relationship is vital to promote the intergenerational exchange of culture and heritage, fostering a well-rounded self-identity for the child.

In the event of divorce, death of a parent or other life-changing incident, a relationship can be severed without consent of the grandparent or the grandchild. It should be a priority of the provincial government to provide grandparents with the means to obtain reasonable access to their grandchildren.

We petition the Manitoba Legislative Assembly as follows:

To urge the Minister of Family Services and Housing (Ms. Melnick) and the Premier (Mr. Doer) to consider amending legislation to improve the process by which grandparents can obtain reasonable access to their grandchildren.

Submitted on behalf of A.C. Anderson, Liz Anderson, Chris Mazur and many, many others.

Crocus Investment Fund

Mr. Denis Rocan (Carman): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

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

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed Jeff MacDonald, Bob Gass, Craig MacDonald and there are many, many others.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This petition is signed by Eric Dickson, Brad Rowat, Marion Kostuik and many, many others.

*(13:45)

Civil Service Employees—Neepawa

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

These are the reasons for this petition:

Eleven immediate positions with Manitoba Conservation Lands Branch, the Crown Lands and Property Special Operating Agency, are now being moved out of Neepawa.

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed by Jim Beaumont, David Beaumont and Bernie Provost.

Crocus Investment Fund

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by M. Singh, J. Rapose, E. Rapose and many, many others.

MINISTERIAL STATEMENTS

Holocaust Memorial Day

Hon. Nancy Allan (Minister responsible for Multiculturalism): Yes, Mr. Speaker, I have a ministerial statement for the House.

On May 1, 2000, Manitoba's Legislative Assembly voted unanimously to pass Bill 19, an act to proclaim Holocaust Memorial Day or Yom Hashoah in Manitoba.

On this day, we in Canada and all over the world stand in solidarity with our Jewish brothers and sisters to remember the atrocities committed by the Nazi regime towards the Jewish community in Europe, which culminated in the death of 6 million Jewish men, women, children and others. Today we must remember that the Holocaust was not only a tragedy for the Jewish people but also a human tragedy. We owe nothing less than awe to the strength and determination of the survivors. In these people we see the power of the human spirit, the triumph of hope over loss and the victory of courage over fear.

This morning I was honoured to participate in the "unto every person there is a name" ceremony here at the Legislature. I was joined by many of my colleagues as well as the Maples Collegiate Unity Group who were awarded the International Peace Medal in 2003, as well as the Manitoba Human Rights Award in 2005 for their efforts to promote human rights, anti-racism and social justice issues. I congratulate the Maples Collegiate Unity Group for their efforts to combat racism and promote human rights, as well as a better understanding and respect for cultural diversity.

The attitudes and values of young people will shape Canadian society, and the future will depend on their involvement and engagement. Today we not only look to our youth for hope, but also look to our leaders for inspiration.

Earlier today, as I recited the names of the Holocaust victims who are inscribed on the Holocaust monument on the Legislative grounds, I was reminded that it is important for all of us to stand together in unity and say: Never again. Let us remember that, while the tragedies of history cannot be undone, we must envision the future with courage and determination, and never let the errors of the past be repeated.

Mr. Speaker, after my colleagues have spoken, I would ask that all members observe a moment of silence as we reflect on those whose silence we will remember forever.

* (13:50)

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I wish to join the minister on her reflection and on the reflection of all members in this Chamber for what was, I believe, a very important bill that was passed unanimously to proclaim Holocaust Memorial Day or Yom Hashoah in Manitoba.

I know that those of us who had the opportunity to participate in "unto every person there is a name" this morning, it just sends an incredible, powerful message to all of us that we stand before people to recite names of family members' loved ones that were so taken away for something that to this day, I do not think anybody can understand why it happened.

I know that my wife and I were joined with a number of Manitobans on a solidarity mission. I know the Premier (Mr. Doer) and the Minister of Energy, Science and Technology (Mr. Chomiak)

have also been over to Israel, along with others, to understand and try to get a sense of why it is that we are in a situation that we have to deal with issues such as remembering the Holocaust. Anybody who has a chance to travel to Israel will see a people who were put onto a desert, and unto their determination and spirit they have created a society that, I think, we all can stand back and learn from.

So, today, Mr. Speaker, I say to all members of the Legislature and to all Manitobans, we join the minister in citing that we all must, in our own way, every single day of our lives, ensure that atrocities, as happened to the Jewish people who suffered in the Holocaust, and all of those people who were affected, that all of us ensure that it will never, ever happen again. That is something that we, as this side of the House, that side of the House, all members of this Legislature, I think, stand united. We always must take time to never forget. Thank you very much.

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

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

Mr. Gerrard: Mr. Speaker, I would like to join my colleagues today, Holocaust Memorial Day, in remembering the tragedy of the Holocaust, the 6 million people who died, the 1.5 million children, and in joining others in the resolve to do everything in our power here and elsewhere to prevent such tragedies in the future.

This Holocaust Memorial Day has a special meaning to me this year because I was in Jerusalem in February and had a chance to visit the Holocaust Museum. What an incredible experience going through and seeing the many stories.

After I read at the memorial, "unto every person there is a name," after I had read some of the names this morning, I had a chance to talk with one of the survivors who has lived here in Winnipeg now for many years. It was very moving, both on the one hand to hear her speak of the pain that is there every day for her even now, so many years later from the many people whom she knew and she lost in the terrible tragedy that was the Holocaust. But, Mr. Speaker, in spite of that pain being there every day, she has contributed in Manitoba in many, many ways, including working with children at the Children's Hospital for many years.

* (13:55)

I think it is an important opportunity to salute those who have come through this terrible experience and, yet, have been able to contribute in one way or another so much here in Manitoba and others, of course, around the world.

This is a real opportunity to remember and to recommit ourselves to preventing this sort of thing from ever happening again. Thank you.

Mr. Speaker: Do members wish to rise for a moment of silence? *[Agreed]* We will rise for a moment of silence.

A moment of silence was observed.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the public gallery where we have with us from Isaac Brock School 10 Grade 9 students under the direction of Mr. Larry Beaudoin and Mr. Paul Doerksen. This school is located in the constituency of the honourable Member for Minto (Mr. Swan).

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

ORAL QUESTIONS

Manitoba Hydro East Side Transmission Line

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, currently, 70 percent of the power from northern Manitoba comes down two high voltage transmission lines, Bipole I and Bipole II. Both lines are located on the west side of Lake Winnipeg.

Manitoba Hydro will eventually need Bipole III, a third high voltage line to bring down power from the North. A route going down the west side of Lake Winnipeg will be \$400 million to \$550 million more expensive than a line going down the east side of Lake Winnipeg. A west side route will also be 400 kilometres longer and result in additional line losses of some 70 megawatts.

Mr. Speaker, to put this into perspective, the proposed \$1.2 billion Wuskwatim Dam is a 200-megawatt project, meaning a west side line will result in the losses of more than a third of the output of the Wuskwatim Dam. This NDP government has vetoed an east side route.

I ask the Premier: Why is his NDP government choosing an alternative that is more expensive and results in greater line loss than an east side route?

Hon. Gary Doer (Premier): Mr. Speaker, there are a number of options that Hydro is looking at. Part of those options that are being discussed is the cost not only of the direct transmission line, which the member reports, but also the cost of potential settlements and the cost of delay. So the members opposite do not cite the costs of communities that may be in favour of it, and many other communities on the east side are not in favour of it. That is different than a straight-line engineering calculation, and, of course, Hydro has to consider making decisions not only of the straight-line transmission costs but the costs of not being able to build the line and the cost of not being able to have appropriate agreements with people who actually live in the area.

I am pleased that members opposite, the mothball party of Manitoba, have a new interest in hydro development, but I would point out that it was the NDP government who built the direct current line which is one of the most efficient in all of the world, Mr. Speaker. I would point out that Manitoba's profit last year was \$400 million after we built Limestone, and it is going to be comparable this year.

* (14:00)

Mr. Murray: Well, I do not want to get into the millions and millions and millions of dollars that they raided out of Hydro, but I digress, Mr. Speaker.

Mr. Speaker, events such as the Québec ice storm of 1998 and the northeastern brownout of 2003 remind us of how vulnerable we are to power interruptions. It is important that we prepare ourselves for a power outage, particularly during Manitoba's minus 40 degree Celsius temperatures. A winter power outage would threaten Manitobans who heat their homes with electricity and natural gas users whose furnace fans are powered by electricity. Instead of building a transmission line down the east side of Lake Winnipeg and increasing the reliability of power to Manitobans, this government is proposing to not build a second but a third transmission line down the western corridor. An east side route would help to protect the province from natural disasters and terrorist attacks.

Nowhere else do we see the arrogance that this government exhibits. We are a province, Mr. Speaker, with an opportunity to increase the reliability of our electricity supply. Instead of

embracing these opportunities, this NDP government is squandering the opportunity. An east side transmission line would provide greater reliability for all Manitobans.

I would like to ask the Premier: Why has his NDP government vetoed the possibility of a route that would provide increased reliability for Manitobans?

Mr. Doer: Mr. Speaker, I do not know whether the member opposite has been on the east side meeting with people in the community, but we have had over 30 community meetings on the east side. We actually respect when people live in an area, there may be a diverse few, but if people are opposed to it those are not even factored into Hydro calculations, and if the line is never built the delay and the cost of delay is also not factored in.

I would point out, Mr. Speaker, everybody is talking about east and west. We may be talking because we are not just dealing with reliability. This government is not only looking at reliability, it is also looking at increased sales. Those increased sales may go to the east across the north and may go to the west across the north. So there is more than one option on the table.

They are the mothball party that cancelled Limestone. They cancelled Conawapa. The NDP will build Hydro for the future, Mr. Speaker.

Mr. Murray: Mr. Speaker, this is a very important issue for the future of Hydro and the future of all Manitobans, clearly.

Mr. Speaker, what we see from the member opposite, the Premier, is that the NDP government apparently is prepared to take their advice from Bobby Kennedy, Jr. We believe all Manitobans should be involved in this discussion. Every Manitoban can gain from this, not just Bobby Kennedy, Jr. We think that Manitoba officials from Hydro believe that a Bipole III line is necessary. We believe that discussions should take place, including all Manitobans, to ensure what is right for the province of Manitoba. What we do not want is a veto.

Mr. Speaker, this government is to veto the option of building a transmission line down the east side of Lake Winnipeg and is ignoring the needs of residents along the east side. Many of the east side residents see this development of an east side corridor as an opportunity to construct an all-season

road that would provide them with access to goods, access to services year-round, including—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Murray: Well, thank you, Mr. Speaker. An all-year access road would provide them with goods and services year-round and improve their quality of life. Each year, a winter road is constructed to provide access to the east side residents and to transport goods into the community. Weather permitting, the winter road is open for a small window each year. During the rest of the year, east side residents are isolated from the markets and from critical services such as health care.

Mr. Speaker, I would like to ask this Premier: How long does he expect the east side residents of Lake Winnipeg to live as second-class citizens?

Mr. Doer: Mr. Speaker, as one who was in the Cabinet that extended the transmission line into the Island Lake area and had consultations beforehand with the people in the communities, we respect and we respect greatly the people in the communities and their views. The people in the communities have a right to have a say and, they do have a say, not somebody else. I think it is Robert Kennedy, Jr. you are talking about, unfortunately, a different person the member was mentioning.

Mr. Speaker, secondly, the issue of the road, the road costs between \$350 million and \$400 million. We do believe in more access. We are working on plans to extend the road up the east side and extend the road, like we did with the winter road from Norway House into the Island Lake area which we did this year, to get goods and services there.

But to say Hydro, on the one hand, should not be raided and, on the other hand, if you build the transmission line for the road, getting \$400 million from Hydro is just creating a false choice, it is not true. People should not say it and journalists should not say it because it is just not true.

When we have meetings with Aboriginal people, we tell the truth. We do not say you are going to get a free road if a transmission line comes in. Part of the debate should be truth, Mr. Speaker.

Finally, Mr. Speaker, the only raid that has taken place in this province is the Tories selling one Manitoba Telephone System against the consent of the people of this province.

**Lake Winnipeg
Eastern Access Road**

Mr. Larry Maguire (Arthur-Virden): Well, Mr. Speaker, Manitobans are not interested in ancient history. There are—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Arthur-Virden has the floor.

Mr. Maguire: Mr. Speaker, there are tens of thousands of stranded Manitobans on the east side of Lake Winnipeg. Winter roads are becoming less reliable and more costly. Air lifting is extremely expensive. Fuel costs continue to skyrocket.

Can the Minister of Transportation and Government Services tell Manitobans why he has not promoted the development of an east side access route in conjunction with a proposed new transmission line needed to deliver more electric power for Manitobans or for export?

Hon. Ron Lemieux (Minister of Transportation and Government Services): Mr. Speaker, how hypocritical. You have the member opposite who criticizes us for putting money into winter roads; we have doubled the winter roads' budget. He criticizes that, criticizes any initiative we have; \$29 million more into the current budget. He criticizes that, yet will not have the courage to debate the budget on these monies to be forwarded to Manitobans.

I can tell you we are committed to northern Manitobans, eastern Manitobans, western Manitobans, members from all over Manitoba. They know we are committed to transportation, that we put in many dollars over the last number of years to Manitobans.

Mr. Maguire: Mr. Speaker, the only thing we are criticizing here is the minister's responsibility in acting in this regard in a responsible manner. These tens of thousands of isolated Manitobans need road access for many reasons; better health care facilities, economic development, access to family members and friends in neighbouring communities and access to more competitively priced food products, to name a few.

Can the minister tell Manitobans, particularly those isolated on the east side of Lake Winnipeg, what discussions his government has had with Manitoba Hydro regarding the construction of an eastern access road?

Hon. Gary Doer (Premier): Mr. Speaker, let the record show that nobody is perfect, but you put more money in 11 years into the road to Oak Hammock Marsh than you put in all northern Manitoba. How dare you raise these questions today.

Mr. Maguire: Well, Mr. Speaker, I am sure that that is no solace to the people on the east side of Lake Manitoba who remain isolated. The minister talks of having good roads as an economic driver in our economy, yet his government had to add over 400 kilometres to this winter roads system to deliver basic essentials so these eastern citizens have access to what other Manitobans take for granted.

Can the minister explain why he continues to isolate the tens of thousands of eastern Manitobans by denying health care access, competitive food products and better economic opportunities that an eastern access road would provide?

*(14:10)

Mr. Lemieux: We put millions of dollars into repairing airports in northern communities providing access. We have also provided millions of dollars with regard to winter roads. Also, we have taken many, many kilometres off of the ice and off of the river system in order to provide safety for northern Manitobans.

Mr. Speaker, members opposite continually criticize us every time we talk about putting money into northern Manitoba. Here on this side they are trying to provide a wedge between northern Manitobans and southern Manitobans, but we as a government care for all Manitobans in transportation throughout this province.

**Crocus Investment Fund
Co-investment Risk Analysis**

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, the state of the roads in this province, I would not be bragging about it if I was—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Cummings: Yesterday, Mr. Speaker, the Minister of Finance refused to answer whether he had received any information about Crocus Investment Fund status while receiving reports from Treasury Board analysis or any other risk and exposure the government might have had. Again he proved that he must have something to hide or he would be willing to answer some questions.

Mr. Speaker, I will give him a chance again today to answer the question. As head of Treasury Board, who should be the most knowledgeable minister on that side of the House regarding financial affairs, did he receive information about the Crocus Fund in 2001, about his performance through Treasury Board or any other risk assessment?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, yesterday I read into the record how the fund was set up by the former government, and it was very clear at the time that the members opposite wanted it to be a community-driven institution, driven by the private sector, driven by business leaders and independent from government. No private organization reports to Treasury Board. The member sat on Treasury Board, he should know that.

Mr. Cummings: Mr. Speaker, again this minister has proven why we need an inquiry into what happened at Crocus. There is no limit to his evasive answers it would appear. I remind him that at some point he is going to have to swear under oath and provide answers that are truthful in public.

Did he or his officials meet with Sherman Kreiner?

Mr. Selinger: All the relevant events, in terms of meetings, are reported in the Auditor General's report. The member has full access to it in terms of all the meetings that occurred. He simply has to take the time to read the report. If he really wants to go fishing, Mr. Speaker, I suggest he go fishing in some of the excellent lakes we have in Manitoba where he might catch something.

Public Inquiry

Mr. Glen Cummings (Ste. Rose): If that was my seven-year-old son, I would assume that the answer was yes, from that type of an answer, but they expect better from the Minister of Finance.

If he has nothing to hide, why will he not answer the simplest of questions? He is right and, in fact, I was on Treasury Board for a number of years. I believe that this minister would have or should have received reports that would have had implications with information about co-investments where there was risk associated with Crocus. If he did not know, he was asleep at the switch, Mr. Speaker.

Will he now join this side of the House in agreeing that we need a public inquiry into what happened at Crocus?

Hon. Greg Selinger (Minister of Finance): Well, Mr. Speaker, just because the member opposite mistreats his seven-year-old son does not mean he can mistreat the people of Manitoba.

The evidence of all the meetings is in the Auditor General's report. The member should take the time to read it. When he came to Public Accounts, ministers were ready to answer his questions. When he was confronted with the evidence, he folded his tent, went home and cancelled the meeting.

Now the member, in addition, has asked about MIOP loans. They are all reported in the Public Accounts. All he has to do is read the Public Accounts and he will see that all the loans that went bad were loans that the members opposite made when they were in government. They lost money. If they really want to know the facts, all they have to do is read all the information disclosed on the public record instead of going fishing in the Legislature, instead of fishing in the excellent lakes that we have in Manitoba.

Teachers' Retirement Allowance Fund Board Member Removal

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, Jon Singleton, the Auditor General, has criticized the Minister of Education for his inaction on Tom Ulrich's letter.

On page 13 of Tom Ulrich's letter to the Minister of Education, he stated that, and I quote, "I was surprised to discover that the citizen representative, Bob Malazdrewich, had been replaced. I contacted him to express my surprise and thank him for his service and support and he informed me that it was not his choice to leave. Never in the history of TRAF had a citizen representative been removed from the TRAF board except by resignation."

I would like to ask this Minister of Education: Why was Bob Malazdrewich, who had been appointed by Order-in-Council, removed from the board?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, with respect to the TRAF board, I should point out for the member opposite, who has been asking about the chair, that currently we are, as I said yesterday, in the process of dealing with the chair and appointment of the chair.

Mr. Speaker, I would also like to point out with regard to the allegations that had been received from Mr. Ulrich, when we received those allegations we immediately followed up with the TRAF board. I also contacted the office of the Auditor General, because the letter had been copied to the office of the Auditor General and the Auditor General's office is the office that does the audit on TRAF. So we had followed up with the allegations.

Mrs. Driedger: Well, Mr. Speaker, he certainly totally avoided answering that question. It is interesting the letter that Mr. Ulrich wrote and the concerns he wrote were sent back to the people he was raising concerns about. Mr. Ulrich also went on to say, and I quote, "It led me to wonder whether Bob's outspoken support of me and his questioning the advisability of some local investment proposals had affected his reappointment."

So I would like to ask the Minister of Education: Did he remove Bob Malazdrewich from the teachers' fund board because he spoke out against the \$10-million pension money investment into the Manitoba Property Fund?

Mr. Bjornson: No, I did not.

Investment Practices

Mrs. Myrna Driedger (Charleswood): Bob Malazdrewich was replaced on the board by Lea Baturin, who was also on the Crocus board. As Crocus was pushing the Manitoba Property Fund, the NDP board appointee, Alfred Black, on TRAF, was pushing the Manitoba Property Fund on TRAF.

I would like to ask the Minister of Education: Was Lea Baturin put on the teachers' pension board to help Mr. Alfred Black push the Manitoba Property Fund on TRAF?

*(14:20)

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, that is not the case, and with respect to the Property Fund that the member has been talking about—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: With respect to the Property Fund that the member is talking about, I have repeatedly told the member that this Property Fund has performed at or above the industry benchmarks for the rate of return. The member is also inaccurate in talking about the figure of \$10 million, Mr. Speaker.

TRAF has not invested \$10 million in the Property Fund as the member has repeatedly put on the record.

I wish the member would do some research. There are three letters, Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Bjornson: Thank you, Mr. Speaker. I have provided the member opposite with three letters that I have tabled in this House from the stakeholders in TRAF that have said if the member has some concerns to contact the CEO, and she will get accurate information with regard to her concerns.

Child Welfare System Case Reviews

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the four authorities who deliver child welfare on their own initiative are conducting face-to-face interviews with all the children in care and those whose files were closed within 30 days.

Now, at the halfway mark of the review, can the Minister of Family Services say how many children are still to be accounted for, how many have had face-to-face meetings and how many children are not accounted for because their whereabouts are not known?

Hon. Christine Melnick (Minister of Family Services and Housing): Mr. Speaker, we worked with the four authorities to put together a plan for them to make sure that they were having face-to-face meetings with the children, that the front-line workers were meeting with the children. I think it is important to note that these people are professionals and that they know that it is very important to have these independent meetings.

I also think it is important for the House to know that in 1999-2000, there were some 440 front-line workers, social workers; in 2006-07, there are 553. Mr. Speaker, that is an increase of 112 front-line social workers, an increase of over 25 percent.

Mrs. Taillieu: Mr. Speaker, I am afraid that was not an answer to the question.

We have been told by front-line social workers that in past they have been directed to close files when they could not physically locate the child. Manitobans want to be assured that no more children slip through the cracks and die like Phoenix Sinclair, whose file was closed three months before she died.

Is the minister satisfied all children whose files were closed are not at risk? What directive has the minister given to account for children whose files were closed because they could not find the child?

Ms. Melnick: Again, Mr. Speaker, we are working with the four authorities. They have put together a work plan with their front-line workers. They have brought in extra staff to make sure that the deadlines can be met. They are meeting with children. They are working with families. They are professionals who are working on the front lines in some very difficult situations. I think it is important that this House support the work of the four authorities, that they support the work of the front-line workers and that we all work together in the best interests of the children of Manitoba.

Mrs. Taillieu: Well, Mr. Speaker, we certainly recognize the good work that social workers do, but we also recognize the minister places impossible time limits on social workers and this continues to put children at risk. The minister does not give answers to my questions either because she has no good news, has something to hide, or she just has not bothered to find out how many children are not accounted for.

What information has the minister received from the authorities to date? Will she make it public today, and will she promise to make public the authorities' findings once the 30-day review is finished on May 5?

Ms. Melnick: Mr. Speaker, the 30-day review was not something that was imposed. It is something that was agreed upon with the consensus of all four authorities. It was something that was agreed upon by myself with the four authorities. These people are working on the front lines. They are working with the children. They are working with the families.

Again, it is very important, rather than fearmonger and place doubt in the minds of all Manitobans around a very important service for very vulnerable families and children in this province, that we support the work of the front-line workers, that we support the work of the authorities and that, mostly, we support the work to take care of the vulnerable children of Manitoba.

Devils Lake Outlet Filtration System—Negotiations

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, yesterday, I challenged the Premier to describe what efforts he made to

address the concerns related to the opening of the Devils Lake outlet. Although he indicated he had, indeed, spoken with the U.S. Council on Environmental Quality, the Premier refused to elaborate on what was discussed or whether an agreement would be reached in time. We are now six days away from the scheduled opening of the Devils Lake outlet, and the clock continues to run down.

We have heard today in the *Winnipeg Free Press*, Mr. Speaker, that the federal government, and I quote, has come to a meeting of the minds, end quote, on this issue.

Mr. Speaker, will the Premier please describe to this House whether his mind was at that meeting and what the outcome of the latest rounds of negotiations was?

Hon. Gary Doer (Premier): Well, Mr. Speaker, I will be speaking later with a federal minister who was at the meeting. Today, the CEQ secretary that reports to President Bush committed United States to the design which they have already completed and which they are consulting with Canada on and the filter construction which we think is a positive step. I will be discussing today with the federal minister the latest developments, and I provide to the House what I can in terms of what is available to be made public.

But what I said yesterday is very consistent. What I said last week was what was announced this morning. There still remain difficulties for Manitoba, as I have said before.

Mr. Murray: Well, thank you, Mr. Speaker. The Premier has so far refused to verify whether an actual risk to Lake Winnipeg exists from the release of water from Devils Lake. As we get closer and closer to the opening of the outlet, there remains a continuing lack of scientific data.

The Premier has claimed repeatedly that there were species in Devils Lake that were a threat to Lake Winnipeg. He has argued that there is scientific evidence to support this claim.

To quote directly from an interview that the Premier gave to the CBC, on August 8, 2005, and I quote the Premier: Twenty biologists have been on the lake for the last three weeks, and we have a lot of test results. However, these results, Mr. Speaker, have yet to have been tabled in the House.

Mr. Speaker, the only scientific information that was made available is a very limited survey of Devils Lake that was not the work of 20 biologists over

three weeks. Nevertheless, the Premier maintained that the evidence was clear that there was a risk to Lake Winnipeg from Devils Lake.

Mr. Speaker, the limited study released by the government last fall called for further study on Devils Lake.

I ask the Premier: Has there been any further study conducted, and can he provide information in light of recent negotiations at the federal level?

Mr. Doer: Mr. Speaker, we just had the U.S. government confirm that they have designed and are going to construct a multimillion dollar filter. They are not doing it because they do not believe that there are any issues for Manitoba's water. They are doing it because we know from the tests—the good news was that 13—[*interjection*]

Mr. Speaker: Order.

Mr. Doer: I have read the report.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (14:30)

Mr. Doer: The fear we had about the unknowns on Devils Lake, because it was an isolated lake for 1,000 years, it had been stocked artificially by North Dakota from outside sources. The fear we had is alien species from the Missouri River may have gotten into Devils Lake. Those tests have concluded that 13 of the species that were most at risk for Lake Manitoba, invasive species which we are also concerned about with NAWS, why we went to court, and with the North Dakota state water act, those species do not exist in Devils Lake. What does exist there are parasites and some algae that are not specific to Lake Winnipeg.

Mr. Speaker, we feel, therefore, that a filter should be built; designed, which it has been; built, which has been committed to and implemented before the water flows.

Mr. Murray: Mr. Speaker, in light of what the Premier has just said, I would very simply ask him, because he knows that through all of the political rhetoric he has spun in Manitoba, with less than a week to go, that water scheduled to flow, and it will flow in thousands of cubic feet per second through the Devils Lake outlet. I would just ask this Premier: Can he stand today and ensure all Manitobans that no water will flow through the Devils Lake outlet on May 1 unless a filter is put in place? Will he ensure

that not one drop of water will flow on May 1 unless a filter is put in place?

Mr. Doer: Mr. Speaker, the thousands of cfs, I really would caution the member opposite. I will get the exact number from last year's projections, but it is quite a bit less. Having said that—[*interjection*] No, it is just important to get the facts right.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Well, Mr. Speaker, I hear members talking about it. You know, when Governor Schafer was going to build an inlet from the Missouri River to Devils Lake, there was no agreement not to build that. Now, in Manitoba, for the first time ever, we have an agreement that there will be no inlet from the Missouri River to Devils Lake, something members opposite sat on for three years, including the member who was in Cabinet at the time.

Now having said that, Mr. Speaker, we believe the filter is very simple. We are glad the United States has agreed to design the filter, which they have done. We are glad they have agreed to pay for it, which they have done. We are glad they agreed to construct it, which they are going to do. We believe the construction and implementation of the filter should take place before the water flows. That is the position of the Prime Minister, that is the position of the Foreign Affairs Minister and that is the position of the Government of Manitoba.

Why can we not get the opposition on side? I know the Member for Emerson (Mr. Penner) does not believe that there is any risk in Devils Lake. He gave me a lot of flack for going to court on Devils Lake. He said that is the reason why the border was closing for cattle. Let us get some straight answers in this House, Mr. Speaker.

Clean Environment Commission Hog Production Sustainability Study

Hon. Jon Gerrard (River Heights): Mr. Speaker, my question is to the Premier. Yesterday, in response to my question, the Premier emphasized the integrity of the Clean Environment Commission in relationship to the Maple Leaf Foods review. The review the Premier referred to recommended that Manitoba Conservation oversee a study to examine the sustainability of hog production with a full report due by December 2005. It is now May 2006.

Why has this report not been completed? Indeed, has the study even been started?

Hon. Gary Doer (Premier): Well, there were a number of conditions that the Clean Environment Commission placed on the licensing of a second shift at Maple Leaf. One was a review of the Assiniboine River Watershed, not the whole province, just in terms of that recommendation. Secondly was a recommendation that the nutrient levels coming out of Maple Leaf would have to be of greater quality for water quality before a licence was granted.

The work on the Assiniboine River Watershed is completed. The Department of Conservation is releasing it, even though Maple Leaf is not proceeding with a second shift because, Mr. Speaker, the conditions of the licence for the increased improvement on water quality is not in place in the water treatment plant that was approved by members opposite. As a condition precedent of the second shift going forward, both the study and the nutrient levels have to be met. The study has been completed. The nutrient levels, the water treatment plant, is not in place. Therefore the licence, second shift is not approved by this government.

Mr. Gerrard: Mr. Speaker, we have not seen the report. We did not know that there were public hearings that we could present to. What kind of a behind-the-scenes effort was this?

My supplementary to the Premier: The issue here is the integrity of the Premier's government. The issue here is the commitment of the government to follow through on the Clean Environment Commission recommendations. The Clean Environment Commission said 2005. It did not say 2006. It did not say 2007. It did not say 2008. Where is this report? Why was it not ready in 2005? Why did the Premier fail to meet the commitment? Why did the Premier not act with integrity in following through with the Clean Environment Commission recommendations?

Mr. Doer: Well, Mr. Speaker, I need no lectures from the member opposite on integrity. We know he sat around the Cabinet table when the sponsorship scandal was developed in 1996 and '97.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Gerrard: Mr. Speaker, the issue here is the study on hogs in the province of Manitoba and the Assiniboine basin. It is not some thing that is going on in Ottawa some time ago. What is the matter with the Premier? Does he not understand what hogs are and the Assiniboine basin? Where is this study? Why is it not tabled?

Some Honourable Members: Oh, oh.

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

Mr. Doer: Yes. Mr. Speaker, I would caution members to be holier than thou. When they are, they should be prepared for the rebuttal.

Some Honourable Members: Oh, oh.

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

Mr. Leonard Derkach (Official Opposition House Leader): Well, on the same point of order, Mr. Speaker, the Member for River Heights did raise an issue. It is a serious issue. The issue has to do with a situation in Manitoba, and he is correct about that. He was seeking information from the Premier. Now, for the Premier to treat it so lightly and to give his flippant responses, even on a point of order, is not within the character of the First Minister of our province. I think he should be cautioned to answer a question that has been posed seriously.

Mr. Speaker: On the point of order raised by the honourable Member for River Heights, we do allow leaders' latitude, and the First Minister still has the floor.

Mr. Doer: Mr. Speaker, we have never in government, never, overturned a recommendation of the Clean Environment Commission. The second shift for Maple Leaf has not proceeded with even though, obviously, the economics of that, of a plant that is already built, are good for the government. But what we are not going to do is sacrifice the water quality recommendations of the Clean Environment Commission. We have stood on that recommendation for two years. The member opposite talks about public hearings. There were public hearings into the Maple Leaf licensing process. He should have been there.

* (14:40)

**Crocus Investment Fund
Conflict of Interest**

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, when the wheels fell off the Crocus Fund back in December of 2004, within two weeks MLAs were sent a letter, and I will table a copy of that letter, suggesting how we really need to come together and support the Crocus Fund. Some would even suggest strong-armed. Who was the author of that letter? Well, no one else but the Premier's good buddies and friends, Mr. Alfred Black and Peter Olfert.

Here we have that special relationship that goes beyond just having a special relationship. We are also talking about—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Lamoureux: Mr. Speaker, we are not only talking about a special relationship to the Premier; these are individuals who contribute to the New Democratic Party.

I believe that this is a conflict of interest and my question to the Premier is: Can the Premier indicate how many of those board members and other people closely tied to the Crocus fiasco have donated to his political party, and what is the total amount—we know it is into the thousands, Mr. Speaker—in 2004? Will the Premier tell this House?

Hon. Gary Doer (Premier): Well, Mr. Speaker, I would point out that one of the individuals mentioned was appointed to the board of directors of Crocus by the previous government, not by our government. Secondly,—[interjection]

If I could please—

Some Honourable Members: Oh, oh.

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

Mr. Doer: We passed legislation, Mr. Speaker, that Mr. Harper is now passing, Prime Minister Harper, to allow the Auditor General to follow the money no matter where it goes. We passed that in 2001. I am glad Parliament, to clean up the Liberal mess, is passing similar legislation in 2006. I hope our federal party supports it.

Finally, Mr. Speaker, when the Auditor General was being potentially stopped by the same individuals mentioned by the member opposite, we

backed up the Auditor General to follow the money wherever it was, including with the individuals mentioned by the members opposite.

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

Speaker's Ruling

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

Following Members' Statements on April 11, 2006, the honourable Official Opposition House Leader (Mr. Derkach) raised a point of order regarding the Standing Committee on Agriculture and Food and noted that the committee had not been called to transact business since May 9, 2001. He concluded his advice to the Chair by recommending that the Government House Leader (Mr. Mackintosh) be instructed to call a committee for the purpose of undertaking a review on the state of agriculture in the province, hear witnesses and travel throughout the province and report back to the House by December 1, 2006. The honourable Government House Leader, the honourable Member for Inkster (Mr. Lamoureux) and the honourable Member for Lakeside (Mr. Eichler) also offered advice to the Chair on the point of order. I took the matter under advisement in order to consult the procedural authorities.

I would note for the House that there is no requirement in our rules which dictates how often committees meet and that, by practice, the Government House Leader schedules meetings of standing committees often in consultation with other members such as House leaders or critics. Also, Speaker Rocan ruled in 1989, 1993 and 1994 that the opinion of the Speaker cannot be sought in the House about matters arising in committee and that it is not competent for the Speaker to exercise procedural control over committees.

After considering the submissions of members and also considering the advice of procedural authorities, I would rule that there is no point of order. What has been raised is an issue of negotiation and scheduling between the House leaders, which should not be raised as a point of order in the House. I would encourage the House leaders to discuss the issue, and if they so wish, take the appropriate steps after their negotiations.

MEMBERS' STATEMENTS

Pembina Trails Voices

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I rise today to pay tribute to the Pembina

Trails Voices, an internationally acclaimed choir from the Pembina Trails School Division.

Pembina Trails Voices returned recently from the Young Prague International Festival of Choirs. This international musical festival has made it its aim to help promising young artists who are starting their career in classical music, such as instrumentalists, choirs, conductors, as well as composers.

The festival this year was under the patronage of Ms. Anna Curdova, the Member of Parliament of the Czech Republic. The festival, now in its 12th year, brought talented young musicians and singers to the Czech capital from around the world from March 23 to 26.

Prague is a magical city, one of music, theatre, dance and opera. Many countries were represented at this spectacular event. There was a high level of competition, a parade through the city centre and joint performances of all festival musicians and singers on the beautiful Old Town Square.

The Pembina Trails Voices returned with gold and silver medals: the girls' choir directed by Ruth Wiwchar won a silver medal; the boys' choir directed by Michael Proudfoot won a gold medal; the mixed choir directed by Ruth Wiwchar won a silver medal; the best conductor performance was Ruth Wiwchar in the mixed choir category.

This was the experience of a lifetime for these young singers, and I would like to extend congratulations to the performers, conductors and volunteers of Pembina Trails Voices who worked so hard to make their participation in this event possible. Thank you, Mr. Speaker.

Holocaust Remembrance Day

Mr. Doug Martindale (Burrows): Mr. Speaker, April 25 is Yom Hashoah or Holocaust Remembrance Day. On this day, Manitobans join people all over the world to pause and remember the six million Jews who were put to death by Nazi Germany.

From their ascension to their dying days, Hitler's Nazis persecuted, murdered and attempted to annihilate Europe's Jews with an incomprehensible zeal and fervour. Over six million Jews lost their lives in the Holocaust. This day of remembrance marks this terrible event, an indelible stain on human history.

But it is also important on this day, Mr. Speaker, that we remember all the victims of fascism: Gypsies

and Poles, Catholics and Communists, Slavs and the disabled, gays and lesbians, partisans and pacifists. These millions all died by the Nazis' hands. All had their lives cut brutally short.

The enormity of these numbers, their sheer size, must not blind us, however, to the individuals who all died their own death. By remembering the names of the millions and bearing witness to their constant humanity, each and every one of them can continue to live in us and through us still.

Today, there was a ceremony on the legislative grounds at the Holocaust monument marking the Day of Remembrance for Manitobans. This ceremony allows all Manitobans to join together in grieving the Jewish community's loss. It also serves as a reminder of the ever-present dangers of religious discrimination and racism and a call to staunchly confront these insidious elements wherever they lurk.

Devils Lake Outlet

Mr. Ralph Eichler (Lakeside): Mr. Speaker, this NDP government has indicated time and time again that there were serious environmental concerns with water flowing from Devils Lake. They have touted themselves as Manitoba's protectors, but now the Premier (Mr. Doer) is saying that it is the responsibility of the federal government. This NDP government has passed the buck to Ottawa and Washington.

Where is this Premier's conviction and his promises to fight for Manitoba now? Where is the update through scientific evidence to back up his claims? If Manitoba's waterways, including Lake Winnipeg, are truly under threat, then this Premier should have ensured that an effective filtration was in place.

The Premier has admitted that this so-called signed agreement did not exist. With the May 1 deadline fast approaching to open the Devils Lake outlet, why has this NDP government not reached out to the state of North Dakota to build a partnership to find real and timely solutions?

Instead of working for a solution, this NDP government exposed our province to lawsuits. Mr. Speaker, the Premier's mistrust, accusation and misleading ways are serious injustices against our province. The Premier should apologize to Manitobans for misleading them as to the existence of a signed agreement potentially exposing an already flooded southern Manitoba to more water.

Wanda Koop

Mr. Rob Altemeyer (Wolseley): Mr. Speaker, I am pleased to announce that Wanda Koop, famous artist and long-time resident of the Wolseley constituency, was recently awarded the Order of Canada.

* (14:50)

Wanda Koop is a very deserving recipient of our nation's highest honour for lifetime achievement. She is an internationally renowned artist whose work spans three decades. She is a visual artist who works primarily in paint and video, and her art often depicts scenes of urbanization, industrialization and war. Her work challenges us to reflect upon powerful ubiquitous cultural images that confront us daily through broadcast media. Her work has been featured in over 50 solo showings in locations around the world.

Mr. Speaker, Wanda Koop is also a very deserving recipient of this honour for the work she has done in the West Broadway area. She is the founder of Art City, a storefront art centre on Broadway that provides inner city youth with a safe environment to have fun and express themselves creatively.

Art City has had a tremendously positive impact on the community. It has beautified buildings through murals and turned empty storefront windows into colourful displays and art installations. Art City also now has two annual events which are at the heart of West Broadway during the summer parade and also during their annual Halloween Howl and Haunted House. Art City has changed the lives of many neighbourhood youth who have developed new skills and confidence there, and we have Wanda, above all else, to thank for it.

Mr. Speaker, on behalf of all members, I congratulate Wanda Koop on an outstanding career as an artist and a citizen. I look forward to seeing her receive this deserved honour from Governor General Michaëlle Jean at a ceremony later this year. Thank you very much.

Devils Lake Outlet

Mr. Jack Penner (Emerson): Mr. Speaker, the Premier (Mr. Doer) has stated repeatedly that there was a signed agreement between Canada and the United States to have a filter installed to protect Manitoba waterways from biota in water from Devils Lake. We now know that there is no such signed agreement.

The Premier has stated that there were 20 scientists on, in and under the lake for 20 days, 24 hours a day, studying the water for harmful organisms, biota and fish species. We now know that there were only two Manitoba people on one boat for the better part of three days in North Dakota on Devils Lake.

Findings in the report from the Department of Water Stewardship state that, and I quote: "None of the targeted 12 known species of concern were found in this survey of Devils Lake." Despite this, the Premier has repeatedly stated that Manitoba waters and fisheries would be threatened by the water from Devils Lake.

Mr. Speaker, it would appear that there have been mixed messages and misdirection coming from the Premier about Devils Lake. I would suggest that the Premier is so convinced that the water from Devils Lake would cause severe harm to lakes and fisheries in Manitoba, he should go to North Dakota, sit down with the governor and offer to build a filter immediately and determine who would pay for it later to ensure our lakes and waterways would be protected from Devils Lake water flows into Manitoba again.

We are serious about protecting the fish, the fishery in Lake Manitoba. We are serious about protecting the waterways in Manitoba, and if what the Premier has been telling Manitobans is true, then, Mr. Speaker, it is imperative that the Premier go to North Dakota now and enter into an agreement to build a filter.

MATTER OF URGENT PUBLIC IMPORTANCE

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, in accordance with Rule 36(1), I move, seconded by the Member for Emerson (Mr. Penner), that the regular scheduled business of the House be set aside to discuss a matter of urgent public importance, namely the issue of the Devils Lake outlet, set to open on May 1, 2006, and this Premier's ongoing fearmongering over the presumed risk that the water from Devils Lake possesses to Lake Winnipeg ecosystems and the Province's multimillion-dollar fishery, and his assertion that an agreement existed at the federal level to construct an advanced filtration system, an agreement that has been proven fictitious, additionally the Premier's comments of yesterday when he indicated that the United States government was working with the

Canadian federal government on a proposal to install a permanent filter at Devils Lake.

Mr. Speaker: Order. Before recognizing the honourable Leader of the Official Opposition, I believe I should remind all members that under Rule 36(2), the mover of a motion on a matter of urgent public importance and one member from the other parties in the House are allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

As stated in *Beauchesne's* Citation 390, "urgency" in this context means the urgency of immediate debate, not of the subject matter of the motion. In their remarks members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunities for debate will enable the House to consider the matter early enough to ensure that the public interests will not suffer.

Mr. Murray: Mr. Speaker, I thank you for reminding me of those requirements because this is a very important issue facing all of Manitobans.

Mr. Speaker, there are two conditions that must be satisfied for this matter to proceed. The first requirement was to file this motion with the Speaker's office at least 90 minutes prior to Routine Proceedings. I believe that that requirement has been made. The second condition is that the matter is an urgent nature.

Mr. Speaker, the Devils Lake outlet is set to begin releasing thousands of cubic feet per second of water that will then make its way into the Red River and Lake Winnipeg. The outlet will be opened on May 1, 2006, which is six days from now. To date there has been no effort to construct an advanced filtration system to protect Lake Winnipeg from potentially invasive species entering Manitoba's waterways, jeopardizing the health of the lake's indigenous species. Limited scientific study of Devils Lake has proven inconclusive in establishing whether there is actual risk to Lake Winnipeg that exists in terms of foreign biota.

However, the Premier (Mr. Doer) and his ministers continue to maintain that there is a risk. To quote the Premier directly from a March 24, 2000, news release, Manitoba's water resources, and I quote: "could be jeopardized if foreign life forms and other harmful substances that we know are in Devils Lake are transferred" to the Red River system.

Mr. Speaker, how can the Premier be so certain that there is a risk to Lake Winnipeg's ecosystem, when in-depth research into the biota of Devils Lake has not taken place? The Premier has argued for months now that, unless a filtration system is installed in the Devils Lake outlet, the water should not flow. Well, the outlet is scheduled to open in six days, regardless of what this Premier's assertions are. He has long argued that it was the federal government's responsibility to ensure the filter was put in place and that his government was not to blame for the fact that the outlet would be opened with or without a filter.

On April 18, 2006, the Premier stood up in this very House and stated that, and I quote the Premier: The document that was signed was signed between Canada and the United States last summer. That is August 2005.

Prior to that on April 13, 2006, the Premier assured this House that he would "get a copy of the agreement," and that "it was released to the public."

Well, Mr. Speaker, the Premier did not provide a copy of that agreement, because the only physical documentation that exists regarding this agreement was a press release, a press release that was issued by the federal government signifying its willingness to work with the United States on determining the need for a filter, and that they would be interested in co-operating on its construction.

Mr. Speaker, after generating public fear and anxiety over the supposed existence of harmful organisms in Devils Lake, the Premier pinned all of his hopes and all of Manitoba's hopes on a federal agreement to build a filter to protect this province. Well, that agreement has proven to be nothing more than the actual press release, unsigned, and not legally binding.

*(15:00)

When I spoke with the U.S. Consul to Manitoba, Mr. Todd Schwartz, about the existence of this so-called alleged agreement that this Premier talked about, the U.S. Consul specifically stated that there was no signed agreement that he was aware of. The Premier had no choice but to acknowledge this fact.

Mr. Speaker, to recap, we now have claims by this NDP government that there are potentially invasive species that pose a risk to the health of Lake Winnipeg based only on an extremely limited scientific study. Nevertheless, they have argued that the only way to protect our lake is with the

construction of a filtration system in the Devils Lake outlet.

Rather than negotiate its construction, this NDP government has chosen to rely on a non-existent federal government agreement to build. With six days left, until this outlet is set to open, there is yet no filter and Manitobans are left to wait and to worry. In the eleventh hour of this situation, the Premier is still looking to assure all Manitobans that he is continuing lobbying for a resolution to this issue.

When pressed for details in this House, the Premier continues to defer to the U.S. Council on Environmental Quality, the American organization in charge of dealing with the Devils Lake outlet. To date, the CEQ has offered nothing to reassure Manitobans that the Devils Lake water is safe.

Mr. Speaker, time is running out. It is crucial that the concerns of Manitobans be addressed on this issue. The Premier has indicated that Manitoba should stand by as negotiations continue. However, they need to know what the Premier is doing to address the concerns he himself has generated. We need to know that and we need to know that today. We, the people of Manitoba, are not content to rely on NDP press releases stating the government's level of concern. We must have results.

If the water starts to flow on May 1, then it is too late to do the proper work to be done in resolving this matter. I, therefore, argue in favour of proceeding with this MUPI today so that the duly elected representatives of the people of Manitoba, all of us in this Chamber who have serious concerns about what is going to happen on May 1, may be fully established on what course of action is to be taken on this very urgent matter. Thank you, Mr. Speaker.

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, well, let us start with one very clear and evident fact. Members opposite, if they are so concerned about Devils Lake, if they are so concerned with the fact that we have right now the fifth greatest flood of the century, the fifth most significant, if they are concerned about any of the important issues of the day, they can debate them in about 10 minutes or so by allowing us to get into Orders of the Day and discuss the budget, in which case each and every member of the Legislature will get an opportunity to speak, not for 10 minutes but for 30 minutes. That is the first point I want to make.

The second point I want to make, Mr. Speaker, is this opposition has shown the lowest level of petty partisanship you could ever imagine on as significant an issue as Devils Lake. Let us not only go from the comments made by the Member for Emerson (Mr. Penner), who, at various different times, has said there is no problem with the water, that the filtration is not needed or that there is a problem and we do need the filtration but Manitoba should build it, or that we should build it and collect it back from the various different levels of government. Well, I do not know from day to day whose side the Member for Emerson is on, but it sure is not Manitoba's.

I want to go one step further because—
[interjection]

An Honourable Member: Mr. Speaker, on a point of order.

Mr. Speaker: Order.

Point of Order

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

Mr. Jack Penner (Emerson): Mr. Speaker, on a point of order. The minister just put on the record that I had indicated I was in favour of allowing Devils Lake waters to flow to the Sheyenne River and to the Red River, and, in other words, Lake Winnipeg, without it being treated. I have never said that. What I have said is, constantly, that if we can believe what the Premier (Mr. Doer) has been telling the people of Manitoba that there was a signed agreement and that there was danger of that water to our waters, then we wanted this government to take action and build a filter. That is what I have said.

Mr. Speaker: Order. I remind members that points of order are supposed to be raised to point out to the Speaker a breach of the rule of the House. Points of order should never be used for means of debate.

The honourable Member for Emerson does not have a point of order. It is a dispute over the facts.

Mr. Speaker: The honourable Minister of Water Stewardship has the floor.

Mr. Ashton: Thank you, Mr. Speaker. You know, all throughout this and shown again today by the Leader of the Opposition (Mr. Murray), there is a clear indication of just how little members opposite are concerned about any issues related to the environment. I know that the Member for Emerson

has stated on the public record that water in Manitoba is in better shape today than it was 30 years ago. He is about the only person in the province that believes that, a charter member I am sure of the Flat Earth Society, which, I am sure, has membership in all the members opposite.

But, Mr. Speaker, what I think is appalling is the degree to which this member and the Leader of the Opposition understand nothing about issues related to foreign biota. I tell you, Joe Belford is a person I respect. He is from Devils Lake in North Dakota. I expect him to be making the kind of arguments that I have heard him make over the last number of years. But I expect better from the Leader of the Opposition and the Water Stewardship critic who do not understand that the No. 1 issue with foreign biota is that if there is any chance of a transfer of foreign biota, you have to be concerned. What you do is you have a proper environmental assessment and you have mitigation. That is why we went and argued that it should be referred to the IJC. I point out the members opposite, at that time, claimed to support going to the IJC.

Mr. Speaker: Order. I remind members that this is the point in time where trying to convince the Speaker of their urgency of dealing with this matter. This is not the time to be getting into debate.

Mr. Ashton: Mr. Speaker, what they do, take for example the survey work that was done last year, and they belittled it. It came out of an agreement of about 20 scientists from all the jurisdictions, and it was put on the record. It was released as public information, a report. It was tabled in this House. It has been on the Web site since October. There are four algae species and three fish parasites that are not known to be in Lake Winnipeg, a number of which had not been previously identified. The basic principle when it comes to foreign biota is that you err on the side of protection.

I would expect the members opposite, if they cared about Manitoba, not to be undercutting the evidence that is clearly there, accepted by this province, the State of Minnesota, the Government of Canada and the CEQ.

You know, Mr. Speaker, what a bunch. I realize they have a leadership convention up this weekend. I am surprised they have anybody willing to lead that group over there. Their latest is to attack the CEQ. They call it an organization. It is the Commission on Environmental Quality. It is the White House. It is

George W. Bush. It is the federal U.S. government that is committing to the filtration for Devils Lake.

Mr. Speaker: Order.

Point of Order

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

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

Mr. Speaker, the Leader of the Opposition (Mr. Murray) rose in his place today and argued for a matter of urgent public importance to be debated in the House. In doing that, there is going to be a response from the government. I would expect that they would want to argue either in favour of the matter of urgent public importance to proceed or argue why it should not be proceeded with.

*(15:10)

The Minister of Water Stewardship has embroiled himself in the debate. Now, I am assuming that the debate must be going ahead because the Minister of Water Stewardship is now into the body of a debate.

So, Mr. Speaker, if that is the case, then I say let us proceed, and the speaking order then should be one party to another. But, if we have agreed already and we are proceeding with the debate on this matter, I am encouraged by it.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order because our rules are very clear at this point in time. I do allow a certain amount of leeway, but our rules are very clear that this is the time to convince the Speaker that there is an urgency to debate this matter immediately.

So the honourable member does have a point of order.

Mr. Ashton: Indeed, I apologize, Mr. Speaker, if I was responding to the Leader of the Opposition.

But I do want to make the point that on a day in which the CEQ has made a clear commitment, Mr. Speaker, the head of the CEQ in a press conference with Rona Ambrose, Minister of the Environment—who, by the way, commended not only the Prime Minister and the President of the U.S. but also the Premier of Manitoba for the efforts to get to the point

of having the filtration—I would expect the Leader of the Opposition, the Water Stewardship critic, all members on that side of the House to be saying let us have a united stand. Instead, they want to move and suggest we have a debate, to what? To divide this province more.

I say no, Mr. Speaker. If they want to debate this issue, they can do this on the budget. But I would suggest one thing, and I should maybe be generous to the Leader of the Opposition who will soon be retired from the most difficult job in Manitoba. It is not actually being the Leader of the Opposition; it is being Leader of the Conservative Party.

You know, Mr. Speaker, after I see what has happened on issues like Devils Lake, I can understand why the Leader of the Opposition is smiling, because, quite frankly, you are faced with issues like this and you have a caucus and a party that is out of touch with the year 2006, that does not get that when you have had a commitment from the U.S. federal government, you do not belittle that; you say that it is good.

But let us get that filtration in place before the water flows. Let us have a united front. If I could, I want to suggest, Mr. Speaker, you have two choices. You play the kind of petty politics we are seeing again on this proposed matter of urgent public importance, or you stand up for Manitoba. The NDP, in fact, 99 percent of Manitobans are prepared to stand up for Manitoba. Which side are the Tories on?

Mr. Speaker: The honourable Member for River Heights, if he is up to speak to this matter of urgent public importance, would require leave.

Hon. Jon Gerrard (River Heights): I would ask for leave to speak to this matter of urgent public importance.

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Yes, leave has been granted.

Mr. Gerrard: Thank you, Mr. Speaker. We have had a debate back and forth, it would appear, over whether our waters are cleaner now than they were 30 years ago or not. Although the Member for Emerson (Mr. Penner) may be right that there are a few streams or lakes that may be cleaner, most of them have, in fact, had more problems. That is particularly true of Lake Winnipeg where the levels of phosphorus are higher. The problems with algae

are higher. The problems at our beaches are worse in terms of people going out and swimming because of the E. coli levels.

The fact of the matter is that it is worse now than it was 30 years ago which is a reflection of the fact that the Conservative and NDP governments which have been in power over the last 30 years have not done their job properly.

What we need to be debating is the situation with Devils Lake. That is my understanding of what the Leader of the Opposition (Mr. Murray) was putting forward. It was emphasizing the need to have a debate on Devils Lake.

Clearly, Mr. Speaker, this is timely because the deadline is May 1, as we understand it now, for the water to flow. From what I hear we are in agreement in this House that the water should not flow until the filter is there. So it would be important that we have this discussion. I would suggest that since there seems to be unanimity here among all parties of the importance of not having the water flow until the filter is there that there is an opportunity to build consensus and go forward with the debate which will emphasize what is critically needed. That is that the water should not flow until the filter is in place and has been tested and shown to be working. That is what we need.

We can talk about all the problems, all the way along the way from where we are now. I know that a number of years ago there was an opportunity to have this go to the IJC which the government turned down. But we are now where we are and we have to deal with this situation. There is an opportunity to get everybody here in the Legislature on the same page, and that same page being that the water should not flow out of Devils Lake until the filter is in place and has been properly tested to know that it is working.

That is our position on the Liberal Party. That is the position that we would like to advance together with the other members of the Legislature as part of this effort. So that, Mr. Speaker, is why we need this debate today. Thank you.

Mr. Speaker: Order. I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable Leader of the Official Opposition should be debated today. The notice required by Rule 36(1) was provided under our rules and practices. The subject matter requiring urgent consideration must be so pressing that the

public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I do not doubt that this matter is one that is of serious concern to members as water is an essential resource, and clean and safe water is important to all of us. I have listened very carefully to the arguments put forward. However, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today.

Additionally, I would like to note that there are other avenues for members to raise this issue including questions in Question Period, raising the item under Members' Statements, and raising the issue during budget debate.

Therefore, with the greatest of respect, I rule the motion out of order as a matter of urgent public importance.

Mr. Derkach: Mr. Speaker, with the greatest of respect, I am disagreeing with you. But you are telling me I cannot challenge the ruling, is that correct?

Mr. Speaker: Order. Our Manitoba rules state that matters of urgent public importance, the decision of the Speaker is final. There is no challenge to the rulings.

Point of Order

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

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

Mr. Speaker: On a point of order.

Mr. Derkach: Mr. Speaker, it is a sad day because we are six days from the water flowing from Devils Lake into Manitoba. It is sad that the government does not want to allow debate on this very important matter.

* (15:20)

But, Mr. Speaker, I have another point of order. This point of order has to do with a very simple matter, but one that is fairly serious. When the House rose on December 8, the Hansard number was 27A and B. When the House returned on March 6, the Hansard number was 32. The issue for me is how did that happen. *[interjection]* Well, the Minister of Energy, Science and Technology (Mr. Chomiak) says it was the Julian calendar.

Maybe it was, but, Mr. Speaker, I just simply do not have an answer for it, and so therefore I raise this issue as a point of order because I would like to know whether we have lost five days or whether in fact I misunderstand the way that Hansard is numbered.

I raise this as a point of order, so perhaps you, as Mr. Speaker, may want to take this under advisement and come back with a clarification for my purposes, or perhaps we can get to the bottom of it in some way, shape or form. I thank you for that.

Mr. Speaker: For the explanation for the honourable member, the reason that you have noticed a difference in days is because there were some intersessional committee meetings, and the agreement of the House at that time was that the intersessional committee meetings would be included as sitting days of the House. That was agreed to by all parties, and that is why you noticed the difference of that day to when you came back.

Mr. Derkach: I thank the Speaker for that information, and I just wanted to confirm that there were in fact five sitting days of intersessional committees between December 8 and March 6. If that is the case, I accept that as an explanation.

Mr. Speaker, I have another point of order. *[interjection]* Yes, that is not a problem. I do not want to belabour it.

Mr. Speaker: If the honourable official opposition would not mind, I can get those dates for you and bring the information back to the House, so that way we can move ahead.

* * *

You had indicated you had a new point of order?

An Honourable Member: Yes, I did.

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

Mr. Derkach: Mr. Speaker, I appreciate the fact that this information will be forthcoming and there is no rush for it at all, but before I start on my point of order, I do want to make a comment regarding your announcement today with respect to the Speaker of Nunavut if I may take a minute.

Mr. Speaker, on behalf of our party, I do extend our heartfelt sympathies to the people of Nunavut in losing the Speaker of their Legislature. I met Jobie Nutarak when I was with you in Nunavut, and I also met him on one previous occasion when we were

still in government at a time when we visited Nunavut just at the time Nunavut received its own government.

What struck me about Jobie was that he was a very kind and gentle-hearted person and, Mr. Speaker, after speaking to him for a little while, his very calm nature and his very kind demeanour left one with a very positive and a very warm impression of this individual. I know that the people of Nunavut will miss this individual because he indeed was one who attracted people to himself because of his nature.

Mr. Speaker, if I just could conclude, not only from myself personally but indeed from members of this side of the House, we extend our heartfelt sympathies to his family and to the government of Nunavut and all of the people in the territory of Nunavut.

Mr. Speaker: I thank the honourable member very much for that comment, and I will ensure that the comment will appear in Hansard. I will send it up to the Legislature so they can share it with the people of the territory.

Point of Order

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

Mr. Derkach: Yes, Mr. Speaker, I am on a point of order now with regard to comments made by the Government House Leader (Mr. Mackintosh) in Saturday's *Winnipeg Free Press* column. The Government House Leader said, and I quote: "There is a sessional order . . . that is now in peril."

Mr. Speaker, this is a serious question because what is happening now is the House Leader went on to say: "There is now a serious question as to what the Speaker will do on June 13" with regard to the budget votes.

Well, Mr. Speaker, the reason this is a serious issue is because it now is reflecting upon the Speaker. If we go to *Beauchesne*, 6th Edition, section 71(1), where it states very clearly, and I will quote from *Beauchesne*, that "the Speaker should be protected against reflections on his or her actions." Secondly—this is on page 21, Citation 71(1): "The Speaker should be protected against reflections on his or her actions."

Mr. Speaker, our rules, Rule 41 states: "Questions not to be revived or anticipated. No member shall revive a debate already concluded

during the session or anticipate a matter appointed for consideration of which notice has been given."

Mr. Speaker, the House made a decision concerning the proceedings of the session on June 9, 2005, as found on pages 373 to 375 of *Journals*. The Government House Leader is now indicating that somehow the House order is in peril, or is anticipating that you will be taking some action concerning this matter. If that is the case, we on this side of the House would like to know what the government has in mind concerning the House order. If the Government House Leader is so willing to speak to the media about this, and others outside of the House, he should have the courage to rise in his place to speak on the matter or have the courage to call me, as the Opposition House Leader, to see who we would like to see as leading the commission of inquiry related to Crocus so then we can get on with the business of the House.

So he has some choices to make, Mr. Speaker. But he has chosen not to do this. Instead, he is trying or attempting to reflect on your responsibilities as they relate to an order that was passed in this House. Now, the order, as it was passed in this House, was very clear. The order stated that, regardless of what happens with regard to debate, if the criteria that were set out in the order are proceeded with, then the Speaker has no choice but to call for a vote on the budgetary bills, and they are listed in the order. The Speaker will, it says on June 12 and 13, deal with these matters in an appropriate way, which means he will call a vote on them. It is spelled out in the order.

In my view, Mr. Speaker, the Government House Leader has erred in his comments in the paper. He has again, like his leader, like the Premier (Mr. Doer), misled Manitobans to believing that somehow the budget will not pass on the 13th of June, which is not the case. Our hands are tied, whether we are in opposition or in government, with regard to what happens on June 12 and 13, because the order spells it out very clearly. Unless the government chooses not to vote for its own budget, I can see no other action but that the budget will pass because you, as Mr. Speaker, have no choice but to call those supply motions, those motions that have been identified through the order on the 12th and 13th of June.

Now, Mr. Speaker, with regard to the legislation, there are some deadlines that have to be met. We have passed one of those deadlines. We are approaching another deadline. Then there is as yet a

third deadline that has to be met prior to June 12 and 13.

* (15:30)

It is up to the government to conduct the business of the House. They can do it in several ways. The opposition have drawn a line in the sand. The opposition in this House have said that the Premier has to call a public inquiry because, otherwise, we will continue not to debate the budget. If you listen to the media, the media have called upon the government to call a public inquiry. They have not relented from that position, Mr. Speaker. Just this morning, Mr. Speaker, on CJOB, it was very clear that we are on the right track, that the government needs to call a public inquiry.

Mr. Speaker, if we look at the *Free Press* editorial of just a day or two ago, it was very clear that the government has a responsibility to be accountable to Manitobans and call a public inquiry. That is what we are demanding of the government. Let there be no mistake; let there be no mistake. It is a public inquiry that we and the Liberal Party are calling for. It is very clear, unmistakable.

Mr. Speaker, if the government calls the public inquiry, we will get on with the business of the people, the business of the House. The government can then start the process of going into Estimates, calling bills, and the normal processes of this House can take place. But, without calling the public inquiry, I am afraid the government finds itself in a pickle, and that pickle is this: the deadlines are approaching; there are some pieces of legislations that could be in peril. It is at the hands now of the opposition, I think, that we will—

An Honourable Member: Wear it.

Mr. Derkach: Yes, we will wear it, Mr. Speaker. As a matter of fact, we will trumpet it. What we will trumpet is the fact that this government has not got the courage to call a public inquiry because it is culpable, because it has implicated itself in the whole scandal. This, to Manitoba, is like Gomery is to Canada. On a per capita basis, it is probably even worse.

Now, Mr. Speaker, Manitobans, whether they live in Thompson, in Russell, in Binscarth, in Winnipeg, in Brandon, in Winkler, wherever, are calling for a public inquiry. How long will the government resist?

Now, I say, Mr. Speaker, the Government House Leader (Mr. Mackintosh) erred. He said that the order is in peril. I think he needs to retract that statement or he needs to correct it, because the order is not in peril. The order of the House stands, simple as that. It was passed. Unless the Government House Leader needs to have an explanation given to him about what he signed, I see no other way, unless there is unanimous consent in the House, that the order will be proceeded with.

Now, I look at my colleagues in the Liberal Party, and I do not think they are about to try to renege on the order. Certainly, the opposition is not about to renege on the order. Now, I do not know whether the government wants to renege. By the looks of it, they would like to renege on the order. Then, of course, by virtue of renegeing on the order, they would simply blame the opposition for not being able to do anything in the House. Oh my goodness. Have you ever seen a situation where a government has a majority of 15 members—

Mr. Speaker: Order. We are getting into debate here. I would like to remind the honourable member that when up on a point of order, it is to advise the Chair of a breach of a rule or a departure of Manitoba practice.

Mr. Derkach: Thank you, Mr. Speaker, and this is a breach of a rule that is quite clearly stated in *Beauchesne's*, Edition No. 6, Citation 71(1), where in fact it states that "the Speaker should be protected against reflections on his or her actions."

Well, the action here,—and I apologize for taking a little bit of latitude there, but I thought I was allowed some, given the speech we had from the Minister of Water Stewardship (Mr. Ashton). But, nevertheless, on this citation it says the Speaker should be protected against reflections, and clearly, the Government House Leader's comments were a reflection of a ruling, an action of the House, and you as Mr. Speaker, because the House Leader said, and I quote: "There is a sessional order . . . that is now in peril." Now how could that be, Mr. Speaker? How could that be? Is the government somehow going to use its majority to try and persuade you as Mr. Speaker and us as a Legislature, that we should change the order. Well, it can do that, but I do not see how the order itself is now in peril. It is not in peril. The order will be proceeded with.

Mr. Speaker, we have talked to the media about the order as well. It is clear. So, when the House Leader of the government says that the order is in

peril, he is clearly mistaken. So I think that the House Leader needs to correct the record, needs to apologize for misleading Manitobans and misleading this Chamber, and, more importantly, he has an obligation to apologize to you for reflecting on you as the Speaker of this Chamber who has taken an action on behalf of the Chamber and accepted the order that was agreed to by the government and by the opposition, along with the Liberal Party. That is an order, in my view, that is solid and cannot be tampered with. Thank you.

Hon. Dave Chomiak (Minister of Energy, Science and Technology): Mr. Speaker, as has been a pattern in this House ever since the opposition began its campaign of stalling the Legislature and failing to deal with the day-to-day business, either because of a leadership convention, because of internal issues or whatever issues are on the table of members opposite, they are failing to deal with the day-to-day business of the Legislature.

Because an article appeared in one of the newspapers being critical of the opposition for wasting the time of the Legislature and costing the people of Manitoba resources and because the House Leader made a comment outside of the House in reflection to questions regarding the obstinacy of the members opposite, the fact that members opposite are coming here every day raising points of order, challenging every one of your rulings, Mr. Speaker, every one of your rulings on a daily basis, because members opposite are in that kind of a situation, they are now seeing that they have to try to wiggle their way out, wiggle their way out of the jam that they have gotten themselves into by virtue of raising frivolous points of order that are not even (a) points of order, (b) on the record.

Mr. Speaker, we have before this House a budget that sets the spending of the Province of Manitoba over the next year, and members opposite are either afraid or unwilling to debate the budget. Day after day they ring the bells rather than have the courage to debate the budget. Now, I know that members opposite are involved in events perhaps somewhat removed from activities in the day-to-day Chamber. Maybe there are various campaigns going on. Maybe people are out visiting various groups and individuals. That is possible. I do not know, but I know what happens in here every day. We come in here wanting to pass the budget and pass legislation that is important to the people of Manitoba, and members opposite ring the bells consistently, raise

points of order, rebut every single one of your rulings.

There have been more actions with respect to not just appealing the ruling of the Chair but the order that deals with personal—[interjection] Matters of privilege. There have been more matters of privilege in this session than I recall during my entire career in opposition. That is from 1990 to 1999. There have been more privileges by members opposite in this session than we raised during those entire nine years. What does that tell you, Mr. Speaker? That tells you there is a little bit of difficulty with members opposite. They are afraid or unwilling to debate the budget and all of the bills that are on the Order Paper, that we have put on the Order Paper for the benefit of Manitobans, which include matters dealing with crystal meth, which include matters dealing with health, which include matters dealing with natural resources.

Mr. Speaker, it is very simple for members opposite. They need a way out. We are offering them a way out. The way out is to debate the budget, debate the bills, get on to doing what the people of Manitoba have sent us here to do, not ring the bell hour after hour after hour in an attempt to—in contravention of what we are elected to do, and that is to make the laws of the Province of Manitoba, debate the laws of the Province of Manitoba, and, most importantly, let the public have a say in the bills that are before this Chamber.

* (15:40)

Their actions disallow the public from having an opportunity to have a say in what we are debating in this Legislature, and the record will show, and history will show, the consequences of the actions taken by members opposite, just as history has shown that the consequences of members opposite in ramming through the MTS bill have rained upon them and have ramifications upon them to this very day in terms of their credibility amongst the general public of Manitoba.

The public remembers, Mr. Speaker. The public knows what is going on. They know what members opposite are doing, and I suggest to members opposite that we get on with debating the budget and the bills that are important for the people of Manitoba.

Mr. Speaker: Is the honourable Member for Inkster (Mr. Lamoureux) rising to give the Speaker some procedural advice on this point of order?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, in addition to that to respond—

Mr. Speaker: Okay, the honourable Member for Inkster.

Mr. Lamoureux: Yes, Mr. Speaker. But, of course, and I listened very patiently, as you did, as the government representative tried to give us a lesson on a number of things. One of the things that I thought was most interesting is he was talking about a way out, and there is a way out of this situation that we currently have. You have had both oppositions in a very strong way encourage the government to use that way. You have had independent media outlets encourage this government to do what is right. You have had Crocus shareholders, individual Manitobans, even former NDP Premier Ed Schreyer tell this government to do, or show them the way out, and the way out, of course, is to call for a public inquiry regarding the Crocus fiasco.

Mr. Speaker, if we look at *Beauchesne's* as the Opposition House Leader (Mr. Derkach) has so eloquently pointed out, *Beauchesne's* 71, I think that there is merit for us to deal with what the government—and it is the Government House Leader (Mr. Mackintosh) that we are talking about, who is putting not only, I would argue, you, but he is also reflecting on all members inside this Chamber, and I am concerned that there is indeed a serious attempt by this government to put a political spin around this whole budget and possibly some legislation in terms of not being able to pass.

Mr. Speaker, the Member for Russell (Mr. Derkach) points out about an agreement, and the government is fully aware of that agreement. Yes, there are some decisions that do need to be made, but I would like to read in particular one portion of that agreement where it states, and I do this so that the Member for Kildonan (Mr. Chomiak) and other government members would be familiar with what that agreement actually states, and it is item 7:

"By the usual adjournment hour on Monday, June 12, 2006, the business of supply for the 2006-07 fiscal year must be concluded as follows: (a) by 4:00 p.m. on that day (i) the consideration of departmental estimates in the Committee of Supply must be concluded, and (ii) both the concurrence motion in the Committee of Supply and the concurrence motion in the House must be put; and (b) by the usual adjournment hour on that day, all stages for the passage (including all related motions and all three readings) of the following bills must be completed:

The Appropriation Act, 2006, The Loan Act, 2006, The Budget Implementation and Tax Statutes Amendment Act, 2006.

"If the Committee of Supply, the Committee of the Whole, or the House has not concluded any item or stage described above by the required hour, the Committee Chairperson or the Speaker, as the case may be, must interrupt the proceedings at the usual adjournment hour on that day and, without seeing the clock, put all questions necessary to dispose of the required items without further debate or recorded vote."

Mr. Speaker, so the Member for Russell is right on when he talks about what it is that the Government House Leader (Mr. Mackintosh) has done in making statements. Ultimately, he might have compromised the very chair in which you sit in and, in fact, all members of this Legislature. I do not believe the Premier (Mr. Doer) is, nor is the Government House Leader, doing a service to Manitobans by trying to give the impression that the budget will not pass, and you know what? It is possible in one way. It is possible in one way, and that is if not enough government members support the budget, then, yes, the budget will not pass, but I can appreciate that there might be some members, whether it is Transcona, Radisson, Fort Whyte—or Fort Garry, I should say—that might be a little nervous about that.

Mr. Speaker: Order. We are getting into debate. A point of order is to point out to the Speaker a breach of a rule, not to be used for means of debate.

Mr. Lamoureux: In short, in listening to what the Member for Russell has brought to our attention, Mr. Speaker, I do believe that we need to look at the consequences of those statements, because indeed it is a reflection on something that has taken place where there was full agreement, and that full agreement was from everyone inside this Chamber. I believe it was June 9 of 2005 when that agreement was put into place, and, as the Speaker of this Legislature, you have the responsibility to ensure that that agreement is adhered to.

Now, Mr. Speaker, I can appreciate the government, particularly the Premier, might have some concerns, as Manitobans do have some concerns. They like to see proper and due course given and attention and debate and public meetings and discussions in committees, in fact, addressing all the wide variety of things that we have to deal with, whether it is a budget or legislation that is before this

Chamber. But this is something which the Premier is going to have to sleep on, and the Premier is going to have to realize what his ways are in order to be able to address both the need for a public inquiry regarding the Crocus fiasco and the legislative and budget agenda of this government.

It is not appropriate for the Government House Leader (Mr. Mackintosh) to be reflecting to the degree in which he has as to what you are going to be facing come June 12, unless it is an attempt by the government to apply pressure on your Chair, and I hope that that is not the case. I trust that the government is going to be more careful with the way that they are reflecting on what is taking place and be more transparent with Manitobans on this issue.

As the Minister of Energy, Science and Technology (Mr. Chomiak) has pointed out, Mr. Speaker, there is a need for a way out, and the one who has the responsibility to get that way out is going to be the Premier of the province and the Government House Leader. I would suggest that they start looking at that way, and the way to start it off would be to call a public inquiry regarding the Crocus fiasco.

Mr. Speaker: Well, that is one of the longest points of order that I have heard previously, because points of order are usually dealt with in a few comments and then a rule is pointed out and we vote on it. We have spent over 20-some minutes on this, so I will hear the honourable Member for River East, briefly.

Mrs. Bonnie Mitchelson (River East): Thank you very much, Mr. Speaker, and I will be very brief, but as my colleague did point out in *Beauchesne* Citation 71(1) on page 21, it is very clear that the Government House Leader (Mr. Mackintosh) has gone beyond what he should be saying publicly and has put into question your ability to make the right decisions based on the rules that have been set out and, I think, have been fairly clearly articulated here in the Legislature this afternoon.

* (15:50)

I listened very carefully to the Member for Kildonan (Mr. Chomiak), the Minister of Energy, Science and Technology, when he spoke and talked about how the opposition now, somehow, was trying to wiggle their way out of some circumstance that we have gotten into in the House. Well, I would submit that the only people who are trying to wiggle their way out of an uncomfortable situation is the

government who refuse to call a public inquiry into the Crocus scandal.

You know, I also heard the minister, in his response to this point of order, indicate that we do not have the courage to debate the budget. Well, I would submit to you, Mr. Speaker, that the only people that do not have courage in this Legislature are the government members who do not have the courage to call a public inquiry.

Mr. Speaker, what are they hiding? I would venture to guess that if, in fact, they could tie the whole Crocus scandal to the former government, they would have called an inquiry the very first opportunity they had. But they did not, and why are they not calling a public inquiry? Are they afraid to put their hands on the Bible and swear that they are not tied directly to the scandal through their union brothers and sisters that have controlled and manipulated the Crocus Fund to a point where nothing that this government says in the House can now be believed?

Mr. Speaker, we would ask and submit that the way we could end this dispute in the Legislature and move on with the business of the House would be to have the government call the inquiry, agree to put their hands on the Bible and to swear and tell the truth because we are not getting the answers that we should be getting to very serious questions in this Legislature.

Mr. Speaker, then their reflecting on your office and your ability to manage the affairs of the House, as set out in the rules, is extremely serious and is very misleading to the general public out there. I think you should take this issue and this point of order very seriously and, possibly, censure the Government House Leader (Mr. Mackintosh) for his comments that he made publicly to try to deflect away from their inability to tell the truth and the inability of Manitobans to get to the bottom of the issue, the Crocus scandal, that is facing our province and will, very definitely, leave a black mark for years to come. So I would hope that you would take this point of order very seriously and rule that the Government House Leader stepped beyond his authority by making those comments publicly and has done a disservice to the working of this Legislature. Thank you.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader (Mr. Derkach), I am going to take this matter under advisement so I can check all resources available to

me, and I will be consulting with the procedural authorities. I will be returning to the House with the ruling.

* * *

Mr. Speaker: But I have some further information for the first point of order that was raised by the honourable Official Opposition House Leader. Due to recent rule changes respecting intersessional standing or special committees, the volume numbering for the daily Hansard has been adjusted to reflect this change.

The sitting dates that were sitting intersessionally were Friday, December 9, 2005, at 9:30 a.m., and it was dealing with Public Accounts, and the second day was January 26, 2006, at 1 p.m. dealing with the Committee on Justice. The other, third day, was February 2, 2006, dealing with Public Accounts at 9:30 a.m., and Wednesday, March 1, 2006, at 6 p.m., dealing with the Justice Committee.

I hope that is the information that the member was seeking. So that would account for the days that the member thought were missing from one Hansard to the next Hansard. If you need further information, I welcome you to go on to the Internet. The information is all there on the Internet.

* * *

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

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

Mr. Speaker: Order. A motion cannot be moved until we get to Orders of the Day, and we have not reached that stage yet, so the motion is totally out of order.

The honourable Official Opposition House Leader, on either a point of order or a matter of privilege.

Mr. Derkach: Mr. Speaker, with the greatest of respect, I challenge your ruling.

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

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

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

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

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

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

Division

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

Yeas

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

Nays

Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Faurschou, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Reimer, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 33, Nays 14.

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

* * *

Mr. Derkach: Mr. Speaker, I see it is about a minute to five. Do we want to call it five o'clock?

Mr. Speaker: Is it the will of the House to call it five o'clock?

Some Honourable Members: No.

Mr. Speaker: No? Okay.

Point of Order

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

Mr. Derkach: Well, Mr. Speaker—

Mr. Speaker: On a point of order or a matter of privilege?

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

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

Mr. Derkach: Mr. Speaker, on a point of order, earlier today in Question Period the Minister of Education (Mr. Bjornson) was asked some fairly serious questions by the Member for Charleswood (Mrs. Driedger). Instead of dealing with the matter raised, the minister decided to bring in some extraneous areas which made no sense whatsoever, misleading the House, misleading Manitobans and not dealing with the matter raised.

* (17:00)

Now, Mr. Speaker, *Beauchesne* 417 is very clear and, although we do not use it during Question Period because we allow the latitude for a minister to be able to respond to preamble that a member puts forward, or a questioner to respond in her preamble to the question to what the minister may want to put on record, the issue is that 417—

Mr. Speaker: Order.

The hour being 5 p.m., we will adjourn and this point of order will continue as first order of business tomorrow.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 25, 2006

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