

Fifth 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, Hon.	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.
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SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
VACANT	Kirkfield Park	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 5, 2006

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 207—The Teachers' Pensions Amendment Act

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Charleswood (Mrs. Driedger), that Bill 207, The Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de retraite des enseignants, be now read a first time.

Motion presented.

Mrs. Stefanson: Mr. Speaker, this bill essentially came about as a result of numerous rallies on the grounds of the Legislature that the Retired Teachers Association of Manitoba, many of the retired teachers of whom are here today and I welcome them to the gallery, with respect to the fairness and the issue of COLA.

Unfortunately, we're not allowed to introduce bills in this Legislature with respect to money bills, and this is something that we feel is necessary in order to move forward on the issue of the TRAF board to ensure that we increase the number of board members to nine, requiring at least one member to have investment management experience and requiring one member to be a retired teacher nominated by the Retired Teachers Association of Manitoba.

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

Bill 210—The Personal Health Information Amendment Act

Hon. Jon Gerrard (River Heights): Mr. Speaker, I move, seconded by the MLA for Inkster, that Bill 210, The Personal Health Information Amendment Act; Loi modifiant la Loi sur les renseignements médicaux personnels, be now read a first time.

Motion presented.

Mr. Gerrard: Mr. Speaker, the purpose of this bill is to enable patients in hospitals and personal care homes to access information about their own health within 24 hours if it's readily available. It would

reduce the time now, which is 30 days down to 24 hours, so that patients and those who are health care providers can share information much more easily and move toward a more collaborative environment where patients and providers work together in the best interests of the patients' health.

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

Bill 13—The Securities Amendment Act

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Family Services and Housing (Mr. Mackintosh), that Bill 13, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, be now read a first time.

Motion presented.

Mr. Selinger: Mr. Speaker, this bill amends our legislation to make it consistent with similar initiatives in other jurisdictions among the provinces, as well as to enhance investor protection.

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

PETITIONS

Fixed Price for Milk

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

These are the reasons for the petition:

The price of milk varies significantly throughout the province while the price of beer is set by the Province of Manitoba.

The negative impact of not having a set price on milk is having a negative impact on the health and well-being of our children, especially in northern Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier of Manitoba (Mr. Doer), and all Manitoba MLAs to consider supporting the need to establish a fixed price for milk in the province of Manitoba.

Mr. Speaker, this is signed by Diane Poulin, Julie Hayward, Heidi Magnuson-Ford, and many, many other fine Manitobans.

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

Removal of Agriculture Positions from Minnedosa

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

These are the reasons for this petition:

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

Removal of these positions will severely impact the local economy.

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

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology in order to maintain these positions in their existing location.

This petition signed by Duane LaCoste, Rose Laming and Bev Popien.

Headingley Foods

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

These are the reasons for this petition:

The owners of Headingley Foods, a small business based in Headingley, would like to sell alcohol at their store. The distance from their location to the nearest Liquor Mart, via the Trans-Canada Highway, is 9.3 kilometres. The distance to the same Liquor Mart via Roblin Boulevard is 10.8 kilometres. Their application has been rejected because their store needs to be 10 kilometres away from the Liquor Mart. It is 700 metres short of this requirement using one route but 10.8 kilometres using the other.

The majority of Headingley's population lives off Roblin Boulevard and uses Roblin Boulevard to

get to and from Winnipeg rather than the Trans-Canada Highway. Additionally, the highway route is often closed or too dangerous to travel in severe weather conditions. The majority of Headingley residents therefore travel to the Liquor Mart via Roblin Boulevard, a distance of 10.8 kilometres.

Small businesses outside Winnipeg's perimeter are vital to the prosperity of Manitoba communities and should be supported. It is difficult for small businesses like Headingley Foods to compete with larger stores in Winnipeg, and they require added services to remain viable. Residents should be able to purchase alcohol locally rather than have to drive to the next municipality.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister charged with the administration of The Liquor Control Act (Mr. Smith), to consider allowing the owners of Headingley Foods to sell alcohol at their store, thereby supporting small business and the prosperity of rural communities in Manitoba.

This is signed by Shane Craig, Patsy Fossay, Grant Fossay and many others, Mr. Speaker.

* (13:40)

MINISTERIAL STATEMENTS

2008 Canadian Country Music Association Awards

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

Mr. Speaker, I'd like to advise the House about the announcement made today by the Canadian Country Music Association that Winnipeg will be the host city for the 2008 Canadian Country Music Awards.

This will be the third time Winnipeg will play host to Canada's largest music event. Music plays a major role in the fabric of Winnipeg and Manitoba, and shapes the heartland of Canada's musical tradition. Artists such as Neil Young, Doc Walker, The Guess Who and countless others have launched their careers here.

Manitoba has always been a great place for music and artists. Last year, we hosted the Juno Awards and, just recently, we played host for the Western Canadian Music Awards and the Aboriginal Peoples Choice Music Awards. With this

announcement, we will show the country, yet again, that Winnipeg is a music town.

Destination Winnipeg put a successful bid together for the 2008 Canadian Country Music Awards in partnership with a bid committee whose members included: co-chair Kevin Walters from Manitoba Film and Sound; co-chair Ray Martin, Manitoba Country Music Association; Ginette Lavack from Destination Winnipeg; Kevin Donnelly from True North Sports & Entertainment Ltd., the MTS Centre; Sam Baardman from MARIA; Sarah Stasiuk from the Manitoba Audio Recording Industry Association; Gilles Paquin from Paquin Entertainment.

The MTS Centre will, once again, play a major role in showcasing the best in Canadian country music, and will give Manitobans the chance to be a part of this fantastic event. In addition to the MTS Centre, several venues in the Winnipeg area will host special entertainment events that accompany the annual Canadian Country Music Week.

Canadian Country Music Week in Winnipeg 2008 will showcase excellence in Canadian music and provide significant economic benefits and national exposure for Manitoba. This event will be held September 5 to 8, 2008. Thank you, Mr. Speaker.

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I rise in response to the statement in the House made by the minister. I, too, would like to congratulate the planning organization in receiving recognition and being able to host the Canadian Music Association Awards in Winnipeg on September 5 through 8.

It's a wonderful recognition for our province and the volunteers within our province in being able to offer, not only these types of events, but most recently, the Aboriginal Music Awards and the Grey Cup. It just goes to show that through great volunteerism, great facilities, we are able to provide nationally recognized events such as this.

I also would like to pay tribute to the bid committee. Being on a bid committee is more than just receiving accolades. It's their vision and their appreciation and hard work in trying to get an event even to be recognized. So I want to also congratulate Kevin Walters, Ray Martin, Ginette Lavack, Kevin Donnelly, Sam Baardman, Sarah Stasiuk, Gilles Paquin and many others who are a part of this committee.

I look forward to participating in the celebrations and enjoying some great music. It's great for the province. It is actually an excellent opportunity for many of our young people who are involved in the industry to meet their idols and people they look up to. So I want to congratulate the committee and we look forward to the music. As the minister said, it is a major component of the fabric of our community and our province. So congratulations to all players.

Hon. Jon Gerrard (River Heights): Mr. Speaker, 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 other members of the Legislature in congratulating those who were involved in putting forward the successful bid so that Manitoba will be hosting the 2008 Canadian Country Music Awards.

This is a solid step forward for Winnipeg and for Manitoba. Congratulations to those involved from Destination Winnipeg, True North, MARIA and others.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Mrs. Diane Mozol. Mrs. Mozol is the mother of our *Hansard* recorder, Danny Mozol.

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

I'd like to draw the attention of honourable members to the public gallery where we have with us today members of the Retired Teachers Association of Manitoba. These visitors are the guest of the honourable Member for Tuxedo (Mrs. Stefanson).

Also in the public gallery we have grade 9 students and staff from Arthur A. Leach School. This school is the guest of the honourable Minister for Healthy Living (Ms. Irvin-Ross).

Also in the public gallery we have from the Applied Linguistics Centre 19 adult English as an Additional Language students under the direction of Ms. Jennifer Loewen. This group is located in the constituency of the honourable Member for Minto (Mr. Swan).

Also in the public gallery we have with us from Neepawa Area Collegiate 26 grade 11 students under the direction of Mrs. Michelle Young. This school is

located in the constituency of the honourable Member for Ste. Rose (Mr. Cummings).

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

ORAL QUESTIONS

Hog Processing Plant Premier's Position

Mr. Hugh McFadyen (Leader of the Official Opposition): Just over a year ago, the Premier was at the front of the parade when OlyWest was announcing, Olymel was announcing a major \$200-million investment in Manitoba which was going to bring 1,100 jobs here to Manitoba, Mr. Speaker. He was even prepared, as an indication of his commitment, to build a hog slaughtering facility in St. Boniface, to put \$27.5 million in provincial incentives in place to ensure that this development moved ahead.

Yesterday, Mr. Speaker, we saw two of the partners in that project indicating that they no longer view Manitoba as a good place to invest and create jobs as a result of his government's policies. As a result of his government's decision to flip-flop four weeks ago on the issue of the hog industry, can the Premier provide the House with a straight answer today? He was for it a year ago; he appears to be against it now. Where does the Premier stand on this investment in St. Boniface? Is he for expansion of the industry or is he against it?

Hon. Gary Doer (Premier): For the industry, Mr. Speaker.

Mr. McFadyen: The Premier has indicated that he is in favour of the industry. Since Hytek is indicating today that they are hopeful that they can proceed with the investment, can the Premier indicate: Is the Province's \$27.5-million incentive package still on the table?

Mr. Doer: The member might know that in September, Olymel in Québec announced that they had lost \$150 million over three years, Mr. Speaker. They announced that on September 27. They announced at that time they would be reducing the number of employees in Québec; they would be reducing the numbers of plants in Québec; they would be reviewing the whole situation of their profitability.

Obviously, Olymel was one of the partners in the proposed OlyWest plant. They closed two plants down in Québec last evening, and obviously when

there are three partners funding a proposal and two of them withdraw, the due diligence changes and the due diligence requires us to look at and review completely the \$20-million loan. The \$20-million part of the package dealt with the MIOP loan which was at Crown rate plus 1 percent. I know members opposite are making a lot of noise. They lost \$40 million in MIOP loans. Since we have been in office we've made money on MIOP loans. That's the difference, Mr. Speaker.

* (13:50)

Investment in Manitoba Recent Cancellation

Mr. Hugh McFadyen (Leader of the Official Opposition): The Premier is talking about making money and losses. I wonder if he wants to take credit for the \$100 million in losses suffered by Crocus unitholders under this government.

So that we have all the facts on the record with respect to Olymel, Olymel is going through restructuring in Québec as a result of that province's moratorium and the issues that it created for that industry, but we also know that Olymel is expanding its operations in Red Deer, Alberta.

Mr. Speaker, I want to put my question to the Premier. Will he take personal responsibility for the fact that he has created significant anxiety among residents in east Winnipeg? He is now creating uncertainty among investors who want to look at creating jobs here in Manitoba for young people, driving jobs and investment to the west, even as the water flows to the east in Manitoba. So there's no environmental benefit to what he's doing.

Will the Premier apologize for the anxiety he's creating for residents in east Winnipeg with all the uncertainty? Will he apologize to young Manitobans for the fact that his government, because of its anti-business policies, has driven JRI to invest in Yorkton, rather than Manitoba, with Canola crushing? Now, he's driving another industry out of the province of Manitoba.

Hon. Gary Doer (Premier): Mr. Speaker, it is interesting, because one of the losses that I cited for MIOP was Isobord that also lost \$7 million in Crocus and \$15 million in a MIOP loan. When I say that the members opposite lost \$40 million in office, that is well documented.

The loans we made, and they've been criticized, to Motor Coach and Flyer Industries and other

operations, have resulted in a net profit and more jobs here in Manitoba. So we need no lectures from members opposite who lost a co-investment of seven in Crocus and fifteen. In fact, they said in their press conference, and it was probably written by the member opposite, that they were going to turn straw into gold. Well, they sure did. They left a \$15-million loss.

The plant in Saskatchewan, the Mitchell plant with a \$60-million grant from the Province of Saskatchewan has been cancelled. Many other expansions have been cancelled. Plants are being closed all across Canada. I'm very confident, at the end of the day, that the processing jobs will continue to grow in Manitoba as they have in many other industries, but I'm also—*[interjection]*

Mr. Speaker: Order.

Mr. Doer: I'm also confident, Mr. Speaker, that some of the comments made when Maple Leaf announced the cancellation of their investment decisions in Saskatchewan dealing with the Mitchell plant, that the analysis made publicly by the CEO are correct and will remain correct in the market as we go forward.

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

Hog Processing Plant Premier's Position

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the Premier is obsessed with things that happened in the 1990s. He wants to go back and talk about things that happened in the 1990s. But, if we want to be accurate, let's talk about the 1999 election campaign where we have the spectacle of the Leader of the NDP running around Manitoba saying: We're going to keep everything the Filmon Tories got right. We're going to balance the budget; we're going to manage the economy well. They did a lot of things right. We're going to keep all those—oh, wait a minute. Sorry, there's one thing we're going to do differently, we're going to end hallway medicine in six months. That was his campaign in 1999.

So he's got to get out of the 1990s. Let's bring it forward to 2006. What's happening under his government's watch: \$100 million in losses by Crocus shareholders; the loss of the JRI Canola crushing plant to Yorkton; expansions in Red Deer, Alberta, by people involved in the pork industry.

Will the Premier indicate the time lines for the environmental review that his government is undertaking, with respect to the pork industry, expected time lines with respect to the review of the high-tech proposal? Will he provide certainty as to how long the moratorium is going to remain in place so that investors who are thinking about where they're going to invest, where they're going to create jobs, which province they view as being friendly to business and opportunity, which they don't? Give them some certainty so they can do some planning, so that investors, residents of east Winnipeg, Manitobans from the north, south, east and west can have some certainty and some knowledge this government has a plan.

Frankly, Mr. Speaker, it's starting to look like they don't have a plan. Can he assure us they've got a plan, and, if so, what is it?

Hon. Gary Doer (Premier): I remember the day after the member opposite put his foot in his mouth about the Ontario Hydro sale reference. He stood up in this House; in fact, he had both feet in his mouth, Mr. Speaker. I don't think he's ever pulled them out, either, after that statement about the Ontario document.

Mr. Speaker, going back to the 1990s, the Isobord decision, the co-investment was made in the 1990s. He can check the record; it was either 1996 or 1997. That is factually true. I know he can't handle the truth, but that's the truth. I have the press release and I'll send it to the member opposite.

Dealing with the issues of certainty, I would point out, on November 17 I believe the date was, he said: I support the idea of referring the issue of the hog industry to the Clean Environment Commission. I support that.

Now, the Member for Lakeside (Mr. Eichler) doesn't support it, the Member for Emerson (Mr. Penner) doesn't support it, Mr. Speaker. But the Member for Emerson has at least been consistent, unlike the Leader of the Opposition who is all over the map.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We have a lot of guests here today, and they came all the way down to hear the questions and the answers. I am asking the co-operation of all honourable members.

Hog Barns Moratorium

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, we do support the environmental review, and we have been consistent on that point.

But the environmental review is separate from the issue of the moratorium, and the Premier knows that they are separate issues. So why won't the Premier, instead of playing games and playing politics, instead of trying to look for diversions by talking about non-existent issues and obsessing over things that did or didn't happen in the 1990s, why won't the Premier simply indicate how long is the moratorium going to stay in place so that we can bring some certainty, and so that we can send a message to the outside world, to those people who want to create 1,100 jobs in Manitoba?

To those people who are looking at major investment decisions, can the Premier provide some certainty, or is he going to continue to play politics with this important issue?

Hon. Gary Doer (Premier): I am glad the member has reiterated his position on the referral to the Clean Environment Commission. I hope the member opposite is tabling all the actuarial reports warning the government about teachers' pension plans and the actuarial unsoundness of what was going on in the 1990s. I hope she's telling them the truth, Mr. Speaker.

Having said that, Mr. Speaker—

Some Honourable Members: Oh, oh.

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

Mr. Doer: Mr. Speaker, the Clean Environment Commission is a quasi-judicial body. I was asked the question at the AMM convention. I believe I said I expect it will be within a year. That is what I said publicly to 800 delegates. The member opposite had a bunch of researchers there taking down notes. I expect he knows the answer to the question.

Investment in Manitoba Recent Cancellations

Mr. Hugh McFadyen (Leader of the Official Opposition): The government's confused and inconsistent approach on this issue is driving jobs and investment out of Manitoba. Now, Mr. Speaker, it is a serious issue, and if he wants to talk about

things that happened in the 1990s, that's fine. If he wants to engage in academic debates about things that did or did not happen in the 1990s, that's fine. We're prepared to do that.

But let's talk about 2006 and 2007 and beyond and where his government is going with respect to policies that impact on investment. Now what he's in effect doing is driving investment in the pork industry to the west. We now have companies looking at expanding their operations in Saskatchewan and Alberta in the pork industry. We know that Manitoba's in the same watershed. So the water and the pollution runs downhill into Manitoba, Mr. Speaker, and it comes up from the south. He hasn't taken any action to deal with pollution that's originating south of the border. He's taken no action to deal with pollution that's originating to the west as these investments take place. It drives jobs out of Manitoba. He's driving the jobs and the money west, while the water flows east with all the pollution.

Will he apologize to young people in Manitoba for driving jobs out of Manitoba? Will he apologize to the people in east Winnipeg for the confusion and anxiety that his government's inconsistent policies are creating, and will he admit that he's got it wrong? Will he apologize, and will he indicate how he's going to fix this mess, Mr. Speaker?

* (14:00)

Hon. Gary Doer (Premier): Mr. Speaker, I think the Manitoba Pork Council, who doesn't agree with our position, would find it quite amazing to find the inconsistency of the member opposite's comments when he is talking about pollution of the pork industry west of us.

Mr. Speaker, Hytek still intends on proceeding. That's what they said today. Secondly, the CEO of Maple Leaf, at a meeting in Brandon in September, made a speech about proceeding with the second shift, proposing an idea on the second shift in the western part of the province. He also cancelled the operation in the Mitchell plant in Saskatoon in Saskatchewan, west of Manitoba. There are two plants that closed down yesterday in Québec.

There is a marketplace. The people that are investing their own money make decisions on the basis of the market. There are at least 25 articles dealing with the changing situation in the pork processing industry. Part of it is the issue of feed and the thankfully higher prices for grain. Part of it is the increase in the dollar's value. Part of it is the

continued subsidies of the U.S. farm bill and the advantage that that has that, obviously, we want to deal with. Part of it is in increased labour costs across western Canada with the increased economic development. Those are all well known in the economy.

I would point out, Mr. Speaker, we've competed with other provinces. The Simplot potato plant that is located in Portage la Prairie is the largest potato processing plant anywhere in the world. Members opposite in their doom-and-gloom comments said that that plant would never be built in Manitoba. We competed against Idaho, North Dakota, Saskatchewan and Alberta, and we won.

Hog Processing Plant Partner Investment Withdrawal

Mr. Ralph Eichler (Lakeside): Mr. Speaker, we have a First Minister who blames everybody in taking responsibility for himself. It is time he owned up to it.

Mr. Speaker, my question is with respect to the OlyWest investment. This morning, Florian Possberg, CEO of Big Sky Farms, said, and I quote: We are very disappointed with the recent actions of the Manitoba government and decided to refocus our priorities in Saskatchewan.

Can the Minister of Competitiveness share with this House how this NDP government plans to keep Manitoba open for business, despite the claims this province is unfriendly to investment?

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): The members opposite don't like to use comparables and especially don't like to use comparables in the '90s. Mr. Speaker, there is good reason for that.

Mr. Speaker, the fiscal management on this side of the House has attracted business more than ever before in Manitoba's history. When we came into office, the small business tax was sitting at 8 percent, the second-highest in Canada. Now, after seven years, we are going to be 3 percent, which will be the second-lowest in Canada.

The members opposite talk about corporate taxation. They did nothing with corporate taxation throughout the entire '90s. We have reduced corporate taxation by 25 percent since coming to office, Mr. Speaker. We're reducing the debt, we are bringing up the revenues, and Manitobans and business know it's a good place to be.

Mr. Eichler: Mr. Speaker, Réjean Nadeau, president and CEO of Olymel, has made it very clear Manitoba is not friendly to investment. He said, and I quote: We fear that Manitoba's recent pause in hog production will mirror the other moratorium that was imposed in Québec. The moratorium in Québec was one of the factors that triggered a severe rationalization of the entire hog industry.

Mr. Speaker, again, I ask the Member for Brandon West, the Minister of Competitiveness, will this NDP government take down its province's sign: We are closed for business, and start making Manitoba a place where businesses want to invest and make it a have province, Mr. Speaker.

Mr. Smith: Mr. Speaker, it's nice to correct the member opposite and put factual information on the record.

Mr. Speaker, Manitoba's economy continues to grow year after year after year. All the member opposite has to do is listen to the Auditor General. Manitoba's net debt, a measure the Auditor General says matters, went down \$151 million year over year from last year. If he doesn't want to listen to us, he should listen, certainly, to the credit rating agencies that are out there. Moody's Investor Services, Dominion Bond Rating and Standard and Poor's have all upgraded our records, something they didn't do through the '90s.

Mr. Speaker, this is a positive place for business. We've reduced positive taxation measures. We've reduced debt. We've brought the GDP from 31 percent under members opposite now to 24 percent on cost. Year after year, Manitobans are noticing the difference.

Province of Manitoba Economic Growth

Mr. Ralph Eichler (Lakeside): Mr. Speaker, the minister should read the Winnipeg Chamber of Commerce's report. There's only 7 percent of the businesses that agree with this minister.

We have lost two major players in the hog industry as a direct result of this government's complete mismanagement of the OlyWest project. Shame on them. Not only will the people from Manitoba suffer this loss, our children are bound to face the future economic hardships as well. Business in Canada believes Manitoba is closed for business. This Minister of Competitiveness has failed to attract new business to Manitoba.

Mr. Speaker, can the Minister of Competitiveness assure this House that Manitobans will be seeing new growth and investment at home and will not follow the other provinces that are open for business?

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): Again, Mr. Speaker, I can by putting factual information on to the record. Since 2000, Manitoba's total capital investment is estimated to have grown by 44.6 percent. That far exceeds the national average, in fact, puts us in third place in Canada. Manitoba's economic growth is the best in six years. Overall growth and investment will rise by 8.6 percent in 2006, a stellar record.

Mr. Speaker, as well, when members opposite were losing jobs to other provinces, we've gained 5,180 jobs per year. In youth from 15 to 24 alone we've gained in the last seven years a better average than they have. In fact, we've gained enough youth to make up the city of Portage la Prairie.

Hog Processing Plant Environmental Review Time Lines

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, the NDP government clearly continues to drive business out of Manitoba and bungle the confidence of investment in this province.

With an industry investor which is, and I quote, fully committed to fulfil the environmental due diligence process, will the Minister of Competitiveness, Training and Trade, the Member for Brandon West, at the very least, advocate for clarity and certainty with his Premier (Mr. Doer) for either a time frame to his government's moratorium or a commitment to the resources required to do the environmental analysis that all parties and players agree are necessary?

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): Mr. Speaker, what I can confirm to the member opposite is that debt in this province is going down. The GDP ratio in this province when we came into office in 1999 was sitting at 31.4 percent. It's now down to 24.1 percent.

Mr. Speaker, in terms of spending, and they may not want to listen to us, but our friends, the Fraser Institute says that Manitoba now has the second-lowest per capita spending of any province in Canada. They continue to say that taking a balanced approach and being consistent; the Auditor General says being consistent to the GAAP regulations, net debt went down in 2006 over '05 by 1.4 percent.

Mr. Maguire: Well, Mr. Speaker, it's very clear to see that the minister can't answer the direct questions that are being put to him. By singling out one sector of one industry, this NDP government continues to kill growth in Manitoba by forcing investments to other provinces. Recently, it was Canola processing. Now both Olymel from Québec and Big Sky Farms of Saskatchewan are backing out of investment in Manitoba because of NDP decision bungling. The minister of competition knows that his government's mishandling of this important agriculture sector created uncertainty and is driving investment out.

Why is he not seeing a clear time line or the resources needed to encourage environmental sustainability so Manitobans and others wanting to invest in Manitoba know the rules, Mr. Speaker?

* (14:10)

Mr. Smith: As the members opposite put incorrect facts on the record, Mr. Speaker, it's a pleasure to put on correct facts. Manitoba's labour force has grown by an average annual rate of 5,810 per year. This, compared to 1990-times, is three times as good as the average the members opposite had all through the '90s. Manitoba's total employment has grown by an annual average of 6,670 over the last 6.7 years; 2.3 times the increase, on average, throughout the '90s.

Mr. Speaker, we have tripled the amount of youth between the ages of 15 and 24 staying in Manitoba. Yet, members opposite continue to say we're losing youth. We're gaining for the first time in 30 years in Manitoba.

Hog Barns Moratorium

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, on November 7, this government brought in a moratorium. This morning the Minister of Conservation (Mr. Struthers), the Member for Dauphin, told industry members at the Manitoba Chamber of Commerce breakfast, and I quote: We don't want to just show up tonight and declare what you have to do tomorrow, which is exactly what they did on November 7. Many jobs and much investment in the Minister of Competitiveness, Training and Trade's own home town and the Westman region depends on hog processing.

What is this minister doing to ensure that his NDP government's moratorium won't drive Maple Leaf processing from Manitoba as well?

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): There's no energy on the other side. They want to use comparables, but they actually don't want to deal with facts.

Mr. Speaker, in the private sector since 1999, Manitoba's private sector employment—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I need to be able to hear the questions and the answers, please. The honourable minister has the floor.

Mr. Smith: Thank you, Mr. Speaker. When they don't get the answers they want, they try to shout you down. I believe the Premier (Mr. Doer) used the best analogy that I've ever heard: When they've got a bad song on, just by turning up the radio it doesn't make it better.

The truth is, Mr. Speaker, that the private sector has increased their employment by 35 percent, double the average of what the members had opposite. They're incorrect; Manitoba's growing. Manitoba's taxation is performing better and more people are coming to Manitoba, including business.

Hog Processing Plant Clean Environment Commission Review

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, on the one hand, this government says they're in favour of the industry, but, on the other hand, they impose a moratorium to essentially kill it. On the one hand, they say they're in favour of an environmental review, and on the other hand, they stall it.

My question for the Minister of Conservation: If he's so in favour of an environmental review then why doesn't he call for it?

Hon. Stan Struthers (Minister of Conservation): That backwards party across the way, with their backwards leader, calling on us to further—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. All members in this Chamber are honourable members. When addressing other members, it's by their portfolio they hold or titles or other members by their constituency.

That last comment, I ask the honourable member to withdraw that last comment.

Mr. Struthers: Mr. Speaker, I withdraw that comment.

Mr. Speaker: I thank the honourable member for that. The honourable Minister of Conservation, to continue.

Mr. Struthers: Let me rather refer to the backwards approach from the party across the way.

Mr. Speaker, we've been absolutely crystal clear and consistent. We've said from the day one: No. 1, the environment comes first; No. 2, everything that we move forward on is subject to an environmental licence which, I'll take our record any day in protecting Manitoba's water as opposed to the lacklustre performance of members across whom, I may add, it's interesting to note that they do now today have a Winnipeg position on protecting water and a rural position. Shame on you.

Mrs. Stefanson: Well, shame on you for not moving this forward and for stalling a review by the Clean Environment Commission.

Mr. Speaker, this NDP government has so badly mismanaged this issue it's pathetic. Not only have they successfully created uncertainty in the industry, thereby driving businesses out of the province, they have created uncertainty in communities in east Winnipeg as to where the government really stands on this issue.

Mr. Speaker, I call on this government not to wait until after the next election to call on the CEC to move this environmental review forward quickly.

I ask the Minister of Conservation to do his job. Call the CEC to move this issue forward to bring certainty to the issue to those in east Winnipeg and to industries of Manitoba.

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite may not know this, but the timing of a Clean Environment Commission review of a proposal starts with the proponent. The proponent announced a year ago, as the Leader of the Opposition pointed out, their intent to proceed and then filed their environmental application, I believe, in late August or early September. The majority of the months were under their watch and now, of course, it's proceeding to the environmental process.

Secondly, location is determined by the investor. The investor decides the location, Mr. Speaker, so I just want to clarify the record for the member opposite. Of course, we won't interfere with this quasi-judicial body.

Mrs. Stefanson: Mr. Speaker, if they filed in September then why is this government stalling?

Mr. Speaker, they're quick to act in postponing the Securities Commission review of Crocus. They're quick to act on things with the floodway. They're quick to act on things in other areas with respect to the Clean Environment Commission, but they're not quick to act on this leaving uncertainty in both the industry and to people in east Winnipeg.

Why are they stalling on this? Is it because they want to wait until after the election because they're afraid of dealing with this issue?

Mr. Struthers: I wish our friends across the way would do a little bit of homework. We waited patiently to get the environment proposal to us. It came at the end of August, August 29. In that amount of time the Clean Environment Commission was asked to do their job, which they are doing diligently. They've called together a panel to decide on participant assistance. That decision has been taken and things are moving as they're supposed to. It's covered by The Environment Act. I wish the folks across the way would do some homework once in a while.

Investment In Manitoba Recent Cancellations

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the hypocrisy of ministers and the Premier when they talk about the independence of the Clean Environment Commission process in this situation is completely inconsistent with the way they've conducted themselves in the past.

We remember the Premier when he was talking about the floodway expansion saying: Get the environmental review out of the way. Keep the feds out of it because we're going to have minnows swimming in our basements if we don't have them swimming in the channels going around the city of Winnipeg. So let's rush that one through.

They weren't concerned about the independence of their Municipal Board when it came to Waverley West. They weren't concerned about the independence of the Securities Commission. It's all about politics. Today the politics are saying delay.

The Member for Tuxedo has asked the minister why he won't proceed expeditiously with this environmental review so that we know the decisions are based on science and not politics, Mr. Speaker. It's the politics of panic in terms of their dealings with this issue.

Now, we've had members opposite respond to questions using a couple of their classic deflection techniques. One is they talk about the 1990s. They don't like what happened in the 1990s. The taxes were too high while the government was cleaning up the NDP mess, and they disliked it so much. How did they vote on the 1999 budget?

An Honourable Member: In favour.

Some Honourable Members: Oh, oh.

Mr. McFadyen: They voted in favour of the 1999 budget. Things were so bad in 1999 that they voted for the budget, Mr. Speaker, and they campaigned around the province about how they're going to keep everything that the Tories had done. This is just absolutely pathetic. So let's move to the issue at hand.

They talk about the 1990s. They want to blame everybody else. They want to blame external factors when we have players who are prepared to invest \$200 million in Manitoba today laying the blame at the foot of this NDP government and its incompetence, its bungling and its inconsistencies from one day to the next.

So, will the Premier today apologize for playing politics with \$200 million in investment and 1,100 jobs, and will he provide certainty to Manitobans so that we know that this government has got a plan, Mr. Speaker?

* (14:20)

Hon. Gary Doer (Premier): I'm glad the member opposite remembers us voting for the budget in 1999. There was one budget we could vote for. I would point out that many others, when they fired nurses, fired doctors, took away money from teachers, didn't put a cent into the teachers' pension fund for 10 years. Yes, we voted against those budgets, and we're proud we did, Mr. Speaker.

In fact, I'm happy to note today that, yes, we have a lot of work to do with teachers and teachers' pension plan. But we're the first government in a number of years, in fact, 40 years; we've put more investment into teachers' pension fund. It's not enough and there's more work to do, and we're going to continue to do that. I just want to thank our retired teachers who are here in the gallery for all their contributions to our kids, to our quality of education and to the people of Manitoba.

Mr. Speaker, the issue of environmental reviews. As the member pointed out, the Member for Tuxedo (Mrs. Stefanson) had one position on the environmental review. She said, get involved, break the law. The question she was asking was: What was the Clean Environment Commission doing?

Well, first of all, it gets the application. It's a major application. It reviews it with its own experts, and then it gets an application from individuals that they have to adjudicate on intervener funding. Now I know the issue of public intervener funding is not something members opposite support, but we actually support intervener funding. Even though we support the idea of building the Wuskwatim dam, we have the highest amount of intervener funding in the history of Manitoba. Even though we support the idea of the floodway, there was intervener funding. I know members opposite don't believe that's a step in the process because they never did it.

Mr. McFadyen: Mr. Speaker, it is interesting to hear the Premier now suddenly showing, demonstrating, concern for retired teachers in Manitoba when for years they've refused to meet and refused to listen to their concerns. It's our party that's been listening; it's been our party that's been moving it along. It's our party that said that retired teachers should have a seat on the TRAF board, even though they were against it. So to hear the Premier on this issue is nothing short of remarkable.

Some Honourable Members: Oh, oh.

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

Mr. McFadyen: Mr. Speaker, will the Premier, when he talks about issues related to investment in Manitoba and environmental impacts of those investments especially as it pertains to the hog industry, will he explain why it is that he's shutting the industry down in Manitoba while he doesn't have an agreement with the United States or with Saskatchewan or other places that are contributing to the nutrients flowing into our waterways? Why is he taking the burden of this on Manitoba producers? He's asking Manitoba producers to bear the brunt of it, but he isn't doing anything externally to deal with the root source of the problem. He is driving jobs out of Manitoba while the nutrients continue to flow through the province.

Will the Premier indicate and will he apologize today for weeks ago being in favour of expansion of the pork industry and now he's against it? Which side

is he on? Is he in favour of investment? Does he want environmental considerations based on science, or is he going to continue to play politics with this important industry?

Mr. Doer: I'm glad the member in his preamble mentioned teachers' pension plans because it gives me an opportunity to deal with the question that they wouldn't ask today,

Mr. Speaker, in 1993, 1994, 1995 the actuary for the teachers' pension plan made the same comment. The member opposite was working for the Minister of Education in those dark days, and the actuarial report said: Each decision to grant full increases uses amounts that may be needed in the future. As a result, the amounts available to finance future pension adjustments may not be sufficient to permit this objective to be realized in the future.

They had warnings. Dare I say, red flags went up over and over and over again. Now, we haven't corrected fully the neglect of the past, and, Mr. Speaker, it goes back even further than that. So, in all fairness to the teachers, it goes back even further than that. However, we are the first government to take the unfunded liability and start paying it down and putting it aside for the teachers' pension plan, about \$250 million in the superannuation and teachers' pension plan. We have increased the government's contributions by 1.1 percent.

There was not one cent percentage increase in the 11 years they were in office. We have more work to do. The Minister of Finance (Mr. Selinger) and the Minister of Education (Mr. Bjornson) will be meeting with teachers. We're not perfect, but at least we started putting money back into that fund.

Health Care System Access to Personal Health Information

Hon. Jon Gerrard (River Heights): Mr. Speaker, in our health care system, patients in hospitals or in personal care homes should have quick access to their own health information. But the fact is I hear all too often from Manitobans about the difficulties they have in gaining quick access to personal health information.

Indeed, in the gallery here today is Mimi Rhelan and her family who have experienced major problems in helping to care for family members because they weren't allowed quick and timely access to medical records. Present legislation says access only needs to be provided in 30 days. It is far too long.

Will the Minister of Health support our proposal to ensure hospital patients or their legal guardians have access to a patient's recent health information within 24 hours?

Hon. Theresa Oswald (Minister of Health): I thank the member opposite for the question. As the member knows, as members in the gallery would know and members of Manitoba know, The Personal Health Information Act was created and designed to not only deal specifically with privacy issues which, of course, are paramount to individuals in dealing with their very personal and intimate health records, but it is also about access. That act came into play in 1997 and part of the act was a requirement of a review process. That review process has taken place. It's been extensive. We are looking very closely at those recommendations, Mr. Speaker, and we have an intent to bring forward legislation in the upcoming session.

I would also add, Mr. Speaker, that what the act also states very clearly is that access to information can—

Mr. Speaker: Order.

Mr. Gerrard: Mr. Speaker, the government has had seven years to address this issue and they have not. Clearly, somebody who is in hospital or in a personal care home needs quick access to their health information so they can be full participants in their own care and improve the quality and the type of care that they're receiving.

Indeed, I understand that the Patient Safety Advisory Council of the Winnipeg Regional Health Authority has also recently decided to support the principle of hospital patients gaining access to their own medical records within 24 hours.

Again, I ask the minister on this specific issue: Will the minister support our call to ensure that patients in hospital or their legal guardians have quick access within 24 hours to their health information, to their medical charts?

Ms. Oswald: Carrying on, Mr. Speaker, from where I left off, I would first take the opportunity to correct the member opposite when he suggests that nothing has been done. The review has been done, and the work that Manitobans and health professionals have done to adapt and modernize the act has been extensive. I really regret that the member opposite would suggest otherwise.

But let me draw attention to a very important point, Mr. Speaker, and that is the act, as it is written, really does allow access to information as soon as possible and that it must be within 30 days. In fact, many patients who request this information already get that information within 24 hours. Not all, we're working on that, but the act, as it is written now, says as soon as possible, and many people are getting their information within 24 hours. I think the member opposite is misleading the public somewhat.

NDP Nomination (The Maples) Premier's Actions

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, the Premier (Mr. Doer) is not being very courageous inside this Chamber. In fact, we have put forward question after question, and they're fairly simple questions, asking for the Premier to come forward and admit that he read a letter which we know he has actually read. Yesterday, I asked the Premier a very simple question: Did you provide a copy of the letter or show it to anyone else other than Elections Manitoba? A very simple question.

I ask the Premier again and will he tell this Chamber: Did he provide a copy of that letter or share that letter with anyone else other than Elections Manitoba? Mr. Speaker, that is a very simple question. Can we get an answer, a direct answer, from this Premier?

* (14:30)

Hon. Dave Chomiak (Minister of Justice and Attorney General): I think this is the fourth or fifth question the member's asked on this issue. It started out: Maybe there is, perhaps I've seen the letter. Then there was: I've sat on a letter now since September.

Then the question was: Have you done anything about the letter that I've sat on since September? Now it's today: Have you passed on this letter that I sat on since September that I haven't seen to anybody else?

Mr. Speaker, the Premier very clearly indicated that when letters come from outside sources he immediately transmits them to the responsible authority to deal with. The member opposite has said in this House that he understands Elections Manitoba is looking at this.

If Elections Manitoba is looking at this, I ask the member opposite: Has he provided information to Elections Manitoba that he has stated in this House he's had since September? I ask the member: Will he

co-operate if he has any information that he's had since September?

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

Speaker's Ruling

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

Following the Prayer on November 24, 2006, the honourable Member for River Heights (Mr. Gerrard), rose on an alleged matter of privilege regarding the cancellation of a meeting of the Public Accounts Committee. At the conclusion of his remarks, the honourable Member for River Heights moved "THAT this matter of privilege be referred to a committee of this Legislature." The honourable Official Opposition House Leader (Mr. Goertzen), the honourable Government House Leader (Mr. Chomiak) and the honourable Member for Inkster (Mr. Lamoureux) also offered contributions to the Chair.

I took the matter under advisement in order to consult the procedural authorities. I thank all honourable members for their advice to the Chair.

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

The honourable Member for River Heights asserted that he was raising the issue at the earliest opportunity, and I accept the word of the honourable member.

Regarding the second issue of whether a prima facie case of privilege has been established, it has been ruled on numerous times in this House 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. Speaker Rocan made such a ruling in 1989, in 1993 and in 1994. As Speaker, I have made similar rulings, twice in 2004, once in 2005 and once in 2006.

Also, Marleau and Montpetit state on page 128 of *House of Commons Procedure and Practice* that Speakers have consistently ruled that, except in the most extreme situations, they will only hear

questions of privilege arising from committee proceedings on presentation of a report from a committee which deals directly with the matter and not as a question of privilege raised by an individual member.

Similarly, Speaker Rocan ruled on March 12, 1993, that a matter concerning the methods by which the House proceeds in the conduct of business is a matter of order and not privilege. This finding is supported by Joseph Maingot in the second edition of *Parliamentary Privileges in Canada*, who states on page 14 that allegations of breaches of privileges by a member in the House of Commons that amount to complaints about procedures and practices in the House are by their very nature matters of order.

Maingot also states on page 223 of the same edition, "A breach of the Standing Orders or failure to follow an established practice would invoke a point of order rather than a question of privilege." Therefore, the matter is not in order as a prima facie case of privilege and is out of order.

I would also note for the House that when I ruled on a point of order on April 25 of this year, regarding complaints about the calling of committee meetings, I advised the House that there was no point of order, and what had been raised was an issue of negotiation and scheduling, which should not be raised as a point of order and should not be discussed or negotiated on the floor of the Chamber.

I would also encourage members to exercise caution in the raising of matters of privilege. While I would never deny a member the right to raise privilege in the House, I fear that we are beginning to see the trivialization and devaluation of what parliamentary privilege is claimed to be. As stated on page 220 of *Parliamentary Privilege in Canada*, in the Canadian House of Commons, "questions of privilege are frequently raised but few are found to be prima facie cases. Members have a tendency to use the rubric of privilege to raise what is really a matter of order, or in the words of the Speaker of the House of Commons, a grievance against the government."

Parliamentary privilege is a constitutional right that has been passed on to the Parliament of Canada and to the provincial legislatures from the United Kingdom's 1689 Bill of Rights and was incorporated into the Canadian experience to provide protection for members to exercise their parliamentary duties free from interference. I would also remind members that the individual protections for members under

parliamentary privilege are the freedom of speech; the freedom from arrest in civil actions; exemptions from jury duty; freedom from obstruction, interference, intimidation and molestation; and the exemption from attendance as a witness.

The rights and powers of the House as a collective are categorized as: the power to discipline persons guilty of breaches of privileges or contempt and the power to expel members guilty of disgraceful conduct; the regulation of its own internal affairs; the authority to maintain the attendance and service of its members; the right to institute inquiries and call witnesses and to demand papers; the right to administer oaths to witnesses; and the right to publish papers containing defamatory material.

I would ask members to reflect on this. That's my ruling.

MEMBERS' STATEMENTS

Ian Wishart

Mr. David Faurshou (Portage la Prairie): It is a great pleasure for me to have the opportunity to rise today in recognition of a resident of Portage la Prairie, Mr. Ian Wishart, vice-president of the Keystone Agricultural Producers. Mr. Wishart was recently awarded the national Award of Excellence for Environmental Stewardship. It has been recognized that Mr. Wishart's innovative efforts in promoting farm practices that preserve and protect wetlands, ecologically-sensitive areas, and natural areas of farmland through a program called Alternative Land Use Services.

Mr. Wishart started this program in the late 1990s as a way to reach the environmental goals by compensating farmers for conservation practices on their property. For instance, if a farmer did not seed a certain section of land, a low-lying area for instance, then this would be dedicated to a small habitat for birds. But the farmer would be then compensated for the number of acres preserved and the type of land taken out of production.

*(14:40)

Mr. Wishart has invested an extraordinary amount of time and effort to make this program as well known as it is today. Mr. Wishart actively lobbied government, farmers and agricultural organizations to bring attention to this innovative program. Today the program enjoys a long list of supporters, including the Keystone Agricultural Producers association, Agriculture Producers

Association of Saskatchewan and the Delta Waterfowl Foundation.

This support translated into a launch of a three-year pilot project here in Manitoba in the R.M. of Blanshard near Oak River in November of 2005. The program has been very well received and has shown a great deal of promise.

On behalf of all honourable members of the Legislative Assembly, we offer congratulations to Mr. Ian Wishart on his Award of Excellence for innovational approach to environmental stewardship and above all for his continued support and dedication to the betterment of agriculture and to the family farm which he currently operates in the constituency of Portage la Prairie.

Winakwa Community Centre

Mr. Bidhu Jha (Radisson): Mr. Speaker, I would like to share with all legislators of this Chamber that on November 26, I was pleased to attend lunch with Santa at Winakwa Community Centre in Windsor Park.

Mr. Speaker, this centre plays an important role in the community of Windsor Park. It's in my opinion one of the best community centres in Winnipeg. It was ranked as one of the top 10 community centres in the Community Review Task Force. The centre offers a stay-and-play program for families and preschool children three days a week. Parents and grandparents bring their children to the centre for games and after-school activities. The community really enjoys these events, and I believe, Mr. Speaker, it's important that families can access programs and activities that the whole family enjoy together.

One of the annual events Winakwa Community Centre puts on is a lunch with Santa. This successful event gives the children of the community an opportunity to meet Santa and have fun, such as face painting and goody bags, with family and friends. There are ample hot dogs and beverages for all to enjoy. One of the great virtues of the holiday season is that it brings communities, families and individuals together to share in this festive spirit.

I would like to thank everyone who was involved in the event, especially Pat Krueger, president of Winakwa Community Centre, Sandi Desharnais, and many other volunteers who coordinated with Santa and Alexander the clown who provided the entertainment.

I would also like to thank all those who attended the lunch at Winakwa Centre and the community workers throughout Windsor Park. Without their hard work and commitment, lunch with Santa would not be possible.

Today is International Volunteer Day, and I am proud to say that my constituency is full of volunteers who make Radisson a community of truly spirited, energetic people. Windsor Park is a model community of good neighbours and great people. Thank you, Mr. Speaker.

Jon Montgomery

Mr. Leonard Derkach (Russell): Mr. Speaker, I'm pleased to rise in the House today to acknowledge an elite athlete from my constituency, Mr. Jon Montgomery, son of Eldon and Joan Montgomery of Russell, who participated in the first World Cup skeleton race of the season in Calgary, Alberta, last weekend.

Jon began his competition in the skeleton racing in 2003, and in this short time has excelled to one of the top skeleton racers in our country, Mr. Speaker. Throughout his life, Jon has been an active participant in a number of sports, always excelling in whatever sport he was involved in.

Jon placed third in the first run of the skeleton race in Calgary on the weekend and then went on to secure the bronze medal in his second run, taking the podium with another Canadian who shared the first spot and a Russian who took the silver medal.

Mr. Speaker, Jon will be competing throughout the course of the winter at various American and European World Cup races in the bid to secure a position on the Olympic team for the 2010 Winter Olympics. Therefore, on behalf of my constituents and members of this House as well, I would take the privilege of congratulating Jon Montgomery on representing not only our province but indeed our country on the podium in the World Cup race last weekend. Thank you.

Hyperion Press Limited

Hon. Christine Melnick (Minister of Water Stewardship): Mr. Speaker, it gives me great pleasure to speak about Hyperion Press Limited, a book publisher located in the constituency of Riel which I am privileged to represent. The company was incorporated in 1979, and has been providing quality books every since.

Hyperion Press publishes under two different names: Hyperion and Tamos. Under Hyperion, they specialize in the publication of children's picture books, local histories and art books. They have published books on Churchill and the polar bears, as well as one on our Legislative Building. They also publish children's books based on legends and folk tales for Disney Corporation in New York, and how-to manuals and books on crafts and Canadian history. Under the name Tamos, they publish craft and how-to books. They are affiliated with Sterling Publishing Company in New York, which distributes their books on an international level.

Recently, Hyperion's achieved great success with their children's book, *Masks*, which appeared on the bestseller list. The story was written by Andrea Tyler and illustrated by Stefan Czernecki, both Manitobans. It is based on the masks we wear every day when interacting with others. Two families from different cultures meet each other. One family's house burns down, and they are left destitute. They come upon another house whose family doesn't speak the same language, but takes them in regardless. The message in this book is that we are more alike than we are different.

Masks is currently in the permanent exhibit in the International Library of Children's Literature in Tokyo, and in touring Japan, Stefan Czernecki went to many schools and talked to many children both about Canada and this book.

Mr. Speaker, I would like to congratulate Andrea Tyler and Stefan Czernecki on their success. It is truly an accomplishment for their book to be recognized internationally. I would also like to congratulate Hyperion Press, especially Marvis Tutiah, who has dedicated her life to the creation of quality Manitoban literature. Thanks to our publishers, Canadians have access to an extraordinary range of regional, national and international works.

Mahatma Gandhi

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I just wanted to give tribute to a world icon figure, Mahatma Gandhi. It was the Hindu seniors society, early in October, that had sent me an invitation to participate in a celebration of his birth anniversary, and I thoroughly enjoyed the event.

As an individual, Mahatma Gandhi, I think, has been inspirational to people around the world over the years. I wanted to take this opportunity to bring it

up for the simple reason that, the other day, I was over at The Forks, and I had seen the statue of Mahatma Gandhi. For those that are not aware, this statue was actually donated through India for the Canadian Museum for Human Rights. It's over at The Forks.

Then I look at the Hindu seniors and the wonderful celebration they have for Mahatma Gandhi, and what came across my mind is how wonderful it would be to be able to have and host, whether it's in the Pool of the Black Star or someplace within our building, Mr. Speaker, an opportunity to have that statue brought to the Manitoba Legislature, and even look and entertain the possibility of having one of those celebrations sponsored by the Hindu seniors society here at the Manitoba Legislature.

Mahatma Gandhi was, as I indicated, a world figure, an icon, and, ultimately, I respect his principles of truth, non-violence, simplicity, faith, the idea of non-co-operation. I think, today, in the modern world we could gain a lot by looking at all the positive attributes of this wonderful individual. I hope and trust, maybe over the next number of months, to try to work with members of the government and the Conservative Party to see if, in fact, we can do something in regard to my comments. Thank you, Mr. Speaker.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): Regarding government business, I'll announce the bills, at this point, that we'd like to call. There may be need for an update later and also some other events. So we'd like to call Bills 39, 28, 12, 11 and 5. If there's additional time, Mr. Speaker, at this point, I think we'll then revert to debate on second reading.

*(14:50)

Mr. Speaker, I've just been corrected that the fifth bill I'd like to call is Bill 8, as opposed to Bill 5, which actually was the number of the order of the bills as opposed to the number of the bill.

Having said that, Mr. Speaker, we'd like to deal with, just to Bills 39, 28, 12, 11 and 8, and then we'll return to debates on second reading if we have additional time.

I'd also like to announce the Committee on Legislative Affairs for 6 o'clock tonight to deal with Bill 214 and any other bills that may occur today that can be directed towards that committee. I'll have further announcements later in the day.

Mr. Speaker: It's been announced that for tonight, at 6 p.m., Legislative Affairs, the Committee on Legislative Affairs has been called to deal with Bill 214.

SECOND READINGS

Bill 39—The Court of Queen's Bench Small Claims Practices Amendment Act

Mr. Speaker: We will start off with second reading of Bill 39, The Court of Queen's Bench Small Claims Practices Amendment Act.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Aboriginal and Northern Affairs (Mr. Lathlin), that Bill 39, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: Very briefly, this bill will enhance the opportunities to access small claims courts to individuals in general, thereby speeding up procedures for individuals, as well as decreasing their costs. I don't know, but I believe that this is one of those bills in the House that we have a fairly good consensus amongst all members to deal with expeditiously, and I now turn with rapt attention to the comments of the members of House concerning this matter.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, it's a pleasure to finally speak on this bill. I had the impression already that the government was stalling its own legislation, you know. We tried to get this bill through last session, and there didn't seem to be a strong will on behalf of the government to move the legislation. *[interjection]*

Well, if the Member for Wolseley (Mr. Altemeyer) has any comments that he wants to put on the record, he can stand up and do that. I rarely hear him speak publicly in the House.

I certainly have said in the past that we think this is important legislation to come forward. We know

that there are problems within the context of our small claims courts in the ability or the amount of money that can be sought at that particular venue. We know also that the small claims court, not just in Manitoba, but certainly across Canada, is an important part of the judicial system allowing individuals to access justice in a way that is, I would say, relatively uncomplicated. I know that there are, from time to time, complaints about the cumbersome nature of the judicial system, but, in fact, I think small claims court is probably the exception to that. It allows people to come there without representation. They can bring representation, certainly if they wish, but they needn't, and it's allowed for in a time when we see, and I know that the Supreme Court Chief Justice of Canada, Ms. McLachlin, commented on this fact, that there were more litigants who were self-representing in Canada today than ever before. That certainly is a concern, I think, to those who work in the judicial system, because it takes an additional skill and time for judges to work with those individuals who are self-representing to ensure that they understand their rights and that they are exercising them in an appropriate way. In a time when we have a court system that is backed up and backlogged, that is a concern to have a lot of individuals who are self-representing within court.

There is, I think, an old adage that says that a person who represents himself in court has a fool for a lawyer. But I would say, Mr. Speaker, that there is some concern around that because we do know that the legal system is complex. It's difficult for people to access past precedents and the other sorts of forms and orders that they need to operate properly within the court system.

So allowing that the increase of the limit on the small claims court is important because it may, in fact, take some of the individuals who might otherwise find themselves at a different level of court, self-representing, to go into the small claims court system, this is a small step going from, I believe, \$7,500 limit to \$10,000 limit. There was some discussion that the limit could have been higher. I know other jurisdictions have limits as high as \$25,000 for their small claims court. So I think that this might be just one time when we make the amendment or make the change to legislation, but there might be other times when the limit goes up, as well, in the future.

But I do know that those discussions, and there is some debate and dispute within the Bar

Association and others about what the appropriate limit would be. I know that it's not a fixed number that everybody can come to a consensus on. There are differences of opinions, and so you try to find a number. In that regard, I think it is a positive first step. We can see how it operates and whether or not there should be review and further discussions about a different limit in the future.

I would, however, while I have the opportunity in the House, Mr. Speaker, to—while the government is talking in this legislation about changing the operation of the court system—encourage the new Minister of Justice now to do something that his former Minister of Justice, his colleague from St. Johns, didn't take the opportunity to do. That is to ensure that the court system, overall, is operating in an appropriate fashion.

We know that there is tremendous, tremendous backlog within the court system in Manitoba today. It's difficult to get the exact numbers in terms of what the backlog is, because the government simply won't release that information. I have had the opportunity to ask for the degree of backlog within the court system, in particular to criminal cases, and the response that I received from the Department of Justice were that those statistics were not available. I think most Manitobans would be shocked to learn that the Department of Justice does not even know the extent of the problem in terms of how backlogged their court system is.

Recently, I heard just this past weekend, Mr. Speaker, the concerns from the prosecutors here in Manitoba about their high workload and the difficult time that they have. In fact, they went so far as to file a grievance over the high workload that they have and saying that they were concerned that justice might not be done. I know some members make light of this on the other side of the House, but we know that prosecutors are the gatekeepers to the judicial system here in Manitoba. If they're not able to do their work properly, then it has an impact and a ripple effect, perhaps more than a ripple effect throughout the entire judicial system.

So, when prosecutors come forward in a very public way, which is an unusual event, I would say, Mr. Speaker, when prosecutors come forward and admonish the government for not ensuring that there is a proper structure and perhaps resources in place so that they can do their job properly, that is a fundamental concern when it comes to the judicial system.

* (15:00)

I also know, Mr. Speaker, in talking to members who are involved in prosecutions, that there are concerns regarding morale in the department. I've had discussions with the Minister of Justice on this issue in the past, and he has sort of dismissed that, to say that, well, he's listed off what he believes to be an impressive array of things that they've done within the Prosecutions branch. But clearly they're not working, Mr. Speaker. When prosecutors come forward in such a public way and say that the justice for victims and for families is in jeopardy, there is a need for real action on behalf of the government. It's not all about money. I know sometimes the debate that happens in this forum, in this Chamber often devolves to the lowest common denominator, which is often about money. But, in fact, when you talk to prosecutors on a one-on-one basis, on a personal basis, you'll find often that it's more than that. They want to be respected in their work, they want to have a structure within their division that reflects that they're professionals and they're doing a professional job.

In fact, I would say to members opposite and to all members of this Chamber, that most individuals who work in prosecutions, whether it's in Manitoba or in other jurisdictions, have already made a decision to forgo a certain level of financial remuneration. In fact, most prosecutors at some point have made a decision between working in the private bar or going into prosecutions, and the private bar, for the vast majority, would have been more lucrative. So they have in fact already said: We're not going to just simply make a decision based on money or based on finances; we want to be on the side of the law that does the prosecutions that tries to make a difference in getting criminals off the street. So, when the Minister of Justice tries to make the argument that this is simply about money, not only I think is he insulting members of this Legislature in terms of what we know to be the truth, but I think he's also insulting those prosecutors who are trying in their best way to do an effort and to do a job, and they're not simply doing it based on the fact of financial resources.

In fact, when we have this backlog within the court system, Mr. Speaker, it reflects and it impacts on all the systems of justice. We saw a Statistics Canada report that came out, I believe it was about a month and a half ago. I don't have it in front of me here; I could get it for members if they wish. The report came out about a month and a half ago that

stated, and this was shocking even to me, and I've learned to almost become numb to some of the statistics that I get out of the Department of Justice and how abhorrent they are. But the Statistics Canada report said that fully 60 percent of individuals who are incarcerated in Manitoba, 60 percent of individuals who are in jail, whether in Remand or in Headingley, are awaiting trial. They haven't even been sentenced. So only 40 percent of the individuals who are in incarceration in Manitoba today have in fact been sentenced and the others are simply waiting to get to trial. That is not how the justice system has been set up to operate. So, in fact, what you have is many people who are at Headingley who are essentially waiting to come to trial. They're essentially serving remand time and there's no room for them in the Remand Centre because of the way the Department of Justice is operating here in Manitoba today. It's interconnected between the workload that prosecutors have and the inability to clear cases through the court system. It then backs up onto the incarceration and to our prison system as well.

So, while this bill deals with the lowest court in terms of issues that are dealt with, in terms of small claims court, we know that there are many other grander and larger issues that need to be dealt with in the justice system here in Manitoba. Yet the government chooses not to bring in legislation to deal with those issues. I wonder if the government wouldn't in fact want to bring in some sort of standards within the department for prosecutions in particular. It needn't necessarily be in the way of legislation that comes before this House. But they might want to have a set standard in terms of how many cases each individual prosecutor has to deal with.

I understand and I recognize that the Prosecutions branch breaks down their prosecutors in different levels regarding seniority. When I asked the Minister of Justice (Mr. Chomiak) regarding this average number of caseloads the prosecutors deal with, he told me, well, it's not so bad because there are actually only 155 cases per prosecutor. Well, that in and of itself is a very, very high number to know that a prosecutor is dealing with 155 active and open cases at any given time. But, on further research, what you find is that's 155 cases for the most senior prosecutor, which means those are the most complex cases. When you deal with junior prosecutors within the department, those who've worked in the department for less than five years, the average goes

up to 300 cases that they are dealing with, and those are less complex cases. But even, Mr. Speaker, in the least complex scenario, I can hardly imagine an individual dealing with 300 open and active cases, and trying to do justice properly. With those statistics, you start to understand why there's frustration, why we've lost senior prosecutors in Manitoba, why we've lost 14 prosecutors in 18 months, while senior prosecutors like Bob Morrison have left this province to go to do work in other places. We know why the Department of Justice and Prosecutions, in particular, is suffering.

In fact, I talked to a lawyer in western Manitoba who does work in a relatively small community in Manitoba. He said, you know, it's actually quite unfair because I as a defence lawyer—this is the individual talking to me—he said, I, as a defence lawyer go into court, and I've got one file. I have the file of my client in front of me. Yet the prosecutor comes in and he's got 60 files, and he says, I can tell it's clear that he hasn't even had the chance to read the file of the individual that I'm defending in court. What an inequality, what an inability to do one's job properly, when you're given 60 files that you need to clear through the docket on a particular day and the defence lawyer is dealing with that one file and can pay attention, in particular. There is no doubt that individuals are frustrated in Manitoba with the justice system.

While I appreciate the fact that this legislation will do something positive, I would say to the minister that he's caught a very, very small fish in this sea, and that he needs to go after the larger problems that are in the justice and the court system, if he truly wants to say that they've done something to improve justice in Manitoba.

Thank you very much, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I do want to put a few words on the record in regard to Bill 39. I think it's worth noting that Bill 39 was brought in, I guess it would have been in mid-May of this year, and then the first chance that we had to hear from the minister, in terms of some background to the bill, was just a few minutes ago, or 20 or so minutes ago where he'd introduced it for second reading, stood up, and made very brief comment on it, and then sat down.

Mr. Speaker, it is a fairly significant bill in the sense that by increasing the maximum from \$7,500 to \$10,000, as an example, it will have an impact. To what degree the impact will be realized, it's hard to

tell because the minister responsible did not necessarily provide any of the background information. So, for example, let's say there are somewhere between 5,000 to 6,000 people that use small claims court. What is the average settlement? If the average settlement is somewhere around \$2,500 or \$3,000, then one could ultimately question in terms of why, then, you would bring it up to 10. Were we, in fact, seeing settlements that were in that \$7,500 range and, if so, how many were we actually seeing where more money could have been awarded had the legislation allowed for more money?

I think those are very important questions that do need to be answered when you bring in legislation like this. The reason being is that you have to take into consideration, for many people the first thing that comes across their mind when it comes to trying to recover their money through the courts is, should I or should I not get a lawyer? The more money that's involved, the more pressure there is for an individual to acquire a lawyer in order to represent them because, now, if you're talking about \$10,000, that's a great deal of money. I suspect the more you increase the potential from small claims court the more you're going to get lawyers involved in the process.

*(15:10)

I was always of the understanding that what we're trying to do is to provide through small claims an affordable way in which citizens of this province are able to resolve issues that have proven to be problematic dealing with litigation, and ultimately they shouldn't feel that they have to have a lawyer. The higher the monetary value, I would suggest to you, the more the individual is going to call into question whether or not they're going to require a lawyer. Whether, Mr. Speaker, you're the one that's doing the suing, or you're the one that's being sued, there's going to be more concern because of the dollar value or the maximum limit. So I don't know if, for example, 10 percent of the current people in small claims that use small claims—is it 10 percent that use that maximum of \$7,500? Is it 5 percent; is it 15 percent, 20 percent? Why did the minister feel that it was necessary to increase it from \$7,500 to \$10,000?

Mr. Speaker, I look to the Minister of Justice (Mr. Chomiak) in hopes that he will provide that response, if not at committee, then in third reading, because I think it's very important information that

would bring a lot of value to the debate of this particular bill. We would like to think that the legislation is being brought forward based on the need, and that that need has, in fact, been justified. One would have to, in this situation, assume that the government has done its work and has been able to justify the need for this legislation. So, for that reason, we're not in a position in which we could, that we would actually oppose it. We'll allow it to go to committee.

But, having said that, Mr. Speaker, I am concerned that what the minister might be doing if he hasn't been able to justify that need is we might, at the end of the day, see more consumers using lawyers when, in fact, the increase was not even necessary. Because, when the minister made his comments on the introduction of Bill 2 for second reading, there was no explanation of that very important point. So, with those few words, I'm going to end by posing a specific question to the minister in hopes that the minister will provide an answer between now and third reading, or, if not, at least stand up in third reading.

The specific question is what percentage of cases that go through small claims receive awards of \$7,000 or more or higher. What percentage? I believe we get somewhere between 5,000 to 6,000 people using the small claims court. What percentage of those actually is awarded over \$7,000? I would very much appreciate that response from the minister.

With those few words, Mr. Speaker, I'm prepared to see it go to committee. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the second reading of Bill 39, The Court of Queen's Bench Small Claims Practices Amendment Act.

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

DEBATE ON SECOND READINGS

Bill 28—The Manitoba Museum Amendment Act

Mr. Speaker: We'll resume debate on second reading of Bill 28, The Manitoba Museum Amendment Act, standing in the name of the honourable Member for Inkster.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, at this point, we're prepared to see Bill 28 go to

committee. We appreciate the fact that this is in order to accommodate, possibly a little bit more efficiently, by reducing the size of the board at the Manitoba Museum. We have realized the many benefits that the museum has to offer and, at times, especially in a changing environment, in particular with volunteers and so forth, there seems to be more of a push where it is possible to reduce the size of boards.

I have not, over the last number of months, heard any feedback in regard to Bill 28. One or two people that I have had the opportunity to mention the bill to have not indicated any sort of opposition to the bill. I think that, if this is one of the ways in which we're going to make the board that much more effective and, possibly, efficient and be able to accommodate them so that they're also going to be able to have a little bit more authority in making some of the by-laws, in general, it's a positive bill. So we don't have any problem in seeing it go to committee at this time.

Thank you, Mr. Speaker.

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

An Honourable Member: No.

Mr. Speaker: No. The honourable Member for Minnedosa, to speak to the bill?

Mrs. Leanne Rowat (Minnedosa): Yes, briefly.

Thank you, Mr. Speaker. I, too, would like to put a few comments on record regarding Bill 28. As the Member for Inkster (Mr. Lamoureux) had indicated, there has been very little comment in concern towards this bill. In the consultations I have had, stakeholders have indicated they have little concern with the housekeeping requirements of this bill so, as the critic for Culture, Heritage and Tourism, I support moving this bill to committee.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 28, The Manitoba Museum Amendment Act.

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

SECOND READINGS

Bill 12—The Public Schools Amendment Act (Regional Vocational Schools)

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, I move, seconded by the Minister of Competitiveness, Training and Trade (Mr. Smith), that Bill 12, The Public Schools Amendment Act (Regional Vocational Schools); Loi modifiant la Loi sur les écoles publiques (écoles professionnelles régionales), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Bjornson: Mr. Speaker, this bill is being introduced to address the issue of the Winnipeg Technical College which was established under The Public Schools Act as an agreement originally between two or more school boards for the operation of a regional vocational school and for the establishment of a governing board to administer it.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Since it was established in 1983 the agreement was between St. Vital, Assiniboine South and Fort Garry school divisions, and of course, as members are very well aware, these divisions were changed somewhat during the amalgamations of 2002, and a subsequent agreement was made through partnership with the Louis Riel and Pembina Trails school divisions. Since that time, Mr. Deputy Speaker, Louis Riel School Division has indicated its desire to exit the agreement with Pembina Trails and as such the participation pending enactment of the legislation would be between the Province of Manitoba and Pembina Trails. The amendments that are raised in this bill will enable the province to enter into an agreement with Pembina Trails and continue the operation of the Winnipeg Technical College.

The governing board, the operation governance with college, division statement, et cetera, would be a part of this legislation. I am very pleased that we have moved this to second reading stage, Mr. Deputy Speaker, and I am very pleased that we will be moving this to committee very soon. Thank you.

* (15:20)

Mr. Peter Dyck (Pembina): Mr. Deputy Speaker, I move, seconded by the honourable Member for Emerson (Mr. Penner), that we adjourn debate.

Motion agreed to.

Bill 11—The Insurance Amendment Act

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Competitiveness, Training and Trade (Mr. Smith), that Bill 11, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: I am pleased to speak about Bill 11, The Insurance Amendment Act. The amendments proposed in this bill are the first steps to modernizing the act, and will bring the legislation closer to other jurisdictions across Canada. The superintendent of insurance and his staff have been in consultation with representatives of the insurance industry for a number of years to recommend changes to this outdated legislation. While there has been agreement on a number of recommendations, there are still issues being studied, pending resolution by similar reviews in other jurisdictions. Harmonization of insurance laws across jurisdictions is important to provide consistency to policyholders and relieve the burden of offering different requirements to the insurance industry.

The amendments in this bill protect consumers, provide access to products that are evolving in the marketplace and should be welcomed by stakeholders. Currently, the legislation does not provide clear authority to stop an unlicensed person from acting as an insurance agent or adjuster. This bill will provide the superintendent of insurance and the insurance councils with the power to seek an injunction to prevent activity which is contrary to the act.

The offence provisions are outdated, and penalties are not at a sufficient level to act as a deterrent for a breach to the act. This bill will strengthen the offence provisions and increase fines to a level consistent with similar financial services legislation.

Mr. Deputy Speaker, the definition of "beneficiary" limits insurance monies under an accident and sickness contract to accidental death benefits. With the emergence of a variety of new accident and sickness products, a change to the definition of "beneficiary" will allow an insurer to name a beneficiary for all benefits payable under an accident and sickness product, and not just insurance proceeds payable in the event of an insured's death by accident.

With the authorization of the insurer, a general insurance agent can now adjust a first-party claim up to \$2,500 on a policy sold by the agent. This bill will increase this amount to an amount prescribed in regulation. The prescribed amount is expected to increase to \$5,000. This will speed up the settlement of minor insurance claims without significant risk to policyholders. Special brokers are authorized to sell insurance not readily available from insurers licensed in Manitoba. This bill will increase the personal liability for special brokers when dealing with unlicensed insurance premiums and improve the policy of older disclosure to identify the risk of unlicensed insurance. There is agreement nationally to reduce the number and redefine insurance classes from 30 to 16. This bill will start that process to make our legislation consistent with other jurisdictions.

Mr. Deputy Speaker, this bill will codify governance standards for Manitoba insurers related to a minimum number in composition of directors, required committees of the board such as audit and conduct review committees and the requirement for an actuary. The minimum reserve in guarantee fund calculation for insurance reciprocals are outdated and inconsistent with other jurisdictions. These amendments will allow an updating of the minimum requirements for reciprocals operating in Manitoba to be prescribed by regulation.

The current legislation requires an insurance council to consist of six members. The proposed amendments will eliminate the specified number of council members in order to provide for greater flexibility in the future. The business of insurance is essential to protect Manitobans and provides an important element to our economy. Over the next few years, we will continue to discuss further amendments with stakeholders, watch changing laws in other jurisdictions and be involved in national initiatives so that The Insurance Act could be updated and consistent with established standards.

Mr. Deputy Speaker, with these comments, I am pleased to recommend this bill for consideration. Thank you.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Morris (Mrs. Taillieu), that we adjourn debate.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 8—The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended)

Mr. Deputy Speaker: We are now moving to Bill 8, The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended); Loi sur les dates de réunion du Comité des comptes publics (modification de la Loi sur l'Assemblée législative).

Hon. Greg Selinger (Minister of Finance): This is the one about the six-pack, right? Mr. Deputy Speaker, this bill is a major step forward in Public Accounts. With the full support of the opposition, I'm sure we can pass this expeditiously and then have six meetings on prescribed dates where we all get together in a spirit of harmony to examine the Auditor General's reports and to improve public accounting practices, accountability and outcome-based approaches for the use of public money in Manitoba. Thank you.

Mr. Deputy Speaker: A little bit of correction here. The bill will stay standing in the name of the honourable Member for Pembina (Mr. Dyck). Is that agreed?

An Honourable Member: No.

Mr. Deputy Speaker: Somebody has to speak.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, I'm going to take this opportunity to maybe express a lot of frustration. I am advised by my doctor that stress is not a healthy thing. So one of the nice things about sitting inside the Legislature is I get the opportunity to express myself and share some of the frustrations, and you know, by sharing frustrations, that's good for your stress level. So I want to feel, I know I'm going to feel a little bit better after I'm able to share some of the thoughts I have about this particular bill.

* (15:30)

It is a very ironic bill. Can you imagine, Mr. Deputy Speaker, if somehow this bill was to actually pass. I'm not convinced that it should pass. You know, you've got to imagine a government for seven years, and what happens? Seven years, they come up with the idea, we're going to have mandated legally, you know, legislation that's going to force Public Accounts to meet six times a year. It took them seven years to come up with that thought. Well, I don't think it took them that long.

You know what I believe happened, Mr. Deputy Speaker. I believe that Mia Rabson from the *Winnipeg Free Press* wrote a story and the Premier was embarrassed by that story. A question, well—*[interjection]* Someone says "wrong" on the government benches, the Member for Riel (Ms. Melnick). I believe I am right. In fact, the question that is posed to the Premier, and then the Premier stands in his place and says, well, we're going to mandate it through Legislative Counsel.

Mr. Deputy Speaker: Order, please.

Point of Order

Mr. Deputy Speaker: A point of order is being raised.

Hon. Dave Chomiak (Government House Leader): Mr. Deputy Speaker, it's just government business. I wonder if I could just, I hate to interrupt the member in full flight, but he did refer to stress, and I wonder if I might just deal with government business to expedite matters for tonight.

Mr. Deputy Speaker: Is that agreed? *[Agreed]*

Mr. Chomiak: Mr. Deputy Speaker, I just want to indicate that Bills 39 and 28 are going to be moved on to the standing committee for this evening at 6 o'clock.

Mr. Deputy Speaker: Bills 39 and 28 will be in committee meeting tonight, along with Bill 214.

* * *

Mr. Lamoureux: Mr. Deputy Speaker, I think I was just getting started, so I'll push my start button. But anyway, what I was saying is that the Premier, in a response in Question Period, says that we have legislation. Well, that's the first time we've heard anything of the legislation. I believe that the Premier was embarrassed through a *Free Press* article and then decided in his own wisdom that, I'm going to reform Public Accounts Committee. He comes up with this gesture of saying we're going to meet six times a year. So, if this bill works to pass, remember, there's an agreement that we're already supposed to be meeting six times this year. How many times have we actually met so far this year? Twice.

So, if we pass this legislation, Mr. Deputy Speaker, then there's only one more meeting required before the end of the year. As opposed to four more meetings, which opposition is entitled to, or in which Manitobans are entitled to see. Four more meetings between now and the end of December is what's

supposed to be happening with the Public Accounts Committee.

Mr. Deputy Speaker, when you look at our Public Accounts Committee, we're really unique across Canada. We have the worst. There is no Public Accounts Committee in Canada that is worse than the Public Accounts Committee in the province of Manitoba. For years, this Premier has done nothing in terms of reforming the Public Accounts Committee. Instead of reacting to a *Free Press* article, what would have been the most appropriate thing would have been that the Premier should have entered into some dialogue with members of the opposition, and we could have shared with the Premier and his House Leader and those that are actually interested in legitimately form of Public Accounts and we could have actually done something about it.

I've got bad news for this government, Mr. Deputy Speaker. Even if we pass this legislation, we're still going to have the worst Public Accounts Committee in Canada. So we're starting off at number 10, and with this legislation passing we're still going to be number 10. If the government wanted to pass something that mandated numbers of days, guaranteeing days, what they should have done is they should have passed legislation which would have guaranteed that the Legislature would have sat more days. If they really wanted to do something of value, if they want to say we have to sit the X number of days, but this government, more than any other government that I'm aware of—you know I have been around in opposition for a while, I must say. I had an involuntary sabbatical for a period of time there, Mr. Deputy Speaker, but I respect that and I was able to recharge my batteries, I must say. I know you share in what it is that I talked about, as the Member for Rossmere (Mr. Schellenberg) does too.

What I have seen is I have seen the government avoid accountability in every instance. Let me comment on a few of those things. You know, back in the '90s, we used to have Estimates where there were 240 hours of questions and answers, followed by an unlimited amount of concurrence. Somehow, this government, and I applaud the Government House Leader, somehow the government side prevailed and they shut it down from 240 to 100 hours. Not only did they reduce the hours, and I'm amazed on how you got that agreement, I must say, but from 240 hours they reduced it down to 100 hours. Not only that—*[interjection]*

Well, you had limited concurrence before. One member says, well, we gave you unlimited concurrence. You had 240 hours, plus unlimited concurrence back in the '90s. They got rid of 240, reduced it down to 100, and we had two committees meeting at one time. They increased it to three committees, so you could even burn off more time even that much quicker, Mr. Deputy Speaker. This is just a government that just doesn't like the Legislature. They don't like to be held accountable.

Mr. Deputy Speaker, what, in essence, did that change do? Well, what it did is—it's the Estimates that allows MLAs, in particular, critics, to have line-by-line questions and answers of the government. Every expenditure. What we saw was a huge reduction, and as a result there are far fewer questions being posed to the government and its departments. Now, when we go into the Estimates, it's hurry up and rush, rush, rush. We only have 100 hours. And every department, you ask every critic and they all want hours. How do you try to pass the Department of Health in 10 hours when you spend three billion dollars? That's not responsible. You have to have appropriate time and concurrence.

Well, you save concurrence and you use unlimited concurrence. They didn't change that rule, but with the rule they brought in was a fixed exit date. So they know, come mid-June, they get their summer holidays. So that means, if you bring in concurrence on June 1, you might only get a few hours of concurrence. So you've actually put a cap on concurrence. I never agreed to it. I never would have agreed to something of that nature. The government would never, ever have convinced me to sign an agreement of that nature, because that is into the detriment of public accountability, and I put public accountability much higher than I do party policy. I would never have supported that sort of a change. It's worked to the detriment of public accountability.

Then you take a look at the Public Accounts Committee, and I wish I had the article in front of me. I wasn't anticipating I would be speaking today, so that means I don't have any notes whatsoever. If someone does have it, I'd be more than happy to—what I'm interested in is, you'll see the number of times that the Public Accounts Committee has actually met. Believe me, I had indicated, in a three-year stretch, it met twice. *[interjection]* No, I believe it was 2000 to 2003. It met four times? It met four times, okay. So it met four times in that three-year stretch, according to the Member for Assiniboia (Mr. Rondeau). So I'll use the number.

* (15:40)

Mr. Deputy Speaker, I sat inside Public Accounts Committee, and I was one of those individuals who felt exceptionally frustrated because of the limitations that we have in Public Accounts. So you sit in committee for an hour and fifty minutes, because you're only going to allow it to sit for two hours, and then, as there's five minutes to go, you're finally provided the opportunity to ask questions. Well, whoopee, Mr. Deputy Speaker. That's not true accountability. You set two hours, you have a couple meetings, there are a few meetings in years, and then you allow for a member of an opposition, whether independent or part of a political party, two or three minutes to be able to ask a question or two, and you call that Public Accounts Committee. Is there any wonder why we have the worst in Canada?

I've been quoted as saying that it is an absolute farce. It is, and then we have a Premier who likes to think that he's doing something for the province by bringing in legislation of this nature. Mr. Deputy Speaker, this legislation is a joke. There's no strength. This is a political statement from the NDP, in particular, from the Premier of the province trying to look as if he's genuine on reform. There's no reform in this legislation. It's a facade. It's there to try to give the impression that they're actually doing something good when they're actually not doing anything. They're not doing anything to give more teeth to the Public Accounts Committee.

Mr. Speaker in the Chair

I would welcome the opportunity to debate the issue of the value of Public Accounts Committee with any member of government, in particular, the Premier of this province or the Minister of Finance. I'd love to debate this issue. We could even go into their respective constituencies, open it up to the public and let's see maybe if we can get some people in attendance. Well, you know, I do believe that if the Premier did agree to having a public debate on the future of Public Accounts in the province, unlike what members are saying that we'd only get a few people, I would suggest to you that we would get hundreds of Manitobans who would show up.

What I would love the opportunity to do, Mr. Speaker, is to demonstrate what a Public Accounts Committee could be doing and then allow the Premier to present his package of reform, you know, the mandated six days in any given year. It's quite the

bundle of reform. If the Premier was in opposition, I wonder if this is the type of legislation that he would be advocating in terms of reforming Public Accounts—

An Honourable Member: You never know.

Mr. Lamoureux: Oh, yes, to the Member for Brandon West (Mr. Smith). I do know. I do know it because I sat for years when your leader was the Leader of the Opposition and he would never have accepted this type of legislation and called it reforming of Public Accounts Committee. That I know, Mr. Speaker.

You know, in opposition, there was some hope back when he was Leader of the Opposition that there would be genuine reform, but we haven't seen that. That's unfortunate because when he was in a position to stand in his place and demand for changes, he had no problem doing that, no problem whatsoever. When he was Leader of the Official Opposition, he had no problem talking about reforming institutions. In fact, Mr. Speaker, I would argue that if anyone from the media would have asked our current Premier, prior to 1999, whether or not he believed in fixed election dates, if I was a betting man, I would tell you that the Premier would have said that he supports fixed election dates.

The problem is that I don't think there's any record of him actually making that statement that he supports fixed election dates. It's unfortunate because had someone posed the question when he was the Leader of the Official Opposition, someone would have asked that.

Could you imagine if someone would have asked the Premier, prior to 1999, what do you think of our Public Accounts Committee, Mr. Leader of the Official Opposition? Back in 1999, the Member for Concordia (Mr. Doer) would have rattled on and on about how we need to give some teeth to the Public Accounts Committee—*[interjection]*

You know what, the Member for Flin Flon (Mr. Jennissen) is right, like I am doing now.

I believe the Premier would be saying a lot of the things that I am saying now. Let me tell you what I believe the Premier would be saying because I would think we would probably be thinking alike if, in fact, he was still Leader of the Official Opposition. He would be saying that we want teeth to the Public Accounts Committee. We want to be able to call people before that Public Accounts Committee. If

there is a public dollar that is being spent, we want to be able to hold people, whether it's a non-profit group, whether it's a Crown corporation, whether it's a department, a special agency, you name it, if there's a public dollar that's being spent, there is a vested interest in the Public Accounts Committee to ensure that we have the ability to bring forward witnesses, if they have anything to do with the expenditure of that money, that we would have the opportunity to be able to call them before a Public Accounts Committee.

This way, we can ensure that the taxpayers' dollars are being appropriately spent, Mr. Speaker. I believe that the Premier (Mr. Doer) would have been arguing for things of that nature if he was still leader of the opposition. Well, I am going to be consistent, and I am going to continue to argue that that is the type of reform that we need to see inside the Legislature. I would suggest to you that, if we saw that type of reform, we would actually be able to see a Public Accounts Committee come from No. 10 to at least the top three in Canada, not like the "reform" that the Premier's been motivated to give because of a *Free Press* article that is going to do absolutely nothing in terms of genuine reform of the committee. Nothing at all. It just says that we're going to meet six times a year; doesn't say that there's going to be, you know, when you sit, it's going to be at 10 o'clock in the morning and you sit all day, or there is nothing in there in terms of who it is that we could call before the committee. It does nothing to give additional authority to the chair of the committee. I think that that is something that should be happening. The chair of Public Accounts, traditionally, whether it's here in the province or it's been outside of the province, has been a member of an opposition party. It does nothing in terms of enhancing that particular position.

There are so many lost opportunities of genuine reform. The best that I could figure is that, you know, I often hear from members. These members will always go somewhat unnamed, I must say, Mr. Speaker. I always hear from members that, you know, you never know after an election whether you're going to be in government or you are going to be in opposition. It's only a question of time. It's only a question of time before you will be in opposition.

This government will be in opposition. The NDP will not be in power forever, I am sorry to tell you that. It's not going to happen. It could be a whole lot sooner than you think. You could be in opposition; you could be third party; things happen very quickly.

There are ample examples of that across this nation where governments have been literally wiped out and believed that they were going to be there. Equally, when you are in opposition, there is no guarantee that you are going to be in government someday if you are the official opposition, or if you are a third-party situation. There is no guarantee.

You know, some would say that we don't, we couldn't, that we're not going to form government. Well, let me suggest to you that no one predicted that Sharon Carstairs was going to go from one to 20. It happens. I can remember the former Member for Portage la Prairie, Ed Connery, when he gave a speech, and he indicated that, had the election back in 1988 been one week later, it would have been a provincial Liberal government here in the province of Manitoba. So it would have gone from one to government, Mr. Speaker. *[interjection]*

* (15:50)

Well, the Member for Elmwood (Mr. Maloway) says it's also fiction. Well, Mr. Speaker, there was even some thought that you might even see the NDP wanting to see the Liberals form, in hopes that the Liberals would fall quicker, and then the NDP would come back that much quicker. Anything is possible. Canadians have proven that. From coast to coast, governments have been upset, parties from nowhere. Who would have guessed that the Leader of the Green Party would have come in second place in the recent by-election in Ottawa? Where did the NDP place? Fourth? *[interjection]*

Well, Mr. Speaker, you never know. That's why, when you look at reforming and changing our institutions or you're changing the way in which this Chamber operates or its committees, it's standing committees, you need to see beyond the next election, beyond your term in government. Like, don't believe that, you know, you don't change the rules to accommodate you because you happen to be the party in government, and that's what I have seen happen. When I look at the changes that this government has made, whether it's the way which this Chamber operates, whether its election reform through The Elections Finances Act, whether it's through the Public Accounts committee, it's all been regressive, all of it. *[interjection]*

Well, regressive. I'm referring to the New Democrats, you know. Mr. Speaker, they have been moving backward, and I can't help to think what individuals like Ed Schreyer would have to say about some of the things that they have done, some of the

individuals. It's with great pleasure that I tell this Chamber that I have more and more members in the New Democratic Party or former members of the New Democratic Party that are now supporting me and the Liberal Party. They're supporting us because they feel that today's NDP are not NDP. They really believe today's NDP are not NDP. I think, as a result, you're starting to lose some of that support, and I'm more than happy to be able to advocate for many of the issues that the NDP have given up on, and some of those issues have—*[interjection]*

Where am I, in The Pas? On the hogs? Mr. Speaker, you know, my concern is that I'm going to run out of time. Can I have leave?

Some Honourable Members: No.

Mr. Lamoureux: No. Mr. Speaker, I believe I have leave. They're giving me leave so I can continue on. Okay? Leave?

Some Honourable Members: Leave.

Mr. Lamoureux: Mr. Speaker, they're just giving me leave, so I can continue on.

Mr. Speaker: The honourable member still has six minutes remaining in his time.

Mr. Lamoureux: Mr. Speaker, I want to talk about the hogs. I really, really do. Having said that, let me just—*[interjection]*

Well, out of respect for the Member for Riel (Ms. Melnick), allow me the opportunity to tell her and the government, the government that has really blown this one, Mr. Speaker, I tell you, you want to talk about a mess; they're killing the hog industry. So let me tell you what happens. Okay. Now, let's be patient. Let's listen to the whole story. Mr. Speaker, I sure hope, because I'm going to tell them the whole story on this that I might need some extra time, so I'm going to hope that they're going to allow me to tell them the whole story.

The Premier (Mr. Doer) of the province is in front of the parade, as was stated earlier, saying that, we're bringing OlyWest and the pig slaughterhouse in St. Boniface, Mr. Speaker. *[interjection]*

Well, out of respect for the Member for Riel, I was commenting on it. Now, the Member for Selkirk (Mr. Dewar) says: Don't tell it; don't tell us; we don't want to know the truth. The truth hurts. I know. I know. Mr. Speaker, the bottom line is that the Liberal Party supports the hog industry. We think that you guys are destroying the hog industry, but we

believe that there is a better way of doing it, and you're blowing it. You're destroying the industry. But, anyway, I want to respect what the Member for Selkirk is saying.

Mr. Speaker, this legislation, and as I was before the hog interruption, I was talking about parties in and out of power. As a government you have a responsibility, you know, and that responsibility goes beyond your party politics. It's a responsibility to the public of Manitoba. You do not realize how important it is to respect what's in the public's best interests. You've demonstrated that once again by bringing forward this legislation because if you believe that there was genuine reform, if you really wanted to do something on Public Accounts, you had the opportunity to do that. The Premier (Mr. Doer) had the opportunity.

We will have to wait, and my gut feeling is that it's going to be sooner as opposed to later, until the NDP are back into opposition, when they're going to start talking about genuine reform of the Public Accounts Committee. You know what? I have given up on you guys. I have given up on the NDP to bring in genuine reform on the Public Accounts Committee.

My word of advice to the government is that it is only a question of time. You've lost your opportunity and I genuinely believe that. It will not be the NDP that brings in reform to this Legislature, whether it's the Public Accounts Committee, whether it's genuine election reform, not the stuff that your Premier has done. It will not be the NDP that brings in genuine reform that will benefit the House in terms of its House procedures in ensuring that there is more accountability inside this Chamber.

I would suggest to you that it will either be the Liberals or it will be the Conservatives who are going to be bringing in the reform that Manitobans want to see. That reform deals with one underlying theme of accountability. Transparency and accountability, this government has no sense of what it really means. I believe that the NDP, when they were in opposition, they had a sense of it, but once they took the reins of power, the backroom of the NDP took over. It is the MLAs within the caucus that have very little influence.

You really do have very little influence. I have seen that, and it is sad to see because at one point in time, I believe, not only on issues like this but on many other issues, we would have seen members of that caucus stand up and articulate on what's in the

public's best interest, not what's in the party's best interest. That is the biggest difference. What I hear more and more and what I see more and more is a government in power that is more concerned about retaining power and protecting the interests of the NDP as a party institution than doing what's in the public's best interest.

Mr. Speaker, I could talk about the scandal within the chief of staff from the Premier's Office. I can talk about the Crocus fiasco where 33,000-plus Crocus investors are being walked over because this government doesn't believe in accountability. I can talk about the anti-democratic steps that this government has taken inside this Chamber, outside this Chamber, in trying to belittle the importance of true accountability, all at the cost of walking all over the public interest because they're putting their party interest first and foremost.

This bill needs serious changes, serious amendments. If there is any integrity left in the New Democratic Party, I would suggest to you that they either reintroduce a bill dealing with Public Accounts reform or allow for the Liberal Party to bring in the amendments that it's going to take to, at least, make it look a little bit better. Maybe we can get out of No. 10 to No. 9, depending on the scope of amendments that we're allowed to bring in, Mr. Speaker. If they empowered and gave us leave, we would be able to bring in the amendments that would be necessary to the Liberal Party, that is, to make it from No. 10 in Canada to No. 1. Just give the Liberal Party the chance and we will materialize. Thank you.

* (16:00)

Mr. Jack Penner (Emerson): Mr. Speaker, I would just like to put a few comments on the record on Bill 8, The Public Accounts Committee Meeting Dates Act. I find it rather interesting that this government will find it necessary to enshrine in legislation the exact dates that a Public Accounts Committee must be held, basically limiting the number of dates that Public Accounts must sit to six in a given year.

I think there are times, Mr. Speaker, when it is absolutely essential that Public Accounts Committee should sit on various issues for far more than just six days a year. Public Accounts Committee is exactly what the word says, that is, to give the public an opportunity to come before committee and listen to and present to government concerns that arise from time to time about actions that governments have or have not taken. I believe it is far more often

necessary that those in public and those people that are elected to sit in this Legislature are given the opportunity to quiz either ministers or their departments. I would suggest strongly that department heads, such as deputy ministers, be brought into the realm of allowing the questions to be put to them directly, or other staff members that are predominant in an issue that needs to be brought. I refer to the Department of Finance. I refer to the department of resources and now the department that is probably going to be almost all-encompassing in matters such as water and other issues.

There are so many times when legislation is brought forward that it becomes eventually a real impediment to the operations of a total economy, and certain sectors in society are so far removed and exempted from giving or receiving input and receiving the information that they need to make long-term decisions, that it is almost impossible for some of those individuals to operate businesses and/or operate or exercise in functions that will create a better economy for the province of Manitoba.

I think therein lies the biggest problem with this current government. This current government has repeatedly, prior to forming government, as opposition members, made a lot of noise about what needed to happen from an economic standpoint, what they would do if they were in government, from balancing budgets and other matters that they've brought forward. Yet, when we look at the record, the seven-long-year record that is now so evident and so open, one must question numerous things that have not been done by this government even though they previously, when they were in opposition, constantly nattered about those needs that they chose to now ignore when they were in government.

I want to talk a little bit about the matter of elections and the questioning that happened during Public Accounts of the Chief Electoral Officer in election funding. It became very evident, Mr. Speaker, that the legislation that had been passed, which this NDP government that we are currently calling into question here, made it quite clear to the people of Manitoba that they had passed legislation that would not allow unions or corporations to exercise their rights as citizens or corporate citizens in this province of Manitoba when it came to elections. The—excuse me, Mr. Minister.

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

Mr. Chomiak: On House business.

House Business

Mr. Speaker: The honourable Government House Leader, on House business.

Mr. Chomiak: I appreciate the leave, the acquiescence, by the member.

I'd like to announce that the Standing Committee on Public Accounts will meet at 7 p.m. on Wednesday, December 6, to consider the Auditor General's reports on the Examination of the Crocus Investment Fund and the Environmental Audit on the Review of the Province of Manitoba's Management of Contaminated Sites and the Protection of Well Water Quality in Manitoba.

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Mr. Speaker: The honourable Member for Emerson, to continue.

Mr. Penner: Thank you very much, Mr. Speaker, and I thank the minister for the announcement that there will be a Public Accounts Committee held on Wednesday dealing with water and other matters that come before it, such as the Crocus Fund.

I think it is imperative, Mr. Speaker, that those two issues be brought before Public Accounts and receive a proper airing in Public Accounts, and, hopefully, this government will see fit to answer honestly some of the questions that will be brought before this committee. Hopefully, they will allow the public servants that are responsible for the acts and for the actions that they as public servants must deliver by direction of their ministers. So we will wait patiently till Wednesday to see what in fact will transpire, or whether they in fact are serious about answering questions that sadly need answers.

I want to continue on the comments that I was about to make in regard to the Chief Electoral Officer coming before Public Accounts, being called before Public Accounts, to answer some of the questions that we had a number of—as a matter of

fact, it's almost two years ago—about the process of allowing or disallowing funding to be brought to various political parties by corporations, by corporate bodies, individuals incorporated or the unions.

We found, Mr. Speaker, that there were some discrepancies that we believe were carried out in the previous government, by the NDP government. We found in answers that we heard at that time that there had in fact been some collection of monies by unions, and those unions had contributed money to the NDP election campaign in the last election. The NDP government said, well, but that's bundling, that's bundling.

See, Mr. Speaker, herein lies the problem. I've said this in Public Accounts and I will say it again in this public forum of this Legislature. I believe that this NDP government purposefully, purposefully, initiated a process that would allow a union boss to go tap his or her workers on the shoulder and say, you know, we need a certain amount of money from each of you. We will put that in a little account, and then when an election comes, we will give that to the NDP for them to be able to spend large amounts of money in election campaigns to win the next election.

Well, Mr. Speaker, the interesting thing is that this NDP government won the election. How did they win the election? Because they had more than twice as much money to spend on an election campaign than any of the other parties, because the other parties abided by the legislation and didn't accept money from corporations or unions or individuals incorporated.

* (16:10)

They would not accept them, but this NDP, this current government, when the NDP came, when the unions came with armloads of money, boxes of money neatly tied in bundles, the NDP said, oh, yes, but we accept bundled money. We accept bundled money, Mr. Speaker.

So here we have an issue that we're still waiting for a ruling on because, as far as we're now concerned, it is legal to accept bundles of money as long as it comes from a union. Corporations can't give bundled money; individuals incorporated can't give bundles of money, but unions now can. We've established that. There's nothing in this act, the public accounts act, that would see there must be an orderly and a prompt way in order for a committee to determine and demand a ruling on issues such as was

brought before the Chief Electoral Officer, and that hasn't happened, Mr. Speaker.

Therefore, under the current NDP government, I would say that much of what we have seen from them and how they want to utilize the Public Accounts Committee would appear to be nothing more than a sham, because the bundles are now allowed, for all intense purposes, because we haven't said: No, they're not. We haven't heard that they're not allowed, so bundles of money in this next upcoming election will, again, be allowed, but only, as far as we know, only by unions, not from corporations or corporate bodies or incorporated individuals.

So we are now in the process, I suppose, where we should encourage our members of our parties to go the union and say: Would you supply us with bundles of money as well? Oh, no, oh, no. I suppose we would have to wait for the ruling first. We're not going to be able to call the Chief Electoral Officer again to give us a ruling on this before the next election, will we? *[interjection]*

That's the question. So all these so-called public hearings, I think there have been two or three under the current government, or maybe four committees that have been held. We haven't received any answers. So what's the point in holding these public consultations under the Public Accounts Committee's jurisdiction when there will be no answers given?

See, Mr. Speaker, I agree with what was said by the previous speaker. I agree with him that this legislation is sadly lacking in content. This only says that government will not allow more than six, according to legislation, six meetings. They could be very brief; they could be long, but now we will have six. That's now; that's going to be enshrined in legislation. That is the reason we should not support this piece of legislation. There needs to be a much greater depth of thought given to what the responsibility is of the Public Accounts Committee, what authority a Public Accounts Committee has to call witnesses, and who the witnesses might be identified and who they might be identified by, instead of by government. Nothing mentioned in this bill about that. *[interjection]*

I think that is somewhat like, yes, I think it is somewhat like when we—this committee reminds me of the issue that we're dealing with, currently, in the Legislature, or did this at Question Period today,

about a developing industry, a developing industry that we knew would happen. *[interjection]*

I know the Minister of Agriculture (Ms. Wowchuk), who is nattering in her seat, has constantly criticized me personally for having said I was in favour of doing away with the Crow rate. I've always very openly said that I was in favour of doing away with the Crow rate on set rates on rail freight. The reason I've said that is I believe that the province of Manitoba is ideally situated to have huge industries develop in this province. I believe the pork industry is a clear demonstration of where, and Maple Leaf Foods selecting Manitoba before this NDP government came into being, selected Manitoba as a site where they saw the economics and the benefits of producing pork products for the grocery shelves of this nation and the international market. I think they knew that. There's a new, the Olymel, the OlyWest proposal that came before government. Boy, if we would've handled Maple Leaf the way this NDP government is dealing with OlyWest or Olymel or the Hytek group now, it would have been a sad day, and we would never have seen Maple Leaf establish in the province of Manitoba. But, no, we dealt with them in a businesslike manner, Mr. Speaker.

An Honourable Member: Point of order.

Mr. Speaker: Order.

Point of Order

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

Mr. Jim Maloway (Elmwood): Mr. Speaker, a point of order here. I fail to see—

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

Mr. Maloway: Mr. Speaker, we're talking about Bill 8 here, of setting the number of meeting dates for Public Accounts and the member is talking about hogs. It's totally irrelevant.

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

Mr. Penner: Well, thank you, Mr. Speaker, on the same point of order.

It appears to me that the honourable Member for Elmwood seems a bit sensitive to this issue, and I don't blame him because he's been sitting in the

backbenches watching his ministers of his government make decisions that are causing a huge amount of problems for an industry that would like to establish here. Do they use the Public Accounts Committee to deal with this matter? No, they won't. They won't dare. They wouldn't want to bring this industry before Public Accounts or the minister to describe and report to this Legislature or the committee what the issues really are that's concerning.

Mr. Speaker: On the point of order raised by the honourable Member for Elmwood, relevancy in debate is very important, and I'm sure the honourable Member for Emerson was just going to tie the two together.

* * *

Mr. Speaker: The honourable Member for Emerson, I'll give you the opportunity to tie the two together.

Mr. Penner: Well, thank you very much, Mr. Speaker, but again I reflect on the inconsistency of the current Minister of Agriculture (Ms. Wowchuk), and what her stand, in my view, should be in being a proponent for the development and longevity of the agricultural industry. This minister has done nothing but allow her colleagues to put in place impediments that are going to be detrimental over the long-term to the industries. The farming community is really concerned about how this government is portraying the agriculture committee, pointing the fingers at agriculture as being the culprits that desecrate the waters in this province. Yet there is no other sector in society that is more reliant on clean water than that agricultural industry.

We know, as I said before I was so eloquently interrupted by the honourable—

An Honourable Member: Point of order.

Mr. Speaker: Order.

Point of Order

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

Mr. Tim Sale (Fort Rouge): Well, Mr. Speaker, it's the same one you just ruled on. We're waiting desperately to find out what the connection is between six meetings of the Public Accounts Committee being guaranteed and this very entertaining ramble into pigs. So I would ask you to ask the member to tie it in a little more quickly perhaps.

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

Mr. Glen Cummings (Ste. Rose): Yes, Mr. Speaker. The Public Accounts Committee is the one committee in the Legislature where the opposition has a slight opportunity to hold the government of the day accountable. I think the Member for Carman, or pardon me, for Emerson is doing an excellent job of finding out weaknesses and how we can hold government accountable.

Mr. Speaker: On the point of order raised by the honourable Member for Fort Rouge, I would like to ask the honourable member to please tie the two together. I've asked earlier and I know you were just going to get to it, but I'm sure now you will have the opportunity.

* * *

Mr. Penner: Well, thank you very much, Mr. Speaker. I know the sensitivity on the government side of this Legislative Assembly on this issue and on many other issues that the public should have a right to know.

* (16:20)

The reason I say this is because in six meetings, and I think we all need a bit of background in the debate in order to make the case why there should be more than six meetings. That's why I have said what I have said and I will continue, Mr. Speaker, if you would allow me to make the case for more than six, as to why there's such a huge, gaping hole in this piece of legislation.

The former Minister of Health certainly knows what I'm talking about. It doesn't surprise me that the members from the NDP caucus and the NDP side of the House wouldn't want to listen to what I have to put on the record.

The case I'm making is that if they were as open as they told the people they would be, Mr. Speaker, prior to them first being elected, this problem wouldn't even exist. There would be ongoing Public Accounts committees, there would be ongoing debates in other committees, there would be an openness to the general public that is simply not happening. So I say to you, this Bill 8 is not adequate.

I'll give you another example, Mr. Speaker. You have an industry such as the agriculture industry that is totally dependent on after-production markets, and they are the primary producers, and we often say

they are the people that make things happen in this province. Well, from an agricultural perspective, they do. The actual economic wheel starts turning much before a tractor wheel ever starts turning, and it goes into planning, into cropping and all those kinds of things. It goes into the attaining of products, input products, into cropping.

Then, Mr. Speaker, if and when there are questions to be asked about prices, price controls or unethical behaviour in any one of those processes, there should be an ability for those people to come before the legislative Committee on Public Accounts to ensure that their concerns were heard. But no, this former minister that we have heard many times in this House is objecting to the general public being allowed to come here and voice their concerns. This government was so eloquent in portraying itself prior to them first being elected and saying, we will do this, we will ensure transparency. Well, there is no transparency. In six short meetings, this government is going to add transparency to this Assembly and to this building? It's not going to happen; sorry about that.

Now, when we look at the ability of the industry, what I called the after-effects of the primary production cycle, you need to look at where you're going to market what you've produced on the fields of this province. And what are you going to market it to? What are you going to market it to? If we shut down the hog industry in this province, which has taken more than a decade to develop that industry, and it was the previous Conservative government that spent a lot of time and effort to try and attract that industry to this province to allow the farmers to raise the feed grains to feed the little piglets to be able to market them here, to process them here, to provide the jobs in the industry and provide work for our young people.

But, no, this government said, we won't even listen to the concerns that are being voiced, we're going to shut the industry down. Oh, no, before we shut it down we're going to call the Clean Environment Commission, because we need an excuse to be able to put off the decision-making process of anything, we need an excuse to delay the construction of a new industry or to give the go-ahead to building a new construction industry and allay the fears of the general public. We need the excuse, and we called the Clean Environment Commission and that will give us enough time to call the next election. Then, after the election, then we might make a decision. That's what this government's

mentality is. I believe, Mr. Speaker, this act only proves that, the verification of that sort of action. I think it's absolutely a disaster when this Minister of Agriculture (Ms. Wowchuk) can't see the benefits of allowing the construction of another processing industry in this province to ensure that more jobs will be created in this province.

Secondly, this minister has constantly nattered about the Wheat Board, and they were actually going to hold a plebiscite on the Wheat Board. What a joke, Mr. Speaker.

An Honourable Member: And we will.

Mr. Penner: She says: We will. I talked to one of her colleagues today and they said: You know when the plebiscite's going to be? On election day.

Well, do you think, Mr. Speaker, that the general public is fooled by that kind of rhetoric? Not on your life.

An Honourable Member: On election day.

Mr. Penner: Well, now the Minister of Agriculture is saying: On election day.

An Honourable Member: What are you talking about?

Mr. Penner: Then she said: What are you talking about?

The problem is that this minister and her Premier (Mr. Doer) have led the people of Manitoba to believe that they were serious about calling a vote in this province on the Wheat Board.

The second issue is they were actually thinking that they could fool the producers and the general public in the city of Winnipeg that know very little about the agricultural city, that they could fool those people into believing that the vote would actually have any weight into the decision making on whether the Wheat Board should remain a single-desk organization or not.

I think it's absolutely unthinkable, Mr. Speaker, that a government of the province of Manitoba, no matter what stripe or party they are or what colour their election colours are, I think it's absolutely deplorable that they would try and portray this issue, which is so important, as an issue that they could resolve in the province of Manitoba. They have no authority there. They have no authority to make any decisions on the Wheat Board and many other issues that are federal issues. I believe this Minister of

Agriculture has been lax in ensuring that the voice of the farmer will be heard in her Cabinet through her. That's her responsibility.

So, Mr. Speaker, I think it's the same as the minister of highways having told the people of Manitoba that they've increased the budget in highways, and maybe they have increased the budget in highways, but have they—[interjection] Now, I want the same sort of hand when I bring the next point. When you look at the actual expenditures, you will note that there are large amounts of money in the highways budgets that have lapsed year after year after year. What a portrayal of the kind of government they really are. The deception that they're creating, that they think they can fool the people with, is not working, and that's why they're lagging in the polls today.

Mr. Speaker, I believe that the Minister of Agriculture, again, had a responsibility, the minister of highways has a responsibility to be honest with the people. When the actual published expenditures in highways are brought before this Legislature, we should spend far more time than this NDP government is currently allowing for Estimates to take place in this government. They don't want to sit enough days that would allow us to do a proper examination of the books of this government.

Mr. Speaker, I want to conclude by saying that once you examine the books, and once we do this properly, once we're given enough time, we will find that the floodway agreement that this Premier (Mr. Doer) drafted and struck with the unions to ensure that there would be no interruptions, the cost of that agreement to the general taxpayer and how immense that will actually be, the cost overruns that have currently already been incurred, and the cancellation of the six bridges that needed to be built across that floodway and that were promised to the people of Manitoba, will all be issues that will be addressed by the people of Manitoba in the next election when it could have been addressed in Public Accounts Committee, if there were proper and regular Public Accounts committees held.

* (16:30)

Mr. Cummings: Well, Mr. Speaker, I wanted to put some thoughts on the record about this bill, not because the bill is particularly important. The fact that the government has decided as a death-bed revival that they are going to put a minimum date or a minimum number on the number of meetings that

the Public Accounts Committee shall have, the fact is that all parties in this Legislature, for a long time, have been concerned about the quality and the opportunity to deal with appropriate budgetary issues through the Public Accounts Committee, for a long time, Mr. Speaker. It has been a scourge of governments and oppositions, I would argue, for quite some time about what is the proper process, because it has degenerated into a situation where governments of the day can, by omission, avoid a lot of responsibility and can avoid some rather embarrassing questions.

But the bigger problem is—and I hope the front benches of the government will contain themselves for a minute or two—that there is no ability to really get to the nubbin of a problem through the Public Accounts Committee, and it should well be that that is the—*[interjection]* I hear a disturbance on the other side, Mr. Speaker.

Mr. Speaker, the issue, as I see it, is that we cannot bring forward the appropriate, responsible decision makers to answer questions in the Public Accounts Committee. We cannot, and I heard you earlier today in your ruling about a situation that arose in the House about a matter of privilege. You referenced the opportunity of a member to have a witness sworn in. I am paraphrasing from your ruling, and, perhaps, I am misinterpreting it, but the fact you referenced in your ruling is about the ability of members to require information to be shared, and, if there is ever a committee of this Legislature where members of all stripes have a responsibility, I would suggest that it is through the Public Accounts process.

If I could look further afield, Great Britain, for example, uses a system whereby the deputy ministers appear at the Public Accounts on a regular and ongoing basis to answer for their expenditures in the British Parliament. Now, we have only recently got to the point where, with great screaming and gnashing of teeth on this side of the House, we were able to acquire the opportunity to have a deputy minister appear at Public Accounts Committee.

I would think that further reform would mean that we would be able to bring forward deputy ministers on a regular basis, and we would not see a repeat of what we saw earlier in this Chamber at Public Accounts Committee, whereby we had the horrifying sight of having the deputy minister at the table prepared to answer questions. He was not sworn in, but he knew that he would be expected to

tell the truth and not be evasive, as anyone at those meetings should expect to be required to be. We saw the spectacle of having the minister whispering in the deputy minister's ear before he answered the questions. Now, that was nothing more and nothing less than having a collusion between the deputy minister and the minister to make sure they didn't contradict each other.

Now, when we're talking about accounting, we're talking about expenditures of money; we're talking about being responsible. Does that not smack of a situation where it is very easy for the government of the day to practice a cover-up and not allow the opposition, on behalf of the general public, to acquire information? *[interjection]*

You know what? Despite the protestations from the Minister of Agriculture (Ms. Wowchuk) across the way, of course, if this process is improved and made so that it really works on behalf of the public, this party when it's in government will have to follow the same rules. That's not an issue anymore.

I think everybody has pretty much accepted the concern expressed by our Auditor General that we have not had a properly functioning Public Accounts Committee in this Chamber. If one wants to be maudlin about this, perhaps, I don't have too many more opportunities to make speeches in this Chamber, and, if the last words I say in here are about this Public Accounts Committee where we need to hold government more accountable, as somebody who's sat on Treasury Board for 11 years, it's about time, Mr. Speaker. It's about time.

This government is trying to hide behind a modest and, I would say, almost ineffectual amendment that says that they will require a certain number of meetings. The number of meetings is less important as the quality of the meetings. The quality of the meetings is judged by whether or not people will be required to present and answer questions. It could be, I would suggest, that as this process unfolds, perhaps we would have the opportunity to swear in witnesses to provide information about expenditures within government, because what is happening is much the same as what happened in Ottawa during the sponsorship scandal.

It became increasingly apparent that there were a number of ways that government, and it's apparent in this government, and there have been elements in years when I was in government where third-party, arm's-length organizations are not brought to heel in the same way that they should be if they were a

department of government. Then, as happened in the sponsorship scandal in Ottawa, the money flows through those organizations out of the arm's reach of the Public Accounts Committee, out of arm's reach of the Legislature, in this case, and out of the view of the public and the scrutiny of the public that wants to know where their tax dollars are being spent.

Mr. Speaker, it seems to me that, while a government acknowledges that there needs to be a change, this is a sham. As my colleague from Emerson said, this is nothing more than window dressing. This will not make it any easier for anyone in the public or in this Chamber to get more information about expenditures of tax dollars. Let me make it a little bit more obvious to the members across the way. If we had an opportunity to question certain individuals relating to their activities around the Crocus scandal, we would have now got to the bottom of a lot of the issues that are yet unanswered.

Some Honourable Members: Oh, oh.

Mr. Cummings: Well, I hear some mumbling around the Chamber, Mr. Speaker, but the fact is we can't even get the minister who was responsible in 2002-03, and who is, again, responsible for Crocus. We had the spectacle this week where we couldn't get him out of his seat. He would not get up to answer a question. If we had a Public Accounts Committee that was truly accountable, any minister in that situation would find themselves in front of Public Accounts; he would be required to answer the truth or have his deputy there to answer to the truth and attest to what happened, and we would very quickly find out what was going on.

Now, I suppose it could be said that what I'm talking about is some kind of a foggy dream of idealism. I don't think I'm an idealist. I'm fairly practical in how I approach things, Mr. Speaker. As I said a moment ago, most of the people whom I talked to about Public Accounts believe that we need to have a different system, that we need to have a more accountable system, and, if the government is prepared to start this process, it should have been started years ago; it should have been started a number of years ago by this administration. It could be argued that the administration that I was part of could have started it as well. But the government that finally moves on this in a meaningful way will do something to bring accountability to this province in terms of public expenditures, and I hope that I am around to support the government that finally makes that happen.

* (16:40)

Mr. Speaker, in the example I gave where deputy ministers can be brought in to provide information about the Estimates process, that's only part of the answer. There are other situations where people who have relevant information to committees should be required to attend, can be required to attend. The committee should have the authority to require people to attend, and, if necessary, swear them in, because there have been too many examples in this province where people didn't tell the whole truth until they were staring at five years' worth of jail until they speak up on what was going on.

We need to have that type of authority for a meaningful Public Accounts Committee. When that happens, we will truly understand whether or not government influence, whether or not unnecessary blind eye or wilful blindness occurred relative to expenditures within arm's-length entities or whether or not, in fact, it was simply an oversight and a mistake that was made.

But until some of those powers are given to this committee, it has been recognized nationally, Mr. Speaker—one of your predecessors in that Chair talked about it a lot, about parliamentary reform. One of the things that needed to happen was that Public Accounts needed to be dealt with. Auditors General across this country came together and talked about it and have suggested changes, have earnestly requested changes to occur. The previous Auditor General in this province talked about reform. He brought ideas for reform. Nothing meaningful has happened yet.

I would suggest that it's time that we all take a look at this. If the opposition votes against this bill, the government is going to say, well, we didn't want to fix Public Accounts. If the opposition votes for it, it will be argued that we approve of this. This is an anemic version of a change that's long overdue. All it sets is an absolute minimum standard. If this is going to be used as a cudgel to beat on the opposition by the government, saying that we approve something that is this ineffectual, then they really don't understand proper accountability within government, and I think we have every reason to be concerned that the government wants to put this through, Mr. Speaker.

Put it through quickly. Where are we at with Public Accounts now? We've been going back and forth over various agendas, over various levels of accountability, trying to dodge different people's—

hear me out; it's not that bad—trying to deal with different people's agendas so that we could all attend meetings. But if, Mr. Speaker, there were predetermined dates, if there were plans made far enough in advance where people could be brought forward on an accountable basis to talk about the requirements of accountability with the dollars that they were responsible for, then I think you would find that there would be none or very little squabbling over appropriate dates. People would fight to be on this committee in order to hold whoever the government of the day was accountable for their actions. I am deadly serious about that. People would manipulate agendas to try and be on this committee. It would be seen as an important committee. People of all stripes and all political backgrounds in this Legislature would want to be part of a Public Accounts Committee.

So, Mr. Speaker, I can't state in any stronger way that all parties have not done a good job in looking at the reform of Public Accounts, but, currently, the government is the one with the nickel. Currently, this government has the responsibility if there's going to be any changes made. Currently, they're responsible for the fact that there hasn't been a long list of achievements in terms of Public Accounts, and, currently, they are responsible for the file that has said that there's not going to be any reform in Public Accounts.

So my conscience doesn't bother me at all to stand here and say they need to get on with this, because if they don't the next government probably will have the opportunity to deal with it and deal with it in a forthright way and will reap the benefits of knowingly, publicly and openly being accountable to the taxpayers of this province.

Mr. Speaker, when I was talking earlier about the sponsorship scandal, one of the things that was happening was that third-party, arm's-length organizations—as I understand the scam, it was not easily known how some of their monies were being spent. We have more and more in the Public Accounts programs, some of which I helped establish. The recycling program in this province is an arm's-length organization that provides audited reports on all of those proper functions that are appropriate to be held accountable.

I have no reason to believe that they're anything but accountable, but the fact is, ultimately, the Legislature is going to have to be responsible for what happens in that organization. In fact, I believe

the current government skimmed, I'm guessing, \$3 million off the top of the Tire Board, which is another part of the recycling program in this province.

Those sorts of things are never really brought to a level of accountability in this Chamber, Mr. Speaker, because they're not part of a department, and that was important that they be seen as an arm's-length, independent organization that would function for the benefit of recycling in this province. They're not to be a political tool within the department. That was why they were set up that way, but what structure do we have in place as legislators to then go back and talk to the minister who that agency reports to? What ability do we have to properly hold that minister accountable through Public Accounts? We can do it in the Estimates process, but we know that we're going to get answers that are fairly short and perfunctory, and it will cut into other opportunities to question that particular department. So it is not a small issue, but it is one that is very important to all of us in government about how we move forward to manage this responsibility.

I would argue that the government would be well advised—they're not going to take advice from me, but I want to put it on the record—they would be well advised to come to committee tonight and enter into the debate about the makeup of their bill and listen to the amendments that our side will be putting on the table and put some amendments of their own forward, if, in fact, they happen to be moved at all by anything I'm saying.

Let's start the process. Let's get something done in respect to accountability. We have our issues around Crocus and how we believe we could have got to the bottom of Crocus if the Public Accounts Committee had worked better, but let's not let that shield us from the reality of what the public demands in accountability. If we truly have a desire as elected officials in this province to make a change, make a difference, then I would suggest it can be done tonight at committee. That first step towards accountability will probably be appropriately received, I would suggest, by all sides of the House and by those in the media who are, I think, watching this process with some significant frustration.

Mr. Speaker, the ability of legislators to accomplish their goals in what happens at Public Accounts is, I think, it would be fair to say, limited, and it's controlled by whether or not information upon which questions can be based is appropriately

given because, very often, we depend on whether or not we have the printed material in front of us, the audited material—presumably, that is accurate; I have no reason to assume that it wouldn't be—but the efficacy of some of the policy and programs that that money is being spent on.

We have the Auditor, the most recent Auditor who is now retired, Mr. Singleton, who made a point of saying that he was looking for audit for value, and amazing, some of the things that showed up while he was doing his audits for value. But the fact is value is something that the public is not getting much of anymore in terms of accountability on what we do on PAC.

* (16:50)

Now, I'm reduced to using the acronym for PAC, but the fact is everybody in this Chamber understands that this has become a little a bit of a farcical relief in terms of trying to get all of the right people in the right place at the right time in order to get some questions answered at Public Accounts. So I would urge you, and I would urge anyone in this Chamber who cares about their responsibility as a legislator, to take a hard look at this. Let's talk about some amendments. Maybe we can make a difference.

Mr. Leonard Derkach (Russell): Mr. Speaker, I want to offer some comments on this bill because the whole Public Accounts process in this province is a sham. The reason it's a sham is because the government hides from accountability. We've seen that time and time and time again with this government in that they refuse to accept any responsibility for their actions, and they do not want to be accountable to the public of Manitoba. They hide from accountability.

Mr. Speaker, every time we go to a Public Accounts meeting, the government has a way of stalling, not answering questions, evading questions purposefully, and then walking out of there and saying, well, you've had your meeting. There was an agreement between these parties, between the government and our party that we would have six meetings in the course of this year. Two meetings were held. I think there are still four meetings that have to be held before the end of this year. This is now December 5.

Mr. Speaker, we saw what happened a couple of years ago with Crocus. The House ended on, I believe, around the 7th of December or the 8th of December, perhaps it was even the 9th that year, and,

on the 10th of December, the government cancelled the trading of Crocus shares. Up until that time, it hid from the issue of what was going on in Crocus. It hid from the public what the true issues of Crocus were, and then, on the 10th of December, they cancelled trading with Crocus because the House had already adjourned, and they would not have to come back to the House to answer questions.

It was the same, Mr. Speaker, this year. We asked for Public Accounts meetings time and time and time again throughout the summer. The government, of course, being on holidays, wouldn't call a Public Accounts meeting because they were too busy holidaying. They called the House back in November, late as always, and hoping that in a short session they wouldn't get that many questions answered, and they wouldn't have to be too accountable to Manitobans. And, for every reason under the sun, they continue to cancel the Public Accounts meetings.

Now, Mr. Speaker, I know that this may be hard to listen to because they feel a little bit embarrassed by the fact that they have been hiding from being accountable to Manitobans; basically, that's what they've been doing, and then they charge us. They say, well, you guys want to negotiate in public so we're not going to negotiate with you. We'll bring in legislation, and they bring in this bill that's a farce because they're going to establish six meeting dates in a year. Well, anybody can agree to six meeting dates in a year. The problem is the committee has no teeth. This is a toothless tiger. If you look at other jurisdictions across Canada, our Public Accounts process is an embarrassment. It's a sham; it's an embarrassment, and the government simply will not change the rules, will not agree to change the rules because they know only too well that they have responsibility that they don't want to live up to. Well, if you have something to hide, the easiest way is to just avoid having to be accountable in a Public Accounts Committee in front of the public.

When we call a Public Accounts meeting, we have an ability to ask questions of the deputy minister, but, again, the government has tried to narrow it down to where the deputy minister can only be asked certain questions, and even then we have the minister whispering in the deputy's ear. Well, that's not going to happen anymore because, as far as I'm concerned, when you call a deputy minister forward, he or she has to answer the questions of an administrative nature. It has nothing to do with the minister at all because the minister is not responsible

for the administration in the department. It's the deputy and his assistant deputy who may have to be called upon to answer those questions.

I know that, Mr. Speaker, but what you have to understand is the public has a right to know. The public has a right to know what happened administratively, and, when you come to the Crocus issue, the public has a real interest in it because 33,000 Manitobans lost \$60 million. This wasn't just a dollar or two. This is a very, very significant issue in Manitoba, and I can't understand how ministers across the way can think they can hold their heads up high when you talk about the Crocus issue.

What was the most embarrassing thing in this House, Mr. Speaker, was that, time and time again, we asked the minister who was accountable for Crocus from October '03 to November '04, and is also now responsible for the Crocus file, to answer some questions, and he refused to stand in his place. You would have thought he was tied to his chair with a seatbelt because he could not rise in his place to answer any of the questions.

He would chirp from his chair but he would not rise in this House to answer a question when it was posed directly to him. Instead he had his human shields, the Premier (Mr. Doer) and the Minister of Finance (Mr. Selinger), standing up and answering those questions. He was muzzled, Mr. Speaker, and that's not what Manitobans want. Why was he assigned the file if he's not going to answer any questions? Why?

An Honourable Member: Maybe that's why.

Mr. Derkach: Yeah, perhaps that's the real reason, but, Mr. Speaker, he can't hide forever because the Public Accounts Committee will perhaps call him forward or perhaps call any minister forward, and those ministers then have to answer the questions that are posed by the public on behalf of the public.

Mr. Speaker, how can an opposition do its job when it is refused the ability to be able to ask questions and have answers come straightforwardly? You know, the greatest sham sometimes is right here in this House when the Premier is asked a question in the House. He was asked a question on OlyWest, for example, today and he was talking about teachers, the retired teachers. The question wasn't asked about the teachers but he was talking about the teachers. So it doesn't matter what question you ask; the Premier tends to go off on his own tangent.

Well, Mr. Speaker, we didn't see the Minister of Agriculture (Ms. Wowchuk) stand up on OlyWest. Then when a question was asked of the Minister of Competitiveness (Mr. Smith), who's also the minister responsible for Crocus, he stood up and he quoted figures but never did answer the question.

So, Mr. Speaker, I see big signals coming my way and I really don't know what they mean. They're not smoke signals but I think I've said—

Mr. Speaker: Order.

House Business

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

Mr. Chomiak: On House business, Mr. Speaker. As I see the clock moving, I just want to make sure I get one more matter of House business in.

Some Honourable Members: Leave.

Mr. Chomiak: Thank you, Mr. Speaker, and I thank the member for the—

An Honourable Member: I was in full flight.

Mr. Chomiak: I know the member was in full flight. This was not an anticipated interruption, but I did want to indicate to the House that I've had discussions with the House Leader for the opposition party, and we will not be announcing our PMR for next Tuesday insofar as it's not anticipated, as the House won't be sitting.

We've had agreement of the Opposition House Leader on that, and we will provide notice prior to the next Tuesday sitting of the House, one week's notice. Thank you, Mr. Speaker.

Mr. Speaker: It's been announced that there will be no announcement for Tuesday's private members' hour, but there'll be one week's notice for a Tuesday private members' hour announcement.

* * *

Mr. Speaker: The honourable Member for Russell has the floor.

Mr. Derkach: Well, thank you, Mr. Speaker, and I'm just so sorry that I was interrupted because I had so many things to say and I'll continue.

Mr. Speaker, accountability is important to Manitobans, and, unfortunately, we have seen the deterioration of accountability since this government took office. They seem to feel that they don't need to be accountable to this Chamber nor are they

accountable to the committees that are called. If you look at the number of reports that are standing unquestioned and unanswered, it's somewhat embarrassing to us as legislators in this province.

So, Mr. Speaker, I look forward to bringing forward some amendments to this legislation that will indeed give it some power perhaps, some authority, some teeth, so that we can truly then debate the Public Accounts issues as they should be debated and as Manitobans expect us to debate them in this Legislature without us hiding by going through all kinds of contortions and procedure.

So with that, I'm prepared, for my part, to conclude my remarks and hope that this bill will

have further debate in third reading and in concurrence.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading on Bill 8, The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended).

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

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 5, 2006

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