

**Fourth Session - Fortieth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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authority of  
The Honourable Daryl Reid  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew, Hon.	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne, Hon.	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Greg, Hon.	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LATHLIN, Amanda	The Pas	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MELNICK, Christine	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Thomas, Hon.	Interlake	NDP
OSWALD, Theresa	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
PIWNIUK, Doyle	Arthur-Virden	PC
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder, Hon.	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan	Dauphin	NDP
SWAN, Andrew	Minto	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie, Hon.	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Gimli	—
<i>Vacant</i>	Southdale	—

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, October 28, 2015**

*The House met at 1:30 p.m.*

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Good afternoon, everyone. Please be seated.

**ROUTINE PROCEEDINGS  
INTRODUCTION OF BILLS**

**Bill 215—The Prevention of Interpersonal and Family Violence Through Education Act (Public Schools Act and Education Administration Act Amended)**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move that Bill 215, The Prevention of Interpersonal and Family Violence Through Education Act (Public Schools Act and Education Administration Act Amended); Loi sur la prévention de la violence familiale et interpersonnelle grâce à l'éducation (modification de la Loi sur les écoles publiques et de la Loi sur l'administration scolaire), be now read for a first time.

*Motion presented.*

**Mr. Gerrard:** Mr. Speaker, this bill recognizes the critical importance of action to reduce interpersonal and family violence in Manitoba, and it provides for the inclusion of material about interpersonal and family violence in our K-to-12 curriculum as a significant step toward reducing interpersonal and family violence in our province.

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

Any further introduction of bills?

Seeing none, we'll move on to committee reports.

**TABLING OF REPORTS**

**Hon. Greg Dewar (Minister of Finance):** Mr. Speaker, I'm pleased to table the report to the Legislature pursuant to section 63(4) of The Financial Administration Act relating to supplementary loan and guarantee authority for the fiscal year ended March the 31st, 2015.

**Mr. Speaker:** Any further tabling of reports?

**Mr. Dewar:** I'm pleased to table the fidelity bonds, crime insurance section, of section—statement of section 20 of The Public Officers Act.

**Hon. Flor Marcelino (Minister of Multiculturalism and Literacy):** I am pleased to table the annual report 2014-2015 Manitoba Multiculturalism and Literacy.

**Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship):** Mr. Speaker, I'm pleased to table the 2014-2015 annual report for Conservation and Water Stewardship.

**Mr. Speaker:** Any further tabling of reports?

**Mr. Nevakshonoff:** Mr. Speaker, I'm pleased to table the 2014-2015 annual report on the Manitoba Habitat Heritage Corporation.

**Mr. Speaker:** The honourable Minister of Conservation.

**Mr. Nevakshonoff:** Mr. Speaker, I am pleased to table the 2014-2015 annual report on the Manitoba Habitat Heritage Corporation.

I am pleased to table the 2014-2015 annual report of the Pineland Forest Nursery.

**Mr. Speaker:** Further tabling of reports?

**Mr. Nevakshonoff:** Mr. Speaker, I am pleased to table the 2014-2015 annual report on the Manitoba Clean Environment Commission.

And, Mr. Speaker, I am pleased to table the 2014-2015 annual report for the Sustainable Development Innovations Fund.

I am pleased to table the 2013-2014 annual report—27th annual report on the Manitoba Hazardous Waste Management Corporation.

**Mr. Speaker:** Any further tabling of reports? Seeing none, we'll move on to ministerial statements.

### MEMBERS' STATEMENTS

#### Investing in Osborne Village

**Ms. Jennifer Howard (Fort Rouge):** I want to begin by welcoming Stephanie Meilleur, the executive director of the Osborne Village BIZ, and her family members who join us in the gallery today. Stephanie and her team are leading a revitalization of Osborne Village that deserves our support and recognition.

Mr. Speaker, in 2012, the Canadian Institute of Planners named Osborne Village Canada's greatest neighbourhood. The village earned this reputation because it's brimming with culture, turn-of-the-century buildings, charming shops, diverse people and gathering places for art and conversation.

It's the families, visitors, workers and business owners of Osborne Village that make the community a success. Government has a role to play too. That's why our provincial government has made strong investments in Osborne Village. And now we're investing another \$20,000 in local improvements, bringing it to a total of \$55,000 to help make the village a safer and more attractive neighbourhood.

Mr. Speaker, through our Winnipeg Community Infrastructure Program we are investing \$20,000 in the Build a Village Campaign run by the Osborne Village Business Improvement Zone. Our investment will go toward new bike racks from Roslyn Road to Confusion Corner, and a redesign of green space at the bell tower plaza. The vision for the bell tower project includes better lighting, a stage for buskers, mobile charging stations and Wi-Fi service. The heart of the village will become an innovative urban park.

These improvements mean local residents and visitors will have more places to park their bikes, take in a street performance and even charge their phone.

Rather than cutting key services and improvements, we choose to invest in what matters to people in Osborne Village and across Manitoba. We believe government has a responsibility to work with local businesses, families and community leaders to make our neighbourhoods great places to live, work and play.

Thank you to everyone who makes Osborne Village what it is: a vibrant urban neighbourhood that is a great place to visit and an even greater place to call home.

Thank you, Mr. Speaker.

\* (13:40)

#### Condition of Highways 2 and 3

**Mr. Doyle Piwniuk (Arthur-Virden):** Mr. Speaker, one of my Arthur-Virden constituents owns a trucking company in the town of Reston, Manitoba. He runs a fleet of over 15 trucks and employs over—close to 20 employees in the area. Most of his work is trucking oil in the southwest oil patch. He also delivers goods to many of the businesses in the community.

The constituent has contacted my office numerous times to inform me of the deplorable road conditions of Highway 2 and Highway 3 in the southwest region. The biggest concern my constituent has is the safety of his drivers trying to avoid potholes and deteriorated shoulders along the highways. He is also concerned with the oncoming traffic swerving to avoid potholes in front of his drivers.

His second concern is the deterioration of extra repair costs to his trucks due to poor road conditions. When this NDP government raised the PST to 8 per cent, the extra tax revenue was supposed to be used for infrastructure spending. However, this constituency—constituent now pays even more PST on the increase for repairs and labour damage by these NDP highways with their orange—fancy orange hazard signs. He informed me that the life expectancy of his trucks is much shorter as a result, and he is replacing the trucks much sooner and again paying much more in PST.

He knows that the reason for these deplorable roads is from the NDP government's neglect to invest in infrastructure for the past five years. The region of the province has provided large amounts of tax revenue for recent oil—from the recent oil boom in the oil field, but this area has been—had little reinvestment in road construction, Mr. Speaker, another example that Manitobans are paying more and getting less.

#### Blue Dot Declaration

**Mr. Rob Altemeyer (Wolseley):** Mr. Speaker, it is always a privilege to serve the citizens of Manitoba here at the Legislature. Some days you even get to

witness truly important events that will stay with you for a long time. Yet another personal highlight happened for me less than two weeks ago when our government became the first province in Canada to formally sign the Blue Dot declaration of the Dr. David Suzuki Foundation.

Alongside this formal endorsement came news that our Premier (Mr. Selinger) has initiated the drafting of a new environmental bill of rights act to be presented in this Chamber prior to the upcoming provincial election. This historic step forward will add yet another layer of environmental protection for Manitobans when it comes to ensuring clean air, clean water and safe food now and for future generations.

Dr. Suzuki attended the event held in our Premier's office, and I was thrilled to meet this Canadian icon and a lifelong hero of mine and to have an extensive conversation with him afterwards. He was very gracious in his remarks for our provincial leadership and sharply contrasted our progressive efforts with the antiscience and environmentally destructive policies of the previous Conservative government that Canadians have now, thankfully, put in the recycling bin of history.

Climate change is, of course, one of the largest environmental challenges facing our province and, indeed, the entire world. With Dr. Suzuki at his side, our Premier also announced that our government will invest \$400,000 in a new Prairie Climate Centre at the University of Winnipeg's Richardson college of the environment, which is part of my Wolseley constituency. Long-time activist academic Dr. Ian Mauro will be heading up the centre, which is a partnership with the International Institute for Sustainable Development and will give municipal governments, the private sector and civil society organizations additional tools to reduce and adapt to the impacts of climate change.

The importance of this new initiative was captured best by Dr. Suzuki himself, who said, quote: We are undoubtedly living in a warming world, with serious implications for future generations, and we must increase our capacity to understand and act on this pressing global issue. Research, education and outreach facilities like the Prairie Climate Centre will generate meaningful solutions, and I congratulate Manitoba for committing to this important initiative. End quote.

I want to thank and congratulate Dr. Suzuki and our Premier for their historic collaboration and the

hope it brings for the better world we all know we have to make.

Thank you, Mr. Speaker.

### **Cooks Creek Heritage Day**

**Mr. Ron Schuler (St. Paul):** On August 29th of this year, I attended the 43rd annual Cooks Creek Heritage Day held at the Cooks Creek Heritage Museum and St. Michael's Roman Catholic Church.

Families from all over Springfield, east and West St. Paul drove out to Cooks Creek to enjoy the last of the excellent weather and to participate in all the activities that remind us what the struggles and joys were of early Slavic European pioneer life in Manitoba.

The festivities were held amongst seven restored pioneer buildings, including a blacksmith shop, barn and candle house and chapel.

With over 800 guests at this year's Heritage Day, entertainment was non-stop on the main stage, with hometown hero Ace Burpee emceeding the day's events. Acts included country favourite Wayne Wazne, the Selo Ukrainian Dancers, Erika Fowler the ukulele sensation, the Polish Dance Ensemble SPK Iskry and By Request, a musical group.

There was also a highly competitive perogy-making contest, Polish paper cutting, clay oven baking—bread baking, blacksmithing, the Winnipeg Embroiderers Guild, the Manitoba Prairie Quilters and the Springfield Tractor Club.

For the kids, there was a peacock puppet show, scarecrow making, balloon animals and a mini-train.

The event's food was cooked by the Ukrainian Catholic Women's League and included homemade borscht, perogies, cabbage rolls, kubasa, kasha, sauerkraut and five different kinds of pies.

Cooks Creek Heritage Day is one of those community events that just seems to get bigger and better every year, a testament to the hard work from the volunteers, friends and neighbours that put it on.

Congratulations on 43 years of success, and a special thanks to Jane Burpee, Florence Luko, Maureen Burek, Dom Hrytsy, Danica Racicot, Becky Dick, Liz Hogue and Joan Golebioski.

### **Family Violence**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, today I introduced The Prevention of Interpersonal and Family Violence Through Education Act

to recognize that Manitoba is still experiencing high levels of interpersonal and family violence. Manitoba's high numbers of missing and murdered women reflects, in part, a society experiencing high rates of violence toward women.

Mr. Speaker, we need to act. Measures taken to date by the current government have 'regrettably' not eliminated nor even sufficiently lowered the level of family violence in our province. Manitoba still has the second highest level of family violence among all provinces. We need a more effective approach.

This bill recognizes that education in our primary and secondary school system can be a powerful tool in developing respectful relationships and reducing interpersonal and family violence. The education will cover recognizing interpersonal and family violence and where and when to report it. But more than this, it ensures that every child in Manitoba is exposed to learning about interpersonal and family relationships, an understanding of interpersonal and family violence and how to better resolve interpersonal and family conflicts without using violence.

The bill reflects our diverse society and that there exists in our province a wide variety of approaches to interpersonal and family dynamics often based on cultural and historic practices. It reflects the need to provide education about the diversity of cultural approaches while providing every student the knowledge to address and resolve interpersonal and family province-problems without escalating to violence.

I want to thank all members for the discussions we've had in this Chamber on interpersonal and family violence and the need to reduce it. I hope all will take the important step of supporting this Liberal initiative. I welcome during our debate and discussion on this bill any suggestions members have to improve it, because I see that together we can make a difference.

Thank you.

**Mr. Speaker:** That concludes members' statements.

#### Introduction of Guests

**Mr. Speaker:** I have some guests I'd like to introduce to the House. We have with us from Springs Christian Academy 49 grades 6 and 11 students under the direction of Mr. Brad Dowler, and this group is located in the constituency of the honourable First Minister.

On behalf of all honourable members of the House, we welcome all of you here this afternoon.

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**Mr. Speaker:** And also is our practice when we have new pages coming to work with us in the Chamber, it's our pleasure to introduce our pages. And today we have with us Hilary Ransom, who is a student at Stonewall Collegiate institute.

On behalf of all honourable members, we welcome you here and wish you well in your Legislature career. Thank you.

#### ORAL QUESTIONS

##### Tiger Dam Contract Disclosure of Information

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, as part of a probe being conducted by the RCMP's serious and organized crime unit into millions of dollars of untendered contracts by this NDP government, the office of the Leader of the Opposition met with the RCMP and provided all the information that they have in possession of this file.

Mr. Speaker, will the Premier (Mr. Selinger) commit to ensuring that he, his Cabinet, his caucus and all of their staff will fully co-operate with the RCMP when they are asked concerning this file?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Mr. Speaker, I was actually looking forward to answering questions from the Leader of the Opposition on this matter.

I note, Mr. Speaker, that not too long ago, the Leader of the Opposition made some accusations which I would classify as being nothing short of reckless, particularly that there was a conflict of interest involved.

I actually went to the Conflict of Interest Commissioner, Mr. Speaker. I asked not only for a verbal ruling but a written ruling. And I can indicate that the Conflict of Interest Commissioner indicated very clearly that the basic accusation that there was a conflict of interest related to a campaign contribution was not a conflict of interest.

I was actually looking forward to the Leader of the Opposition putting on the record that he was factually wrong and apologizing for that.

\*(13:50)

**Mr. Goertzen:** I'm disappointed that the Premier didn't take the opportunity to indicate that he would

be supporting and be fully co-operative with the RCMP in their probe.

The RCMP have also been saying that they're seeking information related to these untendered contracts from multiple sources.

Mr. Speaker, will the Premier send a message today to civil servants who might have information regarding this issue to not only fully co-operate if they're asked to but to also proactively disclose information on the untendered contracts related to Tiger Dams to the RCMP?

**Mr. Ashton:** Well, Mr. Speaker, I was also looking forward to the Leader of the Opposition putting on the record that he was factually wrong when he said that there was a \$5-million untendered contract.

The contract went to tender, has not been awarded. In fact, the only contract that was—been awarded was awarded by the federal government.

Again, the Leader of the Opposition made reckless allegations. I look forward to him putting on the record that he was wrong on that, as well.

**Mr. Goertzen:** I am surprised, Mr. Speaker, that the Premier isn't taking these questions, that he's letting his minister hang out to dry.

We've asked him whether or not he's going to co-operate fully with the RCMP. We've asked him whether or not he'll ensure that civil servants are proactively disclosing information.

Mr. Speaker, the NDP have been blacking out hundreds of pages of documents related to the millions of untendered contracts that have been given to Tiger Dams.

Will the Premier proactively disclose to the RCMP any information that the government has related to Tiger Dams and ensure that that information is not redacted?

**Hon. Greg Selinger (Premier):** We follow all the requirements of our legislation with respect to freedom of information. All the information is provided to whomever asks for it.

The members haven't indicated whether there is a request for information, but if there was we would certainly provide it.

If the members have any problems with any of the items redacted, they haven't appealed to the Ombudsman's office and the privacy commissioner. I wonder if they've actually done that, Mr. Speaker. I

wonder if they've done that or I wonder if they're just trying to make an issue out of something that has already been addressed by the Conflict of Interest Commissioner and is already under review by the Ombudsman.

But if they have any more concerns, at the bottom of every document that is provided—and I provided dozens of pages of those documents yesterday—there's a notice that says if you are not satisfied with the information you've received, you can appeal that to the Ombudsman. I invite them to do that.

**Mr. Speaker:** The honourable member for Steinbach, on a new question.

### Security of Records

**Mr. Goertzen:** Well, unfortunately, Mr. Speaker, almost every independent officer in this House is busy investigating this government already.

We know that the documents that were tabled yesterday, hundreds of those documents were redacted, were blacked out, Mr. Speaker.

We also want to know, Mr. Speaker, when it comes to past investigations that have happened on this government, and I'll reference specifically the issue and the tragic death of Phoenix Sinclair, we know that documents went missing. They were destroyed.

I want an assurance from this Premier that any information that the government has related to untendered contracts for Tiger Dams will be fully secured, Mr. Speaker, and won't go missing or destroyed like they have in the past.

**Mr. Selinger:** Any request for information is honoured by our FIPPA people. They take a careful look at what's requested, they follow the privacy laws, and there's always an appeal there.

But, Mr. Speaker, I do note that in 2014 there were 2,849 requests for information, which was a thousand more than in 2013. Eighteen hundred of those requests came from political parties, which has doubled over the last two years. The political parties are asking for information; that's their right to do that. And then our officials go to work to try to provide them all the information necessary.

And if they're not satisfied with anything that has for privacy reasons or other reasons been removed or redacted, they certainly have the right to appeal that to the Ombudsman, and the Ombudsman

and the privacy commissioner can address those issues.

### **Cabinet Ministers**

**Mr. Goertzen:** You can double the request, but all that does with this government is double the number of redacted documents that get provided, Mr. Speaker, that get blacked out.

Mr. Speaker, we know that the RCMP is probing this issue, the serious and organized crime unit, on the issue of the untendered dams that this government has been involved in.

I want to know whether or not this government, this Premier, has taken any steps to ensure that those ministers who would be part of the probe are no longer in charge of files that may be related to this probe.

**Mr. Selinger:** Mr. Speaker, the only probe we're aware of is being done by the federal government, and the member might want to ask himself if there's full co-operation there from all the people that he knows that might be involved.

When it comes to privacy information, third-party information is protected. The—anything with respect to negotiations is protected and advice to government is protected. That's the rules that have been in place for many decades in—not only in the rules in our House, Mr. Speaker, but in rules all across the country.

And we certainly would comply with any requests for information according to the law and we would certainly—and we've strengthened the role of the Ombudsman and the Auditor General in this House, and we look forward to those independent officers doing their job, and we're willing to provide supports and resources for them to do that.

### **Former Cabinet Ministers Vote on Opposition Day Motion**

**Mr. Kelvin Goertzen (Steinbach):** One would actually expect a real leader, Mr. Speaker, to proactively disclose information, not to wait until they are asked to disclose that information. We've asked whether or not he'd proactively disclose that information; he said that he wouldn't, he wouldn't answer that question.

We know, Mr. Speaker, that members of his own caucus, former Cabinet members, expressed serious concerns about this issue. In fact, some of them said

it was the reason for the rebellion that happened last year.

This afternoon, we're going to have a vote on this very same issue. Combined with the fact that the RCMP are conducting a probe, will not he ensure that members opposite, Mr. Speaker, former Cabinet members, former Treasury Board members of the government, will he ensure that each of his caucus members are able to vote their free will on the vote this afternoon on this very issue?

**Hon. Greg Selinger (Premier):** Mr. Speaker, on this side of the House, caucus members do always make a vote that they believe is sensible for the issue at hand, and that goes to all issues.

The good news is, Mr. Speaker, is we live in a democracy. We have independent officers that are accountable to the Legislature and not to the government. Those officers have specific powers to investigate matters like this. They're fully available to members of the opposition if they're not satisfied with the information they get. They're fully available to the public if they're not satisfied with the information they get.

The whistle-blower protection legislation that we brought in Manitoba is available to members of our government or any government in Manitoba. They're also member—available to members of the public. And that—whistle—the whistle-blower legislation was the first in Canada. We've reviewed that, and we brought in additional legislation to strengthen it further.

We're committed to providing protection to people that feel that there's some transgression that has occurred in government affairs. They have the right to take that forward and be fully protected on that. And I encourage the members to always support those bills when we strengthen them and pass them as quickly as possible instead of dilly-dallying and grandstanding like they've been doing today.

**Mr. Speaker:** The honourable member for Steinbach, on a new question.

### **Tiger Dam Contract Disclosure of Information**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I asked the Premier on the first question—he decided not to take the question; he decided to allow his minister to deflect for him.

I want to ask him again whether or not he will proactively disclose to the RCMP, as part of the



probe that they have under way regarding untendered Tiger Dams, will they proactively disclose, in an unredacted fashion, information to the RCMP on the untendered Tiger Dams, yes or no?

**Hon. Greg Selinger (Premier):** Again, the probe is being done by the federal government on the \$5 million they provided for flood tubes. We did a fully tendered process on that. The tender was not awarded.

Mr. Speaker, we followed the proper procedures; that has already been confirmed. If the members think that there's any other concerns, they certainly could bring those forward to anybody they wish. If they want to take all the information we put on the record in the House and mail it to the RCMP, they're completely entitled to do that.

If a member of the public or a member of the civil service feels that there's a transgression of any type, we do have whistle-blower legislation in place. We proposed to strengthen it, given the review that's been done. We were the first province to bring whistle-blower legislation in place. It applies not only to members of the public service but members of the public as well, Mr. Speaker.

And I remember the members opposite were resisting that legislation. They were trying to politicize that legislation, just like they're doing now. We tried to follow best practices, and then when the review was done, we took it to another level based on the experience we've had with it, not only in our jurisdiction but jurisdictions all across the country and, indeed, the—round the world.

We will have the best whistle-blower protection anywhere in the country.

**Mr. Goertzen:** And under this government, they need the best whistle-blower legislation.

Mr. Speaker, yesterday 60 per cent of the information that the Premier tabled was blacked out. Why would we send to the RCMP all of those pages of blacked-out information? That's exactly why we're asking this question.

If he has nothing to hide, and he's indicating that he's done nothing wrong—he already knows that there's been problems with the procurement process in the past, Mr. Speaker—but if he's so sure of his position, why won't he just proactively disclose all of the information to the RCMP in an unredacted fashion? Why is he so worried about providing this information to the RCMP?

**Mr. Selinger:** Mr. Speaker, we're not worried about a federal probe into Tiger Dam award that was awarded. We're not worried about a tendered contract in Manitoba that was not awarded; that's what you call moot.

\* (14:00)

If the information has—if the member has further information that he wants to bring forward, if any member of the public service has information they want to bring forward, if any member of the public has information they want to bring forward, we have whistle-blower legislation to protect them. And if we receive any inquiries, we comply with those requirements. These are not problems for us.

The problem the member opposite has is that when he was in government they buried information, it never was disclosed. They never brought any legislation or procedures in place to deal with that. They never even had a code of ethics for themselves or the public service. They never had a conflict of interest commissioner. They never had a privacy commissioner. They didn't have anything, Mr. Speaker.

Now they're trying to wax on as if they're somehow better than other people. They were the authors of their own misfortune when it came to 'vrote' rigging, when it came to burying information, and we same see—the same thing at the federal level. They're just another—

**Mr. Speaker:** Order, please. Order, please. The honourable First Minister's time on this question has elapsed.

**Mr. Goertzen:** I don't suppose that explains why five members of his Cabinet, Mr. Speaker, left his Cabinet over this issue. I wonder why, if he's so certain that he did nothing wrong, that why five members—some of them senior members—of his Cabinet decided to leave his Cabinet to try to replace him.

He's so certain that he did nothing wrong, and yet he provides information that's entirely blacked out. He's so certain that he's done nothing wrong, but he won't actually provide it to the RCMP. That doesn't sound like me—doesn't sound like somebody who doesn't have something to hide. It does sound like somebody who does have something to hide.

I'm going to ask him again: Will he not provide the information related to untendered Tiger Dam

contracts to the RCMP in an unredacted form? This is not a hard question for him to answer yes or no.

**Mr. Selinger:** Mr. Speaker, I've made it very clear that if we get a request, we'll comply with it. We'll follow the FIPPA legislation. If there's third-party information or privacy information that needs protection, that will be done by the officials that look after that. But we've always co-operated with anybody.

The member knows full well that this matter has once been rejected by the Ombudsman. It's still being reviewed by the Ombudsman. The member knows full well that the Conflict of Interest Commissioner took a look at this matter, something that was only possible because we brought in a Conflict of Interest Commissioner, something that's only possible because we have a privacy commissioner. And any probes with respect to any other matters, we've widened the powers of the Auditor General.

We're looking for ways to increase transparency. The members opposite are looking at ways to—they're looking at ways to do political grandstanding. We have whistle-blower legislation in this province, the first in the country. We propose to upgrade and improve it. If the members opposite are serious about wanting to protect the public interest, they should pass that legislation as quickly as possible instead of posturing and grandstanding in the House like they're doing today.

And by the way, if somebody wants to be fully accountable, they usually show up for question period.

**Mr. Speaker:** The honourable member for Steinbach, with a new question.

**Mr. Goertzen:** On a point of order, Mr. Speaker, I know that the member knows that this can't be referred to in terms of absences.

**Mr. Speaker:** If I heard the honourable member for Steinbach (Mr. Goertzen) correctly, I believe he was standing on a point of order. But our rules indicate quite clearly—it was agreed to by the House—that point of orders would have to be raised after question period. So if the member has a point of order, that would have to be done at that particular time, and you cannot raise a point of order during oral questions.

And—order, please. While I'm on my feet, I want to—before this gets too far down the road here of going in the wrong direction, I want to caution the

honourable First Minister and other members of the House that when you're making references to any individual of this House, it's not to make a reference to them either being present nor absent, and so I want to caution all honourable members in that regard.

So now we're back to questions. Next question.

### **Investors Group Field Loan Insurance Coverage for Repairs**

**Mrs. Heather Stefanson (Tuxedo):** And if the Premier (Mr. Selinger) doesn't have anything to hide, then he would disclose fully that information, Mr. Speaker, so we hope that he does.

Mr. Speaker, yesterday I asked questions of this NDP government about a \$35.3-million loan guarantee to cover repair costs for the brand new stadium. I asked a simple question, what is the breakdown of the repairs that is to be covered by the \$35.3 million, yet members opposite refused to answer. They continue to refuse to be transparent and open when it comes to what transpired in this process.

And now the Premier says he hopes that the loan will be covered by insurance.

Mr. Speaker, how does this reassure Manitoba taxpayers that they won't be left to foot the bill?

**Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection):** The Opposition Leader and his Conservatives don't think that we should invest in Manitoba. If it was up to them, we wouldn't have built the new stadium, and the Bombers and the Bisons wouldn't have their new home.

This isn't a new thing for the Conservatives. They fought against the building of the MTS Centre, which I acknowledged yesterday and spoke about, revitalizing our downtown Winnipeg. And if it was up to them, we wouldn't have the Jets or the Moose back in Manitoba either.

The Opposition Leader and his Conservatives are the party of no: no roads, no schools, no hospitals, no hope for Manitobans.

**Mrs. Stefanson:** Mr. Speaker, again, they refuse to be transparent and open, and that's exactly why we continue to call on the Auditor General to investigate this matter further.

I'd like to ask the minister: What guarantees has he been given that these repairs will absolutely be

covered by insurance, and will he table those guarantees today?

**Mr. Lemieux:** Mr. Speaker, our NDP government listened when the Bombers and the Bomber fans felt the stadium, which was 50 years of age, needed to be looked at and—take a look at building a new stadium for Manitobans, and a brand new home. Investors stadium is one of the best stadiums in all of North America, quite frankly, and we're very proud of that.

And, you know, Mr. Speaker, it seems the only time the Opposition Leader says yes is when he's talking to his well-connected friends in big business about selling, oh, nudge, nudge, we've got a great telephone system; how would you like to get it on the cheap?

That's what we hear from the Leader of the Opposition, and now he wants to privatize child care. What does that really mean? That means higher prices for families bringing their children to daycare.

And taking a look at what he wants to do with Hydro. Never, never once in here do they ever speak about privatizing Hydro, yet we know, Mr. Speaker, from their past practices—

**Mr. Speaker:** Order, please. The honourable minister's time on this question has elapsed.

**Mrs. Stefanson:** He can't table the guarantee because that guarantee does not, in fact, exist, Mr. Speaker. And that's the sad reality.

Mr. Speaker, \$35.3 million is a lot of money, and I remind members opposite that this is borrowed money. So not only will taxpayers be left to foot the bill for the \$35.3 million, but because it's borrowed money, they'll also be left to foot the bill for the interest costs associated with that.

Mr. Speaker, will he just admit that he has completely bungled this issue and now Manitoba taxpayers are being left to foot the bill, not only for the 34—\$35.3 million but for the interest as well?

**Mr. Lemieux:** Mr. Speaker, not only in the Chamber but outside of the Chamber I've made it quite clear, many times, we're extremely disappointed to discover serious issues with the design and construction. I think everyone knows that. There's not a person, I would hope, in the Chamber that probably doesn't feel the same way.

But, Mr. Speaker, the stadium that we have is not only a tremendous, tremendous asset for us as a province, but a money-maker. We've had FIFA

world's women championship soccer here, you know, 12.9—close to \$13 million came into this province. We've got the Grey Cup; the Manitoba Chambers of Commerce says in excess of \$100 million coming to the province.

And I hope you bought all your Grey Cup tickets, by the way. And, you know, Mr. Speaker, I do have my Grey Cup tickets now. I'm proud of it. And I don't wear green jerseys and cheer for Saskatchewan at every time they get a chance.

### Personal-Care Homes Bed Shortage

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, there's a demographic tsunami coming, and this government has ignored it.

For years there has been a waiting list, each day, of around 1,500 elderly people who need to get into a personal-care home. These are panelled level 4 patients who need to be in a PCH to ensure their safety. Instead, they're stuck in hospitals or left struggling in their homes. The reason, Mr. Speaker, is that this NDP government has added only 330 beds to the system in 16 years.

So, Mr. Speaker, can the Minister of Health tell these vulnerable seniors why her government could find money for a football stadium but they can't find money for frail, vulnerable seniors who need a personal-care-home bed?

\*(14:10)

**Hon. Sharon Blady (Minister of Health):** I thank the member for the question.

What I can tell Manitobans is that seniors and their families do want a variety of supports and housing options, and that our strategy of continued investment in adding new PCH beds, supportive housing and home care is on the right track. In fact, there are five personal-care homes currently under development, bringing over 300 new beds in line, including in Lac du Bonnet, Morden and in Winnipeg.

Now, unlike the members opposite, we oppose privatizing home care, cutting services to home care and home-care user fees, all initiatives that were supported in the '90s by members opposite.

So when it comes to supporting seniors, it's this side of the House that looks after seniors, builds PCH beds and keeps home care in public hands to look after every Manitoban.

**Mrs. Driedger:** Mr. Speaker, the minister really missed the boat. They've only added 330 beds, and there's no shovels in the ground for the next beds that she's talking about. It's unconscionable that they only added that many beds in 16 years.

And, Mr. Speaker, at least three times the Auditor General has slammed this government for its failure to forecast growth in the senior population and the need for PCH beds. To make matters worse, the Auditor General just slammed them for their mismanagement of the home-care system. And it is seniors who are going to pay a dear price for the failings of this government.

So I want to ask the minister: Why are they doling out money for a football stadium but they can't find any for desperately needed PCH beds?

**Ms. Blady:** I'd like to thank the member for the question.

I believe there might have been a misunderstanding. I'd mentioned that we had bringing in over 300 new beds, but we've added over 1,000 already of PCH—over 1,000 PCH and supportive housing beds, expanded home care to meet the needs of the growing number of seniors.

There are 125 licensed PCHs in Manitoba, six more than in 1999. We've also gone from just 69 supportive housing units in the whole province in 1999 to over 700 today. That's more than a tenfold increase.

We are looking after Manitobans and we will continue to make those investments.

**Mrs. Driedger:** Mr. Speaker, this is a bed crisis—this is a bed crisis.

The Manitoba Centre for Health Policy says we need more than 5,100 PCH beds by 2036. That means 250 beds must be added every year for the next 21 years. This is a catastrophe in the making, and it is going to fail old, frail, vulnerable people.

Yet this government can lend out \$35 million to the football stadium, but they can't even put shovels in the ground to add more PCH beds.

Mr. Speaker, why have they prioritized a loan to the IGF field and not to building more seniors' beds? There's no shovels in the ground.

**Ms. Blady:** Mr. Speaker, maybe the member opposite should go join her colleague in Morden-Winkler to see the shovels that are in the ground at Tabor Home in Morden-Winkler.

In 2011, we announced the new long-term care strategy, with \$200 million to build more—100 more personal-care-home beds. There are more home care to support seniors.

And I think the member opposite should watch her commentary considering that in a Free Press editorial by Dr. Adrian Fine, he called the health-care policies of the PC government of the 1990s dishonest and stupid.

I will read you the full quote: Several years ago, when ERs were overflowing, the government decided to close many acute medical beds in the city and at the same time to considerably expand PCH beds, the latter part an election promise. But guess what? After the election they cancelled the PCH development but maintained the cut in acute medical beds as well. This dishonest and stupid—

**Mr. Speaker:** Order, please. The honourable minister's time on this question has elapsed.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order, please. The honourable member for River East has the floor.

### **Social Housing Units Applicant Wait Times**

**Mrs. Bonnie Mitchelson (River East):** Thank you very much, Mr. Speaker.

Waiting lists for public housing indicate that demand for publicly subsidized housing far outweighs the supply. In 2004, Manitoba Housing had 400 applicants on the wait-list. By 2015, the number has ballooned to 3,000 under this NDP government's watch.

I'd like to ask the minister responsible for Manitoba Housing how many Manitobans could've been removed from the wait-list for public housing with a \$35-million investment in housing rather than the boondoggle that they created at the Winnipeg stadium.

**Hon. Mohinder Saran (Minister of Housing and Community Development):** First of all, I thank the member for asking that question. I thought I am being left out, possibly I was thinking to take them to human rights, then I thought, no, they are just trusting me, that's why they're not asking me any questions.

But also I think I would correct the member, like, that \$35 million is just a loan guarantee; it's not

total loan as being paid out. I think they should be clear about that.

We had 1,500 and 1,500 social housing and affordable housing. *[interjection]* Yes. We also have started 500 and 500 of social and affordable housing.

**Mr. Speaker:** Order, please. The honourable minister's time on this question has elapsed.

**Mrs. Mitchelson:** But I don't think the whole issue of people looking for affordable housing is a laughable issue, Mr. Speaker, something that the NDP should be very careful about.

Mr. Speaker, they're tired. Manitobans are tired of the same old NDP broken promises. Manitoba Housing won't tell—the NDP government won't tell emergency shelters how many social housing units are available and how many Manitobans are on the wait-list for housing.

I'd like to ask the minister for a serious answer, Mr. Speaker, and to tell those that are homeless in our province of Manitoba, how many of them could've been moved out of emergency shelters with the \$35 million that was spent to repair the mismanagement and the cover-up at the stadium.

**Mr. Speaker:** Order, please. The honourable member's time for this question has elapsed.

**Mr. Saran:** I think the honourable member does not understand that we need to develop the economy. We need to develop the city so we can be proud of her *[inaudible]*

But on the other hand, she should understand, like, by cutting \$500 million, how we will create that housing? You cannot have both ways, but we are trying to manage it as much as possible and also keep the—fiscally be responsible. Does she want us just to cut 5 million—\$500 million out of the budget and then still—keep the promise?

I think you cannot take both ways. You have to invest money, so if you buy a house today that will create equity, but—

**Mr. Speaker:** Order, please. The honourable minister's time on this question has elapsed.

**Mrs. Mitchelson:** Rental costs in Winnipeg have increased by 65 per cent since the NDP took office. A two-bedroom apartment that once cost a family \$600 a month is now \$1,000 a month. The shortage of decent low-income rental housing is driving up rates in Manitoba, and Manitobans are paying the price.

I'd like to ask the Minister responsible for Housing: How many Manitobans struggling to afford their rents could have been helped with the \$35 million that had to be put into an arena that was built two years ago—a stadium that was built two years ago that is falling apart as a result of the incompetence and mismanagement of this government?

**Mr. Saran:** The member should know our NDP government has provided over \$54 million since 2009, having developed 220 more dedicated permanent housing units with supports for vulnerable population, as well as 156 transitional or emergency units room that address the needs of youth, the homeless and individuals with mental health issues.

\* (14:20)

Again, I would like to explain, you—either you can rent the house and you can be comfortable or you can have house, pay a little bit higher payment, and later on you can have a better footing. So that's—we are trying to buy the house and the opposition just wants to rent the house.

#### **Family Violence Prevention Support for Bill Request**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, family violence continues to cause great damage and to destroy lives in our province. It is vital for the well-being of all Manitobans that interpersonal and family violence be addressed in a way that will lead to effective prevention and to substantial decreases in such devastating violence in our province.

Will the NDP support the Manitoba Liberal bill, The Prevention of Interpersonal and Family Violence Through Education Act, to ensure our school curriculum directly deals with family dynamics, the origins of interpersonal and family violence and their prevention?

**Hon. Greg Selinger (Premier):** Mr. Speaker, we are already doing that.

I was hoping the member would be aware that it starts with the PAX program in grade 1, which teaches interpersonal skills to young people, how to manage their emotions, how to interact with other people respectfully and resolve conflicts respectfully regardless of their background or their gender or their orientation. That's the program that we're rolling out in the schools.

It builds on top of two other programs called roots to empathy and Seeds of Empathy, where

young people learn how to relate to a baby or an infant and how to read and understand their emotions and be able to respond to those in a constructive fashion. And I know personally of young moms that are taking their children to the school and the students are interacting with the child and the mother and learning and understanding all of those important communication skills through the Roots of Empathy program.

It also includes our antibullying legislation, Mr. Speaker, antibullying legislation where the many of the leaders on that legislation are the students themselves—where the many of the leaders are the students themselves, along with teachers, and it only bears underlining that the opposition voted against that legislation.

**Mr. Gerrard:** Mr. Speaker, the Premier's initiative is not directly addressing family violence, and the initiative that he brought forward yesterday will reach 100 schools in three years; it would take more than 25 years to reach all the schools in Manitoba. The initiative complements the bill we bring forward but wouldn't replace it.

Sadly, under this NDP government, family violence is so common in our province that we have per capita one and a half times more family violence than the Canadian average. As this chart I table shows, we have one of the highest rates of family violence in all of Canada.

After 16 years with such a horrific amount of family violence in our province, will the NDP government now support the Manitoba Liberals' useful and helpful initiative to ensure improved education in this area for all Manitoba children?

**Mr. Selinger:** Mr. Speaker, again, I want to inform the member opposite that the PAX program which starts in grade 1 is already in 200 schools and 50 more have been added in 2015 and 2016, and that requires resources. The member opposite persistently and consistently votes against it.

He now claims to want to have the high ground on family violence. If he wanted to prevent family violence along with us over the last 16 years, he would have voted for our budgets which had those programs in it. He would have voted for early childhood development programs and the home visiting programs. He would have supported the Roots of Empathy program; he would have supported the Seeds of Empathy programs and

he would have—*[interjection]*—youth centres, other points.

And yesterday we announced with the Winnipeg Blue Bombers the breaking the silence program, the second version of it, not something that's new but something that's been retooled to take it to a higher level that has a strong public education component to it. It also has education right in the schools.

So we agree with the member. This is an important issue. I only ask that he votes his conscience and votes for the budget.

**Mr. Gerrard:** Mr. Speaker, the Premier has all sorts of piecemeal and mishmash programs, but they don't add up to a systematic approach to family violence, which is what we need.

Family violence and addressing it is one of the most important issues we have today, and it is reasonable and responsible to include this measure fully in legislation.

With studies, which I table, showing that the NDP policies to date have had little impact to reduce family violence in our province, will the NDP now decide responsibly to give strong support to the Manitoba Liberal initiative to sure—ensure that education to understand, prevent and reduce interpersonal and family violence is provided to students all over Manitoba?

**Mr. Selinger:** Mr. Speaker, the PAX program and the other early childhood development programs that we have are also uniquely accompanied by very thorough and solid research which is showing very good results, and the member knows that. So for him to pretend that nothing has been going on really isn't very helpful to addressing this issue.

We've got it in over 200 schools; that's not piecemeal. We've added 50 schools; that's not piecemeal. The Lighthouses programs are not piecemeal. The home visiting programs for young families are not piecemeal. None of those initiatives are piecemeal.

The breaking the silence initiative is a very positive initiative, and I want to commend the Winnipeg Blue Bombers for supporting that ever since 2012 and being willing to put their time and effort into visiting schools as well as doing public education announcements that support that. Those role models make a big difference for young people.

We also work with the True North Foundation on mental health initiatives, and in this budget we've

added another \$2 million to deal with mental health initiatives. I visited a school, Mr. Speaker, a forum for mental health issues where kids from all over Winnipeg were working on mental health issues.

I say to the member opposite, if he's serious about this issue, vote for the budget where we have the resources.

### **Support for Women in Trades Teacher Education Diploma**

**Ms. Amanda Lathlin (The Pas):** When I think about my daughters, I know that I want the world to be open to them and for them to know that they can do anything that they desire.

We need to ensure woman not only hear about opportunities available to them, but they need to see it. One of the ways is to ensure that women are seen as leaders that have the potential to take on any role, is to show them others who are doing just that.

Mr. Speaker, can the Minister of Jobs and Economy tell me about today's announcement and the program that is removing barriers to women and putting them in front of the classroom to ensure our next generation knows that every door is open to them?

**Hon. Kevin Chief (Minister of Jobs and the Economy):** We know that if we want our economy to continue to do well, we need women in the trades to do well.

I was proud to join Paul Vogt; Rebecca, who's a Red Seal chef; Aubrey, a journeyperson carpenter. And they told us we can't tell women that they can get jobs in the trades; we got to be able to show them. We're putting Rebecca and Aubrey at the front of our classrooms to be our instructors, to be our ambassadors and to be our role models so we can send a strong message that's loud and clear to all young women that we're giving them a tap on the shoulder that in Manitoba, there is no job you can't get.

Thank you.

### **Autism Support Programs Wait Times for Treatment**

**Mrs. Leanne Rowat (Riding Mountain):** Just before the 2011 election, initiatives were being announced by this NDP government. One of them was the football stadium, a project we now know that was mismanaged and now requires \$35.3 million in repairs.

Another initiative was to support Manitoba children with autism. They were promising families with timely diagnosis, and access to treatment was going to be quick. Mismanagement by this government, Manitobans now face the longest wait times ever for autism treatment, with hundreds of children aging out of the school-age program.

Mr. Speaker, despite the pleas of many families to this minister, the government appears to be more interested in subsidizing the football stadium repairs at a tune of \$35.3 million rather than help these vulnerable children who are looking for an out—

**Mr. Speaker:** Order, please. The honourable member's time has elapsed on this question.

**Hon. Kerri Irvin-Ross (Minister of Family Services):** I can tell the House today that since 1999 we have increased the funding for people with—for children with autism and their families by 800 per cent. That is significant.

And with those funding increases, we've been able to expand a continuum of services: diagnosis, early learning and early intervention and going to the school age and also up to 21 and looking at what happens after 21 with employment programs such as Transforming Futures, a partnership with Red River College.

We continue to work with families; we continue to make those investments.

We are not going to cut like the members opposite when they talk about \$550 million worth of cuts. That would be similar to what other jurisdictions are doing around ASD.

\* (14:30)

**Mr. Speaker:** Time for oral questions has expired.

### **Speaker's Ruling**

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

Order, please.

Immediately following the prayer on October 20th, 2015, the honourable member for Steinbach (Mr. Goertzen) raised a matter of privilege regarding the government's lack of disclosure of untendered contracts.

The member claimed that the end result of this lack of disclosure was that members of the Assembly were not able to fulfill their parliamentary duties and, accordingly, their privileges as members were breached individually and collectively. The

honourable member for Steinbach (Mr. Goertzen) concluded his remarks by moving, in quotations, that this matter involving the lack of past and ongoing disclosure of untendered contracts as required under provincial government rules be referred to a standing committee of this House. End of quotations.

I would like to begin by reminding the House that when ruling on privilege, the Speaker deals only with the technical and procedural aspects of the matter and not in any way with the merits of the situation or the allegations. A Speaker's ruling neither condemns nor condones any actions referred to in a matter of privilege.

Moving to the matter raised, as members know, there are two conditions that must be satisfied in order for such a matter to be ruled in order as a prima facie case of privilege: first, was the matter raised at the earliest opportunity, and second, whether a prima facie case of privilege has been established.

The honourable member for Steinbach addressed the issue of timeliness, and I would agree with his sentiment that private members' business is not an ideal time to raise such matters unless the matter raised is related to the private member's business. Accordingly, I am satisfied that the matter was raised at the earliest opportunity, so this condition has been met.

Regarding the second condition on whether a prima facie case of privilege has been established, in his submission on this matter, the member for Steinbach referenced on—April 19th, 1993, ruling from Speaker Fraser on—of the House of Commons, indicating that, in quotations, that of—"the failure to disclose information was, in fact, a prima facie case of privilege." End of quotations. The member was technically correct in his reference; however, a further read of the decision he cites identifies that Speaker Fraser specifically ruled that the failure of the government of the day to table a document as required by statute constituted a prima facie case of privilege.

I must respectfully point out that these are not the same circumstances as the situation described in the matter raised by the member for Steinbach.

In reviewing the procedural authorities and the previous Speakers' rulings, I found no reference advising that the failure to post information on a government computer would constitute a breach of members' privileges. Should the information in

question be required by statute to be tabled in this House, then there may be some scope for privilege.

The member for Steinbach further cited an O'Brien and Bosc reference, indicating that the provision of misleading information could be found to be a prima facie case of privilege. He argued that the lack of disclosure of the information in question on the government computer resulted in a failure to provide information and, in quotations, "and, through omission, provided misleading information." End of quotations.

Returning to Maingot on this point, on page 241, he states that, in quotations, to allege that a member has misled the House is a matter of privilege—it's a matter of order rather than privilege. End of quotations. Maingot also states that, on the same page, that, in quotations, to allege that a member has deliberately misled the House is also a matter of order and is indeed unparliamentary. However, deliberately misleading statements may be treated as contempt. End of quotations.

Speaker Phillips' ruling on August 21st, 1986, that a member raising a matter of privilege which charges that another member has deliberately misled the House or a committee must support his or her charge with proof of intent. This same standard of proof has been applied in numerous rulings from Speakers Rocan, Dacquay and Hickes.

In his submission on this matter, the member for Steinbach did not supply proof that any member of the government had intentionally set out to deliberately mislead the House.

The member also stated in his submission that the failure to disclose untendered contracts was in violation of The Financial Administration Act. On that point, I must remind the House that any such claims would be a matter of law and not procedure, and as I believe all members know, it is not the role of the Speaker to interpret or enforce matters of law.

Maingot again advises on page 180 that whether a matter in the House is constitutional or legal is not for the Chair to decide. The Chair only decides whether we are following our own rules.

This sentiment was supported by a February 5th, 1992, ruling by the House of Commons Speaker Fraser, and again by multiple rulings from Manitoba Speakers Rocan, Dacquay and Hickes.



I do understand that this matter is of serious concern for members and I recognize that the issue of members' access to information has been addressed before in this House.

Usually such concerns have been raised in the context of the release of reports and information outside the House prior to their distribution in the House.

However, in this instance, we are dealing with a case where the information referred to was not intended for release in the House and therefore does not relate directly to the proceedings of this House.

As Joseph Maingot advises on page 222 of the second edition of *Parliamentary Privilege in Canada*, in order for a breach of privilege to have occurred, the activity in question must involve a proceeding of Parliament, that is, the breach must have occurred in the House or in a committee.

This concept is supported by rulings from Speaker Rocan in 1988 and 1991, by rulings from Speaker Hickes in 2003 and 2008 and by rulings that I delivered in this House in 2013 on May 13th, May 21st and August 27th.

As I explained in my 2013 rulings, activities such as debate in the Chamber do constitute a proceeding of—in Parliament, while events taking place outside of the Chamber do not fall within that purview. I must indicate that attempting to access research materials in the Legislative Library does not constitute a proceeding of Parliament.

Based on these procedural references and the Speakers' rulings, and with the greatest of respect, I must rule that the *prima facie* case of privilege has not been established in this case.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Mr. Speaker, with respect, I challenge the ruling.

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

#### Voice Vote

**Mr. Speaker:** All those in favour of sustaining the ruling of the Chair, please indicate by saying aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed to the ruling, please indicate by saying nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** Opinion of the Chair, the Ayes have it.

#### Recorded Vote

**Mr. Goertzen:** Recorded vote, Mr. Speaker.

**Mr. Speaker:** Recorded vote having been requested, call in the members.

Order, please. The question before the House is: Shall the ruling of the Chair be sustained?

#### Division

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

#### Yeas

*Allum, Altemeyer, Blady, Caldwell, Chief, Chomiak, Crothers, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Robinson, Saran, Selinger, Swan, Wight.*

#### Nays

*Briese, Cullen, Driedger, Eichler, Ewasko, Gerrard, Goertzen, Graydon, Helwer, Martin, Mitchelson, Pedersen, Pivniuk, Rowat, Schuler, Smook, Stefanson, Wishart.*

**Clerk (Ms. Patricia Chaychuk):** Yeas 26, Nays 18.

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

#### PETITIONS

**Mr. Speaker:** We will now move on to petitions.

#### Provincial Trunk Highway 206 and Cedar Avenue in Oakbank—Pedestrian Safety

**Mr. Ron Schuler (St. Paul):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) Every day, hundreds of Manitoba children walk to school in Oakbank and must cross PTH 206 at the intersection with Cedar Avenue.

(2) There have been many dangerous incidents where drivers use the right shoulder to pass vehicles that have stopped at the traffic light waiting to turn left at this intersection.

(3) Law enforcement officials have identified this intersection as a hot spot of concern for the

safety of schoolchildren, drivers and emergency responders.

We petition the Legislative Assembly of Manitoba as follows:

To urge that the provincial government improve the safety at the pedestrian corridor at the intersection of PTH 206 and Cedar Avenue in Oakbank by considering such steps as highlighting pavement markings to better indicate the location of the shoulders and crosswalk, as well as installing a lighted crosswalk structure.

This is signed by M. Stroud, J. McLean, M. Gurthan and many, many other fine Manitobans.

\* (14:50)

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

**Proposed Lac du Bonnet Marina—  
Request for Research into Benefits and Costs**

**Mr. Wayne Ewasko (Lac du Bonnet):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) Lac du Bonnet is a recreational area with great natural beauty.

(2) The Winnipeg River is one of the greatest distinguishing cultural and recreational resources in that area.

(3) Manitoba marinas increase recreational access and increase the desirability of properties in their host communities.

(4) The people of Lac du Bonnet overwhelmingly support a public harbourfront marina in Lac du Bonnet.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider collaborating with other levels of government to research the economic benefits and construction costs of a marina in Lac du Bonnet.

This petition is signed by R. Bannatyne, D. Farebrother, R. Laforte and many, many more fine Manitobans, Mr. Speaker.

**Minnesota-Manitoba Transmission  
Line Route—Information Request**

**Mr. Dennis Smook (La Verendrye):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The Minnesota-Manitoba transmission line is a 500-kilovolt alternating-current transmission line set to be located in southeastern Manitoba that will cross into the US south of Piney, Manitoba.

(2) The line has an in-service date of 2020 and will run approximately 150 kilometres with tower heights expected to reach between 40 and 60 metres and be located every four to five hundred metres.

(3) The preferred route designated for the line will see hydro towers come in close proximity to the community of La Broquerie and many other communities in Manitoba's southeast rather than an alternative route that was also considered.

(4) The alternative route would have seen the line run further east, avoid densely populated areas and eventually terminate at the same spot at the US border.

(5) The Progressive Conservative caucus has repeatedly asked for information about the routing of the line and its proximity to densely populated areas and has yet to receive any response.

(6) Landowners across Manitoba are concerned about the impact hydro line routing could have on land values.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba transmission line, including whether or not this routing represented the least intrusive option to the residents of Taché, Springfield, Ste. Anne, Stuartburn, Piney and La Broquerie.

This petition is signed by C. Poiron, D. Vandal, A. Poiron and many more fine Manitobans.

**Mr. Speaker:** Any further petitions?

Seeing none, we'll move on to grievances.

**ORDERS OF THE DAY****GOVERNMENT BUSINESS**

**Mr. Speaker:** Seeing no grievances, orders of the day, government business.

**Hon. Dave Chomiak (Government House Leader):** Under orders of the day, Mr. Speaker, we'd like to turn to the Opposition Day motion.

**OPPOSITION DAY MOTION**

**Mr. Speaker:** We'll now proceed to call the Opposition Day motion.

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for Tuxedo (Mrs. Stefanson), that the Legislative Assembly of Manitoba condemn the provincial government's actions in repeatedly violating procurement rules in awarding untendered contracts, as highlighted in the March 2014 report from the Auditor General of Manitoba, including announcing a \$5-million contract for floodfighting equipment without tender and without Treasury Board approval on July 25th, 2014.

***Motion presented.***

**Mr. Goertzen:** This motion is as much about Manitoba taxpayers and their dollars as it is about anything. It is about more than that, of course, Mr. Speaker. It does also involve the proper operation of government, the proper following of rules that are established in law and in procurement rules. But, fundamentally and at its heart, it is about protecting the taxpayers and their dollars in Manitoba, because when we, as legislators and as government, goes and looks for items, whether those are services or whether those are goods, the expectation of Manitobans is that we're going to get the best value for their dollar. Whether that's in terms of the product or in terms of the service, I think if you would go and you would ask Manitobans today what their expectation is when it comes to buying those services or those products, they would say to us, unanimously, that you need to get the best price for the best product that you can get.

And that is what a tender is all about. A tender, which is a word that we use frequently here but it's probably used less frequently in the public, Mr. Speaker, allows anyone who provides a particular service that a government is looking for or a particular good, to come forward and say, after reading the criteria of that tender, to come forward and say, I can provide this service or this good; I can

do it in this time frame; I can do it in this manner and I can do it for this dollar figure. And, in a system where there are multiple bids, what that ensures is that a government is able to ensure that the lowest price for the best product is actually selected. We call it in government a tender, but maybe the more common phrase would be competition. That is what competition does; it ensures that individuals are getting the best value for their dollar.

Now, what we have seen over the last number of years is that this government has continually and aggressively gone more to untendered contracts, Mr. Speaker—no competition, and, as a result, there's been no assurance that Manitobans are actually getting the best value for their dollar, that our tax dollars, those precious tax dollars that Manitobans provide us to use with good stewardship, aren't necessarily being used as appropriately as they should be.

A tender does something else. It's also both in law and in when you look at the history of tenders and why tenders are used in government; they help to prevent a conflict of interest, Mr. Speaker. They help to prevent not only a real conflict of interest, but the perception of a conflict of interest, because when government awards an untendered contract, sometimes called a sole-source contract, there can be the allegation, certainly, that the contract has been provided for some reason other than it provided the best product at the best price. There's no assurance, there's no way to determine whether or not something is being provided for the best value and for the best product because it hasn't been tested by a competition through that tender.

And so that is obviously one of the concerns that we have with the government aggressively going to more untendered contracts, Mr. Speaker, not only that there's no assurance that we're getting value for the dollar, but that there is certainly a very real chance that conflicts can be provided and conflicts can be happening when contracts are given out in untendered or a sole-source basis. And that was the subject, essentially, of the Auditor General's report. The Auditor General, when they looked at a certain period of time and at certain contracts, saw that this was happening more and more, and not only were there more untendered contracts happening, they weren't being done properly in terms of how they were being approved.

Untendered contracts of certain values have to have certain approval levels, Mr. Speaker, whether

that be at the deputy minister level, whether that be at the level of the minister, or whether that be at the level of Treasury Board. For different values of untendered contracts there have to be approvals at these various checkpoints, and they are there, essentially, to provide a check and a balance.

But that wasn't happening in many of the cases that the Auditor General looked at, Mr. Speaker, and, in fact, it is one of the stated reasons why the five former members of Cabinet, of the NDP Cabinet under the stewardship of this particular Premier (Mr. Selinger), left government, left Cabinet. It is stated that they left Cabinet because a particular contract that was being advocated, an untendered contract was being advocated by the Minister of Infrastructure didn't receive the proper authority, didn't receive the proper approval at Treasury Board. And so it's been reported that this was one of the reasons, although I suspect there may have been more, that they decided to leave Cabinet. That's no small decision, and nobody on our side of the House has ever said that those ministers left without thoroughly considering their options or that they left in haste. I'm sure that that decision wasn't made on the spur of the moment. I'm sure that it wasn't made overnight. I'm sure that lots of thought and deliberation went into that decision.

\* (15:00)

And that shows—and I use that as the example, because it shows how serious this is, Mr. Speaker. It shows how serious the issue of not tendering a contract truly is and not having the proper approval levels and possibly having that conflict.

And those are all issues that were raised in the matter of the Tiger Dams, Mr. Speaker. We know that Tiger Dam contracts have been awarded numerous times by this government, but only once was there ever a tender issued for floodfighting equipment, and then it wasn't actually Tiger Dams that won the contract; it was another company called AquaDam.

Now, the Auditor General, when they looked, Mr. Speaker, at the different contracts that have gone untendered, they found that there wasn't really documentation behind those contracts that showed whether or not they were value for money. There is supposed to be some sort of indication that it was values for the dollars.

Not only that, Mr. Speaker, but on an issue that you've ruled on in a different context, there wasn't

proper disclosure. The reason that untendered contracts are supposed to be disclosed on a regular basis is because it's supposed to be that last check. If it's already gone through the approval level, depending on the value of the contract, whether that's the deputy minister or the minister of Treasury Board, then the disclosure allows the public to be able to be that final check, that final 'arbitar,' about whether or not there's been value for money. And that wasn't being done properly either, according to the Auditor General.

That disclosure wasn't in happening in the way that it's supposed to be happening.

So all of this, of course, Mr. Speaker, leads to serious problems and serious concerns. There wasn't proper disclosure of the contracts. They weren't properly approved at the level that they were supposed to be approved at for an untendered contract.

There are questions, very serious and I think significant questions about potential conflict of interest. There are also questions about why there wasn't documentation that backed up whether or not these particular untendered contracts were the best value for money. And, when we've asked the government for more information to try to clear this matter up, what we get, to their credit, are hundreds and hundreds of documents, but they're all blacked out. So, they stand up in the House and they say well, we provided you with hundreds of documents, but none of them say anything, Mr. Speaker, because they have big black markers through all of the text. So, that really isn't disclosure of any sort that the public would expect.

Now, I know that this is going to be a difficult vote for some members opposite, and I think that those members in particular that decided to leave Cabinet, Mr. Speaker, will have to search their own conscience and make a decision if they truly decided to leave Cabinet, because this issue was so significant to them and they truly decided to leave their caucus and for sometimes it is almost quasi-independence. This is a vote that's going to test that conscience.

I know that there are other members of the government and, you know, in private conversations that you hear, who will also feel similarly conflicted, Mr. Speaker, and who'll have to test their conscience as well in terms of this particular vote. And I would ask them to do that, because this is a file that'll continue to be exposed, it'll be continued to be other

pieces of information that are going to come forward. And who knows where this ultimately is going to lead up to?

But, when members opposite look back and how they decided to vote on this particular issue, they're going to have to be held accountable for this vote with the full knowledge that they've been warned, in a sense, Mr. Speaker, about the challenges on this file and where this could be going.

So I know that the members who left Cabinet will be taking it as a serious issue, but I know that there are other members in that caucus who also have very, very serious concerns about this issue and where it's gone. But now is the time for them to not only express those concerns privately, Mr. Speaker, but to publicly—to publicly—stand up and to show that they had concerns on this issue. And I look forward to seeing their vote and seeing whether or not their vote actually matches their words.

Thank you very much.

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I actually was looking forward to this resolution today. And I was looking forward to it, Mr. Speaker, because I thought it would be an excellent opportunity for the Leader of the Opposition and other members opposite to actually stand in their place in this House and clearly put on the record that they have put forward a series of unfounded, reckless accusations that have all been proven to be false.

I'll start with, Mr. Speaker, what members made accusations of. There was accusations of a conflict of interest. I was actually asked by the member for Morden-Winkler (Mr. Friesen) if I had contacted the Conflict of Interest Commissioner. The Leader of the Opposition made reference to a conflict of interest as well.

What was interesting, Mr. Speaker, is I actually did go to the commissioner. I went, as is—the ability under the legislation. I didn't just ask for a verbal ruling, I went specifically to the Conflict of Interest Commissioner and asked for a specific ruling on whether there was a conflict of interest involved. And their basic accusation was it was related to a campaign contribution.

Mr. Speaker, I not only went—I got that ruling, I filed it with the Clerk's office, and it is public knowledge. There was no conflict of interest. And I look forward to members opposite, starting with the

Leader of the Opposition, putting on the record that they were wrong in suggesting it.

Mr. Speaker, I point out that the Leader of the Opposition takes reckless hyperbole, I think, to a level that I think is unheard of in, certainly in this Chamber, and in terms of Canadian politics. He made accusations in this House about kickbacks. And, again, I point out, with no evidence under the protection of parliamentary privilege in this House, the Leader of the Opposition put forward those accusations. Wrong. And, again, the Leader of the Opposition could have and should have withdrawn those comments.

I know, Mr. Speaker, that they started asking questions based on the suggestion that there was an untendered contract for \$5 million worth of flood equipment. And they've somewhat shifted their wording a little bit now. I wonder why?

I'd point out that, in fact, there was no untendered contract. Mr. Speaker. The \$5-million flood equipment for First Nations went to tender, and no contract has been awarded. The only contract that's been awarded in terms of flood equipment, the \$5 million, was awarded by the federal government. So, again, they had the opportunity today to put on the record that their accusations were again incorrect.

And I thought what was beyond the pale today was the Leader of the Opposition, Mr. Speaker, who conveniently is unable to be accountable for his comments, who went and made it look like somehow the RCMP had initiated an investigation into this matter, and I do know there is an investigation apparently being done by the federal government. I know Shelly Glover—we will all remember her—she stated that. It's in the Free Press.

But, Mr. Speaker, what was interesting is he, you know, and I won't get into all of the hyperbole from the Leader of the Opposition, but an RCMP statement said, we can tell you that we were contacted by officials from the PC Party. And it was during this meeting that we were provided with information that we are currently reviewing. In other words, it was the PC Party that went to the RCMP, not the RCMP that went to the PC Party.

And I want to put on the record that when it comes to ethics, I take the ethics that we all have to withhold seriously, Mr. Speaker. And I will be accountable in my place, as I have, in government and in opposition. That's what the parliamentary system is all about.

But there's another aspect too. And this is directly addressed through you, Mr. Speaker, to the Leader of the Opposition. One of the fundamental principles of Parliament is, when you bring something forward, you back it up and you know what you're talking about.

Mr. Speaker, the Leader of the Opposition had a press conference today and tried to, you know, to create this image with the RCMP. What was interesting, the media actually asked him, what wrongdoing was he alleging? And the answer was, well, there was no answer. *[interjection]* Well, the member opposite says it's not true. The bottom line is that he would not do that. And I wonder why.

He made accusations before about kickbacks, Mr. Speaker, which if he'd made those accusations out of the protection of this Chamber, he would have been subject to legal action. Probably not from myself, because I figure, when you're in politics, you fight it out in the court of public opinion.

\*(15:10)

Mr. Speaker, no kickback. There was no conflict of interest. And as for investigations, right now, I want to point out that the Ombudsman, another independent office of the Legislature, did look at this matter in November and decided at that time not to proceed further. But the Ombudsman, again, an independent officer of the Legislature, has indicated that he will be looking—and they are looking at this matter. I welcome that, just as I did when I welcomed the opinion from the Conflict of Interest Commissioner.

I point out, too, that members opposite were talking about FIPPA, freedom of information requests. Those requests are done under the law, Mr. Speaker. The exemptions are in place, are actually interpreted by officials, by civil servants. If members opposite actually have a disagreement with something that was considered out of scope or for some other reason is not included, they can go to the Ombudsman. They can appeal it. That's the way the system works.

But, Mr. Speaker, I suspect that the real agenda opposite is very apparent, and it's very apparent even from the comments from the member from Steinbach. It's all politics all of the time, because it really was about ethics: No. 1, you back up what you say and you put it on the public record, and you say the same thing outside of this House that you say in

the House when you're protected by parliamentary privilege.

And I want to stress, Mr. Speaker, I understand why members opposite would want to distract from what we have done in terms of flood protection and flood mitigation in this province. We've dealt with three major floods, and unlike the Leader of the Opposition, I didn't quit as EMO minister going into a major flood and I didn't quit provincial politics during a flood. And I know that he likes to run around this province. He goes around, the Interlake, oh, we can build this permanent channel in a year. He goes around making all sorts of promises to people that he knows he can't keep.

But, you know, putting that aside, the bottom line is: we went to bat for Manitobans. We put in place an emergency outlet. And, yes, Mr. Speaker, we purchased flood equipment from numerous providers—yes, including Tiger Dams and including Aqua Dams and including HESCO Barriers and including sandbags. And, by the way, I note that when we bought sandbag machines going into the major flood in 2011, what did they say? They said we were exaggerating the flood. They criticized us for it. Those sandbags, when the flood hit, were working around the clock protecting Manitobans.

And I want to stress to members opposite that, you know, they may want to try and revisit things from a year ago in terms of our caucus. They may want to distract, Mr. Speaker, from their record in terms of this. But, you know what, politics is one thing, but when you make the kind of accusations that the Leader of the Opposition has made, that goes beyond politics. Those kinds of reckless attacks, not just on me, but on individuals that can't defend themselves other than through legal action.

I want to suggest, Mr. Speaker, I want to put on the record that the Leader of the Opposition in a few months is going to be asking Manitobans to give him the keys to run this province. My suggestion to Manitobans is you want to probably check out the Leader of the Opposition a bit more. And, apart from being a quitter who, clearly, doesn't want to be accountable for his statements in this House, there's one other word that applies; it's called reckless.

Mr. Speaker, we've seen it on this matter; we see it time and time again. This is somebody—the Minister of Housing pointed out earlier today in question period, will come out before an election and says, oh, we're going to get greater efficiencies by cutting \$550 million from the budget. We've been

through it there and done that, and I want to put on the record that Canadians just voted out the Stephen Harper government, the last thing we need is a Stephen Harper government led by the Leader of the Opposition in Manitoba. That would be reckless.

So, Mr. Speaker, I want to put on the record that I will be accountable. We will be accountable on this side. But I said earlier to the Leader of the Opposition, he's gone beyond the pale. It's about time he apologized for the inaccurate scurrilous information he put on the record and let's back to debating the real politics in this province: the choice between a positive, progressive NDP agenda and a Stephen Harper clone party across the way.

**Mr. Ron Schuler (St. Paul):** This afternoon we have the opportunity to speak to a motion brought forward on NDP abusing the use of untendered contracts.

Instead, what we had was a very sad speech given to this Chamber by the member for Thompson (Mr. Ashton) where you could actually put it under the term he's been using, the Richard Nixon defence: I am not guilty. And what we heard was a member spending 10 minutes of this Legislature's time trying to defend himself on how he's not guilty.

But, Mr. Speaker, if you want to go back to where all this started, you can go back, for instance, to the annual—to the Attorney General's report, which talked about untendered contracts. Now, the minister had the opportunity, had the right, to come to committee. He could've heard the discussions that took place. He could've found out what the Attorney General had to say about untendered contracts, and it wasn't about a untendered contract, it was about multiple untendered contracts.

In fact, the minister talked about not resigning, and he is actually one of the last ministers to have resigned from Cabinet to try to further his career, and the reason why he had to resign was, previous to that, in and around this time frame, a whole bunch of his caucus colleagues resigned from Cabinet because of untendered contracts. The very thing that then he resigned for so he could run for leader is the reason why all—five of his caucus or Cabinet colleagues had resigned from Cabinet.

Mr. Speaker, there were all kinds of untendered contracts. There was all kinds of information, and if the member were to come clean, (a) he would say to his Premier, how about releasing all of those documents, un-redacted. Yesterday, with great

fanfare the member for St. Boniface (Mr. Selinger), the Premier of Manitoba, got up and presented hundreds and hundreds of redacted pages, somehow showing his openness. His openness is in tabling redacted pages. There were multiple pages where there was nothing on the page but black.

Mr. Speaker, we've seen a lot of documents that are released that take off a person's name, that might take off a person's address, that might take out their position, that may take out a sentence, might even take out a paragraph. What the Premier (Mr. Selinger) presented were documents where the entire page was redacted, page after page after page.

If the member for Thompson was going to try to lecture this House on anything, the first thing he would do is lecture his Premier about openness and about transparency, and he would table the pages unredacted because one of the things that's going to happen, and, yes, the—Mr. Speaker, the RCMP—it's the Commercial Crime unit is doing a probe. They're looking into it. They want to see what's going on.

And today, when asked about it, the Premier of Manitoba said very clearly that they can, through freedom of information, ask for documents, and if they don't like the fact that they're getting redacted documents, they can then apply to the Ombudsman. And what's interesting, what they're trying to do as a government is push all this to some later time, hopefully, in their case, they hope that'll come after an election. That's what they're trying to do is push this to a later date, that nobody gets the facts.

If they had nothing to hide, if they had nothing to fear, if there were no worries on that side of the House they would have re-tabled all 300 documents that the Premier so proudly tabled yesterday, completely unredacted. The Premier would've gotten up today when he was asked by the member for Steinbach (Mr. Goertzen), who repeatedly and clearly and concisely asked, will you supply the documents un-redacted, the Premier could've gotten up and said, yes, the documents that were tabled yesterday, I will table unredacted.

The Premier could've said, I fear nothing. And instead he went and he talked about that you could try to access them by FIPPA, and if you didn't like the results you could appeal the results and you could appeal them to someone else and appeal them somewhere else, and the issue, then, is that it is often what it looks like.

In fact, it was former Premier Gary Doer, if members can remember, he used to have a saying. He said, you know, if it looks like a duck and it walks like a duck and it quacks like a duck, then it's a duck, Mr. Speaker.

\* (15:20)

And if this looks bad, and the Premier (Mr. Selinger) can't come forward with honest and open unredacted documents, then it actually looks bad. It does not pass the smell test because if the Premier was really not concerned—in fact, the member for Thompson (Mr. Ashton), who basically gave us a 10-minute spiel about how he is innocent of all charges instead of telling us that he is prepared to put forward all documents un-redacted, if the case that they are trying to make is that there's nothing to hide, then they would just release the documents.

And, Mr. Speaker, I would like to refer members one more time that when the Auditor General had a look at the government books, found out departments of government that are required by the government purchasing act to tender contracts for all goods and services valued of \$2,500, this current government demonstrated a propensity to increasingly utilize sole-source contracting, even in comparison to the years under Premier Gary Doer.

There were 1,205 sole-sourced contracts during the time that the member for St. Boniface was Premier. The entire time the data was not reported and it took an Auditor General to come in and have a look at it. And we said at committee it is very unfortunate that we've come to this point. It's unfortunate that, although it is still only a probe, that the RCMP are not involved and—it doesn't look good for the people of Manitoba, it doesn't look good for the government of Manitoba, it doesn't look good for the members of this Assembly when the RCMP start poking into the affairs of government.

A year ago, there was an election in Ukraine. And I amongst many Canadians were in the Ukraine at this point in time, and what we were doing is trying to see to it that a good sound stable government would be provided for Ukraine. And one of the things that was always mentioned there is that there seems to be a real issue with corruption in Ukraine and, Mr. Speaker, now we have the RCMP doing a probe into what's going on here in Manitoba, and how sad is that.

And a lot of this could have been allayed. A lot of this could have been prevented. There was no

need for this if the Premier would have—yesterday—have gotten up and just tabled the document. And we see it increasingly—we see it increasingly—where the government simply will not present the information that's been asked for.

We've seen it from independent officers of this Legislature; we've seen it from individuals outside of this Legislature or asking for information; we see it now from—when opposition members and the opposition asks for documents, they're not getting their information that's requested. In fact, the Premier (Mr. Selinger) then stands up and proudly proclaims: Here is all the information you asked for, and it's all redacted.

And, Mr. Speaker, I would suggest to this House that there is a problem with the NDP abusing the use of untendered contracts. They have been caught at it red-handed; they should just stand up and come clean on it. They are going to have the opportunity next to put some words on the record, and we would like to hear them come forward in an honest fashion and present the documents un-redacted and let Manitobans know what's been going on these last few years.

Thank you, Mr. Speaker.

**Hon. James Allum (Minister of Education and Advanced Learning):** Mr. Speaker, my friend across the way seemed to be out—going out of material pretty soon there. He only had a few points to make, but he managed to draw that out for nine minutes. And I'm not sure why he did that, but I also find this kind of amusing.

The Auditor General issued a report on untendered contracts in March 2014, and it's now October 2015. You guys are a little slow to the game—sorry, Mr. Speaker, the opposition is a little slow to the game—little slow to the game when it comes to getting on to material and talking about things.

But, in fact, in the past 18 months we spent a good deal of time improving the system. The Auditor General provided us with a road map for doing that. We listened to her very sound recommendations. We've implemented many of them already, and we will continue to implement them as we go forward. I'm sorry that the opposition members are a little slow in getting to this issue, because we've already passed it and moved way by it. But if we need to go back 18 months and talk about some of this stuff, well, we can do this. But I have to say that this is



clearly an opposition that's not only slow to the game, but they're clearly out of ideas.

We now know, Mr. Speaker, that we have one of the most open and accountable processes in the countries when it comes to disclosing contract information, and the OAG—as I said, the OAG has given us a road map to make it even better. We're making the process for reporting government contracts more effective all the time. We're proactively posting all government contracts over \$10,000 online. This means Manitoba will proactively disclose more information on its contracts than any other province.

We've tabled amendments in BITSA that will make the disclosure process better, quicker and more transparent. I'm sorry that the opposition didn't want to pass the budget in the spring so that we could continue to improve the system, so that we continue to invest in Manitoba, so that we could continue to improve the services to Manitobans. I'm sorry they didn't want to do that. We came to an agreement to put it off for a while, but you know, if they'd just tabled—let us pass the BITSA in the first place, we'd have better disclosures than we already have now. The process would be better; it would be quicker and it would certainly be more transparent.

Now the vast majority of government contract expenditures go through a competitive process, Mr. Speaker. More than 76 per cent of contracts go through a competitive process, and of the remaining contract expenditures, the majority were situations where only one provider was qualified and capable of doing the work.

So let's get the facts on the table: 76 per cent of government contracts go through a competitive process. The vast majority of the situations where there was only—where it was a—where there was a direct tender was in the case where there was only one provider was qualified and capable of doing the work.

For example, and this would be news to the opposition I'm sure, Mr. Speaker, that we all use computer systems now, so when government renews its contracts for the licensing rights to use Microsoft Windows on government computers, we sole-source with Microsoft. That only makes sense.

Another example would be contracts with Bombardier in Montreal. They're the only vendor who can provide parts to service our CL-215 and CL-415 water bomber planes used in fighting forest

fires, Mr. Speaker. They're the only provider of that. And, of course, then in that case—in the case of a forest fire, we're not going to let the forest burn. We're going to go and put the fire out and we're going to use the water bombers that only Bombardier produces.

Other contracts, in the case of those that were sole source or were directly contracted, were simply in the case of emergencies, Mr. Speaker. And that's—it's quite interesting to me is that the opposition members would allow an emergency to happen, allow people to be harmed, perhaps homes to be burned down, perhaps families to be flooded out, and they'd sit on their hands and not do anything. So we, in turn, instead, for example, provide food and supplies for fighting emergency wild fires that were purchased in local stores because we want to make sure that in an emergency situation our fellow Manitobans are protected.

In the same way, Mr. Speaker, we provide firewood for campers in the North, as it's often bought from local vendors. We provide gravel to improve access on park roads to save on freight charges. We make sure that all contracts, including those that don't go through a formal tendering process, get value for money. And Manitobans know. They know that they get value for money from this government because they only have to look around at the investments that we've made in our time in government and see how dramatically improved Manitoba is under an NDP government in comparison to what it was under a Conservative government during the 1990s when, of course, our province was in disrepair, people were not working, our infrastructure was not being renewed. We've had to do a lot of heavy lifting during our four terms in government, and there are four terms in government, Mr. Speaker, by the way, because the people of Manitoba keep voting for us each and every time.

So, Mr. Speaker, we actually know that when the members opposite get up and speak to this issue, it's much like, you know, a situation where the boy cries wolf, or they want to call, they want to say, oh, fire, fire, where there's—where there is no fire. They want to believe that there's a crisis. They create a crisis that doesn't exist, and because this—and the reason for that—the reason for that is because they take a note from the Harper textbook and they want to operate on the politics of fear, the politics of division, the politics of suspicions of their neighbours and their friends.

\* (15:30)

Having listened to the member from Steinbach today and the other speeches that were made, these folks would have been, well, at home with Joe McCarthy. They are McCarthyites at their core in the sense of spreading fear and division across Manitoba, when, in fact, Mr. Speaker, this government is inherently and visibly transparent and accountable for all the decisions—what we make.

So what we really know, Mr. Speaker, and this is at really at the heart of the matter, the reason why we're debating this motion today is, frankly, is the opposition is trying to detract from their real plan or from the real absence of a plan.

*Mr. Rob Altemeyer, Acting Speaker, in the Chair*

We saw Canadians across this country from coast to coast to coast reject the politics of the Harper government last week. And, consequently, the Conservative opposition, which is no different than the Harper Conservatives—they're exactly the same, exactly the same—are in full-scale panic mode, Mr. Acting Speaker. They fear for their political lives because they know that at the end of the day, come April 19th, 2016, Manitobans are going to vote for government that's progressive, that's positive, that invests in public services and that ensures that we stand with them every single day.

On the other hand, the opposition Tories have no plan except to cut and to privatize. The opposition leader's plans for cuts and privatization are the greatest threat to services Manitoba families will have ever experienced. *[interjection]* And my friend from across the way keeps heckling. And the reason for that, Mr. Speaker, because he's afraid. He's absolutely afraid that his little safe seat that he's got is now going to be one that in fact Manitobans are going to contest in the next provincial election. *[interjection]* But he says, well, we're spreading the politics of fear. But in fact, we're not. The opposition Conservative leader has already said that he wants an American-style, two-tier health care in Manitoban. Manitobans don't want that, and so they're trying to lay low on that.

They've already said, the opposition, Mr. Acting Speaker, they've already said that they'll privatize child care, just like they tried with home care in the 1990s. Now that they think their friends—they also want to get into social impact bonds, and the reason they want to do that, and this is really, really frightening for those of us in this government, it's

because they really want their friends to make a profit out of poverty, and shame on them for that, to make a profit out of poverty.

Our government doesn't stand for that. We believe that social investments should stay in the community, that we should invest in social enterprises, support them and build community in this province in a way that the opposition has no interest in doing.

So, Mr. Acting Speaker, I want to be clear on the points we've made. One, this is a dated motion, dated going back in time. We have made incredible progress in being more accountable and more transparent in the work that we do, through the BITSA legislation that we'll pass soon enough. We're only going to improve that process evermore, and we'll continue to work and stand with Manitobans to the very best of our ability in a way that those members opposite can't.

But the real reason that we're debating this motion is because they're running scared. They're fearing for their political lives. They saw Canadians say no to Harper, and they're going to say no to them in the next election.

**Mrs. Heather Stefanson (Tuxedo):** The reason why we're debating this issue today, Mr. Speaker, is because it's in the best interest of taxpayers, to protect them from this NDP government and their epidemic of sole-sourcing contracts. That's why we're here today.

Mr. Speaker, the reason why the laws of our province require governments to call for a tender to fulfill a contract is predominantly to ensure that taxpayers get the best value for the dollars that they spend. And a proper tender process will ensure a competitive process which ultimately offers the best value for products and services rendered on behalf of Manitobans.

But the unfortunate part is that, you know—and actually, very rarely, Mr. Speaker, should a government have to resort to sole-source contracting. It would be in very, very rare cases that that should in fact happen. But what the Auditor General found in her investigations, when she wrote her report, is that she found many, many cases where this government resorted to sole-source contracting. And they went around the rules of the province, around the laws of the province to do so. They, in fact, broke those rules of The Government Purchases Act

and many different acts in order to fulfill those sole-source contracts.

And, of course, we know the Auditor General has stated in her report, she referred to the sole-source contracting of this NDP government as in fact, quote, unquote, an epidemic, Mr. Speaker. And she said, and I quote, government must ensure that citizens receive good value for their tax dollars when it acquires goods and services, a competitive procurement process helps achieve that, also ensures vendors get the fair access to government business.

And that should be the spirit of contractings—tendering process for contracting of services, Mr. Speaker, and unfortunately this NDP government, it's an epidemic for them as she's stated for—sole-source contracts for this NDP government.

Now Mr. Speaker, in the case of the floodfighting equipment, I think we need to go back to July 25th of 2014 and where the members for Thompson and Kewatinook announced rapid response flood equipment will be provided for the emergency operating centres under the—Interlake Reserves Tribal Council. And on August 5th, 2014, the member for Thompson (Mr. Ashton) received a \$5-million invoice from the IRTC for the purchase of Tiger Dams from International Flood Control Corporation. So that indicates an agreement was made between those two, and that, in fact, the government agreed to pay for these services, but without putting out a tender for this.

And what's unfortunate—we'll fast-forward a little bit, Mr. Speaker, because I know there's many people that want to speak to this—but what's unfortunate is they fast-forwarded. They never got approval from Treasury Board or Cabinet, and what happened was at that time they went back—at the—after already reaching an agreement, they tried to do damage control. They tried to get Treasury Board to approve it. Treasury Board didn't approve it, and subsequent to that, and I'm sure it's not the only reason why you had five senior Cabinet ministers resign under this NDP government, but it certainly was one of the reasons why, because of the timing of it, it's very apparent that this was a very significant part of the reasons why they left their Cabinet posts and they spoke out about the kind of arrogance of the Premier (Mr. Selinger) of this province.

And so I think, Mr. Speaker—I know that it's very unfortunate that things have come to this, but it's our job to ensure that the taxpayers of Manitoba are protected. And, in this case, we don't believe that

they were, that this government had the best interest of taxpayers in mind. I'm not sure what they were trying to achieve here but I'm sure there'll be other parties that will be investigating that to ensure that they get to the bottom of this issue.

And so I think it's incumbent upon this government to support this Opposition Day motion today. In fact, if they don't have anything to hide, Mr. Deputy Speaker, then they would come forward and support this because this is very important that we get to the bottom of what transpired on behalf of the taxpayers of Manitoba.

So I want to thank the member for Steinbach (Mr. Goertzen) for bringing this very important motion forward to the Manitoba Legislature. This is what democracy is all about, for us to be able to debate issues that are of concern to people in our society. And this is a very significant one, when we have a government that sees fit to on many, many occasions, and on most occasions, look towards sole-source contracting rather than tendering—the tendering process that should be adhered to under the laws of this province.

And so I encourage all members to be a part of this, Mr. Speaker, I encourage all members to vote in favour of this, and this—so we can—again, get to the bottom of what transpired. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak to this opposition motion which deals with a large number of untendered contracts that happen under the purview of this government. And I want to speak particularly to the Auditor General's report and the follow-up discussion which occurred more recently at the Public Accounts Committee.

\* (15:40)

The Auditor General's report dealt with the waiving of competitive bids, a practice which was found to be very prevalent under this government in the period that was looked at. The Auditor General found, first of all, that fair access to contracts was not always assured. There were significant gaps in public information on untendered contracts over \$1,000.

The acceptable circumstances for—to untendered contracts were frequently not demonstrated. Mr. Acting Speaker, 26 of the 50 contracts which were examined by the Auditor General were not supported by an acceptable circumstance needed to justify waiving competitive bids; that's more than half of the contracts. It's to be noted that there were a total

in this 18-month period of 2,133 untendered contracts. If this proportion of unacceptable circumstances not being demonstrated held up for the whole group of more than 2,000 contracts and it was over 50 per cent, we'd have more than 1,000 contracts in which unacceptable circumstances—or acceptable circumstances were not demonstrated as was required.

The Auditor General examined a number of contracts from special operating agencies and, again, quite a number of these—eight of those which were examined did not show acceptable circumstances to justify waiving of the competitive 'brid'-bids. The proper approval for awarding of the untendered contracts was not always obtained. Indeed, 11 of the 50 contracts which the Auditor General examined to departments lacked the required approval, and of these, eight needed Treasury Board approval but didn't get it. That means that they were rather large contracts.

Furthermore, there were a whole series of amendments and—that—in this case there were a whole series of amendments to contracts in addition which required Treasury Board approval, but which did not have it.

Furthermore, most of the contracts were not disclosed within one month as is required. During the 18-month period, 1,857 of the 2,133 untendered contracts were not disclosed within the required one month of contract signing. That's an extraordinary number of breaches of the rules, almost 2,000 breaches of the rules in an 18-month period—extraordinary.

Public access to untendered contract—through a database was severely limited and the database itself was hard to use and unreliable. The Auditor General found that management and administrative practices need to be much stronger, that there was fragmented and incomplete file documentation. There was no compliance monitoring. There was only limited communication of the waiving of competitive bids policy and there was an inefficient and error-prone process to enter information on the public access database.

This is pretty important stuff, Mr. Speaker. Government needs to ensure that Manitoba citizens have good value for their tax dollars, and the competitive procurement process helps to achieve that. When the government doesn't use a competitive process, as it didn't in thousands of instances, it has an obligation to ensure the interests of

the public are properly protected. And, clearly, this government was not up to speed and was not doing that. Untendered contracts increase the risk of procurement improprieties and ensure compliance with strong policies to make mitigate this risk is really essential. The untendered-contracts issue during the 18-month audit period totaled at least \$274 million.

Now, there's a bit of an update, because we recently had a Public Accounts Committee, and I was able to ask a number of questions. I asked the government whether the government knew that the total was not 274, but maybe it was three or 100 million or 400 million, or maybe it was 500 million, or maybe it was 1 billion or maybe it was 2 billion. I asked, does the government have any idea what the total number could be? And the response I got was that they didn't know it right then but they would endeavour at some future time to provide that information. I'm still waiting.

There were many contracts which should have gone through Treasury Board which didn't. I asked for an explanation. The best that I got was that some of these dealt with matters during emergencies, but there was no recognition that, you know, when you're in an emergency period, that Treasury Board should be meeting on a pretty regular basis to make sure that things are scrutinized properly. *[interjection]* Well, I think that the—you, when it comes to the Treasury Board, you better have, you know, a proper process. And, you know, this government clearly was not going to have proper process.

Now, on a further update, I asked 18 months later, how many of these 25 recommendations are fully implemented. And the answer I was given, and I'll quote: The correct answer is eight or nine are implemented. That means that 16 or 17 are not fully implemented after 18 months.

Surely on something which is as important as the proper tendering of contracts, we should have seen a much higher proportion of the recommendations actually implemented. They were very solid recommendations by the Auditor General. There's no excuse for this long delay in fully 'eplimenting' the recommendations.

*Mr. Speaker in the Chair*

And that, Mr. Speaker, is one of the reason why I'm going to support this opposition motion.

**Mrs. Bonnie Mitchelson (River East):** Mr. Speaker, I rise today to, first of all, thank my colleague the member for Steinbach (Mr. Goertzen) and all of the members on this side of the Legislature in the opposition benches, both in the Liberal Party and the Conservative Party, for supporting this Opposition Day motion, that the Legislative Assembly of Manitoba condemn the provincial government's actions in repeatedly violating procurement rules in awarding untendered contracts, as highlighted in the March 2014 report from the Auditor General of Manitoba, including announcing a \$5-million contract for floodfighting equipment without tender and without Treasury Board approval on July 25th, 2014.

And, Mr. Speaker, it's quite obvious that there isn't many on the government benches that want to stand up and defend their government's actions and speak to this Opposition Day motion. But, you know, I have some hope that there will be at least, well, four of the five remaining dissidents on the government side that might stand and support this motion.

And we know only too well, Mr. Speaker, that those five senior Cabinet ministers that stepped down and stepped away in an unprecedented move to move out of Cabinet and indicate that they had lost confidence in their Premier (Mr. Selinger) and their government, it's obvious that there was something wrong, something terribly wrong that was going on within their Cabinet and their Treasury Board process that made them lose confidence in their government and their Premier.

And they just—and they indicated publicly that they couldn't work with a Premier that didn't have the best interests of Manitobans at heart. Mr. Speaker, that's a pretty serious allegation. And it's become fairly obvious too that one of the reasons, a very significant reason, that they stepped away from their responsibilities in Cabinet was the whole issue of untendered contracts and what happened with the Minister of Infrastructure and the untendered contracts that he awarded to his friends. And that didn't sit well with those members of government.

\* (15:50)

And I'm hopeful—I'm hopeful, Mr. Speaker, that they will stand in their place today and support this Opposition Day motion. Otherwise, they are being hypocrites. They are speaking out of both sides of their mouth. They say one thing and do another.

Mr. Speaker, you can't step away from a government and not indicate the reasons why. They did say clearly that they had lost confidence in their Premier. They had lost confidence in, what I would say, has become a very arrogant government, a government that snubs their nose at the Auditor General, snubs their nose at the processes that need to be put in place by any government to ensure the confidence of the people of Manitoba, the taxpayers of Manitoba, that work hard, day in and day out, and pay their taxes as honest, law-abiding citizens in our province, and they give that money to government with the expectation and the understanding that that government will be accountable for those tax dollars that they have worked so hard for.

And, Mr. Speaker, we've seen time and time again in the Auditor General's report that this government is not acting in the best interests of those law-abiding Manitoba taxpayers, and this is a disservice and something that this government should be terribly embarrassed about. And everyone that sits on the government benches should be speaking out and saying, yes, we hear what the Auditor General has said and we will make the changes.

Now they've said that, but they obviously are giving lip service to the recommendations that the Auditor General made because—excuse me, Mr. Speaker—most of the recommendations, after 18 months, have not even been implemented. So, if we had a government that took the Auditor General seriously, that took the taxpayers of Manitoba seriously, they would be, in fact, dealing with this in a very serious manner.

And, Mr. Speaker, there aren't many, over on the government side, that can stand up with any conviction today and say that they are against this motion and defend what their government has done. They have been irresponsible; they have been arrogant; they have mismanaged the resources that Manitobans have entrusted to them, and it's just the sign of a tired government—a tired government—who has lost touch and believe that they know what's best.

But Manitobans don't know what's best for them. And, Mr. Speaker, they are going to find, and I think we saw some of that in the federal election, I know that there was a change in government and we saw a Liberal sweep right across the country, but we also saw many members of the New Democratic Party in Manitoba come dead last in their constituencies, in the wards that they represented, and that was a clear

indication that what has happened at the provincial level in Manitoba has rubbed off on the federal government.

And they should be ashamed, Mr. Speaker, of the actions that they have taken that haven't been in the best interests of Manitobans, and it's a sad day today when we have to stand and bring forward a motion like this. And it's going to be a very sad day when we come to vote if we see members on the government benches of the House who have lost faith in their Premier and their party, stand up as one, united, and vote with the government and the Premier that they have lost confidence in.

Mr. Speaker, obviously when five Cabinet ministers—five senior Cabinet ministers—come forward and resign from their Cabinet positions, there is something that is going terribly wrong. There's some rot within the government that needs to be addressed.

So I would encourage even other members on the government side of the House to stand up today and indicate on the record what is wrong and possibly just indicate that they have some sort of a conscience, that they have some belief that Manitobans and Manitoba taxpayers should be the priority and should be No. 1, Mr. Speaker, because we haven't seen that. We haven't seen that for many years from this government. And Manitobans will be that judge, but I'm hoping that some members on the government side of the House will have the courage to stand up today to support this motion, to join with us and say let's take some action to be accountable to the taxpayers that we are supposed to serve.

Thank you, Mr. Speaker.

**Mr. Reg Helwer (Brandon West):** Mr. Speaker, I'm very pleased to rise to speak to the Opposition Day motion.

I listened intently to most of the discussion today and I do have to say I was a little surprised by some of the government remarks, how little they're informed on government process and how things seem to work here in Manitoba. Particularly, the Minister of Education took us to task for not dealing with this for 18 months. Well, if he were aware of how Public Accounts worked, perhaps he would know that when this report came out it was on the list for to be considered pretty much every time we met, and it was only until very recently that we were able to negotiate that the report, indeed, did come

before Public Accounts to be considered and to ask questions of the Auditor General and the department.

And so it's quite sad that he either doesn't know or doesn't care how that process works because it is the openness and the non-partisan side of Public Accounts that we try to bring those reports forward, Mr. Speaker. And, of course, we have to deal with the various ministers and their ministries when they're available, we have to deal with the House leaders and those are the very rules that we are trying to amend and change so that they can flow and float a little bit better in Manitoba. And I'm hopeful that we will be able to change some of those roles so that Public Accounts is able to deal with issues like this, undisclosed contracts and untendered contracts in a more timely fashion.

But, again, he wonders why is it an issue now. Well, it's an issue now because we continue to see, time and again, Mr. Speaker, that this government does not disclose contracts, does not tender in an appropriate manner, and even when it does issue a tender, we see that many of those RFPs are written in a way so that there can only be one supplier. And that is just about the same as not tendering the contract, because if you write the RFP in a way that only this supplier can provide that particular paint, or only this particular favourite supplier can procure and supply to the government some particular Tiger Dam or something of that nature, then that is much the same as being an untendered contract. And we see those written time and again in RFPs from this government.

And then they try to pretend that, well, the information's available. And, as I'm sure you know, Mr. Speaker, the information is not ready—readily available. When we do look for information on the one sole computer that is in the Legislative Library, even there we find that there are contracts, untendered contracts, that were awarded, but they're not on the library computer, they're not disclosed and when we bring them to the attention of the government, they go oh, yes, yes, we'll put those up there. So—and sometimes they do put them in there and sometimes they don't.

So now they have a new process that we did learn from the deputy minister, that they're going to make it public on access—on a website that the public can access. But, you know, we're not—they're not going to disclose contracts prior to this, so if a contract was untendered and awarded, hmm, let's say a year—two years ago, yes, the data's in there; the

deputy minister did acknowledge that that data does exist in the SAP. It's there, and if they wanted to they could go and dig it out and they could write a protocol. They could write an application that would go and find that data and make it public but they don't choose to because, well, they're going to change that law anyway, Mr. Speaker. Under BITSA, whenever BITSA should pass, there is a section in there, as we see, that will make it that the government doesn't have to disclose untendered contracts.

So they're not going to go ahead and disclose those because they're going to change the law retroactively anyway and, you know, they're—they think Manitobans shouldn't be concerned about the spending of public funds. So it's quite sad to see, Mr. Speaker.

And then we see that the government says, well, we provide this in FIPPAs. Well, first of all, FIPPAs take time to prepare, they take time to file, they're often stalled and, you know, then we don't get the information. So information delayed is information denied. So I'm very sad to see this openness—so-called openness—of this government is not really there. There's a movement to open data, but I see that that's the last thing that we see from this government.

Thank you.

**Mr. Speaker:** Is there any further debate on this matter? Seeing none, is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is the motion by the honourable member for Steinbach (Mr. Goertzen).

Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** I hear a no.

#### Voice Vote

**Mr. Speaker:** All those in favour of the motion will please signify by saying aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed to the motion will please signify by saying nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In the opinion of the Chair, the Nays have it.

#### Recorded Vote

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Mr. Speaker, a recorded vote, please.

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

Order, please.

The question before the House is the motion by the honourable member for Steinbach.

Does the House wish to have the motion reread?

**An Honourable Member:** Yes.

**Mr. Speaker:** Yes. The motion reads as follows:

That the Legislative Assembly of Manitoba condemn the provincial government's actions in repeatedly violating procurement rules in awarding untendered contracts, as highlighted in the March 2014 report from the Auditor General of Manitoba, including announcing a \$5-million contract for floodfighting equipment without tender and without Treasury Board approval on July 25th, 2014.

#### Division

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

#### Yeas

*Briese, Cullen, Driedger, Eichler, Ewasko, Gerrard, Goertzen, Graydon, Helwer, Martin, Mitchelson, Pedersen, Piwniuk, Rowat, Schuler, Smook, Stefanson, Wishart.*

#### Nays

*Allan, Allum, Altemeyer, Ashton, Blady, Braun, Caldwell, Chief, Chomiak, Crothers, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lathlin, Lemieux, Mackintosh, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Saran, Selinger, Swan, Wight.*

**Clerk (Ms. Patricia Chaychuk):** Yeas 18, Nays 31.

**Mr. Speaker:** I declare the motion lost.

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**Mr. Goertzen:** Mr. Speaker, on House business, I know there's a number of significant events happening in the Legislature this evening, not the least of which is being hosted by yourself, so with that in mind, I ask if there's leave of the House to adjourn and call it 5 p.m.

**Mr. Speaker:** Is there leave of the House to call it 5 p.m.? *[Agreed]*

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.



# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 28, 2015

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>		<b>Members' Statements</b>	
<b>Introduction of Bills</b>		Investing in Osborne Village Howard	2626
Bill 215—The Prevention of Interpersonal and Family Violence Through Education Act (Public Schools Act and Education Administration Act Amended)		Condition of Highways 2 and 3 Piwniuk	2626
Gerrard	2625	Blue Dot Declaration Altemeyer	2626
<b>Tabling of Reports</b>		Cooks Creek Heritage Day Schuler	2627
Supplementary Loans and Guarantee Authority, 2014-2015 Annual Report		Family Violence Gerrard	2627
Dewar	2625	<b>Oral Questions</b>	
Report on Fidelity Bonds according to section 20 of The Public Officers Act, dated October 28, 2015		Tiger Dam Contract Goertzen; Ashton	2628
Dewar	2625	Goertzen; Selinger	2629, 2630
Multiculturalism and Literacy, 2014-2015 Annual Report		Former Cabinet Ministers Goertzen; Selinger	2630
F. Marcelino	2625	Investors Group Field Loan Stefanson; Lemieux	2632
Conservation and Water Stewardship, 2014-2015 Annual Report		Personal-Care Homes Driedger; Blady	2633
Nevakshonoff	2625	Social Housing Units Mitchelson; Saran	2634
Habitat Heritage Corporation, 2014-2015 Annual Report		Family Violence Prevention Gerrard; Selinger	2635
Nevakshonoff	2625	Support for Women in Trades Lathlin; Chief	2637
Pineland Forest Nursery, 2014-2015 Annual Report		Autism Support Programs Rowat; Irvin-Ross	2637
Nevakshonoff	2625	<b>Speaker's Ruling</b>	
Clean Environment Commission, 2014-2015 Annual Report		Reid	2637
Nevakshonoff	2625		
Sustainable Development Innovations Fund, 2014-2015 Annual Report			
Nevakshonoff	2625		
Hazardous Waste Management Corporation, 2013-2014 Annual Report			
Nevakshonoff	2625		

**Petitions**

Provincial Trunk Highway 206 and Cedar Avenue in Oakbank–Pedestrian Safety	
Schuler	2639
Proposed Lac du Bonnet Marina–Request for Research into Benefits and Costs	
Ewasko	2640
Minnesota-Manitoba Transmission Line Route–Information Request	
Smook	2640

**ORDERS OF THE DAY  
GOVERNMENT BUSINESS****Opposition Day Motion**

Goertzen	2641
Ashton	2643
Schuler	2645
Allum	2646
Stefanson	2648
Gerrard	2649
Mitchelson	2651
Helwer	2652

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.gov.mb.ca/legislature/hansard/hansard.html>**