



Third Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES**

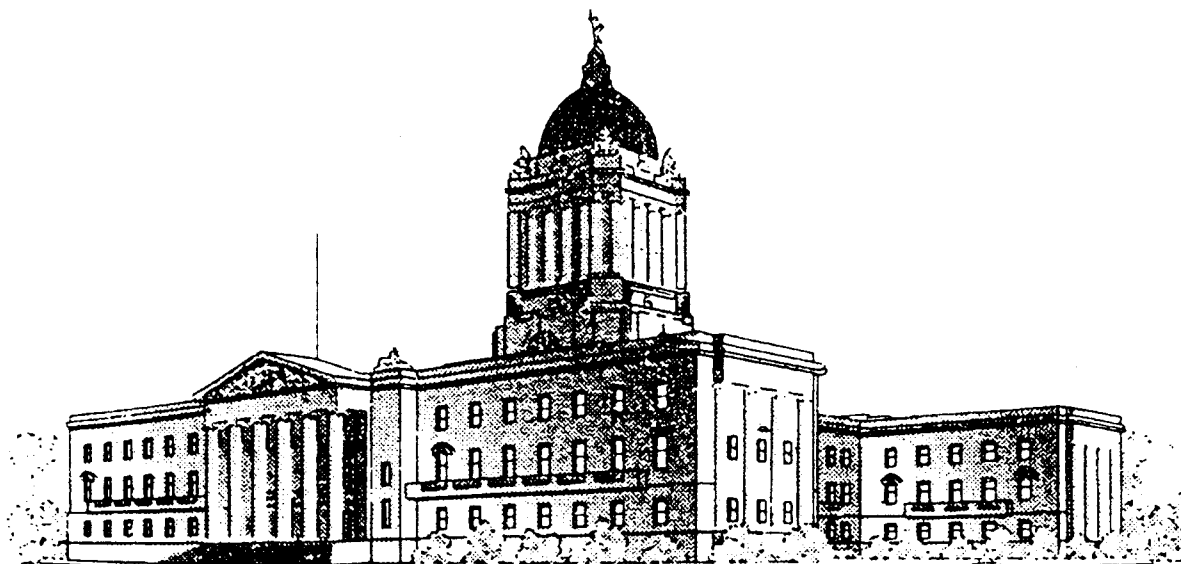
and

**PROCEEDINGS**

**Official Report**

**(Hansard)**

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The Honourable George Hickes  
Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
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MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
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MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
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PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren	Lac du Bonnet	P.C.
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TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, November 16, 2001

**The House met at 10 a.m.**

**Madam Clerk (Patricia Chaychuk):** It is my duty to inform the House that Mr. Speaker is unavoidably absent. Therefore, in accordance with the Statutes, I would ask the Deputy Speaker to please take the chair.

### PRAYERS

### ROUTINE PROCEEDINGS

#### READING AND RECEIVING PETITIONS

##### Portage District General Hospital Foundation

**Mr. Deputy Speaker (Conrad Santos):** The honourable Member for Portage la Prairie (Mr. Fauschou), I have reviewed the petition and find the petition does comply with the rules and practices of this House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

*The background to this petition is as follows:*

1. "Portage District General Hospital Foundation" was incorporated by private members Bill 49 and received Royal Assent on September 10, 1986, and registered as "S.M. 1986-87 c.52".
2. The appointment of the Board of Directors of the Foundation was required to be done annually by "The hospital board", i.e., the Board of Directors of Portage District General Hospital.
3. "The hospital board" was dissolved upon the formation of Regional Health Authority-Central Manitoba Inc. on April 1, 1997, when the authorities were transferred.
4. The Regional Health Authority has disclaimed any authority over the Foundation or its Board of Directors.

5. The provisions of the act are inadequate to maintain the proper management of the Foundation.

6. It is desirable to expand the scope of the Foundation beyond the interests of the hospital to include the interests of Douglas Campbell Lodge Personal Care Home and Regency House Elderly Persons Housing Unit.

*We petition the Legislative Assembly of Manitoba as follows:*

*To amend the act to:*

(a) expand its charitable purposes to include the Portage District General Hospital, Douglas Campbell Lodge Personal Care Home and Regency House Elderly Persons Housing Unit;

(b) provide for the responsible management of the corporation by a board of directors appointed by the local municipal councils.

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

#### Standing Committee on Municipal Affairs First Report

**Mr. Tom Nevakshonoff (Chairperson):** Mr. Deputy Speaker, I beg to present the First Report of the Committee on Municipal Affairs.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Municipal Affairs presents the following as its First Report. Your committee met on Thursday, November 15—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on Municipal Affairs presents the following as its First Report.*

**Meetings:**

*Your committee met on Thursday, November 15, 2001, at 10 a.m. in Room 255 of the Legislative Building.*

**Matters Under Consideration:**

*Annual Report of The Forks North Portage Partnership for the year ended March 31, 2001*

**Committee Membership:**

*Substitutions received prior to commencement of meeting:*

*Hon. Ms. Friesen for Hon. Ms. Barrett  
Mr. Martindale for Hon. Mr. Chomiak  
Mr. Rondeau for Hon. Ms. Mihychuk  
Mr. Faurschou for Mrs. Driedger  
Mrs. Mitchelson for Mr. Tweed*

**Officials Speaking on Record:**

*Jim August, Chief Executive Officer  
Bill Norrie, Chairperson of the Board*

**Reports Considered:**

*Your committee reports that it has considered the Annual Report of The Forks North Portage Partnership for the year ended March 31, 2001.*

\* (10:05)

**Mr. Nevakshonoff:** I move, seconded by the honourable Member for Rossmere (Mr. Schellenberg), that the report of the committee be received.

*Motion agreed to.*

**TABLING OF REPORTS**

**Hon. Greg Selinger (Minister of Finance):** I rise today to table the following reports, copies of which have previously been distributed: the Actuarial Report is of December 31, 2000, for the Public Service Group Insurance Fund; 2001 Annual Report of the Organization and Staff Development Agency of the Civil Service Commission; the Manitoba Hospital Capital Financing and Authority Management Report;

Manitoba Hydro-Electric Board Quarterly Report, Three Months, ended June 30, 2001; the Manitoba Hydro-Electric Board Annual Report ending March 31, 2001; the Manitoba Foundation Annual Report ended March 31, 2001; the Civil Service Annual Report 2000-2001; the Annual Report of the Enabling Appropriations and Other Appropriations for the year ended March 31, 2001; the Annual Report of the Employee Pensions and Other Costs for the year ended March 31, 2001; the Annual Report of Manitoba Finance for the year ended March 31, 2001; the Annual Report of the Debt Retirement Fund for the year ended March 31, 2001; the Annual Report of the Fiscal Stabilization Fund for the same period; the Annual Report of the Public Accounts, Volumes 1, 2, 3, for the same period; Annual Report for Special Operating Agencies Financing Authority for the year ended March 31, 2001; the First Quarterly Financial Report, April to June, 2001; and of course the Public Service Group Insurance Fund Benefits Summary and Audited Financial Statements for the year ended April 30, 2001; and a copy of *War and Peace*.

**Hon. Jean Friesen (Minister of Intergovernmental Affairs):** Mr. Deputy Speaker, I would like to table Intergovernmental Affairs Annual Report 2000-2001; the Manitoba Water Services Board Annual Report 2000-2001; Canada-Manitoba Economic Development Partnership Agreement Annual Report 2000-2001; Intergovernmental Affairs Surface Rights Board Annual Report 2000-2001; and the Conservation Districts of Manitoba Annual Report 2000-2001.

**INTRODUCTION OF BILLS****Bill 3—The Highway Traffic Amendment and Summary Convictions Amendment Act**

**Hon. Steve Ashton (Minister of Transportation and Government Services):** I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that leave be given to introduce Bill 3, The Highway Traffic Amendment and Summary Convictions Amendment Act (Loi modifiant le Code de la route et la Loi sur les poursuites sommaires), and that the same be now received and read a first time.

*Motion presented.*

\* (10:10)

**Mr. Ashton:** Mr. Deputy Speaker, as part of our Government's safety agenda, we are bringing this bill in which will enact a provision similar to the unproclaimed legislation in terms of red light cameras and allow for the limited use of what is generally called photo radar targeted at various locations including at particular intersections where up to two-thirds of accidents occur in urban areas, in school zones, construction zones. We believe this will be a very significant addition to, but not a replacement for, traditional police enforcement tactics across Manitoba.

*Motion agreed to.*

**Mr. Deputy Speaker:** The Chair has received a report that there is no external sound outside the Chamber. Is it the will of the House that we recess first?

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** Then we will proceed.

**Mr. Deputy Speaker:** Is it the will of the House that we recess until the sound outside the Chamber is restored?

**An Honourable Member:** How long?

**An Honourable Member:** Okay.

**An Honourable Member:** Five minutes.

**An Honourable Member:** Let us keep going.

**Mr. Deputy Speaker:** I do not need an agreement. We now have a report the sound is on.

*Mr. Speaker in the Chair*

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today from the YM-YWCA Learning and Leisure Centre five visitors from the 39 Forever Group under the direction of Ms. Jo Unger. This school is in the constituency of the honourable Member for Point Douglas (Mr. Hickes).

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

## ORAL QUESTION PERIOD

### School Divisions Adult Learning Centres—Funding

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Speaker, the Minister of Education indicated yesterday that he had been consistent, open and honest in his dealings with school divisions and adult learning centres. Has it been his policy or practice to cancel or shut down adult learning centres because it does not suit his purpose?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** No, Mr. Speaker.

**Mr. Gilleshammer:** Is it the minister's policy or practice to hide the transmittal of public funds to school divisions so they are not transparent to the public?

\* (10:15)

**Mr. Caldwell:** When this Government was made aware of a tremendous overexpenditure in adult learning centre operations established by members opposite, Mr. Speaker, this Government acted immediately to freeze levels of support, to review the protocols by which funds were distributed from a per capita basis to the program-based basis. Certainly the independent report, the report by the Provincial Auditor, is one that is quite illuminating in this regard. We on this side of the House stand by the independent report by the Provincial Auditor, all its findings and its recommendations.

**Mr. Gilleshammer:** Is it the minister's policy or practice to use adult learning centres to funnel money to school divisions based on enrolment information that he knows is not accurate?

**Mr. Caldwell:** Mr. Speaker, it is quite an interesting tack in this regard, and I find it quite outrageous that the previous government after creating a \$20-million problem, program with no rules, no oversights, no quality controls, no program assurances, is now attempting to shift responsibility or blame to this Government which has been taking steps since its first days in

office to rectify a very serious situation that existed and which was identified by the independent report of the Provincial Auditor.

Mr. Speaker, as I indicated in an earlier remark, we stand by the independent report of the Provincial Auditor, all its findings and its recommendations.

### **School Divisions Adult Learning Centres—Funding**

**Mr. Leonard Derkach (Russell):** Yet, Mr. Speaker, time and again this minister has said in this House that he is open, he is consistent, he is honest.

Mr. Speaker, I want to ask the minister whether he can tell the House whether he or his deputy minister has allowed, normally allowed, his department to instruct the school division to receive money from the department as a gift without proper accounting for the money.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, the Provincial Auditor's Report, on page 99, and I will quote. One adult learning centre received department correspondence dated August 31, 1998, that said, and I quote from the report: This adult learning centre has established itself and obtained provincial funding through processes largely invisible to the department in ways that do not comply with our requirements.

The above noted adult learning centre was informed that they would be subject to an audit for the 1998-99 year. This did not occur. It is identified in the Auditor's Report. I refer members opposite to that. As I indicated, again, in the first series of questions, this Government stands by the independent report of the Provincial Auditor.

**Mr. Derkach:** Mr. Speaker, can the Minister of Education tell this House why his department would instruct the school division to knowingly maintain inflated enrolment numbers in an adult education centre and hide the money that was being flowed to them?

**Mr. Caldwell:** Again, I refer members opposite to the Auditor's Report, whose findings we accept. We do so without any fear of favour, of

real or perceived political connections to members opposite or on this side of this House.

We have been engaged actively since the beginning of this sorry affair, at least since we had responsibility for this sorry affair. The members opposite let it ride for a couple of years. We have been cleaning up a very difficult situation, taking appropriate action in the public interest continuously since we came into office. We do so without fear of favour.

**Mr. Speaker:** I would just like to inform the House that we are still having problems with the audio, and I would strongly recommend that we recess until we get the problem corrected because there is no feed out. *[interjection]* Pardon me?

I would just like to inform the House that we are still having problems with the audio. I would strongly recommend that we recess until we get the problem corrected, because there is no feed out. So I would recommend we take five minutes to see if we can correct the problem.

**Some Honourable Members:** No.

\* (10:20)

**Mr. Speaker:** No? There is no feed going out. What is the will of the House? Is it the will of the House to take a five-minute recess to see if we can correct the problem, or to continue as is?

**Some Honourable Members:** Keep going.

**Mr. Speaker:** Hansard is recording, but the feed is not going out of the building.

**An Honourable Member:** Carry on.

### **Point of Order**

**Mrs. Louise Dacquay (Seine River):** Mr. Speaker, on a point of order, can you please clarify which part of the sound system is not working? Is the feed to Hansard working?

**Some Honourable Members:** Yes.

**Mrs. Dacquay:** So that everything is being put on record?

**Some Honourable Members:** Yes.

**Mrs. Dacquay:** It is just the outside feed to cable?

**Mr. Speaker:** The feed to Hansard is working, but the feed to the outside viewing public is not working. Do you want to carry on? We will carry on.

\* \* \*

**Mr. Derkach:** I want to ask the Minister of Education (Mr. Caldwell) whether it is now his policy to force a school division to fudge their books in terms of enrolment of the adult education centre while at the same time coming down very heavily and . . . another school division.

#### **Agassiz School Division Adult Learning Centres—Funding**

**Mr. Darren Praznik (Lac du Bonnet):** Mr. Speaker, I would like to table a document. This document is an internal memo of the Agassiz School Division written on the 18th of January 2001, according to the board a conversation and instruction from the director of the Schools' Finance Branch, Mr. Steve Power, to that school division.

In light of the minister's repeated comments in this House that he has treated all school divisions consistently, that he has been open with public money, and that he has been honest, I would now like him to explain to the people of Manitoba why his staff called the school division on the 16th of January and advised them not to extend their audit on their adult education centre, and, and I quote from the memo, the instruction to the school division: Basically, they have found a way—this being the Government—to funnel \$450,000 into Agassiz without drawing attention to the gift.

Instead of the \$450,000 flowing through the division as a whole, the Schools' Finance Branch will give the money, but it will be shown in the funding sheets as giving full funding to the Agassiz learning centre enrolment reported at September 30, 2001, when both his department and the school division knew that that enrolment was inaccurate.

Can the minister explain why he has not been consistent, he has not been open, and he has not been honest?

#### **Point of Order**

**Hon. Gord Mackintosh (Government House Leader):** The question from the member opposite reflected on the integrity of the minister, in the context, Mr. Speaker, and clearly that is unparliamentary.

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, the honourable Government House Leader, No. 1, has not even referred to *Beauchesne's*, and when the shoe fits, you wear it.

**Mr. Speaker:** The honourable Member for Lac du Bonnet, on the same point of order, with new information?

**Mr. Praznik:** Mr. Speaker, I will just ask the minister if he will explain—

**Mr. Speaker:** Order. On the point of order raised by the honourable Government House Leader, all members in this House are honourable members and any facts that are brought into the House are treated as factual information. I would just like to ask all honourable members to please choose your words carefully.

\* \* \*

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Thank you, Mr. Speaker. I appreciate that all members in this House are honourable members, and I thank the Member for Lac du Bonnet for those comments.

\* (10:25)

Mr. Speaker, we have been engaged since coming into office in cleaning up a very difficult situation with regard to adult learning centres in this province. We did inherit a situation that was both from a program basis and from a fiscal management basis highly porous and without adequate controls either on program offerings or quality of programs or in finances. In November of 1999, I was made aware there was a substantial overexpenditure in adult learning

centres in the province. In fact, the 1999-2000 Budget by members opposite allocated \$6.6 million for adult learning centres in the province. The actual cost was \$17 million, this over-expenditure.

**Mr. Praznik:** Mr. Speaker, I ask this minister again to explain, after his comments about being consistent and open, I ask him to explain how his department can order a school division to stop an audit when both knew that the enrolment numbers were inaccurate. Can he explain that?

**Mr. Caldwell:** Mr. Speaker, the memo that he tables, I appreciate, is not from the department; it is from the school secretary-treasurer, that I believe replaced the secretary-treasurer in this division that oversaw suitable deficit in that division. So I cannot comment upon departmental action based upon a memo that comes from a party that has no relationship with my department, but I can suggest that it is outrageous that after creating a huge fiscal problem in terms of management, over 100% overexpenditures, without having any assurances of either fiscal management or quality control of programming, it is outrageous that the shift in responsibility is taking place here.

**Mr. Praznik:** Mr. Speaker, this department does have a relationship with the school division. They ordered them to file their numbers, and I would like to know why his director of finance said: You, Agassiz School Division, that they had found a way to give them \$450,000 by hiding it in the budget numbers of the adult education centres. It is time to come clean, Mr. Minister.

\* (10:30)

**Mr. Speaker:** Order. May I have your attention for the question. Is it agreed that we can recess and it will be three minutes? The only mikes that are picking up sound right now are the interject mikes on the side. So, if you are having conversations—

**An Honourable Member:** I withdraw.

**Mr. Speaker:** I want to let all members know we will get the mikes working. Can we get agreement to recess? *[Agreed]*

*The House recessed at 10:32 a.m.*

*The House resumed at 10:51 a.m.*

**Mr. Speaker:** Order, please. Before I recognize the honourable Minister of Education and Training to respond to the honourable Member for Lac du Bonnet's (Mr. Praznik) first supplementary question, I would just like to inform the House that the time that we have lost will be added to Question Period so we will not lose any time for Question Period time.

**Mr. Caldwell:** Well, Mr. Speaker, I am certainly relieved to hear that.

I appreciate members' concern for this matter. Members will note that I am conducting myself with perhaps an unusual degree of gravity for my normal characteristics in the House, but this is a very serious, serious issue that involves millions of dollars of taxpayers' money that went astray in terms of mismanagement. It also involves very serious issues of educational programming and quality of education, which has a direct impact upon the learners of our province.

We on this side of the House, as I have indicated in earlier comments, have complete confidence in the independent report prepared by the Provincial Auditor. We accept and stand by all its findings and recommendations. The legacy of adult learning centre overexpenditures that was arrested by this Government, and which was created by members opposite, is one that I think all of us have an interest in rectifying.

**Mr. Praznik:** Mr. Speaker, I want to ask this minister if he understands the meaning of the word "accountability." I want to ask him how he justifies ordering a school division to deliberately report inaccurate adult education enrolments and how under his watch he funnelled money to a school division with the intent to hide it from the people of Manitoba.

**Mr. Caldwell:** Mr. Speaker, the member opposite refers to "under my watch," and I think it is a good opportunity to discuss in a brief manner what did occur under our watch. What



did occur under our watch was a realization that there were 100% and more overexpenditures in the adult learning centre programs, as designed by members opposite, that when those vast overexpenditures were understood to be occurring by members on this side of this House we put into place immediately a program that would freeze funds pending a review of how the funds were administered. We discovered subsequently that funds were distributed based upon give us a number and we will write you a cheque, which is completely inappropriate.

We put into place a program-based funding model, and when allegations were made of mismanagement we brought in the Provincial Auditor. We stand by the Provincial Auditor's Report.

**Mr. Speaker:** The honourable Member for Lac du Bonnet, on a new question.

**Mr. Praznik:** Mr. Speaker, I am glad the minister stands by the Auditor's Report because the Auditor's Report, which I do not think he or the Premier (Mr. Doer) ever read, clearly indicates that this administration had funnelled \$500,000 to Agassiz, which I quote: They knew would not be used for adult education purposes. They fudged the numbers.

I have to ask the minister again in light of his attempt to make himself look like he is some defender of the public: How does he explain his own actions in asking a school division to hide money, to report inaccurate numbers, to fudge their books to meet his needs?

**Mr. Caldwell:** The policy of this Government is to meet the needs of learners in Manitoba.

**Mr. Praznik:** Is the minister now telling the people of Manitoba that he is prepared in meeting the needs of learners to fudge numbers, report inaccurate adult education enrolments and hide gifts to school divisions? Does the end always justify the means, Mr. Minister?

**Mr. Caldwell:** Making comments like the end justifies the means is a dodgy game for the members opposite. We stand by the independent report of the Provincial Auditor, all its findings and all its recommendations.

**Mr. Praznik:** I ask the minister then, given that the Provincial Auditor has clearly agreed with this memo, has said this memo is correct that this Government knowingly gave \$500,000 to a school division without proper accounting for it, then I ask him: How does he explain his actions in light of his statements in this House where he has said he has been consistent, honest and open? Those are his words.

**Mr. Caldwell:** We on this side of the House do accept the criticisms by the Provincial Auditor in terms of deficiencies as to how this situation has been handled. We have been obviously engaged in cleaning up a very difficult situation and taking appropriate action in the public interest continuously since we came into office. We were confronted with gross mismanagement as identified by the Provincial Auditor's Report, a legacy left by a program that was established and designed with no security in terms of excellence in the classroom and no security in terms of fiscal management.

#### **Agassiz School Division Adult Learning Centres—Funding**

**Mr. Frank Pitura (Morris):** We see quotes from Hansard that the minister has indicated that all the way along in this issue he has been open and honest and consistent. I would like to ask the minister in light of the memorandum that was tabled today where Agassiz School Division basically found a way to funnel \$450,000 into Agassiz without drawing attention to the gift and that it will be shown in the funding sheets as giving full funding to Agassiz ALC enrolment reported at September 30, 2001, and everybody knew that was an overinflated number, I ask the minister: What does he say now to all Manitobans on his double standard with respect to the treatment of Agassiz School Division, as opposed to the heavy-handed dictatorial approach with the Morris-Macdonald School Division?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, heavy-handed, dictatorial action in protecting the interest of Manitoba taxpayers in light of mismanagement in the multimillions of dollars is good, sound action in the public interest.

**Mr. Pitura:** Yesterday in the House the minister stood up and basically accused the Morris-Macdonald School Division of orchestrating a scam, and I now ask him what kind of a scam is he trying to orchestrate.

**Mr. Caldwell:** All the information that is in the House here today has been reviewed by the Provincial Auditor, released in the Provincial Auditor's Report some two months ago. In no way did the Provincial Auditor characterize anything in the way that members opposite are characterizing this.

This is an outrageous effort to divert attention from a program that members opposite established a number of years ago that essentially drew taxpayers' money away from the purpose with which it was to be focussed and that is on education. Mr. Speaker, this Government is bringing back management to those public resources on behalf of every taxpayer in Manitoba.

**Mr. Pitura:** I would like to ask the minister, Mr. Speaker, why, if he asked the Agassiz School Division to deliberately inflate its numbers and keep the numbers inflated and obtain funding flow based on those numbers as a gift to retire debt, then why has he accepted a double standard in terms of his treatment with Morris-Macdonald?

\* (11:00)

**Mr. Caldwell:** Mr. Speaker, there is no double standard. Wherever this Government acts, it is to protect the interests of learners and to protect the interests of taxpayers. A 100% overexpenditure, with no accountability put in place, as was the program designed by members opposite, is not in the public interest, it is not in the interest of Manitoba taxpayers, and it certainly is not in the interest of learners in this province.

#### **Minister of Education, Training and Youth Resignation Request**

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

Over the last three days, we have heard of extraordinary stories of mismanagement in adult

education in Manitoba. The Provincial Auditor has uncovered grievous errors in management, some that clearly point to the minister himself. There is a critical gap of a year and a half between when the Minister of Education (Mr. Caldwell) first knew there was a problem in the fall of '99 and when the minister put in place the policies and guidelines in April of 2001.

In the interval and perhaps subsequently, the Minister of Education appears to have acted in the most arbitrary and capricious manner and has today been caught in a stream of contradictions.

I ask: Will the Premier ask immediately for the resignation of the Minister of Education and replace him with someone competent?

**Hon. Gary Doer (Premier):** Mr. Speaker, members will recall that when we came into office the first issue dealing with adult education was one of the three or four items of overspending that represented a \$345-million misrepresentation of the books of Manitoba according to the Deloitte and Touche report.

There were four major areas of overspending. Health care was one of them. Family Services, particularly the Winnipeg Child and Family Services branch, was the second area. The third area was in the Department of Justice, and the fourth area was an expenditure of some \$17 million for a budget line of \$6 million in the last '99-2000 Budget.

Mr. Speaker, the Auditor, first of all, looked at the overexpenditure. In the year 2000, we cut back the amount of money in the adult education centre. We cut it back again in this last Budget. Those are all a matter of public record. The Auditor said on page 100—I would ask members to look at the Auditor's Report. The Auditor noted that changes made in the 2001 and 2000 year represent important, important improvements. We believe further improvements will be required. We accept the fact that further improvements will have to be made.

**Mr. Gerrard:** My supplementary to the Premier: I ask the Premier, considering the Minister of Education's extraordinary mismanagement of his department's affairs, his failure to acknowledge the mismanagement, the incredible

inconsistency in the way he has handled affairs in Agassiz and Morris-Macdonald, and the extraordinary contradictions in his answers in Question Period today, will the Premier now replace his Minister of Education and replace him with somebody who is competent?

**Mr. Doer:** Mr. Speaker, the people of the Agassiz School Division probably have long memories about the member opposite that closed down Pinawa and lost \$75 million in R & D here in Manitoba.

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

**Mr. Speaker:** Order.

**Mr. Doer:** Thank you, Mr. Speaker. The Auditor's Report says, as I quote, that there were important changes made since we have taken office. It also says that other improvements must be made. We have said consistently, and the minister has said consistently, that important changes have to be made and we will make them.

Mr. Speaker, there are some real human challenges here. There are the financial challenges which we accept and which we are taking action on. When we were asked questions about the Morris-Macdonald School Division, and I was asked questions on the radio the other day, we said that one of the criteria for dealing with the findings of the Auditor's Report was not just to rip resources out of that school division affecting kids or youth that are in the school division, because we also know that there is a contact between the adult education areas that are managed by the school division and the regular K-to-12 programs that could be bumped. Teachers could be bumped, and therefore kids would lose teachers. So we are not going to take an inconsistent view when it comes to youth and children.

What we are not going to do is have money go into another audit to criticize this audit. We are not going to have money go into audits. We have to extract ourselves from the problems of adult education without hurting kids in school, and that is the challenge for us in this Legislature.

**Mr. Gerrard:** My second supplementary to the Premier.

Considering the extraordinary stories of mismanagement in adult education, which have been unearthed this week and in previous times, and a minister who himself has acknowledged that he operated for a year and a half on a system which was, as he calls it, give us a number and we will write you a cheque, I ask the Premier: Will the Premier not now act immediately, ask for the resignation of his minister until there has been a full audit of the minister's actions?

**Mr. Doer:** Mr. Speaker, I would ask the member to look at page 100 of the Auditor's Report. The Auditor says, and I quote, and let me quote this again because members opposite are inventing terms, throwing them around for political purposes. They cannot invent terms that are inconsistent with the Auditor's Report. The Auditor says on page 100: Changes made for the 2001-2000 year represent, and I quote: important improvements.

We believe further improvements will be required. We accept that more improvements will be required. Let me just say that we also accept the issue of the contract that was let with the HOPE area. The contract was cancelled last year, or cancelled in the fall. Hindsight says we should not have entered into that contract in July. Having said that, we are not dealing with widgets here. We are dealing with young people in school. We are dealing with youth.

I want to say to the people of Morris-Macdonald, Agassiz or any other school division that, as we extricate ourselves from some of the financial difficulties, we are going to do so by not hurting kids in K to 12 in our public education system, Mr. Speaker.

### **Crime Rate Current Statistics**

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, yesterday in the House the Member for Fort Garry (Mrs. Smith) placed selective statistics on the record. My question is to the Minister of Justice.

Could he inform the House of the actual status of crime statistics in Manitoba?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, what was not referenced yesterday in the questions are important issues. For the year 2000 for Manitoba the member did not note that youth crime is down, that robberies are down, that break and enters are down, that offensive weapons use is down, that mischief is down, that theft is down, that violent crime is down from the record level of 1997. In fact, overall, crime is down from the high levels of the mid-1990s, but it is interesting that during the time when crime stats in Manitoba were at an all-time record high, the members opposite did not appear to notice. Now that we finally are seeing some improvement and we are hopeful, it has come to the attention of members opposite there is a problem. There remain serious, serious challenges, and that is why we are dedicated to do initiatives and work hard for the safety of Manitobans.

\* (11:10)

#### **Agassiz School Division Adult Learning Centres—Funding**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, the issue of the Agassiz situation is probably the most serious issue that this House has dealt with in recent history, because I want to quote from a memo written by a Manitoban, written by a secretary-treasurer, who tries to cover herself before her board because of what she has been forced to do. I want to read from that memo because it says, and I quote: Basically they—meaning the department, the minister's office—have found a way to funnel the \$450,000 into Agassiz without drawing attention to the gift. Instead of the \$450,000 flowing through the division as a whole, the Schools' Finance Branch is still giving the \$450,000 gift, but it will be shown in the funding sheets as giving full funding to the Agassiz ALCL enrolment.

Mr. Speaker, this is the evidence that shows that this minister has been dealing underhandedly with a school division. I want to ask the minister: Is this the kind of example he is setting for the people of this province?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, this is the evidence that outlined the gross mismanagement

in the adult learning centres in the province of Manitoba, the audited report of the Provincial Auditor, independently ascertained and which we have full confidence in on this side of the House.

**Mr. Derkach:** Mr. Speaker, is this minister, who is the leader of the children within our schools in this province, now saying to the students of this province, the children and their parents that it is okay for me to perpetrate a scam and to underhandedly give money to a school division as a gift but indeed to treat them separately from other school divisions in the province?

**Mr. Caldwell:** I am saying, in standing with the Provincial Auditor, in saying that the diversion and mismanagement of taxpayers' dollars to a magnitude in the millions of dollars is unacceptable, and that is where we stand.

#### **Minister of Education, Training and Youth Resignation Request**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I ask this Premier to remove this minister from that position, who has now shown that he is not capable of doing the honourable thing, of ensuring that there is honesty and that there is integrity in his office in the leadership of education in this province?

**Hon. Gary Doer (Premier):** In 15 or 16 different places at least, and I am sure members opposite—[interjection] Excuse me, if I can finish? In 16 or 17 places in this report alone there is reference to the fact that the Deputy Minister of Education under the watch of the Minister of Education referred the issue of records in the one school division and the program, program 56 I believe it is called, to the Provincial Auditor.

In other words, it was the department and the ministry that were concerned about the issues that were raised by citizens, and they in turn referred this matter to the Provincial Auditor. The Provincial Auditor has access to the documents when they do an audit, and the Provincial Auditor noted on page 99, on the Agassiz School Division situation, and made the statement that the school division needed the funds to mitigate—[interjection] Well, I will go

to the Auditor's Report because that to me is the independent document that this Legislature—this is a servant of the Legislature that reports to all of us in an independent way, and when it comes to documentation I will use the Auditor's Report to represent the public interest.

**Agassiz School Division  
Adult Learning Centres—Funding**

**Mr. Harold Gilleshammer (Minnedosa):** The servant of the Legislature, on page 99, said: The department provided approximately \$500,000 to Agassiz School Division in ALC funds that they knew would not be used for ALC education. That is the servant of the Legislature that the Premier (Mr. Doer) has just talked about.

I would ask the Minister of Education: Did he have Treasury Board approval to proceed in this manner?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** This Government acts in the best interests of the taxpayer of the province of Manitoba. This Government acts in the best interests of the public education system in the province of Manitoba. We have been consistent in this activity since day one of our mandate, providing resources to the public school system that were sorely starved by members opposite when they were in office. We will continue to act in the best interests of the taxpayer of the province of Manitoba and when mismanagement of this nature is identified, as it was in this case, we will take action on behalf of the taxpayer of the province of Manitoba.

**Mr. Gilleshammer:** The servant of the Legislature, on page 99, says: The department provided approximately \$500,000 to Agassiz School Division in ALC funds that they knew would not be used for ALC education. That is what the servant of the Legislature said. Did the minister have Treasury Board approval to proceed in this manner?

**Mr. Caldwell:** As I indicated earlier and repeatedly today, this Government supports the Provincial Auditor's recommendations. This Government has taken action to rectify the mismanagement of public funds that took place and was identified by the Provincial Auditor's Report. This Government would not put into

place a program, such as members opposite did, that provided no assurances for learners in the adult learning centres in the province of Manitoba that they would have any quality of education. It put no criteria for fiscal management in place. So we are acting in the best interests broadly of public education in this province and will continue to do so.

**Mr. Gilleshammer:** The servant of the Legislature that the Premier (Mr. Doer) has spoken about has indicated that the department provided approximately \$500,000 to Agassiz School Division in ALC funds that they knew would not be used for ALC education. Was this hush money approved by the Treasury Board of the Province of Manitoba? Yes or no?

**Mr. Caldwell:** Mr. Speaker, I am going to return yet again to the Provincial Auditor's Report in which this Government has complete confidence, in which the servant of the people, as the Member for Minnedosa states in his preamble, this Government, as the Auditor noted, made changes for the 2001-2002 year which represent important improvements in the adult learning centres operation in the province of Manitoba.

The Auditor also notes that we believe further improvements will be required. We will be undertaking those further improvements. This Government believes in being responsible to the taxpayers of Manitoba and not fudging an issue to divert attention from the fact that members opposite designed a program that was in excess of 100 percent over budget with no controls.

**Agassiz School Division  
Adult Learning Centres—Funding**

**Mr. Darren Praznik (Lac du Bonnet):** I want to ask the Minister of Education (Mr. Caldwell) again. Both he and the Premier rely on the Auditor's Report. The Auditor's Report clearly says, and I quote: The department under the watch of this minister has provided approximately \$500,000 to Agassiz School Division in adult learning centre funds that they knew would not be used for adult learning centre education purposes. Some might call that fraud, Mr. Speaker.

I want to ask the Minister of Education: Did he have the approval of the Treasury Board for that expenditure?

\* (11:20)

**Hon. Gary Doer (Premier):** The Auditor's Report clearly identifies the Agassiz School Division, so this was information provided to the Auditor. We know also, by the way, that Agassiz School Division when we came into office, I believe was a million or so, at least, maybe even more, over budget.

Mr. Speaker, the Auditor makes a number of recommendations on Morris-Macdonald School Division and makes a number of comments on the Agassiz situation. It acknowledges that the school division needed the funds to, quote, mitigate their deficit situation. The question therefore is—*[interjection]* Well, as I have said publicly before these questions were developed, we would be very sensitive to the kids in all school divisions, but the Auditor further recommends, says that a number of improvements have been made and further improvements have to be made. The Auditor recommends to this Legislature that legislation should be put in place to deal with the discrepancies between The Public Schools Act and the adult education policies that were put in place, or lack thereof, in 1998.

I believe that when dollars are spent in a school division for adult education or for any other purpose, the intent of the Legislature should be reflected in the grant to the school division. We are going to make legislative changes to make that very, very clear in adult education.

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

## MEMBERS' STATEMENTS

### Pembina Valley Provincial Park

**Mr. Peter Dyck (Pembina):** Mr. Speaker, on October 5 of this year, the honourable Member for Emerson (Mr. Jack Penner) and I had the pleasure of attending a very special ceremony. On that day, Henry and Alma Martens, two

long-time residents in Manitoba living in the Manitou area, turned over the land they had so lovingly cared for since 1975 to the Province to create a Pembina Valley provincial park.

Ever since his first visit as a child, Mr. Martens has always loved the valley and hoped a piece of it would be preserved. In 1996, he decided to turn his dream into reality. The Martens, together with myself as the MLA for the area, approached the Province with an offer to sell their 162 acres of land south of Morden if the Province would turn it into a provincial park. Approximately a year later, they received an agreement, and formation of the province's 75th provincial park soon followed in the spring of 1997.

Mr. Speaker, in the region where much of the land was designated as farmland and cultivated, the Martens were able to save and protect their land. As a result of their efforts, 16 rare plant species have been preserved, much of the area's wildlife will be saved as a park, and about 405 hectares surrounding it are now designated wildlife management areas.

Mr. Speaker, it gave me great pleasure not only to be there but to also bring greetings on behalf of my constituency and to watch the Martens share this remarkable day with their now-grown children and Mr. Martens' 95-year-old mother.

On behalf of all members of the Legislature, I commend the Martens family on their dedication to the conservation of Manitoba's land, vegetation and wildlife. Our future generations will reap the benefits of all their hard work. Thank you very much.

**Tommy Prince**

**Mr. Speaker:** The honourable Member for Selkirk.

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

**Mr. Speaker:** Order. I would ask the cooperation of all honourable members for a little better decorum when members rise for their Members' Statement because it is very, very difficult to hear.

**Mr. Gregory Dewar (Selkirk):** Thank you, Mr. Speaker, for bringing some decorum to the Chamber.

Mr. Speaker, on November 11, Manitobans and Canadians recognized the sacrifices of our soldiers for the freedoms we now enjoy. However, few Manitobans are aware of the sacrifices made by Aboriginal soldiers to represent their country. Service often resulted in the loss of treaty status and land rights. While other veterans were eligible for a land grant from the Canadian government following the war, native veterans were never offered these opportunities.

I want to speak about one of those veterans, and that is Thomas George Prince, also known, Mr. Speaker, as Tommy Prince. He was one of many Manitoba Aboriginals to enlist in the war. In fact, a total of 125 Aboriginal Manitobans died while serving their country during World War II. Mr. Prince's war record from both the Second World War and the Korean War has made him a role model for many Manitobans today. He is well known as a member of the Devils Brigade. As well, he received the Military Medal and he received the U.S. Silver Star. He is one of only four Canadians to receive these awards.

While he came back to Manitoba, he became actively involved in the political struggle for increased opportunities for Aboriginal people. He fought for improved access for public schools and aid for Aboriginal veterans. Recently, a Tommy Prince Royal Canadian Corps has been established. It involves 25 young people between the ages of 12 and 18 and is based out of the Freight House here in Winnipeg. As well, there is a school named for him on the Brokenhead First Nation. As well, I understand a street in the North End—

**Mr. Speaker:** Order. The honourable member's time has expired.

*Mr. Dewar: Recently I attended the welcoming back of the medals of Sergeant Tommy Prince. I want to congratulate all the Manitobans involved in raising the funds to purchase these symbols of Aboriginal bravery. I would like to recognize co-chairs of the fundraising*

*committee, Bill Shead and Jim Bear, for their efforts. I invite all Manitobans to view the medals on display at the Manitoba Museum.*

*Thomas George Prince has been described as an educator, lobbyist, statesman, entrepreneur, visionary and one of Canada's greatest and most highly decorated Aboriginal soldiers. I would invite all members to join with me in honouring and recognizing this individual.*

### **Provincial Auditor**

**Mr. Harold Gilleshammer (Minnedosa):** I move today to make a members' statement based on the Premier's (Mr. Doer) comments on the Provincial Auditor because I think he is right on, that the Provincial Auditor is an independent servant of the Legislature, and he is a leader in promoting enhanced accountability. He does contribute to the effective governance of Manitoba, and I think that is very important.

There are other procedures in Manitoba, too, of course, around the expenditure of government money and that is why governments of all political stripes have a Treasury Board. When departments want to flow money, not a nickel is flowed anywhere until they have Treasury Board minute. Just to see that there is accountability, of course, Treasury Board minutes are brought to the Cabinet table where the First Minister is the presiding officer. So, the First Minister, of course, would know about the flow of money that takes place within the province of Manitoba and, certainly, within the Department of Education.

In the Auditor's Report, that independent servant of the Legislature that the Premier spoke of not too long ago, he has talked about the department providing money to a school division for one purpose that they knew would not be used for that purpose.

Now, Treasury Board minutes are not always expansive, and perhaps the Premier did not know all of the details of the submission that was brought by Treasury Board because the minute sometimes, if he did not ask, he would not understand the details. I am sure that he would be reluctant to sign a Cabinet minute if he knew in fact that \$500,000 that was being

approved to the Agassiz School Division was not being flowed in a manner that would be consistent with the Provincial Auditor, that independent servant of the Legislature that both the Premier and I have tremendous respect for.

**Mr. Speaker:** Order.

### Louis Riel

**Mr. Jim Rondeau (Assiniboia):** I rise today to talk about a wonderful event I was at earlier today. I was pleased to represent the Government at a commemoration ceremony for Louis Riel. Louis Riel was a famous leader of the Métis who was born in Red River settlement, the son of a Métis leader and a French Canadian mother. Riel led the Métis in 1869 during the Red River resistance. He went so far as to establish provisional government and ended up being exiled to the United States. He later returned to Canada to take part in the Northwest Rebellion and was eventually hanged for treason in 1885.

When Riel was only 25 years old, he and his supporters seized Fort Garry and established a provisional government. They drew up a list of rights which they sent to Prime Minister John A. Macdonald. It is important to emphasize that these rights protected not only the Métis who made their homes here in Manitoba but they also laid out protection for all the settlers of the Northwest Territories. Their demands included an elected legislature, representation in the federal parliament, official status for both French and English and an economic plan for the Métis.

These points became the basis for The Manitoba Act of 1870 which brought our province into Confederation and provided language, religious and schooling rights for both French and English speaking populations of Manitoba.

Riel's actions deeply shaped the entire country at the time, and the effects can be seen across the nation today. Riel was the very founder of this province and played a key role in opening up Canada's West. His work would eventually contribute to the laying of the framework for minority rights across Canada. Therefore, Mr. Speaker, today we pay tribute to Riel whose sacrifice enabled the various ethnic groups of Manitoba, and ultimately Canada, to

learn and live together in a bilingual, multi-cultural, caring society.

Mr. Speaker, we all have the responsibility to remember the legacy of Louis Riel and to continue to strive toward a nation that is built on tolerance, fairness and co-operation. I am fortunate to be able to recognize Riel in his contributions on this most important day. Thank you very much.

\* \* \*

**Mr. David Faurichou (Portage la Prairie):** Mr. Speaker, before I commence with my private member's statement, I would like to rise on a point of order to ask leave of the House so that the Member for Selkirk's (Mr. Dewar) balance of his private member's statement regarding Tommy Prince could be inserted into Hansard in its entirety.

**Mr. Speaker:** Is there leave of the House for the rest of the honourable member's comments to be inserted into Hansard? *[Agreed]*

### Island of Lights

\* (11:30)

**Mr. Faurichou:** Thank you very much, Mr. Speaker.

I would like to take this opportunity to invite all members of this illustrious Legislative Assembly to Manitoba's premier light show. The Manitoba Hydro PowerSmart Island of Lights, presented by A-Channel, will begin in the city of Portage la Prairie tonight.

The Island of Lights has won the Canadian Parks and Recreation Association Award of Excellence for innovation, showing that this initiative is a phenomenal community asset. The fact that it has been recognized nationwide bolsters the reputation of these festivities and the pride of the community which accompanies it.

The Manitoba Hydro PowerSmart Island of Lights is a project that has not only rejuvenated the community spirit of the residents of Portage la Prairie but also provided our retail sector with a major tourism boost during the Christmas season. In its two operational years, the light



show has attracted just over 55 000 people to the city with over 13 000 considered tourists viewing the 54-day light show in Portage la Prairie.

The city of Portage la Prairie is ecstatic about the response from the area residents and the positive feedback received from the visitors. Proof of this is evident in the Light Up Portage contest where businesses and homes located in the city and rural municipality of Portage la Prairie are decorated with lights through the holiday season. A-Channel, which is presenting this year's display, will carry announcements and updates on the Island of Lights during the duration of the Festival of Lights in Portage la Prairie which will run till January 7, 2002.

Mr. Speaker, the Island of Lights display in Portage la Prairie has been a wonderful success in the past, and I hope all honourable members

have the opportunity to travel to Portage la Prairie and experience this lovely light show. Thank you very much.

### House Business

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, on House business, I wonder if you might canvass the House. I had a discussion with the House Leader, and I think there might be leave to call it 12:30.

**Mr. Speaker:** Is there will of the House to call it 12:30? *[Agreed]*

The hour being 12:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, November 16, 2001

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>		
<b>Reading and Receiving Petitions</b>		
Portage District General Hospital Foundation Faurshou 113	Annual Report of the Enabling Appropriations and Other Appropriations for the fiscal year ending March 31, 2001 Selinger 114	
<b>Presenting Reports by Standing and Special Committees</b>		
Standing Committee on Municipal Affairs First Report Nevakshonoff 113	Annual Report of the Employee Pensions and Other Costs for the fiscal year ending March 31, 2001 Selinger 114	
<b>Tabling of Reports</b>		
Actuarial Report of the Public Service Group Insurance Fund for the year ending December 31, 2000 Selinger 114	Annual Report of the Department of Finance for the fiscal year ending March 31, 2001 Selinger 114	
Annual Report of the Organization and Staff Development Agency of the Civil Service Commission for the fiscal year ending March 31, 2001 Selinger 114	Annual Report of the Debt Retirement Fund for the fiscal year ending March 31, 2001 Selinger 114	
Manitoba Hospital Capital Financing and Authority Management Report Selinger 114	Annual Report of the Fiscal Stabilization Fund for the fiscal year ending March 31, 2001 Selinger 114	
Manitoba Hydro-Electric Board, Quarterly Report, Three Months, April 1 to June 30, 2001 Selinger 114	Public Accounts of the Province of Manitoba for the fiscal year ended March 31, 2001 (Volumes 1, 2, and 3) Selinger 114	
Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2001 Selinger 114	Annual Report of the Special Operating Agencies Financing Authority for the fiscal year ending March 31, 2001 Selinger 114	
Annual Report of the Manitoba Foundation for the fiscal year ending March 31, 2001 Selinger 114	First Quarterly Financial Report, April to June, 2001 Selinger 114	
Annual Report of the Civil Service Commission for the fiscal year ending March 31, 2001 Selinger 114	Auditor's Report and Financial Statements of the Public Service Group Insurance Fund for the year ending April 30, 2001 Selinger 114	
	Annual Report of the Department of Intergovernmental Affairs for the fiscal year ending March 31, 2001 Friesen 114	

Annual Report of the Manitoba Water Services Board for the fiscal year ending March 31, 2001		Agassiz School Division	
Friesen	114	Praznik; Caldwell	117
		Pitura; Caldwell	119
		Derkach; Caldwell	122
Annual Report of the Canada-Manitoba Economic Development Partnership Agreement for the fiscal year ending March 31, 2001		Gilleshammer; Caldwell	123
Friesen	114	Praznik; Doer	123
		Minister of Education, Training and Youth	
Annual Report of the Surface Rights Board for the fiscal year ending March 31, 2001		Gerrard; Doer	120
Friesen	114	Derkach; Doer	122
		Crime Rate	
Annual Report of the Conservation Districts of Manitoba for the fiscal year ending March 31, 2001		Korzeniowski; Mackintosh	121
Friesen	114	<b>Members' Statements</b>	
		Pembina Valley Provincial Park	
<b>Introduction of Bills</b>		Dyck	124
Bill 3—The Highway Traffic Amendment and Summary Convictions Amendment Act		Tommy Prince	
Ashton	114	Dewar	124
		Provincial Auditor	
<b>Oral Questions</b>		Gilleshammer	125
School Divisions		Louis Riel	
Gilleshammer; Caldwell	115	Rondeau	126
Derkach; Caldwell	116	Island of Lights	
		Faurschou	126