

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

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

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Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Eighth Legislature**

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, March 14, 2006**

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

*PRAYER*

**Point of Order**

**Mr. Speaker:** We were dealing with a point of order, and we will continue on. The point of order will be the first order of business.

The honourable Official Opposition House Leader, on the same point of order.

**Mr. Leonard Derkach (Official Opposition House Leader):** To conclude my remarks from yesterday on the point of order, Mr. Speaker, I was referring to Rule 492 of *Beauchesne* which talks about expressions that are listed which have caused Speakers to intervene or the Chair to intervene because these expressions were pointed at perhaps ministers or government which was abdicating its responsibility in carrying out its responsibility. In frustration, members of a Legislature have used language which Speakers in the past have ruled unparliamentary.

Mr. Speaker, as the official opposition, we have great concerns about how this NDP government is governing our province. There is no attempt by this government to provide forthright answers to our questions, which only raises further questions about the integrity of government. Words come to mind that accurately describe this government, words such as "corrupt," and we know that we should not be using that as a term to describe the government in this House. We could use words like "shady." We know this government is, we could use the word "crooked" in dealing with Manitobans. But, again, that is not a parliamentary word that we would want to use.

With regard to the Crocus and the Workers Compensation Board, Mr. Speaker, we know that the government has had its hands in places where they should not be. So we could tell stories to our children about what the government should be doing—

**Mr. Speaker:** Order. The honourable member's point of order is?

**Mr. Derkach:** The point of order, Mr. Speaker, is in accordance to 492. Although we would like to use words to describe this government's actions that are

on this list, we will not do that except to say that this government has indeed soiled its hands in the way that it has been dealing with the Workers Compensation Board and with Crocus.

**Mr. Speaker:** The honourable Government House Leader, on the same point of order?

**Hon. Gord Mackintosh (Government House Leader):** For the life of me, Mr. Speaker, I do not believe anyone could ever find a point of order in that matter, let alone a point. But I do have one point to make, and that is it is unfortunate for Manitobans that the opposition does not want to deal with the budget.

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

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

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, yes, on the same point of order. I, for one, clearly heard a point of order that raises concern that the Official Opposition House Leader (Mr. Derkach) has brought up. Using Citation 492, I, too, would just reinforce a couple of those words and, again, whenever you talk about what you say inside the Chamber as words, you always have to look at the context in which it is being said. So I am saying it in the sense of just wanting to express some of the frustrations that the opposition at times receive because the government is not straightforward. It is very easy to fall into the trap by saying "deliberately misinforming," "deliberately misleading," "deliberately misled." These are all words that are unparliamentary if used in the wrong context, and if we take a look in terms of what it is that the government is saying day in and day out, this is why I think that it is a valid point of order. All you need to do is look right from day one right to the very last day where we get misinformation being put on the record. All you have to do is just look at the opening statement, the Minister of Finance's (Mr. Selinger) speech. I would refer again to page 24 of the budget speech where the Minister of Finance uses some numbers, and we do not know where it is he is getting those numbers from because it is in contradiction.

\* (13:35)

Misleading the House is, in fact, a very serious point of order to the degree, Mr. Speaker, in which it is even recognized that we should not even be saying that if it is put in an inappropriate context. So I think that the Member for Russell (Mr. Derkach) does have a valid point of order, and in regard to the Government House Leader's last comment—

**Mr. Speaker:** Order. A point of order is to point out to the Speaker a breach of a rule or departure from practice, not to be used for debate. I am recognizing that the honourable member is going into debate, so if you have a clarification or assistance to help the support of the point of order state it now.

**Mr. Lamoureux:** On page 24 of the budget speech, the Minister of Finance stated that there were 1,680 fewer auto thefts last year, Mr. Speaker. In *Beauchesne's*, it says that it is unparliamentary to use words such as "deliberately misinforming," "deliberately misleading," "deliberately misled." These are words which if used in the wrong context would be unparliamentary.

The argument, of course, is that the government continues, day in and day out, to provide misinformation or mislead not only the Chamber but the public, which often leads to comments which at times would be unparliamentary. For that reason, Mr. Speaker, we do support what it is that the Opposition House Leader is proposing.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, first of all, I want to read to the House, to remind the House, *Beauchesne* 491: "The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken."

When a member has used a word, it is usually raised at that point and then the Speaker will decide if it is parliamentary or unparliamentary because some words are deemed parliamentary one day and deemed to be unparliamentary another day. It all depends on the context used and if it causes disruption in the House.

There are some of the references that I have heard about ministers, or whatever, using, bringing information. That is a dispute over the facts. So I have to rule that the honourable member does not have a point of order.

\* \* \*

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

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

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

### INTRODUCTION OF BILLS

#### Bill 24—The Consumer Protection Amendment Act (Government Cheque Cashing Fees)

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 24, The Consumer Protection Amendment Act (Government Cheque Cashing Fees); Loi modifiant la Loi sur la protection du consommateur (frais d'encaissement des chèques du gouvernement), be now read a first time.

*Motion presented.*

**Mr. Selinger:** This bill will give the Public Utilities Board the power to set the rates for fees that can be charged for cashing of a provincial government cheque.

*Motion agreed to.*

\* (13:40)

### PETITIONS

#### Crocus Investment Fund

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

The background to this petition is as follows:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Signed by Ivan Ramdass, M. Ramdass, Sally Lauze Ramdass and many, many others.

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

### Highway 10

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

A number of head-on collisions, as well as fatal accidents, have occurred on Highway 10.

Manitobans have expressed increasing concern about the safety of Highway 10, particularly near the two schools in Forrest where there are no road crossing safety devices to ensure student safety.

Manitobans have indicated that the deplorable road condition and road width is a factor in driver and vehicle safety.

It is anticipated that there will be an increased flow of traffic on this highway in the future.

We petition the Manitoba Legislative Assembly as follows:

To request the Minister of Transportation and Government Services (Mr. Lemieux) to consider providing sufficient resources to enhance driver and vehicle safety on Highway 10.

To request the Minister of Transportation and Government Services to consider upgrading Highway 10.

This petition is signed by Nancy MacKay, Faye Johnson, Jennifer Nylen and many, many others.

### Funding for New Cancer Drugs

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I wish to present the following petition.

These are the reasons for this petition:

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

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

This petition is signed by Carmelina Battaglia, Rachele Copping, Shandra Bonney and many others.

## TABLING OF REPORTS

**Mr. Speaker:** I am pleased to table, in accordance with section 28 of The Auditor General Act, the Auditor's report on the Aiyawin Corporation.

## ORAL QUESTIONS

### Children in Care Monitoring Process

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, the facts surrounding the tragic life of five-year old Phoenix Victoria Sinclair are most disturbing and raise numerous questions of how this NDP government is discharging its legal, its moral and its ethical duty to protect children at risk in our province.

We are told, Mr. Speaker, that Phoenix was in the care of child welfare agencies for most of her life, and yet her death occurred nine months before anyone noticed she was missing. The Child and Family Services Act program standards, policies and procedures are in place to protect children.

My question to the Premier: What is the procedure in place for monitoring a child in the care of a Child and Family Services authority who is then placed back with the child's biological family?

\* (13:45)

**Hon. Gary Doer (Premier):** Mr. Speaker, certainly this is a tragic case, and all Manitobans, I am sure, are very sorry of what happened. There will be a lot of questions to be asked and a lot of facts that need to be provided.

Mr. Speaker, the procedures include when a child is taken into custody under The Child and Family Services Act, as I recollected, that custody approval must be made in the courts. The courts either have a time provision or not have a time provision, and then there is either delegated authority to a Child and Family Services agency or child welfare agency, or there is not, in which case professional social workers determine with very vulnerable children the action or process to be followed through. Social workers every day are making very difficult decisions on very vulnerable children.

Mr. Speaker, the case in question obviously will require an investigation. I believe an investigation is being conducted by Child and Family Services of Winnipeg. The authority of the Chief Medical Examiner will also be important for all of us to find

out: a) the facts, and, b) the recommendations for change for all of us here in Manitoba.

**Mr. Murray:** Well, Mr. Speaker, this Premier has overseen the devolution of the Child and Family Services system. Phoenix Victoria Sinclair was one child whose file was transferred as a result of devolution. Program standards, policies and procedures surely are in place which set out the process for transferring files of children in care from one agency to another, including ongoing monitoring in ensuring the protection of children in care.

Mr. Speaker, my question is to the Premier. What is the established process for transferring files of children in care from one agency to another?

**Mr. Doer:** First of all, Mr. Speaker, I would advise members that it is very important before they make assertions or allegations to obtain the facts. It will be very important for all of us to obtain the facts and learn from the facts. Secondly, a procedure has been in place almost from the beginning of the establishment of Child and Family Services in this province for transfers of cases.

I recall before this case, but certainly in the past, doing reviews of the Child and Family Services in Manitoba and that there were, for example, three agencies in Winnipeg. There was the CAS, or the Children's Aid Society of Eastern Manitoba which was primarily French-Canadian and Catholic. There was the Child and Family Services in Winnipeg, which was Protestant primarily. Of course, there was the Jewish Child and Family Services Agency. There was also Child and Family Services delivered, brought by provincial departments, and there was Child and Family Services in the eighties that was devolved and carried on in the 1990s to northern and Aboriginal Child and Family Services division.

In each case, Mr. Speaker, the procedures obviously are what are in the best interests of the child, as I say, that Child and Family Services has never been a province-wide agency. It has been an attempt to be community-based since Child and Family Services has been established.

\* (13:50)

### Point of Order

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, in his remarks, the Premier indicated that in posing a question we should be

assured of the facts, alleging that there may have been an error in information that was perhaps put on the table with regard to the question, but yet the Premier did not identify what that was. He skated all over the map but did not address the issue that he alleged. Perhaps the Premier would see fit to identify what assertion in his mind is not correct.

**Mr. Speaker:** The honourable Government House Leader, on the same point of order?

**Hon. Gord Mackintosh (Government House Leader):** It was my recollection, Mr. Speaker, that the questions were coming from the Leader of the Opposition. Surely, the honourable Opposition House Leader would have enough respect for his current leader to think that he can frame his follow-up questions to the Premier.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Murray:** Mr. Speaker, this is a very, very serious issue, and I would say that the facts are as the Premier wants them. The facts are that children in need of protection are society's most vulnerable. That is a fact. They are not able to protect themselves and must rely on others to keep them safe and secure.

Mr. Speaker, this Premier and this NDP government have a legal, they have a moral and they have an ethical responsibility to ensure that children in their care are not being placed at risk. What assurances can this Premier provide to all concerned Manitobans that he accepts this responsibility and will ensure that children in need of protection in this province will not fall through the cracks?

**Mr. Doer:** Mr. Speaker, all of us in this Chamber are very, very sorry on the circumstances that have been reported today of the child. There can be no other greater feeling of sorrow that all of us would have on this reporting of this case. Certainly, all of us or any part of our society feel a great deal of sorrow for this girl or this case, rather, and will be very, very careful about investigating the facts, investigating the roles and responsibilities.

We know that the matter, I cannot report today on the exact legal findings and when the matter went first to the court what the delegated authority was to the appropriate agency. I think it is important to

know who the agency was, what the follow-up was, what the responsibility was.

I know that Child and Family Services social workers, professional Child and Family Services workers have to make difficult judgments every day on very vulnerable children that come into the system. I also know that those social workers are obviously accountable themselves to their professional ethics and morals.

They are obviously accountable to their own agency and ultimately through that to the minister. Also, there is an independent review of any case of this nature made by the Chief Medical Examiner who has then the authority to either make recommendations or further refer this, I believe, to a judge charged with dealing with the matter. This is a case that all of us feel a great deal of sorrow about, and I will reserve other comments until I know all the facts and I would ask that all of us respect that process.

\* (13:55)

#### **Children in Care Case File Transfers**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, Phoenix Sinclair had an extensive involvement with Child and Family Services, then she was returned to her family and then she disappeared. She did not just fall through the cracks in the system, she fell into the abyss. The file vanished and tragically the child died.

Will the Minister of Family Services confirm that there are other cases where the complete files have not transferred with the child and there may still be other children at risk?

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, I think it is very important that we let the investigative processes happen, that we be very careful about putting information that may or may not be true on the public record. I know there is a lot of information, some perhaps spread by the Member for Morris herself, that may or may not be true. I think we have to be very careful in a situation as serious as this to not be frivolous with information that has not been proven to be true.

There are investigations that will be underway as a result of this tragic incident. The Chief Medical Examiner, who is an independent body, will look at the facts and determine what is appropriate. The RCMP, another independent body, will look at their facts and determine what is appropriate. The agency

involved will do the same. We have to be very careful that we do not jump to rash conclusions based on this information.

**Mrs. Taillieu:** Well, Mr. Speaker, the fact is a child died and no one missed that child for nine months. The duty of this minister and this government is to protect children who are taken into care. The minister cannot release children from care on some unwritten policy that children should be put back in the family home at all costs. If there is no file transfer, there is no risk assessment, no follow-up with the family and a child dies.

I ask this minister: Who should the people of Manitoba hold accountable?

**Ms. Melnick:** Mr. Speaker, I think that we should be very clear. This is a case that was not transferred through the devolution. This is not a case that is dealing with the devolution of child welfare. The devolution of child welfare is an extremely important initiative. We are the only jurisdiction in the world to be working in this way with First Nations people and Métis people. This has been a long process. There has been a lot of very hard work put forward here. There was not a textbook on how to do this. We all came around the table and made decisions in the best interests of the children.

I think the member should be a little more cautious in her cavalier statements, as she started at the beginning of her question stating what she says are facts that have not yet been proven. Again, let us all be very prudent around the issue of this very serious incident.

**Mrs. Taillieu:** Well, Mr. Speaker, the issue here is a child has died. Whatever agency, it has nothing to do with the devolution, if that is the case, but the child has died and something has gone wrong in this system.

It is the minister who has the power, the authority and the mandate in this province to protect children taken into care. If she has forgotten her responsibility, I want to remind her now. All children deserve the right to be protected from abuse.

When will the Minister of Family Services accept this responsibility, hold herself accountable and ensure that no more children in care are placed at risk under her watch?

\* (14:00)

**Ms. Melnick:** Again the member makes several assumptions on what she might think are fact. The

facts have not been investigated yet. There are the processes underway. But, Mr. Speaker, we are all responsible for the care and well-being of all the children of Manitoba. In working with the various bodies that take care of the children on the front line that make those difficult decisions, that deal with the families who can be in crisis, I think that we have to work together with these people. We have to all recognize that only through respecting the processes that were in place, even when members opposite were in government, nothing has changed in that. By respecting these processes, we will get the real answers to the real facts and to the real ways in which to make life better for the children of Manitoba.

### Special Needs Education Funding Review

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, the Doer government used Bill 13 to buy votes in the 2003 election and since then this Minister of Education has dropped the ball every step of the way. Bill 13 passed two years ago and the Minister of Education promised to fully fund it. Last night at a public meeting about special needs education, the audience was appalled to hear that the minister said that he has not even begun a review of what the funding should be for Bill 13.

I would like to ask the Minister of Education: Why was a funding review not done before passing the legislation? If he does not know how much it is going to cost how can he possibly commit to fully funding it?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Well, thank you for the question and I would like to thank the member for her interest in appropriate educational programming, Mr. Speaker. With Bill 13, it was a very involved, consultative process. It involved no less than 19 different stakeholder groups in the determination of the legislation and the regulations that followed the legislation.

Now this process was part of over 40 recommendations that were made by the Special Education Review Initiative, Mr. Speaker, which started under the previous government. Of the 40 recommendations that have been brought forward, we have acted on or are acting on all of those recommendations. One of the recommendations was a review of the funding and that is something that we are currently developing the terms of reference. As mentioned at the meeting last night the terms of



reference are being developed to examine the funding issues.

**Mrs. Driedger:** Well, Mr. Speaker, Bill 13 is already implemented, but as one angry mom said last night this bill has no teeth without the funding. The minister does not have a clue how much it is going to cost because he has not even started to review the cost, two years after the bill has already passed.

I would like to ask the Minister of Education: Where are the school divisions currently getting all of the money they need to fund his legislation?

**Mr. Bjornson:** Mr. Speaker, the appropriate educational programming, as we mentioned at the public meeting last night, was sponsored actually by Community Living Manitoba and the Council for Exceptional Children, two of the partner groups that were part of the 19 groups that were involved in the consultation process.

When it comes to funding, Mr. Speaker, the Special Education Review Initiative talked about examining what we are funding, how we are funding. We are funding appropriate education. Members opposite were not necessarily funding appropriate education. In fact, there was a dip in the funding to special needs in the 1990s, and over the course of the previous administration the increase is a mere 4.7 percent while in our case, since we have been in office, we have increased funding supports to the tune of 36.5 percent.

**Mrs. Driedger:** Mr. Speaker, I would like to point out to the Minister of Education that the Manitoba school boards are saying that the provincial grants coming their way from this department do not come anywhere close to meeting the needs of special education in the schools. This Minister of Education guaranteed an appropriate education to all special needs kids in Manitoba. He promised to fully fund it, but he is not fully funding it because he does not know much it is going to cost.

I would like to ask this Minister of Education: How can special needs kids get the appropriate education he guarantees if he keeps stumbling every step of the way in carrying out his own legislation?

**Mr. Bjornson:** Well, Mr. Speaker, I would like to talk about stumbling with respect to education funding. Members opposite, under the funding formula in the 1990s, were making announcements of minus 2, minus 2.6—

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

**Mr. Speaker:** Order.

**Mr. Bjornson:** Thank you, Mr. Speaker. Throughout the '90s we saw a grossly underfunded education system for the entire education system. Our commitment to the people of Manitoba is to fund education at the rate of economic growth which we have exceeded. Our contributions, in the last two, years to special education funding is in excess of \$13 million for special education funding alone. Their net contribution over five years to the entire education system was \$1.6 million. Talk about stumbling.

### Hells Angels Trial Resources

**Mr. Kelvin Goertzen (Steinbach):** The last significant Hells Angels trial in Manitoba ended with gang members getting into limousines and toasting the Minister of Justice with champagne as they drove away to their freedom.

The police in Manitoba have done their job by bringing forward charges in the most recent bust, yet there are concerns again that the Minister of Justice is unprepared. There is discussion that the trial will not proceed until February because the Crown is not available.

Can the Minister of Justice indicate when he expects this case to go to trial, Mr. Speaker?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** My understanding is these arrangements are being made between the parties and the Associate Chief Justice. It is my understanding that the dates of the trials are now being set down and there are meetings ongoing.

**Mr. Goertzen:** Ongoing meetings often end up in mistrials because of undue delays, Mr. Speaker.

Ever since the NDP allowed the Hells Angels into the province in the summer of—*[interjection]* Well, it is quoted here on page 380 of the book that you used to quote, in July of 2000, they have been unable to make progress in breaking up that gang.

Can the minister indicate what resources his department has budgeted for the trial of the Hells Angels? How much of those resources are dedicated to assisting and providing a defence for the Hells Angels themselves, Mr. Speaker?

**Mr. Mackintosh:** It is unfortunate that the member would not put into his question the preamble that recognizes the outstanding work of the members of the Manitoba Integrated Organized Crime Task

Force, and they should be commended. As we have been involved in that task force, we are pleased, of course, to support the Manitoba Gang Prosecutions Unit which has been involved in between 200 and 300 gang prosecutions since it was formed after we came into office.

Mr. Speaker, in terms of the setting down of trials, that is a matter that is between the respective parties. My understanding is that a meeting with the trial judge will be taking place on all the matters if they have not been set down already.

**Mr. Goertzen:** I note that, at the recent NDP policy convention earlier this year, the delegate from Assiniboia demanded that individuals being held on remand in provincial facilities be brought to trial within 90 days, Mr. Speaker. I assume that the NDP will not be able to follow their own delegate's recommendation.

It is important that Manitobans know how much this trial is going to cost and when it is going to proceed. I want this minister to indicate how much he has budgeted for this trial and how much of it will go for the defence of the Hells Angels themselves, Mr. Speaker.

**Mr. Mackintosh:** This is the first time I have heard in this session some interest from members opposite on budgetary matters. I would hope that members opposite will get on to deal with the issues that are in the budget, and I would like to see how they are going to vote on the budget.

I suspect that one reason they cannot seem to muster enough energy to deal with the budget is because they do not know how they are going to vote. It is a good budget. The member opposite should perhaps look and see what is in there when it comes to the Manitoba Organized Crime Task Force, when it comes to prosecutions and when it comes to policing in Manitoba. Where do they stand, Mr. Speaker?

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

#### **Viewpoints Research Government Controls**

**Mr. Kelvin Goertzen (Steinbach):** The Minister of Justice wants to huff and puff. He should try blowing down the Hells Angels clubhouse, Mr. Speaker.

Viewpoints Research has at various times been the pollster of record for the NDP party. We learned last week that Viewpoints also does political polling which is paid for by the unions. Members on this

side of the House and representatives of the Manitoba Liberals have raised concerns about this apparent conflict.

Mr. Speaker, the Attorney General is charged with the responsibility of ensuring that Manitoba laws are adhered to. Can the minister indicate if he has asked for an investigation into this potential breach?

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** The member is obviously showing some ignorance about how the administration of the law works in Manitoba. If he has some concerns, some allegations, he knows where he can go and get them followed up on, Mr. Speaker.

\* (14:10)

**Mr. Goertzen:** Most Manitobans would assume that if there were concerns about the law, they could rely upon the Attorney General, the Minister of Justice, to adhere to those concerns. When allegations are brought forward, he should not simply dismiss them because it might do damage to his own political party. Members of both political parties, opposition parties in this House, have raised these concerns because the unions were paying for the Premier's (Mr. Doer) wife's company to do this political polling.

I want to ask and give the Minister of Justice a chance, again. Can he indicate whether he is taking his own job seriously and will he ask for an investigation to take place, Mr. Speaker?

**Mr. Mackintosh:** Mr. Speaker, the member opposite should, indeed, take his job seriously and perhaps garner some understanding. I understood that he went to school for this. He should understand. Surely, he understands that there is something untoward about calling on a government to interfere in the arm's-length process of investigations of Elections Manitoba. They just do not get it. They do not understand the basic tenets of law and how elections in Manitoba are governed, and we know that from the court records.

**Mr. Goertzen:** Mr. Speaker, I, in fact, attended law school more recently than that old and tired Minister of Justice who apparently has forgotten everything that he learned. We, on this side of the House, would have hoped that the Attorney General would have put principle ahead of politics.

I would table for this House a letter of complaint to the Chief Electoral Officer asking for an

investigation into the political polling that was done of civil servants by Viewpoints, paid for by unions, and the potential breach of the Province's election laws. This complaint will be filed immediately following Question Period, but I would ask that the Attorney General would instead fulfill his role that has been entrusted to him by the people of Manitoba, take it seriously, and ask for an investigation himself.

**Mr. Mackintosh:** Mr. Speaker, I know of the leadership challenges that they are having, but even individually they are flip-flopping like bass in a boat. I understood from the moment our legislation was introduced until just a moment ago that they oppose our ban on union corporate donations. Now they say that that is the way to go. That is the way to go. Flip-flop like bass in a boat. *[interjection]*

Mr. Speaker, now the member says, oh, you should complain to Elections Manitoba. Well, where was he on the first two questions? Anyone can complain about anything, anytime, and that is all they are doing.

#### **Maple Leaf Distillers MIOP Loan**

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker—

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

**Mr. Speaker:** Order. The honourable Member for Ste. Rose has the floor.

**Mr. Cummings:** Mr. Speaker, yesterday the Minister of Industry was asked why he did not act more quickly to protect taxpayers' money when he knew that Maple Leaf Distillers were in financial difficulty, and he could not tell the House what motivated him. Now this Premier (Mr. Doer) put his personal stamp of approval on this company's provincial loan, named one of the principals to his Economic Advisory Council and promoted the company and its products. I want to quote from a government news release: "in particular, Premier Doer has rendered possible what otherwise would not have been achievable." That is from a government news release.

My question for the Minister of Industry: Why did this company receive such favourable treatment from this Doer government?

**Mr. Speaker:** Order. I have reminded the House more than once, and I will remind the House again, when addressing members in the House it is by constituencies or ministers by their portfolio, even when quoting from printed materials.

**Mr. Cummings:** I apologize, Mr. Speaker, I meant Premier Doer.

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, as I said yesterday, this government, as the previous Conservative government, did do due diligence on all loans. What that means, and the members opposite might not know what due diligence means. What that means is you look at the business plan, you look at the loan security, you look at what the company is doing as far as creation of jobs and you look at the general parameters.

I know that the members opposite might not understand what due diligence is, but what it is, is to look at why you are giving them the loan. I remind the members opposite, under the Tory government, the Conservative government previously, you lost in excess of \$39 million on the MIOP program. Our MIOP program up to December earned \$182,000 profit. We have been successful so far.

**Mr. Cummings:** Mr. Speaker, I will tell you what we do understand. Court documents indicate that Maple Leaf Distillers owes over 300 creditors \$22 million. After a favourable loan from this government in '01, and after 39 follow-up investments from Crocus, the company still failed to turn a profit. Their accountant stated that there was a \$4-million loss in '03.

My question to the Minister of Industry: Is he wilfully blind or did he not see these as red flags?

**Mr. Rondeau:** I am sorry, Mr. Speaker, I should explain to the member opposite the difference between secured creditors and unsecured creditors. I am pleased to say that when we do a MIOP program we also look at some of the security as part of our MIOP program.

Under this program, not only do we charge an interest rate at higher than the government borrowing and have some performance increases if they do not meet performances, but also what we do is we make sure that our loans are secure. That means there are assets to which are pledged the loan amount. I would like to remind the member opposite you were wrong with the amount of the loan. The loan has been paid down up to December and the loan has been secured to legitimate assets.

**Mr. Cummings:** Mr. Speaker, this minister I see, yesterday won the prize because his comment about due diligence was, although you do due diligence, sometimes the plan goes awry.

Mr. Speaker, between 2002 and 2004, Crocus provided \$3.7 million to Maple Leaf distributors, a company that had not turned a profit. The Premier said he was very secure in this secure investment.

Given the close relationship the Premier has to the principals of Maple Leaf Distillers, given that the chief investment officer told the *Winnipeg Free Press* that Crocus could not walk away, this financial relationship was obviously important to this Premier. The higher authority that was referred to in the Auditor's review cries out for a public inquiry.

Will this Premier stand up and call an inquiry today?

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

**Mr. Speaker:** Order.

**Hon. Gary Doer (Premier):** Mr. Speaker, I would point out that this government did make statements about the investment in Maple Leaf Distillers. We did so on the basis of the fact that we had obtained a building from a failed loan, one of \$39 million in failed loans that we had to recover from when we got elected.

The building, I believe, we secured for \$2.2 million based on a Colliers assessment and it was sold for \$2.5 million. The loan was current up till December. We are partially secured on our loan with two other creditors based on the building and we are taking—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, we continue to protect the taxpayers. We certainly believe that the MIOP loan program in our government has provided for a lot of risks and saved a lot of jobs, whether it is at Flyer bus company, whether it is Motor Coach, whether it has been at Palliser, whether it has been at other entities in the public sector. This issue is not resolved because there is outstanding money and there is an outstanding building.

We will continue to try to keep our record of having a situation where risks are taken. In fact, the government so far has made money compared to \$39 million in losses, but we still have more work to do in obtaining the final payments due to the people of Manitoba under Maple Leaf Distillers.

\* (14:20)

### **Aiyawin Corporation Auditor General's Report**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the Auditor General's report tabled today shows a sorry trail of poor oversight and bad mismanagement by this government. Going back to '99-2000, the first year they were in office, there are excessive payments to board members. By September 2002, there were already allegations of gross mismanagement. Because the NDP failed to act, the reserve funds were drastically drawn down and the whole corporation was put in peril. It eventually failed because this government failed to exert due diligence.

I ask the Premier (Mr. Doer): Why did he fail so badly in exerting ordinary due diligence in respect to the Aiyawin Corporation?

**Hon. Christine Melnick (Minister of Family Services and Housing):** Mr. Speaker, the Aiyawin Corporation was of concern to the department for quite a long time. When the department completed the operational review, I immediately, based on the results of that review, asked the OAG to investigate, to have a look at what was going on at Aiyawin, but at the same time we attempted to work with this organization.

We realized they were not a group that we needed as a partner across the table, and so in June '05, we began to take funding away from Aiyawin and transfer it to DOTCHAI. That transfer was completed in October of '05. Certainly, we were concerned, and I believe we acted in a way that was most prudent in turning it over to DOTCHAI.

**Mr. Speaker:** Order.

**Mr. Gerrard:** Mr. Speaker, by the time this government had acted there had already been a catastrophe which was impossible to reverse. The problem is that the normal due diligence was not done. The problem is that for five years of this government they did not even inspect the houses even though their normal policy called for regular inspections.

I ask the Premier how his government could have done so badly in showing oversight over an Aboriginal housing corporation which clearly needed much better attention than he gave it.

**Ms. Melnick:** Mr. Speaker, I think we have to talk in the context of urban Native housing, which is in great shortage largely due to what the member did as

a federal Cabinet minister when they walked away from public housing.

Now, Mr. Speaker, this was not an easy situation to deal with. This was a difficult situation, but I want to tell the House that we made sure that not one of the 600 people, some 219 families, were displaced during this transfer process. That is our commitment to the urban Aboriginal people of Winnipeg.

#### **Crocus Investment Fund Public Inquiry**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, Pat Jacobsen was an outstanding civil servant and at one time did exceptionally well for the province of Manitoba. I believe we do need a public inquiry in regard to the Crocus Fund.

Listen to one of the affidavit comments made by this well-respected civil servant: I believe that had the government conducted an independent audit in 2001 of Workers Compensation Board, as I requested from the Minister responsible for Workers Compensation Board in 2001, both Crocus and the Workers Compensation Board would not have lost millions of dollars.

These are the types of individuals that we need before a public inquiry, along with the Premier and a number of his union buddies, putting their hands on a Bible, testifying as to what their connection was with regard to Crocus. When is the Premier going to do the right thing and call for a public inquiry?

**Hon. Gary Doer (Premier):** Well, thank you, Mr. Speaker—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, a couple of factual errors. Ms. Jacobsen was not a, quote, civil servant hired under The Civil Service Act. *[interjection]* Well, it is a fact.

Secondly—

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

**Mr. Speaker:** Order.

#### **Point of Order**

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

**Mr. Lamoureux:** Yes, Mr. Speaker, on a point of order.

Ms. Jacobsen lost her job because of this Premier and this government. This Premier should not be trying to dice Ms. Jacobsen who was a well-respected civil servant who did a lot for our province through Workers Compensation.

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Well, Mr. Speaker, I have to agree with the Member for Inkster, that, in fact, this is a point of order.

Mr. Speaker, it has been a well-established fact that Ms. Jacobsen, who worked for the Workers Compensation Board, treated like a civil servant, acknowledged as a highly respected one in this government, and now we have the Premier of the province trying to distance himself from that process by saying she was not a civil servant. Well, let him accept the responsibility. Call the public inquiry and then we will get to the bottom of the truth.

**Mr. Speaker:** Order. On the point of order raised by the honourable Member for Inkster, he does not have a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Lamoureux:** Mr. Speaker, with all due respect, I would challenge your ruling.

**Mr. Speaker:** Does the honourable member have support? *[interjection]* Okay, the honourable member—

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

**Mr. Speaker:** Order. The honourable member has support?

**An Honourable Member:** Yes.

**Mr. Speaker:** Yes, he has support.

#### **Voice Vote**

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

### Formal Vote

**Mr. Lamoureux:** Mr. Speaker, I would request Yeas and Nays, please.

**Mr. Speaker:** Does the honourable member have support for a recorded vote?

**An Honourable Member:** Yes.

**Mr. Speaker:** Okay, the honourable member has support.

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

\* (15:30)

Sixty minutes has expired. Please turn the bells off.

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

### Division

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

#### Yeas

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

#### Nays

*Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Michelson, Murray, Penner, Reimer, Rocan, Rowat, Schuler, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 33, Nays 20.

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

\* \* \*

**Mr. Speaker:** We will now revert to Question Period. The honourable First Minister had the floor.

**Mr. Doer:** Mr. Speaker, I would point out that The Workers Compensation Act gives the board, not the government, responsibility for hiring and firing. Section 59(1) "The Board of Directors shall appoint a person to be known as the chief executive officer,"

and 59(2) "Every person so appointed shall hold office during the pleasure of the board."

I know the member opposite does not read the law but that is the law, Mr. Speaker.

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

### Speaker's Ruling

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

During Oral Questions on Wednesday, March 8, 2006, the honourable Member for River Heights (Mr. Gerrard) raised a matter of privilege to complain about comments spoken by the honourable Minister of Finance (Mr. Selinger) while answering a question. The honourable Member for River Heights contended that the comments suggested that he was part of a federal Cabinet which actively promoted the sponsorship scandal, comments which the Member for River Heights asserted were false. He concluded his remarks by moving that the Minister of Finance be asked to apologize and withdraw his comments.

The honourable Government House Leader (Mr. Mackintosh), the honourable Official Opposition House Leader (Mr. Derkach) and the honourable Member for Inkster (Mr. Lamoureux) also offered commentary to the Speaker on this issue. I took the matter under advisement in order to peruse the procedural authorities. I thank all members for their advice to the Chair on this matter.

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

The Member for River Heights asserted that he was raising the issue at the earliest available opportunity. Since the words he complained about had just been put on the record, I would agree that the member did raise the issue at the earliest opportunity.

Regarding the second issue of whether a prima facie case was demonstrated, I would note for the House that Joseph Maingot advises on page 253 of the Second Edition of *Parliamentary Privilege in Canada* that allegations from one member to another constitute a matter of order, not privilege.

In addition, Maingot also states on page 14 that to constitute privilege there must be some improper

obstruction to the member in performing his or her parliamentary work in either a direct or a constructive way, as opposed to mere expressions of public opinion or of criticism of the activities of the member. Although in his submissions to the Chair the honourable Member for River Heights (Mr. Gerrard) explained how he took issue with the comments of the honourable Minister of Finance, the honourable Member for River Heights did not explain how his parliamentary work was obstructed due to the comments in question.

Also, *Beauchesne*, Citation 69 states that it is very important to indicate that something can be inflammatory, can be disagreeable, can even be offensive, but it may not be a question of privilege unless the comment actually impinges upon the ability of the members of Parliament to do their jobs properly.

Turning to our past Manitoba precedents regarding the allegations raised as the privilege, Speaker Rocan ruled in 1988, 1992 and 1995 that the matters were out of order as privilege because the items should have been raised as order, not privilege, and that it must be demonstrated that improper obstruction preventing a member from performing his or her parliamentary work had taken place.

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

**Mr. Speaker:** Order, please. In addition, Speaker Dacquay also ruled in 1995 that improper reflections are matters of order and not privilege.

I would therefore rule, with the greatest of respect, that the issue raised is out of order as a prima facie case of privilege.

\* \* \*

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I would challenge your ruling.

**Mr. Speaker:** Does the honourable Member for Inkster have support?

**Some Honourable Members:** Yes.

**Mr. Speaker:** Okay, the honourable member has support.

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

**Mr. Speaker:** Order. The honourable member has support.

### Voice Vote

**Mr. Speaker:** Order. All those in support of sustaining the ruling of the Chair, say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

### Formal Vote

**Mr. Lamoureux:** Mr. Speaker, I would request a recorded vote, please.

**Mr. Speaker:** Does the honourable member have support?

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

**Mr. Speaker:** Okay, the honourable member has support. A recorded vote having been requested, call in the members.

Order. Sixty minutes has expired. Please shut off the bells.

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

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

#### Nays

*Cullen, Derkach, Driedger, Dyck, Eichler, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Penner, Reimer, Rowat, Stefanson, Taillieu.*

**Madam Clerk (Patricia Chaychuk):** Yeas 33, Nays 16.

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

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

**Mr. Speaker:** Order.

\* (16:40)

## MEMBERS' STATEMENTS

### Garden Valley Zodiaks

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I am aware that you really do not want exhibits in the Chamber; however, I would ask for indulgence today regarding the front page of both papers. It has to do with the Garden Valley Zodiaks, so I am sure that it will be allowable.

Mr. Speaker, last night at the MTS Centre, the Garden Valley Zodiaks from Winkler won the AAAA McDonald's Provincial High School Hockey Championship. With friends, family and the city of Winkler cheering them on, this talented team of young athletes is only the second non-Winnipeg team to win this championship.

I would like to congratulate all the players, team captain Mike Suderman, head coach Brendan Neufeld, assistant coaches Tim Friesen and Matt Neufeld. Mark Friesen, the team's skilled goaltender, was named Most Valuable Player after 31 saves and an assist in the 5 to 0 game against the Oak Park Raiders.

This victory for the Zodiaks is truly an incredible wrap-up to their amazing season with only four losses. We are extremely proud of these young men who worked together as a team, trained so very hard and always maintained a love for their sport.

On behalf of the constituency of Pembina, I would like to congratulate them once again and wish them the best of luck in all their future endeavours both on the ice and off the ice. Mr. Speaker, this also works in very well with the centennial that the city of Winkler is celebrating this year. Thank you.

### Agricultural Safety and Health Week

**Mr. Tom Nevakshonoff (Interlake):** Mr. Speaker, I rise today to recognize an important issue for Manitoba farm families, the issue of safety. March 8 to 14 has been proclaimed Agricultural Safety and Health Week in Manitoba by the ministers of Agriculture, Food and Rural Initiatives (Mrs. Wowchuk) and Labour and Immigration (Ms. Allan). This week is important in order to acknowledge the dangers farmers face every day and the difficulties

they cope with whenever farm family members are injured or killed.

This year, the safety campaign focusses on young workers and the challenges encountered in their work. With nearly 1 in 11 Manitobans participating in the agricultural sector in our province, safety has always been a high priority for this government and for farm families. By offering educational resources to farmers, those directly involved in the industry can have a better understanding of the potential risks and important precautions that can prevent serious injury.

Mr. Speaker, I cannot overemphasize the serious economic, social and emotional impact an injury or death can have on a family farm that puts in jeopardy the people that feed this province. To avoid these potential hazards, Manitoba, in conjunction with the Canadian Agricultural Safety Week, has placed special importance on educating kids and youth about the dangers of farming.

This year's theme, Farm Safety is MY Business, is well chosen, then, for it highlights the collective effort that goes into all farming operations as well as the joint effort needed to build a strong safety culture in agricultural workplaces.

Mr. Speaker, I would like to commend the provincial government for having recognized the importance of farm safety. The acknowledgement of the difficulties encountered by farm families and producers in their daily work can allow all parties involved to work together in order to help make farms safer for the adults and children who live and work there. Thank you.

### Agricultural Programs

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, instead of a practical plan in the 2006 budget, producers and rural Manitobans have been left with uncertainty and lack of vision. The BSE crisis, adverse conditions in crop production and poor crop prices have left a lasting and devastating impact affecting producers, communities and the rural economy.

Overall, Mr. Speaker, this is a bleak picture. But what do Manitoba producers have to look forward to in 2006? Paying more for services. They will be paying more for crop insurance, paying more with a variable fee instead of a flat fee for water rights licence applications and finally paying for this Doer government's mistakes.



After years of calling on the Doer government for effective water management, we see soil experts being hired well after the proposed regulations and the drafting of soil zones. This is too little, too late for our producers who are being forced off their farms, and it was no surprise to see there was no meaningful commitment to expand slaughter capacity.

Budget '06 gave no guarantees of prosperity and stability to producers and rural Manitobans. There was no offer of hope, only disappointment and uncertainty. Much like the Crocus scandal, the government refuses to be accountable. It refuses to answer questions regarding its involvement in the Crocus scandal. This government needs to be honest with Manitobans and call a public inquiry, Mr. Speaker.

#### **Doug O'Brien**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, I rise today to recognize Mr. Doug O'Brien, a long-time volunteer and dedicated citizen of the Flin Flon constituency. Doug O'Brien is a deserving recipient of the federal government's 2005 Minister's Award for Excellence in Canadian Futures Development Corporation Volunteerism. The award was presented by Western Economic Diversification Canada on March 7 in Flin Flon in recognition of Doug's outstanding work with the Greenstone Community Futures Development Corporation.

Doug has been a committed member of the Flin Flon constituency since his family first moved to Flin Flon in 1972. He has devoted countless hours to the Flin Flon Rotary Club. He was the district governor from 1998 to 1999. Of particular interest to Doug are Rotary's activities in housing and the foreign student exchange program. Over the years he and his wife, Dona, have hosted nine students as part of Rotary's foreign exchange program.

Doug was also a founding member of Flin Flon's Operation Red Nose. He is a past president of the Flin Flon Chamber of Commerce and is very much involved in church activities. Doug's many friends describe him as a gentleman, a diplomat and an all-round nice guy.

The CFDC award is deserved recognition for Doug and his family who have been pillars of our community for many years. Doug and his wife, Dona, have six children and 20 grandchildren ranging in age from two to twenty.

Doug's recognition provides us with the opportunity to thank the many hardworking volunteers who do not always get credit for their contributions to improving our communities. On behalf of all members in this Legislature, I congratulate Doug on his deserved recognition, and I thank our province's many volunteers for their hard work and dedication. Thank you, Mr. Speaker.

#### **Glen Tosh**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I am honoured to rise in the House today to recognize an exceptional individual.

Glenboro's Glen Tosh has been named Sport Manitoba's Volunteer of the Year for the Westman Region. The Sport Manitoba award is presented to a sport volunteer for significant contributions to the enhancement and development of amateur sport. Glen now becomes a nominee for the Great West Life Volunteer of the Year Award to be announced in April.

Glen's résumé is both long and impressive. In 2005, he coached the local high school hockey team, was behind the bench for the minor bantam development hockey club, served as a director for Hockey Manitoba, was president of the Tiger Hills Hockey League for the past five years, has served as a player-coach with the Cypress River Comets Intermediate Baseball team. Previously, he coached senior hockey and led his club to the 2004 Provincial B Championship, Glenboro's first in 30 years.

Over the years, Glen has coached bantam baseball, high school baseball, badminton, the high school girls' volleyball team, where they won a provincial title in 1996, as well as being involved in the community's junior golf program. Glen has served as president of the Glenboro Golf and Country Club and he has also captured the club championships three of the last six years. He has been chairman of the Glenboro Community Development Corporation and board member of the Glenboro and Area Community Foundation. Glen is the epitome of a community volunteer. Through his action he has made valuable contributions to a variety of sports and his community. His dedication and commitment are inspirations to all.

Glen is married to Lisa Tosh. Lisa has served as my constituency assistant for the past year and a half. She has indeed been a pleasure to work with over this time. Lisa has been very dedicated to serving the fine constituents of Turtle Mountain. Glen has

overtaken the manager's position with Westoba Credit Union at their new location at the Corral Centre in Brandon, and as a result, Glen and Lisa are moving to Brandon.

I would like to extend my congratulations and thank you to both Glen and Lisa for their service and their commitment and I wish them all the very best in their future endeavours.

#### Point of Order

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, I rise on a point of order—

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

**Mr. Speaker:** Order.

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

**Mr. Derkach:** Mr. Speaker, I rise on a point of order and basically this is Citation 458 in *Beauchesne* which talks decorum in debate. I know that this talks to all of us as members of the Legislature. If I listened to members' statements just a moment ago, whether it was on this side of the House or the other side of the House, but predominantly members on my side of the House were making important statements that are of importance not only to Manitobans and to constituents, but it would not do us any harm to listen.

\* (16:50)

Now, I also listened to the Member for Interlake (Mr. Nevakshonoff) when he got up on his statement about the government and how it has, indeed, treated agriculture. I could not but observe, and perhaps I have not referenced the right citation, and that could be a problem, but I have to tell you that, in terms of the decorum in this House, I find it somewhat lacking.

My point of order, Mr. Speaker—

**An Honourable Member:** Have you been looking in the mirror?

**Mr. Derkach:** Well, listen to this, Mr. Speaker. Now, just listen to this. *[interjection]*

**Mr. Speaker:** Order.

**Mr. Derkach:** Mr. Speaker, we all have emotion, I know that, and we speak with passion. But I find it curious that members can be rude, as rude as they are

to one another when we come here, elected by people across this province to represent them in debate. They expect us to be a little bit aboveboard, if you like, when it comes to the way we treat each other, when it comes to the way we pay attention to debate, to the way we respond to debate.

Now I know that parliamentary practice also says that we are allowed to heckle, but heckling, and you have cautioned us many times, Mr. Speaker, and you have cautioned us quite correctly about the fact that we have people in the gallery who are watching. You know, the television cameras are on and sometimes we do not give this place the kind of respect that it deserves.

So, Mr. Speaker, today, I observed not only when members were making statements but, indeed, even through Question Period that we as members of this Legislature need to be cautious in what we say to one another across the floor. It is not necessarily picked up by the microphone, but sometimes the words that are used are offensive; they hurt people. We talk about being sensitive to all of us as members of society. Yet, when we enter this Chamber, that respect seems to be left at the door.

So, Mr. Speaker, my point of order has to do with decorum in the House and that all members in this House need to conduct themselves with greater decorum.

**Mr. Speaker:** The honourable Deputy Government House Leader, on the same point of order.

**Hon. Steve Ashton (Deputy Government House Leader):** It is actually a pleasure to be able to speak in this House. I have been waiting patiently to speak on the budget since last Thursday. But I think it is important to note, Mr. Speaker, the member opposite talked about the decorum during debate, but because of these points of order we have not had debate on the budget since last Thursday. So not only does the member opposite not have a point of order, but I would suggest that—*[interjection]*

**Mr. Speaker:** Order.

**Mr. Ashton:** —if one was to consider what is happening, the decorum has been excellent. There may have been some spirited exchange of views across the way. I notice, by the way, that members opposite have taken to speaking on members' statements about the budget. I suspect it is because they have two minutes, and that is about all they have to say when it comes to the budget.

Mr. Speaker, the member knows that he did not have a point of order. Having raised a few points of order over the years, I think the member may want to get a little bit more creative in his parliamentary tactics because not only did he not have a point of order, he did not even have a point. I think you should rule on it right away.

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

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, on the same point of order. In response to what it is that the Deputy Government House Leader is standing up on, he almost raises a point of order within the point of order because what he is doing is he is in fact imputing the motives of members that stand up and use a member's statement. In members' statements, as you know, any member can stand up and say whatever it is that they want to say. I think that we should encourage that. That is why we call them members' statements.

I am not rising on a point of order to what the Acting Government House Leader was talking about but rather in response to the point of order that has been raised by the Member for Russell (Mr. Derkach). Mr. Speaker, I was virtually sitting in the middle of a number of members who were making their statements and I was quiet myself, trying to listen and shuffle through some paperwork and doing some things, and I did find it quite difficult to hear the comments that members were making.

I think the Member for Flin Flon (Mr. Jennissen), probably it was the most quiet when the Member for Flin Flon was giving his political statement. I sensed that people were listening in, but with that one exception, Mr. Speaker, there was a great deal of noise.

Mr. Speaker, usually that occurs right after Question Period. I believe that if members want, as you yourself have pointed out, to be able to carry on a conversation, you quite often point to the two loges that are on either side of you to have those discussions. There are other options for members. They can go into the phone booth room there, and if those quarters are a little too small for them, they can always go to their respective caucus rooms.

**Mr. Speaker:** Order. I think we are getting into debate here. The honourable member, please put your point of order.

**Mr. Lamoureux:** Yes, Mr. Speaker, what I am doing is trying to illustrate just how important it is to have decorum inside the Chamber so that members of this Chamber can hear what other members are actually saying on their members' statements and pointing out, as you yourself have done, the different options that members actually have.

Mr. Speaker, I can tell you that, when I stand on a member's statement, I want to ensure that there is decorum inside this Chamber, as our rules, we believe, take into consideration the importance of decorum because if there was no decorum, if we did not have the rules that speak volumes to the importance of decorum, you would not be able to hear—

**Mr. Speaker:** Order. We are into debate. A point of order is to draw to the attention of the Speaker and illustrate the rule and the breach of that rule or a departure from our Manitoba practice. So I ask the honourable Member for Inkster to put your point of order.

**Mr. Lamoureux:** Mr. Speaker, I do believe that the tradition of the Legislature has been that, if at some point in time it gets too loud as the members are speaking, often someone will stand up inside the Chamber on a point of order and suggest that we need to tone it down so that members inside the Chamber can, in fact, be heard.

That, I believe, is a part of the tradition of this Legislature, of this Chamber, and that is what it is that I was speaking to, what I believe the Member for Russell (Mr. Derkach) had raised, because I was finding it quite difficult to listen. I was pleased that the point or order was raised because it is important for those who do want to listen—

**Mr. Speaker:** Order. Points of order are not to be used for debate, and I have heard enough to make my decision.

I welcome the opportunity that the honourable member has raised because I have addressed that decorum in the Chamber, how important it is, not only in members' statements but also during Question Period and other times in the House when we have guests in the gallery, the viewing public, and I am glad that it was addressed.

If it was addressed in the appropriate place, I am not that sure of it, but I will rule that it is in order because I want the opportunity to address all members on decorum, that decorum is very important in this Chamber.

So I have to rule that the honourable member did have a point of order.

The hour is past five o'clock so I have no—  
*[interjection]*

Order. The hour being past five o'clock, I have no choice but to adjourn the House. The House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, March 14, 2006**

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