

Third Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 6, 2005

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PETITIONS

Supported Living Program

Mr. Kelvin Goertzen (Steinbach): I wish to present the following petition to the Legislative Assembly of Manitoba. These are the reasons for this petition:

The provincial government's Supported Living Program provides a range of supports to assist adults with a mental disability to live in the community in their residential option of choice, including a family home. There is a lack of group homes available and this means special needs dependants must remain in the family home.

The provincial government's Community Living Division helps support adults living with a mental disability to live safely in the community in the residential setting of their choice.

Families with special needs dependants make lifelong commitments to their care and well-being, and many families choose to care for these individuals in their homes as the circumstances allow.

The cost to support families who care for their special needs dependants at home is far less than the cost of alternate care arrangements such as institutions or group and foster home situations.

The value of the quality of life experienced by special needs dependants raised at home in a loving family environment is immeasurable.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Housing (Ms. Melnick) consider changes to the departmental policy that pays family members a reduced amount of money for room and board when

they care for their special needs dependants at home versus the amount paid to a non-parental care provider outside the family home.

To request that the Minister of Family Services and Housing consider examining on a case-by-case basis the merits of paying family members to care for special needs dependants at home versus paying to institutionalize them.

This is signed by Denise Dumontier, Claude Dumontier, Jennifer Dumontier 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.

Ambulance Service

Mr. Ron Schuler (Springfield): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

In May 2004, 46-year-old Peter Krahn suffered a heart attack while exercising in East St. Paul and was pronounced dead just under an hour later after being transported to the Concordia Hospital in Winnipeg. Reports show that it took nearly 18 minutes for an ambulance to arrive for Mr. Krahn.

The Interlake Regional Health Authority claims that 21 minutes is an acceptable emergency response time, whereas the City of Winnipeg uses a benchmark of 4 minutes.

Ambulance coverage for East St. Paul is provided from Selkirk, which is almost 25 kilometres away.

The municipalities of East St. Paul and West St. Paul combined have over 12 000 residents.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider providing East St. Paul with local

ambulance service which would service both East and West St. Paul.

To request the provincial government to consider improving the way that ambulance service is supplied to all Manitobans by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Centre (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time.

To request the provincial government to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services.

Signed by Rudolf Doerksen, Lisa Doerksen, Darlene Graham and many, many others.

* (13:35)

Mr. Jack Reimer (Southdale): I wonder, Mr. Speaker, whether there is leave that I make this petition on behalf of the Member for Carman (Mr. Rocan).

Mr. Speaker: Is there leave? *[Agreed]*

Fort Garry Hotel

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

The background of this petition is as follows:

In 1987 the City of Winnipeg seized the Fort Garry Hotel from its owner, Harvard Investments Limited, a family-owned Manitoba corporation, in what has been characterized as a miscarriage of justice.

Due to deliberate actions of the City of Winnipeg, errors by the Municipal Board of Manitoba and a lack of clarity in provincial legislation, Harvard was denied the due process and natural justice that are fundamental to the property tax assessment and appeal process in Manitoba.

As a result, the company was unfairly burdened with a grossly excessive assessment and tax bill that in turn precipitated a tax sale and mortgage foreclosure, effectively bankrupting the company

and caused Harvard's shareholders to be dispossessed of their business and property.

The background to this petition was outlined more fully in a grievance presented to this Assembly by the honourable Member for Carman (Mr. Rocan) on May 18, 2005.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Intergovernmental Affairs and Trade (Mr. Smith) to consider conducting a review of the circumstances outlined and to consider making a recommendation for redress to the Government of Manitoba.

Signed by Bert Hanson, Chris Klassen, Ron Clark and others.

Education Support Levy and Special Levy

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

All Manitobans are concerned about providing a high quality of education to students.

The current model of funding education through property taxes no longer works.

Education is a provincial responsibility and provincial funding of the operation of Manitoba's public schools has fallen every year under the current Doer administration to the most current level of 56 percent.

Residential property tax bills continue to rise as local school divisions are forced to turn to property owners to offset decreasing provincial government funding.

The Minister of Education (Mr. Bjornson) has shown little action in finding a long-term solution to providing school divisions with predictable, stable and appropriate funding for public education.

Manitobans pay among the highest property taxes in all of Canada.

The elimination of the Education Support Levy and Special Levy on residential property and

farmland would reduce property tax bills by approximately one-half and enhance transparency and accountability in the funding of public education.

We petition the Legislative Assembly as follows:

To request the Premier of Manitoba (Mr. Doer) to consider accepting that the funding and delivery of public education is exclusively a provincial responsibility.

To request the Premier of Manitoba to consider eliminating the Education Support Levy and Special Levy from all residential property and farmland in Manitoba.

Signed by Aurele Gendron, John Heppenstall, Greg Loader and others.

* (13:40)

COMMITTEE REPORTS

Standing Committee on Legislative Affairs Sixth Report

Mr. Daryl Reid (Chairperson): Mr. Speaker, I wish to present the Sixth Report of the Standing Committee on Legislative Affairs.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Legislative Affairs presents the following as its Sixth Report.

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Meetings:

Your committee met on Thursday, June 2, 2005, at 6:30 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

Bill 9—The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba

Bill 11—The Provincial Court Amendment Act (Justices of the Peace)/Loi modifiant la Loi sur la Cour provinciale (juges de paix)

Bill 24—The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses)

Bill 37—The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

Bill 38—The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

Committee Membership:

Your committee elected Mr. Swan as Vice-Chairperson.

Substitutions received prior to commencement of meeting:

Mr. Goertzen for Mr. Schuler

Mrs. Mitchelson for Mrs. Taillieu

Mr. Swan for Mr. Jennissen

Hon. Mr. Smith for Hon. Ms. Melnick

Mr. Dewar for Hon. Ms. Allan

Mr. Dyck for Mrs. Mitchelson

Public Presentations:

Your committee heard 1 presentation on Bill 9—The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba, from the following organization:

Dr. Keith Hildahl, Manitoba Centennial Centre Corporation

Your committee heard 5 presentations on Bill 38—The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation, from the following individuals and / or organizations:

Martin Boroditsky, Private Citizen

Walter Trafton, Gateway Enterprises Ltd.

Shaun Parsons, Professional Property Managers Association

Brian Pannell, Housing Coordinator, Young United Church

Dave Angus, Winnipeg Chamber of Commerce

Written Submissions:

Your committee received 1 written submission on Bill 24—The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du

consommateur (communication du coût du crédit et modifications diverses), from the following organizations:

Paul Griffin, Canadian Bankers Association

Your committee received 1 written submission on Bill 37—The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale, from the following organization:

Ron Bell, Association of Manitoba Municipalities

Bills Considered and Reported:

Bill 9—The Manitoba Centennial Centre Corporation Act/Loi sur la Société du Centre du centenaire du Manitoba

Your committee agreed to report this bill, without amendment.

Bill 11—The Provincial Court Amendment Act (Justices of the Peace)/Loi modifiant la Loi sur la Cour provinciale (juges de paix)

Your committee agreed to report this bill, with the following amendment:

THAT the proposed subsection 65(3), as set out in Clause 9 of the Bill, be amended by replacing the first sentence with the following:

When holding a hearing to adjudicate a charge against a judicial justice of the peace, the hearing judge has the same powers that the council has when it adjudicates a charge against a judge.

Bill 24—The Consumer Protection Amendment Act (Cost of Credit Disclosure and Miscellaneous Amendments)/Loi modifiant la Loi sur la protection du consommateur (communication du coût du crédit et modifications diverses)

Your committee agreed to report this bill, with the following amendments:

THAT Clause 3(2) of the Bill be amended in the proposed definition "non-interest finance charge" by

adding "if the borrower is not a beneficiary of the insurance," after "title insurance" in the part before clause (a).

THAT the proposed clause 4(3)(a), as set out in Clause 6 of the Bill, be amended by adding " — other than a Crown corporation or agency prescribed by regulation — " after "agency".

THAT the proposed clause 14(2)(b), as set out in Clause 6 of the Bill, be amended by striking out "a credit card" and substituting "open credit".

THAT the proposed subsection 35.9(2), as set out in Clause 6 of the Bill, be amended by adding "unauthorized" before "use".

THAT Clause 6 of the Bill be amended by adding the following after the proposed subsection 45(3):

Notice to persons other than the borrower

45(4) *In addition to giving a notice to the borrower under subsection (2) or (3), the credit grantor must, at least 20 days before selling the collateral, give a copy of the notice to each person who*

(a) has registered a financing statement in relation to the collateral in the registry established under The Personal Property Security Act; or

(b) has an interest in the collateral and has given written notice of that interest to the credit grantor.

THAT the proposed subsection 51(3), as set out in Clause 6 of the Bill, be amended

(a) in the section heading, by striking out "to borrower"; and

(b) in the part after clause (c), by striking out "to the borrower" and substituting "in accordance with subsections 60(2) and (4) of The Personal Property Security Act".

Bill 37—The Municipal Assessment Amendment Act/Loi modifiant la Loi sur l'évaluation municipale

Your committee agreed to report this bill, without amendment.

Bill 38—The Residential Tenancies Amendment Act/Loi modifiant la Loi sur la location à usage d'habitation

Your committee agreed to report this bill, with the following amendments:

THAT Clause 12 of the Bill be amended by renumbering it as subclause 12(2) and by adding the following as subclause 12(1):

12(1) Clause 116(2)(c) is amended by striking out "clause 134(2)(b)" and substituting "subsection 134(2)".

THAT Clause 19(2) of the Bill be amended

(a) in the heading, by striking out "8, 15 and 17(1)" and substituting "7, 14 and 16(1)"; and

(b) in the subsection, by striking out "8, 15 and subsection 17(1)" and substituting "7, 14 and subsection 16(1)".

Mr. Reid: Mr. Speaker, I move, seconded by the honourable Member for Minto (Mr. Swan), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I would like to table the following: Volume 4 of the Public Accounts 2003-2004 unedited and Crown Corporations Council Annual Report 2004.

MINISTERIAL STATEMENTS

Flood Update

Hon. Scott Smith (Minister responsible for Emergency Measures): Mr. Speaker, I would like to provide an update to the House with regard to the flooding that has followed heavy rains in western Manitoba the last week.

As a result of exceptionally heavy rains, a number of municipalities have reported significant

flood-related damages. An area including the R.M.s of Daly, Blanshard, Strathclair and Woodworth have been particularly impacted, reporting over 100 sites with damages in that area alone. Thus far, we have received reports of road damages, flooding of agricultural lands and basement flooding caused by overland water and sewer backup.

The effected areas stretch from the U.S. border up to the southern boundary of the Riding Mountain National Park and north as far as Swan River. While precipitation in western Manitoba was light over the last weekend, eastern Manitoba received a significant amount of rainfall. Flooding is being reported in those areas of the province.

Manitoba EMO and Water Stewardship remain in close contact with officials from southern Manitoba to provide them with the most current information. While there are no pending requests for operational assistance from the provincial government, our staff are on notice and ready to provide whatever support is available.

While most rivers and creeks in western Manitoba have stabilized and are starting to fall, any additional rain could result in further complications. An example of this occurred on Saturday when two inches of rain in Strathclair resulted in flooding in the town, and the municipality calling on Manitoba EMO's assistance in their emergency operations.

With this in mind, forecasts of additional rain for southern Manitoba later this week are being watched very closely, Mr. Speaker. We remain in close contact with the municipalities that might be subject to further flooding.

Mr. Speaker, the Premier (Mr. Doer) toured the affected area on Friday, June 3, and our government is gathering information to determine the impacts of the event. Since many of these same municipalities suffered damages as a result of the spring runoff flooding this year, we are mindful of the difficulties that come with a second major flood event.

A Disaster Financial Assistance program was announced on Friday to deal with the flood damage from earlier this year. Our government will move quickly to provide the appropriate assistance for this event. Thank you, Mr. Speaker.

Mr. Leonard Derkach (Russell): Mr. Speaker, to begin with I would like to thank the Minister

responsible for Emergency Measures for his statement, but I am a little bit concerned about some of the statements that the minister has made in his statement.

I guess it just shows when you are not in touch with the situation sometimes you err. Mr. Speaker, as a matter of fact, in the R.M. of Blanshard, it was not light rain this past weekend, there were four inches of rain on Friday night which once again caused significant flooding to what they had received before which was nine inches.

Secondly, the R.M.s have already declared themselves as disaster areas and those motions were on the Premier's desk at eleven o'clock yesterday morning. I find it kind of strange that the Minister responsible for Emergency Measures is indicating while there are no pending requests for operational assistance from the provincial government, I do not know what he expects municipalities to say when they, in fact, declare themselves as disaster areas.

Mr. Speaker, I have to commend all of the reeves, the councillors and the mayors who have been out there almost 24 hours a day since last Wednesday working with their citizens trying to divert the water. I have to also give credit to Emergency Measures who were there, the Conservation districts and, of course, all the CEOs from the municipalities who have been working overtime to try and deal with these fairly dramatic situations.

Mr. Speaker, as one reeve indicated to me on Sunday, he said, "I have lived here all my life and I have never, ever seen anything like this in my whole life." The little town of Strathclair is trying to manage water that has to flow right through its town, and there is still hundreds of acres of water that has to come through its town. If they get any more rainfall there is a disaster. There should be, in my view, pumps from the government ready to go to work.

* (13:45)

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

Mr. Speaker: Does the honourable member have leave to respond to the ministerial statement?
[Agreed]

Mr. Gerrard: Mr. Speaker, I, too, have been concerned about the situation in western and southwestern Manitoba and the abnormal amount of water and rain that people have experienced, the effects on farmers and their crops, the effects on communities like Strathclair which have been particularly hard hit. Clearly, it is something about which we should all be quite concerned.

We are hopeful that there will not be more rain, but, certainly, it is not certain that there will not be more rain and there could be more difficulties ahead for many people yet. So I join in the representatives from the other parties in expressing concern and expressing appreciation for the municipal officials and staff and the volunteers and other provincial officials and representatives from the conservation districts who have pitched in, in one way or another, to do everything they could to do their best to deal with this difficult situation. So, we will keep a close eye on things, continue to be concerned, but hope for the best. Thank you.

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 the gentlemen that were in Holland on the 60th anniversary of V-E Day. They are Irving Berry, Leo McVarish, Captain (retired) Ed Chenier, Ralph Kennedy, Jack Hughes, Leon Pat LeBlanc and George Corley. George is the uncle of the honourable Minister of Family Services and Housing (Ms. Melnick), and they are also the guests of the honourable Minister of Family Services and Housing.

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

Also in the public gallery we have with us from Immanuel Christian School 11 Grade 11 students under the direction of Mr. Jeff Dykstra. This school is located in the constituency of the honourable Member for Radisson (Mr. Jha).

Also in the public gallery we have from Linden Meadows School 30 Grade 5 students under the direction of Mr. Rick Bhugtana. This school is located in the constituency of the honourable Member for Fort Whyte (Mr. Loewen).

Also in the public gallery we have from Landmark Elementary School 26 Grade 5 students under the direction of Mr. Russ Dirks. This school is located in the constituency of the honourable Minister of Transportation and Government Services (Mr. Lemieux).

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

ORAL QUESTIONS

Flood Damage Disaster Assistance

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, during the worst rainstorm in over 50 years, between 100 and 175 millimetres of rain fell on western Manitoba last weekend over a 12-hour period. The heavy rainfall fell over an 80 kilometre-wide tract of land stretching from the American border to Riding Mountain National Park. Senior flood forecaster, Alf Warkentin, said, "We will have to rewrite the history books. This is very, very big."

Municipalities are trying to deal with road damage, flooding. Farmers' fields are under water washing away recently planted seeding. The R.M. of Strathclair has already declared itself in a state of emergency, and I know that the Premier was out there touring the affected area on Friday.

I would just like to ask the Premier, based on his first-hand account of the damage, will this Premier be declaring this area a disaster zone.

Hon. Gary Doer (Premier): As the member indicates, the tremendous amount of rain and rain damage to communities, the department of highways was out in full force after the rainfall, the Department of Conservation, the EMO individuals. We will also be providing a tour for the Opposition Leader and the Leader of the Liberal Party tomorrow. Ironically, it happened literally within hours after the \$3.4 million was approved for a rainfall. It was quite a bit less than that six weeks ago, or so, Mr. Speaker.

There is no question that these communities are entitled to disaster assistance. There are many different variations of that for different communities, but there is no question that disaster assistance was

there for communities on the basis of the former rainfall, and it will be available for the rain and the damage that occurred last week, Mr. Speaker.

* (13:50)

Mr. Murray: Mr. Speaker, I would note to the Premier, he is aware, obviously, that this disaster cuts across a lot of ministries; the Ministry of Agriculture, highways and Transportation. I would just like to ask this Premier if he has convened a committee of Cabinet to respond to this disaster affecting our citizens in western Manitoba, and at that committee of Cabinet have they declared this a disaster zone.

Mr. Doer: As I said, in our view, the Disaster Assistance program is in place and will be in place for this disaster. Secondly, we are having our staff at all the levels of government involved directly to try to mitigate as much as possible at the earliest possible moment whatever they can do to be appropriate to the rain and the damages, Mr. Speaker.

We have already stated to the municipalities that we will be there in similar ways that we were before, and we know that there is twice as much rain in many municipalities as there was some six weeks ago. We also know that you cannot just multiply it by two because some of the damages may be even greater than that, Mr. Speaker.

I would point out, in terms of agriculture, that we have put in place since we have been elected crop insurance that covers excessive moisture. We know that most producers would rather have a crop than a claim, but our agricultural people are there and there is a program.

On Friday, I also talked to the federal lead minister in terms of Manitoba. The federal officials were on the planes with our EMO people. We talked to the federal government and they also have stated that they will be with us to support the municipalities, the farm families and the communities for disaster assistance, Mr. Speaker.

Mr. Murray: My question is very specific to the Premier and it has to do with declaring this area a disaster. I get an answer from the Premier that the Disaster Financial Assistance program was announced on Friday to deal with flood damage

earlier this year. This is about what is happening now.

Mr. Speaker, we know that when flooding occurred in the nineties that the previous government was there quickly to respond to affected areas, of course, during the flood of 1997, we understand the flood of the century; but most importantly in Westman areas, in 1995 flooding and in 1999 storms.

Today we know there are many communities that are affected. We just have to watch the news and see the disaster happening in that area. In fact, in one of the R.M.s of Blanshard, a councillor said that this is a nightmare.

The damage on this farmland is incredible, Mr. Speaker, yet despite the seriousness of this situation, the minister responsible did not even take the time to survey the damage himself. For him it is apparently acceptable that departmental staff go on his behalf. Well, that is not acceptable.

Mr. Speaker, it is clear from the Premier's answer that there is no co-ordinated effort on this approach. This Premier should immediately stand in his place today on behalf of those hardworking communities that have themselves declared a disaster zone. He should, in fact, declare them a disaster zone, say what support he is going to give them and when he is going to give that support.

Mr. Doer: Well, Mr. Speaker, the member opposite is not following what happened in western Manitoba. The Minister responsible for Emergency Measures approved a \$3.4-million cheque within weeks of a rainfall that took place that was half as much as the rainfall that took place on Thursday, Friday, Saturday and Sunday. We will also be approving—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: The rain created considerable damage and considerable more damage over the last 72 hours than the first event. There are roads that are clearly cut in two. There are culverts that are loaded with silt. There are fields that are way too high in terms of water. There are community pumping stations that cannot handle the water level. There is flooding of basements. There are other issues of local damage.

I have said on Friday and I will say it again today that we will move with the greatest of dispatch to settle every one of those claims. There is a disaster in the region, Mr. Speaker. We settled the Sprague case a lot faster than ever happened under the former government. We settled last week. I do not think we should be political about this. We will move as fast we can to settle all the claims. We have already put in a call to the national government because any damages over \$5 million also precipitate disaster assistance under the federal government.

I could point out, Mr. Speaker, that what happened with southwest Manitoba in 1999, the federal government was not even involved for months later. We involved them right off the bat. I also would point out that rather than ad hoc each disaster on the basis of agriculture, we now have in place with amendments that this Minister of Agriculture (Ms. Wowchuk) made, crop insurance covering excessive moisture. In fact, last year that crop insurance program, I think, forwarded some \$27 million. Again, every producer would rather have a crop than a claim. Our people are out there. I was out there Friday, and we will continue to be there to settle the disaster assistance claims as quickly as humanly possible.

Flood Damage Minister's Awareness

Mr. Leonard Derkach (Russell): Mr. Speaker, I certainly acknowledge the Premier's presence on Friday, but what is so sad is the Minister who is responsible for Emergency Measures was right in the area on Saturday. When there were floods in '99, '95, 1988, the minister, the Premier, members of this Legislature were there when the disaster occurred. This is five days since the disaster. This minister was in the area, but refused to even go and talk to the reeves or any of the councillors. He was even told about it by the member from Minnedosa. He said, well, my officials are out there, that is good enough. I find it appalling. This minister has dropped the ball on more issues than I can count.

I want to ask the minister why he feels it is not important for him to be personally involved and to ensure that he has contact with those municipalities who are feeling this disaster.

Hon. Scott Smith (Minister responsible for Emergency Measures): Mr. Speaker, as the rain

began to accumulate and it became very apparent that there was a problem out in the area, EMO was on the ground from that time on. Emergency Measures Organization and the infrastructure that it has within have been in contact with all the areas affected, with the reeves and with the mayors. Certainly, I am getting updates on that every four hours.

Mr. Speaker, we are well aware of the concerns of all the area, the large-scale flooding that is out in the area. The Premier (Mr. Doer) was up and toured the area on Friday with federal officials and with members of EMO. We know precisely the effects and where they are in the areas. We have contacted the mayors and reeves in all areas affected. The update coming back to EMO is being done, it is being dealt with. In terms of procedure in bringing that information back, we are well aware of it. Our Premier was on the ground in the middle of it talking to people out in the area.

Mr. Derkach: Mr. Speaker, this minister saw fit to go to a ribbon-cutting ceremony in Minnedosa, but he could not take the time to drive 15 minutes to the municipality to look at the damage or to consult with the mayors and the reeves who were dealing with this disaster. It is not as though he was not invited. The Premier took the time to go. This minister has responsibility, he refused.

I want to ask him when is he going to go out there and take a look for himself at the damage that has occurred as a result of the rain.

*(14:00)

Mr. Smith: Mr. Speaker, we are interested in the area that has been affected. We are getting continual reports coming back from officials that are out there. We are going to monitor the situation as we go forward.

Mr. Speaker, it strikes me as interesting, as the member opposite, certainly, as I spent 20 years in the fire services and had people that were on the ground and you had people dealing with the issue, it was members like this opposite who wanted to pull up in their car and then actually get in the way of people doing the diligent work that they were doing and bringing it back.

Mr. Speaker, I can tell you I am well aware of this situation. Our Premier was on the ground being

well aware of this situation. I can tell you Emergency Measures in this province have this issue well in hand, and the mayors and reeves know it.

Mr. Derkach: Mr. Speaker, I think all of us in this Legislature and Manitobans can understand why this minister has not been out there. The arrogance that he displays is just unbelievable.

Mr. Speaker, this minister is 20 minutes away from Rivers. He is 45 minutes away from Oak River where the R.M. of Blanshard was facing nine inches of rain on Wednesday, four more inches on Friday, and, yet, he did not see fit to even go and tell the communities that he was interested in what was going on.

I ask him why he did not see fit to go and take a look at what was going on in that whole area of western Manitoba just this past weekend. Where was he so busy?

Mr. Smith: Mr. Speaker, as this member would like to pinpoint certain areas, the impact of this is from the American border to Riding Mountain National Park, up as far as Swan River. This is a wide-scale area that we are well aware of, in every area, through EMO where the effects are and the different anomalies within those areas. They are continually reporting back to EMO. We are co-ordinating the efforts with the municipalities. Any resources that they have needed, they will certainly get.

In terms of this disaster coming ahead, we are well informed of exactly what is going on in the area. For the member opposite to sit here and play petty politics on something this important I find very offensive.

Crocus Investment Fund Proposed Legislation Amendments

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, according to former NDP MLA MaryAnn Mihychuk, when she was Industry Minister, her departmental officials were preparing legislation aimed at cracking down on Crocus by improving monitoring and reporting requirements. To quote Ms. Mihychuk, she said and I quote, "Labour-sponsored funds were a regular and consistent topic at the ministerial level. There were

pacing issues, reporting issues. People had flags. They raised issues of concern."

However, Mr. Speaker, as Ms. Mihychuk added, quote, "You really need the support of government to take action, but they raised the flags and they raised a number of issues that they felt needed to be addressed."

Mr. Speaker, this NDP Premier and his government did not provide that support. Instead, they did everything to avoid the red flags that were raised internally and externally. Why did this Premier scrap that legislation after he shuffled Ms. Mihychuk out of the Industry portfolio? Why did he scrap it?

Hon. Gary Doer (Premier): Mr. Speaker, if the member opposite reads the Auditor General's report, it is very specific about what legislation was drafted and what legislation obviously was pending before the government. The Auditor General has access to all the files. The legislation that was drafted and was reported in the Auditor General's report was dealing with pacing and liquidity, and that is well documented by the Auditor General.

Mr. Murray: Well, Mr. Speaker, former NDP Industry Minister, MaryAnn Mihychuk very clearly stated, and I quote, "I was approached by officials and asked would I support looking at measures to tighten up controls. I said I would. At the time, at the end of 2002, at the beginning of 2003 when I was the minister, we were indeed talking about how to make the fund accountable and open and workable."

Unfortunately, Mr. Speaker, the only thing done on the Crocus file after this Premier shuffled her out of Industry was to have this much-needed legislation scrapped. Interestingly, when Ms. Mihychuk was asked who quashed this legislation, she responded, and I quote, "That is not for me to say. In 2003, there was a change in portfolios. I moved on to another responsibility so all I can really say is that when I was there the issues were of concern. I felt that they were attempting to address them in a responsible manner in a way that would protect investors and provide them with greater accountability."

But this NDP government put an end to that, and I would like to ask this Premier why did he scrap that legislation.

Mr. Doer: Well, Mr. Speaker, the Auditor General, I will check the page number, the Auditor General basically—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: The Auditor General who has access to all the information in all the files basically looked at the Industry files and stated that there was draft legislation there. That is correct. The draft legislation deals with pacing and liquidity, Mr. Speaker. That legislation was not proceeded with and I have heard the Auditor General comment in other media that that actually would have made it easier for the fund as opposed to the analyses given by the member opposite.

The Auditor General's report is clear on this. His other media statements dealing with the fact that that was the legislation, that was the only legislation, and I was asked that question by a media person last week and the report of the Auditor General is correct.

Public Inquiry Request

Mr. Stuart Murray (Leader of the Official Opposition): Manitobans were pleased to hear Ms. Mihychuk say she is absolutely prepared to testify under oath at an independent public inquiry.

Mr. Speaker, she said, and I quote what she said, "I am prepared to speak to any official who asks me questions. I have nothing to hide. I want to be as open and honest as possible. I am prepared to cooperate. I feel there may be legal repercussions, and so in that venue I know I am able to say the truth. I think it is important when such a large issue that that be provided for people."

Ms. Mihychuk and others are looking forward to having this record clear, but this Premier and his NDP ministers are doing everything possible to hide the truth. Will the Premier stand up in his place on behalf of Crocus unitholders and Manitoba taxpayers, will he today call for an independent public inquiry, or, Mr. Speaker, does he have something to hide?

Hon. Gary Doer (Premier): The member opposite called for an inquiry six times before he got a copy of the report and six times before he read the report.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. I would refer the report to the honourable member because the matter of legislation and draft legislation is clearly dealt with in the Auditor General's report who has access to the files of the Industry Department, and clearly that is very specific to the issue of pacing and liquidity. It has also been interpreted that if we had proceeded with that legislation, that would be, in fact, making it easier for the fund managers. We did not make it any easier with that legislation because we did not bring it in, so that is clearly stated by the Auditor General and the Auditor General was correct.

Crocus Investment Fund Information Tabling Request

Mr. John Loewen (Fort Whyte): Mr. Speaker, the Minister of Finance needs to clear the air. For months he refused to answer questions on what he knew about Crocus. Four weeks ago he received a draft copy of the Auditor's report indicating that on January 2, 2002, an official in his department had written a memo indicating that there were concerns about Crocus. This official recommended an independent inquiry and yet the government did nothing, and, yet, for four weeks after he received the report, this minister did nothing. He should have demanded that memo immediately. He should have asked to see that memo and wanted to know immediately what was in it, and, yet, he did nothing.

It just does not add up. He had the report for four weeks. He should have demanded that memo if he had not seen it already as he claims. I would simply ask the minister to table the memo today and to explain to Manitobans why he did not demand to see the memo four weeks ago.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, we had the report in our hands for two weeks before as a draft report, and we responded to it within that two-week time. All the information that the Auditor wished to see was available to him. The Auditor acted under special provisions that we put into his new legislation which allowed him to investigate everything he wished to investigate, including any e-mails. What we are referring to here is an e-mail between a member of Finance official

and members of the Department of Industry and Economic Development, so all that information is available to the Auditor. If the member is interested in full disclosure, I once again ask him to put in front of the Auditor or the special prosecutor the secret deal he signed three years ago.

* (14:10)

Crocus Investment Fund Proposed Legislation Amendments

Mr. John Loewen (Fort Whyte): It is unfortunate I have to remind this minister constantly that he is the one and it is his government that has the authority to look at any and all information at Crocus. Yet for some reason he chose to turn a blind eye.

On Friday, Mr. Speaker, former Minister Mihychuk was very clear when she indicated that under her watch the Department of Industry was working on legislation to deal with concerns that her department had raised about the operation of Crocus. This legislation was being worked on with the Department of Finance, in her words, and was designed to improve monitoring and accountability. She also indicated very clearly that this legislation was stopped by a higher authority whom she refused to name.

I would ask the minister today if he can indicate to this House and indicate to the unitholders, who have been fleeced of \$60 million, who stopped work on the legislation that was in the works. Tell us today, Sir, who was that higher authority who stopped it?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I would like to remind the member opposite that the Auditor General did refer and look at all this information, and he says very clearly on page 145 that the proposed legislation that never went forward dealt with pacing and liquidity. It did not deal with valuations. It did not deal with the whole compliance issue. What it did was it dealt with pacing and liquidity which are not the result of the issues here today.

I would also like to remind the person that what we are trying to do is clean up the mess that was established in 1992 by separating the monitoring from the promotion. So, in 1997, the monitoring and

promotion were put in one department, the Industry Department. We are now separating that so there is now the compliance and there is also the promotion in two separate departments so we will not have multiple hats and confusion.

Crocus Investment Fund Public Inquiry Request

Mr. John Loewen (Fort Whyte): Mr. Speaker, I refer the minister to page 183 where his own department claims it was their top priority to monitor the operations of the Crocus Fund.

Once again this government is proving that it cannot handle complex issues. We are now seeing the Premier strip responsibility from elected officials and enforce decisions that have been made by him and a small group of political staffers on recommendations and advice from labour leaders in this province. We have evidence from Minister Mihychuk that, just prior to the 2003 election, meetings were being held with labour leaders to determine what legislation should go ahead and what legislation should be quashed. They were determining what files should be looked at and which ones should be hidden from the public. Clearly the decision was to hide the Crocus file from the public.

Minister Mihychuk indicated on Friday she would welcome a public inquiry to clear the air and ensure the public has all the facts. Would the Finance Minister welcome the opportunity to clear the air in an inquiry just as she did?

Hon. Gary Doer (Premier): Well, there is a bit of rhetoric in the member's question. Maybe we should go back to the report. The report from the Auditor General basically documents two specific meetings that took place, Mr. Speaker. It also talked about the legislation that was drafted. The legislation that was drafted was on liquidity and pacing.

Those proposals were not granted by this government. So the argument that we were acquiescing to only labour when we did not proceed with those recommendations, Mr. Speaker, is absolutely inconsistent with any logic whatsoever.

Crocus Investment Fund Proposed Legislation Amendments

Mrs. Bonnie Mitchelson (River East): Former Industry Minister, MaryAnn Mihychuk, has stated

publicly that Industry and Finance officials worked very closely on legislation to make Crocus more accountable.

Is the government today saying Ms. Mihychuk is not telling the truth?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): In the Auditor General's report, and he had unfettered access to all documentation in Crocus, in the Finance Department, in the Industry Department. He met with all these people. He has said clearly on page 145 of the report, please read the report because it does contain this, he says what it was: all the draft legislation was about liquidity and pacing.

We did not move ahead with that legislation. In fact, if we had moved ahead on that legislation, as it was drafted, it would have made the legislation weaker. What we did was we did not move forward with that legislation. We did not weaken controls over the fund. What we did was we continued to monitor how it is.

In the future what we are going to do is we are going to make it stronger. We are going to move forward. We are going to move the promotion separate from the monitoring as was recommended by the Auditor General.

Crocus Investment Fund Public Inquiry Request

Mrs. Bonnie Mitchelson (River East): On Friday, MaryAnn Mihychuk told the truth when she spoke on CJOB, Mr. Speaker. On Friday, Ms. Mihychuk said that she was prepared to swear under oath and testify if a public inquiry was called.

Mr. Speaker, when will this government stand up and swear to tell the truth by calling a public inquiry?

Hon. Gary Doer (Premier): The Auditor General's report also states that the whole issue of rate of return was fuzzy under the former legislation drafted by the former minister when she was in government. Mr. Speaker, that is an analysis conducted by the Auditor General, and we have got a bill before the House that clearly makes the whole issue of rate of return, takes it from the fuzzy principles by the Conservatives and makes it stronger for the investors. I think that is positive action.

It also raises the issue of the hiring and the staff. Maybe the member wants to tell us whether they were involved in hiring Mr. Umlah, Mr. Speaker.

Mrs. Mitchelson: The question for this government is extremely simple, and all we need is a simple answer, yes or no. Is this government today saying that MaryAnn Mihychuk was not telling the truth?

Mr. Speaker, will this government stand up, agree to testify under oath and call a public inquiry so that Manitobans, the 33 000 shareholders in Crocus, can find out what this government knew and what they covered up? Are they prepared to swear under oath through a public inquiry what their role in this scandal was?

Mr. Doer: Mr. Speaker, the Auditor General is telling the truth, and it is contained within the report dealing with legislation that only is confined to the issue of pacing and liquidity.

I would point out to the member opposite, the Auditor General also says in the report that the staff who were at Crocus were there from the inception. Mr. Speaker, you were there at the inception, what did you know?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, on a point of order. I thought it was this—yes, on a point of order. This side of—

* (14:20)

Point of Order

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

Mr. Derkach: Thank you, Mr. Speaker. Well, I understood that it is this side of the House that is supposed to ask the questions. That side of the House is supposed to answer the questions, but now we have the Premier asking the questions. Well, if he is so interested in asking questions, maybe he would like to reverse roles.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order that it is the opposition and government backbenchers that are entitled to questions. We will continue on. We are on No. 6.

Seven Oaks School Division Land Acquisition and Development

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, the government report on the illegal activity by the Seven Oaks School Division was a whitewash. The government basically refused to look at the inaction and the mishandling of this situation by the Minister of Education. In fact, in responding to concerns and allegations raised by a citizen from Seven Oaks, the report says that the Minister of Education signed a letter that was incorrect and inappropriate. Given that the Minister of Education has assured us that he fully understands The Public Schools Act, I would like to ask the Minister of Education why then would he sign a letter that was supposedly incorrect and inappropriate.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, this particular process was raised in the Estimates process where the member from Russell, a former Minister of Education, identified that that was the process, indeed, and that once a concern was raised the appropriate protocol would be to send that letter to the department officials for response. That was the procedure that we followed.

Having said that, Mr. Speaker, I was very concerned with the outcome of this particular situation and we have taken measures to address this. Part of the recommendations that have been brought forward through this 30-day review have been to address the way communications are handled from the Public Schools Finance Board to my deputy's office.

Mrs. Driedger: Mr. Speaker, well, it certainly questions the credibility and competence of this minister if he is going to sign anything that crosses his desk without independently thinking about it.

Mr. Speaker, the report confirms that the Public Schools Finance Board was fully aware and condoned illegal activity by the Seven Oaks School Division. It also confirms that taxpayers' money was put at undue risk.

The Public Schools Finance Board is appointed by the NDP government, and, in fact, most of them are NDP supporters who donate thousands of dollars to the NDP. Mr. Speaker, there has to be consequences for their disregard of the law.

I would ask the Minister of Education today if he is going to do something effective about this and if he is going to replace the Public Schools Finance Board. His government did not hesitate in the past to deal with the Morris-Macdonald School Division when there were problems there. What is he going to do about his Public Schools Finance Board?

Mr. Bjornson: Mr. Speaker, the recommendations are very clear in the report that has been conducted or the review that has been conducted and the recommendations that have been brought forward with the report with respect to having the guidelines clarified with the Public Schools Finance Board with dealing with the PSFB on an annual basis and addressing landholding issues. Certainly the other three recommendations are very clear with respect to how we will make sure that this particular situation does not reoccur. I will be meeting with the PSFB to discuss my expectations around this matter.

Seven Oaks School Division Auditor General's Review

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, his expectations should be very clear and very definitive right now. The parallels between Crocus and the Seven Oaks School Division are very troubling. We see organizations with strong ties to the NDP that did not know how to do their jobs, that did not protect the interests of taxpayers. We have a report that basically ignores the gross mismanagement of this issue and the negligence of this Minister of Education in how he handled this particular issue.

Mr. Speaker, to ensure a full, complete, independent and unbiased report of the illegal activities by the Seven Oaks School Division and the condoning of illegal activity by the Public Schools Finance Board, will this minister turn this file over to the Auditor General today?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, the report also refers to the fact that there is some suggestion by the Seven Oaks School Division that there was a profit of \$700,000 to be made. That number has not

been verified. Because that number has not been verified, we have asked for an external audit of all financial matters relating to this issue. That is what we will be doing.

Physician Recruitment/Retention Government Priority

Hon. Jon Gerrard (River Heights): Mr. Speaker, every day we learn more about this government's inaction on Crocus, inaction which led to more than 33 000 Manitobans losing millions of dollars. Most recently, there have been the explosive revelations by the former Minister Mihychuk.

Every day we also learn about this government's inaction in recruiting and retaining physicians, leading to hundreds of Manitobans having to wait years for surgeries like hip and knee replacements.

Inaction and spin are the hallmark of this government. Today I tabled a freedom of information request result which shows that the NDP employs 20 spin doctors hired at a cost of hundreds of thousands of dollars a year to put a positive spin on their own inadequacies, Mr. Speaker.

I ask the Premier when is he going to ensure that there are adequate numbers of real doctors instead of putting a priority on hiring lots of spin doctors.

Hon. Gary Doer (Premier): Mr. Speaker, I believe—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Well, thank you, Mr. Speaker. I will obviously look at the numbers, but we believe it is comparable to the former situation.

I would point out to the honourable member that I recall he raised some concerns about the Crocus Investment Fund on September 8, 2000. The member opposite started his question by Crocus and he complained to us. He criticized the government for having too much rate of return in the Crocus Fund, too much emphasis on rate of return and not enough on its social mandate. The member opposite, that and Isobord, he has a record on Crocus.

Mr. Speaker: Order.

Point of Order

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

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, you have ruled a number of times on relevance. I think the Leader of the Liberal Party asked about something called "spin doctors." Maybe the Premier missed it, but I just wonder whether he could make his answer a little bit relevant to that point.

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

Mr. Doer: On the same point order, I think if you check Hansard, Mr. Speaker, you will find that Crocus was definitely in his question. If somebody is mentioning 10 things, you have the ability to deal with a couple of those issues in a very focussed way.

Mr. Speaker: Order. The honourable Member for River Heights (Mr. Gerrard), on the same point of order?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I do not want this to turn into a debate.

The honourable Member for River East, on the same point of order.

Mrs. Bonnie Mitchelson (River East): On the same point of order, and I did clearly hear the question the Member for River Heights asked, talking about tabling a report that indicated that there were 20 spin doctors.

I would just like to ask the Premier which one of the 20 spin doctors prepared that response for him about Crocus because he was reading from a written response.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, I was listening very carefully as I do to all questions. The honourable member did raise the issue of Crocus and when you are dealing, in his words, "spin doctors of governments," it would pertain to whatever the honourable member mentioned in his

preamble. So the honourable member does not have a point of order.

* * *

* (14:30)

Mr. Gerrard: Mr. Speaker, the Premier's spin doctors have been working overtime I see.

Mr. Speaker, this government is at times so inept that it would have trouble rolling rocks down a steep hill to hide the real facts from Manitobans. It spends hundreds of thousands of dollars a year on spin doctors.

Mr. Speaker, Manitobans are suffering with losses of tens of millions of dollars because of the poor handling of Crocus. Manitobans are suffering through emergency room closures, pediatric shortages, a shortage of family physicians, a serious lack of doctors willing to practise in a number of rural areas. When will this government ensure that we have sufficient numbers of real doctors instead of putting a priority on spin doctors?

Mr. Doer: Stats Canada just came out with a report that indicated in the five years the direct public service is down about 400 positions. Mr. Speaker, you will find in the same five years that there has now been an increase in the number of doctors by 160, I think you will find.

So the member opposite should be a little careful. People are still talking to me about his spin of having half a day's holiday on Manitoba Day. That is the spin I am getting, and we do not need any spin doctor to provide it, Mr. Speaker.

Crocus Investment Fund Proposed Legislation Amendments

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, my question is for the government in regard to the Crocus Fund.

Mr. Speaker, former NDP minister MaryAnn Mihychuk stated, and I will take the direct quote from the media, "She was aware of the concerns about Crocus during her time as Industry Minister and was working on legislation that would have forced the organization to be more accountable."

Mr. Speaker, we have the former NDP minister on the one hand saying that it was there. Then we have the Premier (Mr. Doer) saying, "I know nothing." We have the Minister of Finance (Mr. Selinger) saying, "I know nothing." The truth be known, we have the former minister saying, "I am prepared to swear to this, prepared to be straight-forward in front of an independent body."

My question to the Premier or to the Minister of Finance is put quite simply. Why should we believe them when we have a former minister that this Premier appointed stating that there was something that was being worked on that would have ensured more accountability? Why should we believe this Premier, Mr. Speaker?

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I trust that the member opposite would actually trust the Auditor. The Auditor had unfettered access to the information in the Industry Department, had unfettered access to the information in the Finance Department.

He has stated on page 145, and he clearly states, "What the draft fund bill was all about was liquidity and pacing." He further went on to say that if we had moved forward in the draft bill, that would have weakened, not strengthened, but weakened the whole regulatory controls. We have been on record on this.

The Auditor, who you should trust because he is independent, an unfettered person, a servant of the Legislature, has said this in the report and he said it publicly, "We followed a proper protocol. We brought the good information on." The Auditor has put the information on the record. Please read the report. It is on page 145.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Bruce Kitching

Ms. Bonnie Korzeniowski (St. James): I rise today to pay tribute to the memory of David Bruce Kitching who passed away last week at the age of 48.

Last Friday, I had the honour of joining Bruce's friends and family at St. Charles Roman Catholic Church, where we celebrated his life. I was joined at

this commemoration by the honourable members from Assiniboia, St. Vital, St. Norbert and Radisson, as well as representatives from the opposition and the City. Bruce was an extraordinary man and Friday's ceremony was an incredible and fitting tribute to his life.

Bruce was born into a military family in Ottawa on February 3, 1957. His family moved several times before eventually settling in Winnipeg in 1970, where Bruce attended Sansome Junior High School and graduated from Westwood Collegiate.

In 1992, Bruce joined the City of Winnipeg Fire Department and subsequently obtained certification within numerous rescue departments. Bruce was extremely dedicated to his work and loved it dearly. He served out of stations 6, 12, 11 and, most recently, Station 20, located in the constituency of St. James.

Mr. Speaker, Bruce was a selfless individual who dedicated generous amounts of time and energy to public service. Bruce was an active volunteer with the Firefighters Burn Fund, serving as a Burn Camp counsellor and working with burn survivors at Camp Mawamawi for children. In addition, he served on the Burn Fund board of directors and handled the sales of Burn Fund clothing with his wife Kathy.

Bruce enjoyed life to the fullest. He enjoyed cycling, camping, canoeing, the outdoors, his pool, barbequing and campfires. He particularly enjoyed doing these activities with his family, whom he always made time for.

On behalf of all members of the Manitoba Legislature, I would like to extend my condolences to all of Bruce's family, his wife Kathy, his daughters Christine and Crystal, his stepdaughters Michelle and Jacquie as well as many others who loved and cherished him. Thank you, Mr. Speaker.

Flood Damage

Mr. Leonard Derkach (Russell): Mr. Speaker, I rise this afternoon to pay tribute to the reeves, the mayors, the councillors and the CEOs of municipalities in western Manitoba who have very valiantly fought the excessive rainfall in that part of the world that affects the citizens in all of those small communities throughout western Manitoba.

Mr. Speaker, I only regret that the Minister responsible for Emergency Measures (Mr. Smith), who is a resident of the western part of this province, did not see fit to visit and to attend to any of the municipalities who were struggling over this past weekend and last week. When I spoke with reeves in these municipalities, they clearly indicated that they have never had to deal with this magnitude of a flood in all the years that they have been elected. They were looking for at least some assurance that government would be there to help.

Yes, Mr. Speaker, Emergency Measures personnel were on the scene, conservation district people were on the scene, others were coming out to help, but there was no sight of the Minister responsible for Emergency Measures. As a matter of fact, he even erred in his ministerial statement because when he put his statement out this afternoon he said that there was light rain this past weekend. Well, does he consider two inches of rain, four inches of rain, light rain? It is incredible. He also indicates that there were no pending requests from municipalities to him as a government or to his department, yet municipalities declared themselves as disaster areas. How much more evidence does this man need to ensure that he puts his best foot forward and gets out there to apprise himself of the circumstances that these communities are putting up with?

I want to focus in on two communities. One is the community of Rapid City, who probably have the worse amount of damage on a highway right in their area, and the second community is Strathclair, who have been trying to divert water around their town, but, unfortunately, because of some highway construction the water has been diverted right into the town. There are hundreds of acres of farmland that are holding water back right now as the municipality tries to divert this water through its town in a reasonable way.

Mr. Speaker, roads have been cut. Approaches have been cut. Driveways have been cut. Houses have been flooded and yet this minister sits back in the comfort of his office and does not understand the importance of getting out there and touching the Manitobans who are suffering and struggling.

*(14:40)

Come Walk With Me

Mr. Harry Schellenberg (Rossmere): Mr. Speaker, books are powerful educational tools that play an

important role in childhood development. Today I rise to draw the attention of the House to a new book, *Come Walk With Me*, which promotes literacy while also educating young Manitobans about Hutterite culture.

Come Walk With Me uses repetition and rhyme to help young children establish reading skills. It was written and illustrated by Esther, Leah and Glenda Hofer, all 13-year-old students at Skyview Colony. Their book, which was produced by the Central Early Childhood Development Initiative committee, is intended for preschool children and depicts life on a Hutterite colony from the perspective of two young girls.

Mr. Speaker, cultural and language barriers make traditional literacy programming very difficult in Hutterite communities, and the problem is made worse by a lack of literacy materials related to Hutterite colonies. By producing *Come Walk With Me*, the Central Early Childhood Development Initiative committee has met an important need. This book will help foster a long-term love for reading in Manitoba's Hutterite communities while remaining relevant to their everyday life.

Come Walk With Me is a useful educational tool for schools throughout our province. Many children in Manitoba are unaware of what it is like to live on a Hutterite colony. This book will help to bridge that cultural gap and further young Manitobans' understanding of Hutterite culture.

Mr. Speaker, on behalf of our government, I would like to congratulate Esther, Leah and Glenda Hofer for the fine work they have done. I would like to commend the Central Early Childhood Development Initiative committee for producing literacy projects that engage Manitoba's Hutterite communities and promote a love for reading. Thank you.

Dr. Helen Glass

Mrs. Myrna Driedger (Charleswood): For almost 50 years Dr. Helen Glass has served the nursing community and the people of Manitoba as an exemplary leader, visionary and spokesperson. Her involvement in nursing education began in 1958 and continues today in her role as Professor Emerita at the University of Manitoba.

Always a strong proponent for baccalaureate education and advanced preparation for nurses,

Doctor Glass is past Dean of the Faculty of Nursing and was instrumental in development of the Master of Nursing program. More than 200 nurses have completed that program and the vast majority are Manitoba nurses still practising in this province.

Her contributions to nursing research are outstanding. She inspired and guided the establishment of the Manitoba Nursing Research Institute at the University of Manitoba. This institute supports and enhances the research and scholarly work of faculty graduate students and community nurses.

Doctor Glass was a visionary in the championing of the primary health care in the 1970s, almost 20 years before health care policymakers began to recognize the value of this concept. In the 1980s, as president of the Canadian Nurses Association, she took a forward-looking stance on primary health care in relation to the World Health Organization's goal of health for all by the year 2000. The development of access centres in Manitoba very much fits with Doctor Glass' vision of health-based community health centres, an idea she presented in the early 1970s.

Doctor Glass has been widely recognized with several awards and honours. In 1987 she was appointed as provost of the Order of the Buffalo Hunt, and in 1989, she became an officer of the Order of Canada.

Doctor Glass' career has had an international scope, and she has represented Canada on several occasions, notably, to two world health assemblies. Although her profile is national and international, Doctor Glass has chosen to live in Manitoba and continues her work here.

On September 30, 2004, the nursing community honoured Doctor Glass with an event, celebrating with Helen Glass a lifetime of achievement. Truly, we have in our midst a Manitoban of remarkable energy, commitment and accomplishment. This person is Dr. Helen Preston Glass. Thank you, Mr. Speaker.

Dr. Mary Pankiw

Mr. Doug Martindale (Burrows): Mr. Speaker, I want to congratulate Dr. Mary Pankiw for being recognized by the Osvita Foundation Incorporated for preserving Ukrainian culture and commitment to

community service. The Osvita Foundation is a community-based foundation supporting Manitoba's English-Ukrainian bilingual program. Doctor Pankiw will be honoured at a special testimonial banquet held on June 15, 2005.

Mary is a first generation Ukrainian-Canadian and was the first woman to enrol full time in the Faculty of Educational Administration at the University of Manitoba in 1971 and the first Canadian-born female to earn her Doctor of Philosophy at the Ukrainian Free University in Munich in 1978. She has been a dedicated educator for over 42 years, serving in both the public school system and as an educator with the English-Ukrainian bilingual program and Saturday Ukrainian heritage classes.

Mary has always been committed to community service, serving as chairperson on various committees with the Winnipeg Teachers' Association and as the first chairperson of the Manitoba Multicultural Anthology Committee. She also served as president of the Manitoba Society of Seniors and is the current president of the Council of Women in Winnipeg.

Mary is dedicated to preserving her Ukrainian heritage. She is the president of the Ukrainian Canadian Women's Council and volunteers annually at the Ukraine-Kyiv Pavilion. Mary was instrumental in developing Manitoba's Ukrainian bilingual program for students.

Mary has received numerous awards for her commitment to education, community service and the preservation of Ukrainian heritage. Two such honours include a YM/YWCA Women of Distinction Award in 1998, and a profile in *Chatelaine* magazine's "Who's Who of Canadian Women."

I congratulate Dr. Mary Pankiw for being recognized this year by the Osvita Foundation. I also congratulate the Osvita Foundation for their commitment to preserving Ukrainian heritage. I congratulate both Dr. Mary Pankiw and Osvita Foundation. Thank you.

* * *

Mr. Speaker: Grievances. Orders of the Day.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Is there a grievance? Okay, I am going to revert back to Grievances because I did

not notice her standing. It is my own fault, so I am going to revert back to Grievances.

GRIEVANCES

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, as the Member for River East (Mrs. Mitchelson) has indicated, there is so much to say and so little time. This NDP government has demonstrated its inability to manage provincial affairs, including health care, Education, Finance, Agriculture, Family Services, Advanced Education and pretty much any department that you want to show a finger to. It has definitely been below standard in its commitment to Manitobans.

Mr. Conrad Santos, Deputy Speaker, in the Chair

The public Auditor General, Jon Singleton, has said that government often does a shabby job of watching how public spend its money, and Manitobans are seeing first-hand the ramifications of such a statement.

The Minister of Industry (Mr. Rondeau) has repeated inside and outside of this House that the government did not know that there were problems with the Crocus Fund. He has said repeatedly that it was not the role of his department to monitor progress of the fund, but we know that it just is not true and the Auditor General's report clearly indicates that.

Mr. Speaker, this brings back to almost a year ago where the Minister of Family Services and Housing (Ms. Melnick) was also put in a similar situation based on being held accountable by the Auditor General on Hydra House. At that point the minister indicated she was shocked, she was outraged, she would be doing what she could to ensure that the families could be assured that their loved ones were being taken care of and that the tax dollars that were being spent inappropriately would be returned. It took her well over six months to even take any action on this. It took her well over six months to meet with families and stakeholders in that issue. I am very disappointed that this minister is continually seeing how poorly, or I guess, the department as well as families and stakeholders are seeing how poorly she does actually manage her department.

Back to Crocus, Mr. Deputy Speaker. In January 2001, a senior accountant in the Department of

Industry, Economic Development and Mines found that Crocus was facing a serious cash crunch. In 2001, the department knew that Crocus was running out of money and in danger of violating its own act, but the NDP did nothing. Again, there seems to be a track record and a continual opportunity for this government to address the issue.

As with Hydra House, again, I will share the analogy. The minister had ample opportunity to address the issues that were being faced by Hydra House, as did the Minister of Industry (Mr. Rondeau) at this point on this very serious Crocus issue. I guess a quote that I recently read in a paper sort of sums up what Manitobans are truly thinking of this government and this Premier. It was a quote in Saturday's *Free Press*. It says, "How long are the people of Manitoba going to allow Premier Gary Doer and his government"—the Premier—

* (14:50)

Some Honourable Members: Oh, oh.

Mr. Deputy Speaker: Order, please.

Mrs. Rowat:—"and his government to insult their intelligence?" Again, the quote is, "How long are the people of Manitoba going to allow this Premier and his government to insult their intelligence?" I think that sums up the issues that we are facing in Manitoba as this government continues to mess up, continues to frustrate, disillusion and disappoint Manitobans.

Manitobans are being misled by this NDP government when announcements and programs are made but action plans are either not developed or not implemented. We have seen that in the Department of Education where last year the then-critic for Education and I attended a briefing with the minister on special needs and education. The minister assured us at that time that he would be looking at the legislation and moving it forward. Again, we have to hold the minister accountable.

The ratepayers of Manitoba, again, were misled and were led to believe that the government was acting in the best interests of these individuals and these children, and I guess, educators, because educators were led to believe that this government was working in their best interests to ensure that things were going to be happening. Again this

government, again full of announcements and no action, disappointed many, Mr. Speaker.

Recently, regarding Crocus, the then-Minister Mihychuk has indicated to various media sources that, despite her efforts, this government has sidelined any work in ensuring that there were checks and balances in place to address potential red flags regarding Crocus. Again, this government decided not to take her heed and, again, not take the heed of Manitobans and the issues that were being presented and continue to move on, hoping that the issue would go away.

But, Mr. Speaker, we as adults understand in life that, if you do not address an issue in a forward manner, then you will reap repercussions. Again, this government is realizing the mistakes that if you do leave things and let things continue to fester, that they will develop into very serious issues that demand attention and actually do hurt society as a whole. Often individuals and stakeholders are left holding the bag or, in this case with Crocus, are left with often their life savings being taken from them through no fault of their own.

Mr. Speaker, Manitobans are left in pain and prolonged suffering, and it appears that this government is doing nothing to support the issues that are facing rural Manitobans in the area of health care. I have talked to many, many constituents and actually many residents within the Westman area who are very concerned with this government's inability to address, this government's inability to manage, the health care crises.

Mr. Speaker in the Chair

Again, several promises have been made over the years by this government and this Premier and actually again insulting their intelligence by making promises that they know they could not keep. Recently in Rivers, Mr. Speaker, I was touring the devastation from the recent floods, and in discussions with people within the community, they were very encouraged to see the Premier come and visit the communities, but were also very concerned and cautious about any potential promises being made by this Premier and this government in addressing the issue in an expedient manner.

The issue that would cause alarms for them is because in 2003, during the provincial election, this

Premier promised that he would retain the services in the Rivers Health Care Centre. From that point on since government was elected, Rivers Hospital has, on more days, more months than not, has been closed, and the community has not retained the services of an emergency room or acute care.

So, Mr. Speaker, I am very discouraged by this government's inability to keep its promise and to ensure Manitobans in a firm commitment that they are looking out in their best interests.

After repeated questions in this Legislature, Mr. Speaker, the government has continued to remain arrogant in its approach to challenge rural health care and remains with no significant action being taken and no resolutions being offered. ERs continue to be closed. Situations occur, as they have in Brandon Health Centre, where patients have had to wait extended periods of time for care, and, at times, have even been asked to come back the following day for care and services.

In Rivers, they are looking at a \$450,000 contribution from the community to ensure that the Riverdale Health Centre can remain and be renovated and upgraded to the standards that would meet the needs of the community. The acute care and emergency services have been downgraded on a continual basis since 2004, and the Premier (Mr. Doer) is on record as saying that he did commit that acute care facilities would remain in Rivers. So I question again this government's commitment to the communities that I represent and the communities throughout Manitoba who have been promised but have never received commitments or a follow-through on those promises.

The Brandon doctor shortage, especially the pediatrician issue, is of an interest to a lot of Manitobans and a very, very serious concern. The Brandon pediatrician issue has been ongoing now for quite a few months, and this Minister of Health (Mr. Sale), in his condescending way, has indicated that it is an issue that the RHA must deal with and that he believes that the jurisdiction remains with them. I have met with the Brandon pediatrician moms. They are very concerned with the poor service and actually the poor representation they are receiving from this minister for the care of their children, who are looking for something more than lip service from this government, Mr. Speaker. The doctor shortage

in Brandon is in a critical state. I believe that this minister has a lot to do and has done nothing.

He recently was quoted in the paper that eight new doctors will do great things for Rivers and Arborg. Well, I think that the community of Brandon is looking at severe shortages and some doctors looking at pulling services from the facility. I think that this minister has to be looking long-term, and making empty promises and long-term promises that will likely not be kept based on their track record is very serious to the communities and the people involved. I have had an opportunity to speak to several of the pediatricians and nurses who work in the Brandon Regional Health Authority, and actually my children use the services out of the Brandon pediatrician office. We have excellent pediatricians and excellent health care providers. I think that they are at their limits and are looking for supports and some support and guidance from this government to ensure that this arrogance by this government will stop at some point, and that they will actually take some action and deal with the issues at hand.

The South Beach Casino is open. I know that it is an issue on several fronts. I think that the point that I would like this minister to be aware of is that exposing workers and patrons to smoke-filled environments is compromising to any individual. I think this government, in hindsight, should really be considering the best interests of all Manitobans in ensuring that we look at this issue, we look at it in a non-political manner, and ensure that all workers and all patrons are treated with respect and dignity regarding health care support.

This past weekend, I had the opportunity to spend some time with community leaders in Minnedosa and in the Rivers area and have had discussions with mayors and reeves in the area of Souris and Glenwood. Everybody is very, very concerned with the agriculture crisis that we are facing in rural Manitoba. Not only are we facing, we are into our second year of the BSE crisis, which is not only affecting the agriculture producers who are the cattle producers, but also the grain people who are looking at issues with the recent rainfall to be experiencing also a zero income based on the flooding, and are looking at this government to ensure that there will be some types of supports in place, something that will ensure that they can continue to remain in the industry, and are looking at this government to at least approach them and to

meet with them and to hear first-hand the issues that they are facing and not be sending individuals out on their behalf, but actually to taking a personal interest in the hardships that they are facing.

* (15:00)

An issue, I guess, that recently was expressed by an individual for the Minnedosa area is a cattle farmer who was successful in receiving federal support dollars on his cattle. I found it rather interesting that his comments of the federal government giving him \$15 per head on his cattle equalled approximately \$1,000 or \$1,500 for him and, with the increase in hydro rates being 10 percent, it actually was a clawback by the provincial government on the fund money that he received from the federal government.

He was very annoyed, very concerned that this provincial government has no interest in his livelihood or his concerns and to have not only the BSE crises challenge the farmers and, actually, the industry, whether it be businesses that support the agriculture sector, business owners who provide services within a community, but also to have Manitoba Hydro charge an extra percentage on rates to a family or to a community or to a province that already is in extreme hardship is a slap in the face, Mr. Speaker. I find it insulting that this government has not even considered this an important matter, and look at what these increases are doing to farm families.

I know that Brandon East and Brandon West have received information and have met with the Brandon Chamber of Commerce, or I hope they have. I know that our side of the House has, and I am very concerned with—

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

Some Honourable Members: Leave.

Mr. Speaker: Is there leave?

Some Honourable Members: Leave.

Mr. Speaker: The honourable member is asking leave to continue with her grievance. Is there leave?

Some Honourable Members: Leave.

Mr. Speaker: No. It has been denied.

Point of Order

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

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

You asked for leave and there were no objections. I would assume that, when there are no objections for leave, then the consensus is that the member can continue, but then you, for some reason, and I do not understand why, Mr. Speaker, you asked for leave again. I mean, if people are not paying attention, that is their problem.

So, as far as I am concerned, Mr. Speaker, there was no dissension when you asked for leave in the first instance.

Mr. Speaker: The honourable Minister of Advanced Education, on the same point of order.

Hon. Diane McGifford (Minister of Advanced Education and Training): Mr. Speaker, I did at that time say "leave denied," but with all the yelling on the opposite side, I think, I probably was—

An Honourable Member: Oh, shame on you.

Ms. McGifford: I did so, Len.

Mr. Speaker: Order. On a point of order raised by the honourable Official Opposition House Leader, when I asked for leave of the House—and I am not saying either side; I am saying the House—the decorum was where I could not hear. I did hear what to me sounded like a no, but with the decorum the way it was, I was not sure. That is why I re-asked the question, and there were definitely nos that were spoken. So the honourable member does not have a point of order.

* * *

Mr. Speaker: We will continue on. Any more grievances? Seeing none we will now move on to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please canvass the House to see if there is leave to not have any quorum calls for the House for tomorrow morning?

Mr. Speaker: Is there leave of the House to not have any quorum calls for the House for Tuesday morning sitting, that is, tomorrow morning's sitting? Is there leave? *[Agreed]*

Mr. Mackintosh: Mr. Speaker, would you please call the bills as they appear on the Order Paper, debate on concurrence, concurrence and third readings, and then debate on report stage Bill 22?

Mr. Speaker: The government business has been announced. We will resume debate on concurrence, third readings. If there is time, we will move to concurrence and third reading; and, if there is time, then we will move to resume debate on report stage amendments.

DEBATE ON CONCURRENCE AND THIRD READINGS

Bill 12—The Liquor Control Amendment Act

Mr. Speaker: First of all, I will call resume debate on concurrence, third reading, of Bill 12, The Liquor Control Amendment Act, standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Is it the will of the House to remain standing?

An Honourable Member: No.

Mr. Speaker: No? It has been denied.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, it certainly is a nice opportunity to put some words on the record in regard to Bill 12. I think we should, first of all, maybe, review a little bit of the history on Bill 12.

This is an amendment to the Manitoba Liquor Control Commission and actually was brought

forward by the government of the day back last December. Clearly, this bill has been kind of dragging on through the various stages over the last several months.

Members on this side were prepared to move this particular bill forward last December. Unfortunately, the government did not get this bill to the table in time for us to get it satisfactorily debated and passed for the festive season, which certainly could have helped out some of the retailers across the province here as the bill does discuss a little bit about the wine stores. Clearly, this is one example of lack of management on behalf of the government of the day. This bill was brought forward in the eleventh hour back in the December session. We certainly wish this could have been moved forward a lot faster to expedite things. Then again, once we did regroup here in session, we did bring the bill forward and we went to committee quite some time ago. Again, this particular bill sat on the Order Paper for the last month or six weeks, again without any kind of activity.

I know the Minister responsible for The Liquor Control Act did want us to move the bill ahead. We did. We worked with committee, and we put our thoughts and views forward in regard to this particular bill. Unfortunately, once we did that, did the work with the committee, brought it forward back to the House, again, it just sat for the last month or so. Again, it points to the inactivity and mismanagement of this government.

I do want to talk a little bit about what we heard in committee, Mr. Speaker, in regard to this bill. There were some very important issues raised by the hotel industry in particular. When the smoking by-law or regulation came forward some time ago, obviously the hotel industry is facing some tough economic circumstances with that particular piece of legislation. It became quite evident that we as legislators should look at some way to try to keep those employers in business, and I think the onus is on the government to not over-regulate The Liquor Control Act so that the regulations become so onerous that those particular businesses face so many financial burdens that they cannot continue to operate.

We know the hotel organizations throughout Manitoba play a very important role in their local communities in terms of providing an area for people

to come to visit. They also play a very important role in terms of the tourism industry in Manitoba. So I think we as government certainly must look at all avenues within our means to kind of deal with those specific issues that relate to the hotel industry across Manitoba. I think the onus is on the government of the day to seriously consider some of those ideas put forward by the specific hotels, motels and also by the hotel association itself. They certainly are a very important aspect of our economy here in Manitoba.

* (15:10)

In talking about the poor management of this particular government, we even had trouble getting spreadsheets, even setting up a meeting with the minister in terms of addressing the issues that were changing within the act. So all of these things seemed to backlog the whole process, and here we are again at the end of the session. The bill has been dragging on and on, and it certainly could have been dealt with in a more expeditious manner. Mr. Speaker, this would certainly help out the entire economy across Manitoba if this particular piece of legislation would move forward.

I know we have had discussions with the Manitoba Liquor Vendors Association. Their contract is being renewed with the Province through the Manitoba Liquor Control Commission. They have had some limited discussions with the Liquor Control Commission, and, unfortunately, the discussions came about as a result of the new contract which was put forward by the commission. Unfortunately, the discussions did not take place before the new contract was put forward to the Liquor Vendors Association. So, quite clearly, it is another indication where this particular government is coming out with a heavy hand and putting forward their regulations and their contracts without going through the consultation process.

We are seeing the same thing with other bills that the government of the day has put forward, specifically Bill 25. That is a very, very, very huge change to The Workers Compensation Act, and the word "consultation" is not included in that bill at all. So, again, it is the heavy-handed approach of this particular NDP government that we see time after time after time.

I guess one other concern we have here in terms of when we do move this bill forward, when it will

come into act. I go back to last year's Bill 5 which was a bill to change The Manitoba Public Insurance Act, and in that regard it was setting up a claimant advisory organization. Well, the intent was certainly good, and we need that type of a system in place to deal with claimants when they do have issues arise. The unfortunate part, Mr. Speaker, is that it took over a year before that particular agency was set up within Manitoba Public Insurance. So, clearly, when we bring forward these legislations, we go through the work of debating them in committee and go through the entire process, I think, the government of the day owes Manitobans some responsibility in terms of moving these particular bills and legislations forward, and it should not take a year to put some of these programs into place.

So, Mr. Speaker, we certainly want to raise that particular issue with the government of the day. Again, this particular bill can do some good for the people of Manitoba if implemented before the summer season because that will hopefully be upon us quite quickly, and hopefully the weather will be a little more beneficial than it was last year in terms of this particular industry, and again we would like to see some of the aspects of this bill move forward quite quickly. One thing that we do see that the government is doing correctly here is in terms of one of the amendments to the act where we are actually giving the organizations as hotels or motels, the facilities themselves, they are giving them the opportunity to stay open up to an extra 60 minutes. We are not saying they have to, but they are actually providing them the opportunity to stay open up to 60 minutes, which, we think, is a good thing not to legislate into law.

Mr. Speaker, again, this particular bill, Bill 12, there are some really minor housekeeping items that the government of the day is bringing forward, and obviously they are important to some aspects of the community. Certainly, we want to see those particular aspects move forward in a fairly expeditious manner, and we just hope that the government will continue to work with the various business communities that are associated in the liquor aspect that would be working with the Manitoba Liquor Commission. There are certainly lots of things that can be done, we think, to make sure that this particular industry stays viable and moves forward into the future.

Mr. Speaker, I think that is about it for now except that I know this particular government is not looking at moving forward in any expansion of the wine store. We certainly would like to have further discussion with the minister on that particular issue to see if there is some movement there down the road in terms of expansion of this particular aspect of the industry. So I guess, with those few words, those are the issues that we see in regard to Bill 12. We certainly look forward to seeing those important aspects of Bill 12 move forward. Thank you for your time.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak briefly on Bill 12. As we heard at committee, there really could have been a number of substantive improvements to this legislation. Nevertheless, we will support the legislation, but we do so recognizing that the government could clearly have done a significantly better job than they did in providing an environment that would assist, particularly some of the small rural hotels and bars, who have been adversely impacted in the last year. Clearly, in the Anti-Smoking Task Force, there were recommendations that there be a clear transition to help such businesses. This really does not adequately address the transition. Clearly, it is an example of how this government could have done something that was much more significant but has decided just to tinker around the edges in terms of making changes. Nevertheless, as I have said, we will support this at this point, but realize that it could have been a lot better than it actually is.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence and third reading Bill 12, The Liquor Control Amendment Act.

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

Bill 13—The Milk Prices Review Amendment Act

Mr. Speaker: Now we will call Bill 13, The Milk Prices Review Amendment Act, standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Stand?

An Honourable Member: No.

Mr. Speaker: No, it has been denied.

Hon. Jon Gerrard (River Heights): Mr. Speaker, we certainly support this bill which provides changes which would be supported by the milk producers and would be positive for the industry. During the discussions around this bill that I had with a number of milk producers, the matter came up as to what the feasibility would be in terms of having a single price for milk all over the province instead of just in the southern half of the province. From that discussion, the recognition was that it was actually pretty feasible to do and would just require the will of the government in moving that sort of thing forward to help a lot of people in northern Manitoba improve nutrition and make sure that there were opportunities in the North equivalent to what we have in the south.

This government does not seem to have been all that interested in following through on those sorts of changes. One wonders about their real interest sometimes in people in northern Manitoba. Be that as it may, as I have said, we will support this legislation, but the additional components which could have been there in this legislation to make it more meaningful, this government just decided not to put in.

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I just want to put a few things on the record with respect to Bill 13. This bill went to committee just a little over a month ago. We on this side of the House are very disappointed in the government. We supported this bill from the get-go. We got it to committee. We passed it through committee. We have been asking the Minister of Agriculture (Ms. Wowchuk) time and time again to bring this bill finally so we can get third and final reading on it, so that we can get the L-G in and get the bill passed and get some money to the hardworking producers, the hardworking producers of this province.

* (15:20)

Without that, Mr. Speaker, we just find it disappointing that this government once again shows a lack of diligence when it comes to the rural seats within the province of Manitoba. They work so hard when they are trying to get the hardship out there just

relieved a little bit. This would have been one way the government could have gone forward, that they were able to move this bill in a way that we could have got it proclaimed some 30 days ago.

I know the milk producers have met with that side of the House; they met with our side of the House. It just seems that when there is something that could better rural Manitoba with the hardship that is out there, this would have been one way we could have got it done. The minister talked about not wanting to bring one bill for the L-G to proclaim, but yet we did it on the pensions act. That seemed to be important. I know we have got some 12 000 farmers within the province of Manitoba, and this would have been one little way, one small way, whereby we could have made a significant difference to those producers.

I know that the dairy producers have a number of farmers that export their breeding stock to the United States and to Mexico, and with the border closure they are not allowed to that. The genetics that we have within the province of Manitoba are next to none. In fact, they are world-renowned. I know I had the opportunity to go to South America with a company to promote the genetics within the dairy industry, and they were received with notoriety, Mr. Speaker. I know that there were people down there that just would love to have some of our breeding stock. It seems the only market we were able to pursue, and I know with the embryos, and we have a constituent over that actually has his office in Selkirk but does a lot of work in our area. I know that the dairy producers in our area definitely want to give him commendation for the hard work that he has done in bringing the dairy industry where it is today.

Having said that, Mr. Speaker, we want to make sure that we move this bill through as quickly as we can and get it proclaimed. Hopefully, the minister will not drag her feet on it once it is proclaimed and get the bill into—

An Honourable Member: Moving.

Mr. Eichler: Get it moving, exactly, as the member from Steinbach alluded to. We will make sure that we on this side of the House do that. So, having said that, thank you, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 13, The Milk Prices Review Amendment Act.

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

**Bill 23—The Workplace Safety and Health Amendment Act
(Needles in Medical Workplaces)**

Mr. Speaker: I will call Bill 23, The Workplace Safety and Health Amendment Act (Needles in Medical Workplaces), standing in the name of the honourable Member for Portage la Prairie (Mr. Faurichou).

What is the will of the House? Stand?

Some Honourable Members: No.

Mr. Speaker: No. It has been denied.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I did want to take this opportunity to make comment on Bill 23 as a bill in which when it passed second reading we had expressed some concerns. Yet we are glad to see it go into the committee stage. I know that I have found it of interest in the sense that, once it was in committee, I thought some presentations that talked about needles and the different types of needles, I found it actually very informative as you take a look at the health care profession as a whole and the types of things that they are working with, that we can do things that would in fact better the working environment.

It is interesting I think, as one presenter had indicated, a lot depends in terms of that supply and demand. A lot of these safety needle precautions, for example, are a little bit more costly than the average needle, but, as you find other health organizations, in particular in North America, that move towards buying and purchasing in larger quantities these safe needles, you will find that the price points start to go down. I think that bodes well for, hopefully, the future as we will see more and more of a demand, I believe, on getting medical equipment that is at least hazardous to the people that have to use them.

As I indicated, Mr. Speaker, I think that there is a lot more that, in fact, can be done. When we look at this particular piece of legislation, it is legislation in

good part that does move forward in recognizing it. I think it is only a question of time before the economics of other products will allow for the purchasing, or more purchasing, of needles and other types of equipment being used in health care to be of a safer nature. That in itself will, I believe, save the industry a great deal of not only money, because it is not just about money, it is also about the safety of our health care workers.

So, with those few words, Mr. Speaker, we are prepared to see Bill 23 ultimately pass. I do believe that the Leader of the Manitoba Liberal Party was also wanting to say a few words on Bill 23, too. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, this is a piece of legislation which we support. In fact, we were the first party to come out and advocate for it because it has been needed. It has been present south of the border in a number of areas for some time and, certainly, when it comes to saving lives and saving dollars, this is the sort of change which can make a difference, though it could have been done potentially faster through regulation.

We will certainly support this bill because we have seen that this is clearly a need for Manitoba.

Mr. Ron Schuler (Springfield): Mr. Speaker, I do want to put a few comments on the record in regard to this piece of legislation and then would like to see it move on for Royal Assent.

We know that the bill went to committee and there were a few presenters that came forward. It seems to be universally agreed to that this legislation is necessary. Certainly, it is something that this member has worked on for a considerable amount of time even before the government brought it in front of this House.

There were some concerns by the Canadian Blood Services and those issues were dealt with by the department. So, basically, any concerns that were raised were well taken care of. We believe that this is a move that could have best have been done through regulation. It did not need legislation, but we understand that this is a Chamber of politics and, clearly, the government wanted to have something put forward that they could take some kind of political credit for and regulation just is not quite as

sexy as having put forward legislation which you can trot out and get Royal Assent for and proclamation.

It is a serious bill. It does affect workers in the workplace. I know from a first-hand case of an individual that did step on a needle, and how traumatic that can be, the kind of treatments you have to go through. So we would like to see this bill move on to Royal Assent. It does not come into effect until January of '06. However, let us move it on and let us do what is best for our frontline workers in the health care system. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House, concurrence, third reading of Bill 23, The Workplace Safety and Health Amendment Act (Needles in Medical Workplaces).

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

Now we will move into concurrence and third readings.

CONCURRENCE AND THIRD READINGS

Bill 2—The Child and Family Services Amendment Act (Child Protection Penalties)

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Culture (Mr. Robinson), that Bill 2, The Child and Family Services Amendment Act (Child Protection Penalties), reporting from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Mr. Speaker: It has been moved by the honourable Attorney General, seconded by the honourable Minister of Culture, Heritage and Tourism, that Bill 2, The Child and Family Services Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

* (15:30)

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I welcome the opportunity just to put a few further

words on the record in regard to Bill 2, The Child and Family Services Amendment Act (Child Protection Penalties). Certainly, anything that, as a deterrent, can be done to deter people from exploiting youth is welcome. We know that this is a large problem in our province with sexual exploitation of children and street youth, and anything that can be done to deter that would be welcome.

We understand, though, that this bill was introduced quite some time ago, and we are wondering why it has taken so long to bring this bill. We could have had this bill passed, I think, in the last session, but we had some dragging of heels here. It is to the government's discredit for having done that in such a serious bill as this to protect children against sexual exploitation.

I understand that this bill is to increase fines and sentences for those who would exploit children and allows the victim of the crime not to have to testify. In some cases with young children, I think that would be the way to go. However, it does leave me some concern with crimes of this nature that these people should be charged under the Criminal Code and prosecuted to the full extent of the law.

It is interesting to note as well that this bill is a recommendation from the Justice Department and really does not come from the Minister of Family Services and Housing. What we are seeing here is this is the only bill brought forward by this department, by this minister. So, in effect, what we are seeing is a minister with no agenda. She had no bills. This was the bill that was produced as a recommendation from the Justice Department and then, you know, she drags her heels on it. We could have had it passed last year.

You know when we asked for a briefing and we asked for spreadsheets, when do we get them? Well, just not that long ago. So we are wondering why the minister refuses to act here. Certainly, there are other instances within this department where the minister really has not done anything, Hydra House, there was a dragging there. We are wondering why things were let to go as long as they did.

Certainly, with Aiyawin, we see the same thing going on where the corporation is still operating, for all intents and purposes, just the way it was. There are no accountability mechanisms there. There are

many issues with the devolution process in Family Services that lead people in the community and people in the department to be very wary of child protection and fear for those children in care that with incomplete summaries of whatnot going to agencies that children will indeed fall through the cracks and harm might come to them. That would not be something that we would like to see here.

One concern that I have as well is that, if there is a charge under The Child and Family Services Amendment Act, it is unclear if an offender is charged under this act and then goes on to be charged in a different offence under a Criminal Code Act, whether, in fact, that person is going to be classified as a repeat offender because of different jurisdictions. So I would be very careful on that one to say that someone that has done this type of criminal activity involving the exploitation or sexual exploitation of children should be dealt with in a way that if there are one or two or repeated offences, that that is on the record, and this person is recognized as a repeat offender.

I also recognize though, Mr. Speaker, that the deterrence for these fines is a significant increase in the fines. Certainly, that may be a deterrent to people that may want to exploit children, but I also understand that these are in the form of letters, deterrence letters that are sent out to people, and that may not be strong enough to deter people from these serious crimes.

So, with those few words, Mr. Speaker, we will see that this legislation does pass. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House, concurrence and third reading of Bill 2, The Child and Family Services Amendment Act (Child Protection Penalties).

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

**Bill 3—The Recreational Trail
Property Owners Protection Act
(Occupiers' Liability Act Amended)**

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of

Culture, Heritage and Tourism (Mr. Robinson), that Bill 3, The Recreational Trail Property Owners Protection Act (Occupiers' Liability Act Amended), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Jack Reimer (Southdale): Mr. Speaker, I just wanted to put a few words on record in regard to this bill that was brought forth by the minister. It was out of the Manitoba Recreational Trails Association that brought forth the recommendations through the minister. They made presentations in public hearings when the bill was at committee.

There was a lot of interest and promotion for this bill as it is tied in with a lot of things that are happening with the Trans Canada Trail, and it opens up the area for people to enjoy the outdoors. As we come into the spring and the summer, and hopefully we have some wonderful weather here in Manitoba and that we will be able to take advantage of some of these trails, this, in essence, takes some of the liability off the property owner as the trail is going through their property.

With those short words, Mr. Speaker, we are prepared to let this bill go forth for Royal Assent.

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I appreciate the opportunity to put a few words on the record regarding this important piece of legislation. Certainly, we will hope this will clear up some of the liability issues that are out there in terms of these public trails.

I know from my particular constituency we have the Trans Canada Trail going through the area. It certainly can be a very important piece of our tourism industry and henceforth very important to the economy of the area.

We are fairly fortunate in that Spruce Woods Provincial Park is within my riding. The Trans Canada Trail, of course, would run naturally through that beautiful part of the country. I did read with some interest where the Minister of Transportation is looking at putting some money forward in the near future for the completion of the Trans Canada Trail where it crosses over the Assiniboine River. Currently, there is a bridge on that Provincial Trunk

Highway No. 5. The plans are to include a walking trail on that particular bridge. I think that would certainly be a great benefit for the community and for that area in terms of attracting the tourist industry there.

Clearly, Spruce Woods Provincial Park is one of the main and very attractive tourist destinations for many Manitobans and for many of those outside of Manitoba. Also, when I visit Spruce Woods Park, we also see a number of American tourists there as well. Certainly, all these components tied together can be very important for the rural economy, and we certainly hope that the Minister responsible for Transportation will have a very serious look at that particular initiative along Provincial Trunk Highway No. 5 and the Trans Canada Trail. So, with that, I hope this bill will move forward. Thank you very much, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: Question for the House is concurrence and third reading of Bill 3, The Recreational Trail Property Owners Protection Act (Occupiers' Liability Act Amended).

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

* (15:40)

Bill 6—The Real Property Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Culture, Heritage and Tourism (Mr. Robinson), that Bill 6, The Real Property Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I am very pleased to be able to put a few brief remarks on the record with respect to Bill 6, The Real Property Amendment Act. I put these comments on the record as a result of the experience that I have in practising law in rural Manitoba. I think that this bill somewhat speaks to the difficulties

of practising law in rural Manitoba and the fact that we deal with clients who are located at some distance from our practices. I know that many rural practitioners have been struggling with some of the existing legislation under The Real Property Act. Some of these amendments would certainly ensure that practice is made a little easier in rural Manitoba because of distance.

Secondly, what it really does I believe throughout all of Manitoba, Mr. Speaker, is ensure that the cost of legal services is not unnecessarily increased. I can speak to a number of circumstances where in fact because this bill was not in place, many circumstances where people have incurred extra legal expenses because of the way The Real Property Act was drafted and was passed over the years.

Mr. Speaker, one of the things that this bill will do would be to allow an individual to make an amendment by way of an agreement to extend the terms for repayment, to vary the description of the land that is already mortgaged, to remove lands that are already mortgaged from the existing mortgage, to add a person as covenantor on the mortgage, and to correct an error made before the execution of the mortgage.

Previous to this amendment, Mr. Speaker, what had been happening is that when an individual, say, wanted to vary the mortgage itself or the institution when the lawyer had, in fact, registered the existing mortgage, when there were some amendments to take place after the registration, what it required lawyers to do was to redraft the entire mortgage, bring in the client to, in fact, execute the new mortgage and then to discharge the existing first mortgage. What that involved was a great deal of cost, both to clients and, of course, a cost to general practitioners because what they had to do was, in effect, start all over again and incur extra costs in the Land Titles Office. Those costs would have been paid directly by the client.

So I would welcome such an amendment to Bill 6 to allow them to have some flexibility, the Land Titles Office to have some flexibility with respect to revisions to mortgages. I can tell you, Mr. Speaker, that I have been involved, say, in builders mortgages. A number of builders mortgages really pose a problem, particular with respect to young couples when they start out in marriage. Then they decide that they are going to build their own home, and they

find out that they have underestimated the cost of building their home. I know of several instances where clients have come back three, four times to increase the value of their mortgage. Every time the lawyer who is involved with the particular transaction had to discharge the previous mortgage and start all over again with a new mortgage, but for a different amount on the mortgage. I believe that this amendment could possibly deal with that particular problem and ensure that the costs do not spiral out of control, particularly for first home-owners.

As a result of that, Mr. Speaker, I would support Bill 6. I look forward to having the bill pass as I know that several general practitioners, a number of general practitioners, particularly in rural Manitoba, would, in fact, welcome those changes. Thank you.

Hon. Jon Gerrard (River Heights): Just to indicate our support for this legislation, Mr. Speaker.

Mr. David Faurschou (Portage la Prairie): Mr. Speaker, I appreciate the opportunity to participate in third reading on Bill 6. I do want to make note that this particular legislation brings us into harmony with other western jurisdictions and makes it a lot easier for the legal community, as my honourable colleague from Lac du Bonnet is a member, and I just do not want to say that we do not appreciate the valued services of the legal community here in the province, but the less opportunity we have to engage them as a lay person, I think, the better off my personal pocketbook is, and we appreciate the changes made in the legislation that will make it easier and more harmonious to do business in western Canada. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 6, The Real Property Amendment Act.

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

Bill 7—The Personal Investigations Amendment Act

Mr. Speaker: Now we will move to Bill 7, The Personal Investigations Amendment Act.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Culture, Heritage and Tourism (Mr. Robinson), that Bill 7, The Personal Investigations Amendment Act, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurschou (Portage la Prairie): Thank you, Mr. Speaker, for the opportunity to participate in third reading of Bill 7, The Personal Investigations Amendment Act, as amended. I do appreciate the work that has gone into this legislation to not only recognize that our statutes should be gender-neutral, but it does also recognize that we should be in harmony with other jurisdictions in our nation and to recognize the need to be changing with the times. When personal bankruptcies are currently at 14 years and other jurisdictions have reduced the information that is still conveyed to those inquiring now through this legislation being reduced to 6 years, I think that is a positive step, notwithstanding persons that have had multiple bankruptcies in this period of time, but I do believe that it is a progression in legislation that we on this side of the House can support.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 7, The Personal Investigations Amendment Act, as amended.

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

Bill 14—The Electricians' Licence Amendment Act

Mr. Speaker: Now call Bill 14, The Electricians' Licence Amendment Act.

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Labour and Immigration (Ms. Allan), that Bill 14, The Electricians' Licence Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Cliff Cullen (Turtle Mountain): Thank you again for the opportunity to speak to this particular bill, Bill 14. I think it is a very important piece of legislation. I am happy to hear that we are moving it forward from the committee stage onward. Clearly, this bill came about as a result of a fatality a number of years ago. The young fellow's name was Michael Skanderberg, and we are hoping between the education process and this regulatory process that these types of tragedies will be prevented from here on forward in Manitoba.

* (15:50)

I know the family of Michael. His parents, Bill and Cindy Skanderberg, have certainly put a lot of effort forward into promoting the idea of safe workplaces throughout Manitoba. Bill and Cindy have both traveled throughout Manitoba making presentations primarily to schools throughout Manitoba to talk about their specific story and how it has impacted their lives so I think we owe them a great deal of gratitude in bringing the issue forward and spreading the word of workplace health and safety forward.

Clearly, the video that has been put forward, put together and put forward, on Michael's life is a very graphic story, and I think it will serve to really educate the youth throughout Manitoba of the dangers that can be found and encountered in the workplaces throughout Manitoba.

Again, just in closing, certainly the education factor and the regulatory factor that can be found in Bill 14, I think, will be a great benefit to Manitobans, and we hope that we do not have to have any more tragic incidences such as that that occurred with Mike Skanderberg. Thank you very much.

Mr. Ron Schuler (Springfield): Mr. Speaker, I do want to put a few comments on the record in regard to this bill. After having seen the bill and had a briefing from the Department of Labour, I have certainly watched the case being put forward for this legislation. I believe it is very well documented on the record that I had the opportunity to approach many of the stakeholder groups and got briefings from them in regard to how they felt on this legislation and it seemed to be universally well accepted. I know that one of the independent members from the Liberal Party, the member from Inkster, had some issues, some concerns and those

were taken care of by the department. I thank the minister for a copy of the letter that went to the Member for Inkster (Mr. Lamoureux).

I just want to pause and reflect one more time about the Skanderberg family and their loss. We know that Cindy has traveled this province long and wide and has argued for more safety. For those of us who have young children who will be entering the workforce and often doing summer jobs that they can put together some money so they can continue with post-secondary education, and at times, put themselves at undue risk, I think it is important that we protect all workers. One injury is one injury too many and one death is one loss to many.

There was a whole exposé done in *The Globe and Mail*, I believe, on deaths of young workers across the country. It is truly tragic if you looked at the pictures of the young men and women who placed themselves, or were placed, in harm's way and never came home after the accident. I think it is telling that we have to be careful what kind of work we put unskilled labour into. For instance, if you are working with heavy electrical work, you have to disconnect before you do the work and so on and so forth.

So we would like to see this bill go on, and, certainly, in the Skanderberg memory that it was proclaimed to, we would like to see it move on. Once more to the Skanderberg family, our condolences on the loss of their loved one. Thank you.

Hon. Jon Gerrard (River Heights): Just to indicate that we support this legislation.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 14, The Electricians' Licence Amendment Act.

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

Introduction of Guests

Mr. Speaker: Before I move on to the next bill, I would just like to draw the attention of all honourable members to the Public Gallery. We have some visitors. We have 20 students and 5 chaperones

from Grades 5 and 6 from the Brochet School, Brochet, Manitoba.

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

**Bill 15—The Emergency Measures
Amendment Act**

Mr. Speaker: Now we move on to Bill 15, The Emergency Measures Amendment Act.

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Labour and Immigration (Ms. Allan), that Bill 15, The Emergency Measures Amendment Act, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. David Faurshou (Portage la Prairie): Thank you very much, Mr. Speaker. I appreciate the opportunity to participate in third reading debate regarding Bill 15, The Emergency Measures Amendment Act, that is designed to provide the Province of Manitoba the ability to enter into arrangements and agreements with other areas to address situations of an emergency nature.

I believe that this bill is overdue. It is putting into place some of the practices that have taken place in past years. No single jurisdiction is an island and we must recognize the mutual concerns we have when addressing emergencies, because flood and fire do not recognize geographic, pardon me, boundaries on a map, and it is something that we, too, must recognize, that just because a line is drawn on a map does not mean that the forest fires nor the flood waters are going to recognize that boundary.

This allows for our emergency personnel that are engaged in that line of work to traverse the boundaries of different jurisdictions and to participate in assistance to other jurisdictions and emergency personnel. As well, conversely, if we find that within the boundaries of Manitoba that we are in need of expertise and assistance from other jurisdictions, that this bill will provide for the arrangements necessary and that the personnel are adequately covered within their workplace so that should, heaven forbid, any injury may result in their

work, that they are fully compensated for it. There should not be any concern in any of the minds of those engaged in fighting the forest fires or flood waters that they and their families would not be cared for, should injury result. I think it alleviates the concerns that our emergency measures personnel have, and we on this side of the House believe that this bill should receive support of the Assembly.

Thank you very much, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Just to indicate our support for this bill, it is good that we have a fair level of co-operation between our jurisdiction and others. We saw that at the recent Legislators' Forum, and so we will support this bill.

Mr. Cliff Cullen (Turtle Mountain): Thank you again, Mr. Speaker, for the opportunity to put a couple of words on the record. Obviously, my constituency does share with the U.S. border. We do have some jurisdictional issues there that we do have to cross the boundary from time to time, so I am certainly happy that we do have this legislation before us to protect our workers in Manitoba. I do recognize that our particular emergency services people are very, very well trained in Manitoba, and I think our American counterparts recognize the training that is taking place here in Manitoba. It is certainly good to see that this legislation will cover our Manitoba emergency services personnel when they are requested in other jurisdictions.

Thank you, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is Bill 15, The Emergency Measures Amendment Act.

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

House Business

Mr. Mackintosh: Just on House business, Mr. Speaker.

Mr. Speaker: On House business.

Mr. Mackintosh: I just neglected earlier to remind you, Mr. Speaker, that there is an understanding at

four o'clock that we will go to Supply and concurrence.

Mr. Speaker: Four o'clock?

An Honourable Member: Right now. This very second.

Mr. Speaker: It has been announced by the honourable Government House Leader that we will be moving into concurrence in exactly one second. So now the House will now resolve into Committee of Supply.

* (16:00)

COMMITTEE OF SUPPLY

Mr. Chairperson (Conrad Santos): Committee, please come to order.

The committee being in order, is there agreement that we revert back to the House? *[Agreed]*

Mr. Speaker, take the Chair. You are already there.

IN SESSION

House Business

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

Mr. Leonard Derkach (Official Opposition House Leader): Mr. Speaker, on House business. I would like to table the ministers that we would like to have in concurrence next after this session.

Mr. Speaker: The list of ministers for concurrence has been tabled.

The House will now resolve into Committee of Supply.

* (16:10)

COMMITTEE OF SUPPLY

(Continued)

Concurrence motion

Mr. Chairperson (Conrad Santos): Committee of Supply, please come to order. The floor is open now for questions.

Mr. John Loewen (Fort Whyte): Mr. Chair, the former Minister of Industry, MaryAnn Mihychuk, indicated on Friday that, under her watch, the Department of Industry was working on legislation that the department had recommended because they felt that there was need for more openness and transparency, and that they were having trouble getting information out of the Crocus Fund that they wanted to see. She indicated that there was a higher authority that stopped that process of producing that legislation. Can the Minister of Finance indicate who that higher authority was?

Hon. Greg Selinger (Minister of Finance): What I am aware, what was stated on page 145 of the Auditor's report, that there was legislation. Legislative amendments were discussed with respect to the pacing requirements, net of redemptions. The pacing requirements were linked to liquidity issues, potential liquidity problems, if pacing continued to be based on 70 percent of gross sales, and also, whether or not there should be the elimination of the \$30-million sales cap and the issue of increasing the allowable size of investees by using a net-asset test rather than a gross-asset test. As the member knows, we did not proceed with those changes.

Mr. Loewen: Once again, the minister comes forward with half-truths because it is not the Auditor that commented that the Department of Industry was looking at these issues. These are issues that the Auditor said that Crocus was looking for. The question is what other issues was the Department of Industry looking for within this legislation, and I would ask him to answer that, please.

Mr. Selinger: As I said, again, it is not a question of half-truths or any other kind of misrepresentation. I believe the Auditor himself has indicated that the legislative proposals that were being considered on page 145, as indicated in the report, would have, in effect, weakened the controls over labour-sponsored venture capital fund, the Crocus Fund in question here.

All I can say is that we were aware that there was a liquidity issue that was potentially looming on the horizon as redemptions came forward after the eight-year hold period, and that the fund itself preferred a legislative solution to that liquidity problem by relaxing the pacing requirements, among other things, and eliminating the \$30-million sales cap, but that on pages 183 and 184 of the Auditor's

report, and I am just turning to that, the department also acknowledged that Crocus, on page 184 at the top, "indicated that it had a range of options including a more aggressive disposition of investments and changes to the investment pacing rules in The Income Tax Act. Crocus indicated preference for changing the investment pacing rules but expressed confidence that it could deal with the challenges."

Mr. Loewen: I will certainly be interested when the minister gets to actually put his hand on a Bible and testify in that forum, but, until then, I would ask him what information he knew about the fact that under her watch, Minister Mihychuk's watch, the Department of Industry, and I will quote her, "We are discussing a new bill to improve monitoring and accountability for labour-sponsored investment funds." Has the Minister of Finance looked into what provisions the Department of Industry was looking for to improve monitoring and accountability?

*(16:20)

Point of Order

Mr. Chairperson: Point of order.

Mr. Loewen: On a point of order, Mr. Chair, I do believe that in this process we have ministers who were called into this House on matters of concurrence to answer questions. I believe those ministers should be in their own seats. They should not be huddled together discussing notes.

We have questions on this side of the House to both ministers. I would ask for your interpretation on whether you believe that the minister should be in his seat to answer questions.

Mr. Chairperson: On the same point of order, the honourable Minister of Energy.

Hon. Dave Chomiak (Minister of Energy, Science and Technology): Thank you.

Mr. Chairperson: You have to be in your seat yourself to be recognized.

This is a committee of the House, and we are not in the committee room. You have to be in your respective seat so that we can recognize you.

Mr. Chomiak: On the same point of order. I was under the impression that the rules provided, or did

not necessitate that a member had to be in his seat during the concurrence proceedings. The Minister of Industry (Mr. Rondeau) was only, as is the normal case during committee, sitting in order to make the exchanges more audible between members across the House. I do not think there is a rule that prohibits members from sitting in different seats during concurrence. I stand to be corrected on that.

Mr. Chairperson: On the same point of order, the Member for Fort Whyte.

Mr. Loewen: I would just say that there is obviously no intention of the Minister of Industry to be sitting next to the Minister of Finance (Mr. Selinger) to be better heard. We all have microphones. There is ample opportunity to hear members opposite. When I ask a question of the Minister of Finance and I see him and the Minister of Industry huddling together, it is obvious why they are sitting together, and that is simply so that they can keep their stories straight.

Mr. Chairperson: There are two kinds of conventions here: the written rules and the practice. As to the practice generally, the rule says that, if we are in Estimates, and we are not because this is concurrence, that that will be all right for a minister to sit in the front, but if we are in concurrence, only the minister responding to the question is required to be in his own seat. So, right now, the Minister of Finance is the only one being questioned, and he is in his own seat. So there is no point of order.

But, if the question reversed and goes to the Minister of Industry, Economic Development and Mines, the minister has to be in his seat to be able to answer and to be recognized by the Chair. Is that clear?

Point of Order

Mr. Chairperson: The honourable Minister of Energy, on a new point of order?

Mr. Chomiak: On a new point of order.

Mr. Chairperson: New point of order.

Mr. Chomiak: With respect, in order to understand your ruling, I believe your ruling is that the minister in question can occupy the front row. So, if the Minister of Finance (Mr. Selinger) gets a question and he occupies the front row, he can clearly answer.

If the Minister of Industry (Mr. Rondeau) gets asked a question and he occupies the front row at that point in time he is being asked a question, he can occupy the front row. Otherwise, I do not understand the nature of the issue of a member occupying the front row.

Mr. Chairperson: The front row is not involved during concurrence, only during Estimates. That is where the privilege applies because the staff has to be in here with the minister, and if the minister is in the back, the staff is too far away. That is the rationale and that is the justification. But, in concurrence, to be recognized the minister should be in his own seat. It may not be the front seat.

Point of Order

Mr. Chairperson: The Member for Brandon East, on a point of order.

Mr. Drew Caldwell (Brandon East): Mr. Speaker, the Member for Fort Whyte (Mr. Loewen) made a direct statement in his question to the minister about having his hand on the Bible to tell the truth, a direct statement to the minister, not to the government as a whole. I would like to remind the member that all members in this House are honourable members and an aspersion of that nature, directed specifically to a member, is inappropriate in this House. I would like you to call him out to order on that.

Mr. Chairperson: On the point of order, the honourable Member for Fort Whyte.

Mr. Loewen: On the same point of order, Mr. Speaker. I believe I will have to check Hansard, but I did nothing of the sort. I simply indicated that Minister Mihychuk, on Friday, said that she would be very pleased to put her hand on the Bible and swear under oath to what she was saying. I simply suggested that, as I did in Question Period, I was simply questioning whether members opposite would do the same thing. I had at no time said that he had not informed the House to the best of his ability or honestly. I simply said that at some point in the future, and it may well happen that we may be in a situation where a number of us in this House have to put our hands on the Bible and swear to tell the truth, and I would hope that at that point we would get exactly the same answer from the ministers as we do now.

I would just add, I find it insulting to members of this House and insulting particularly to you, Mr.

Chair, that the Minister of Industry, despite the fact that he knows he is about to get questions, still remains seated next to the Minister of Finance. They were both called here together, and he should understand that, if he is going to respect the rules of this House, he should immediately move to his seat as you have asked.

Mr. Chairperson: Because of the need to verify the rest of the statement, I will take the matter of order under advisement. In the meantime we do not turn the point of order into debate.

Mr. Selinger: Mr. Speaker, the answer to the member's question is probably best done by citing the former minister and former member from Minto where she indicates that no bill was drafted and the idea had not gone to Cabinet or caucus.

Mr. Loewen: Again, I will just go back to the statement from the minister that a new bill to improve monitoring and accountability was in the works within the department and I would ask the Minister of Industry to tell us what that bill was about. What was recommended by the department to provide more accountability and more monitoring that was being discussed in the department with regard to putting a bill together?

*(16:30)

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): I think that if the member read the report closely, the Auditor's report on page 145, and you can start at about 143 and go to 148, it is discussing legislation and stuff like that. What the draft labour bill actually was about was liquidity and pacing. The Auditor General, who had complete access to both the Minister of Finance's office, the Minister of Industry's office, had access to Crocus and had access to all those different sources of information, undertook a long arduous, very thorough investigation, and on the Auditor's report, it stated clearly on page 145 that the draft bill was about liquidity and pacing.

The Auditor himself told CJOB that the draft bill would have weakened the controls over the fund, and if the member knows that if we had weakened the controls over the fund, that would have been a negative thing. We did not proceed with the bill and

that has been consistent with what officials have said, consistent with what the Auditor General found. It is consistent with the Auditor General's report and that is what happened.

Mr. Loewen: Did the minister's department, Minister of Industry's department, turn over a draft bill to the Auditor for his review?

Mr. Rondeau: As was stated in the past in question period and in concurrence and Estimates, the Auditor General had all access to any of the information he required in any of the departments, and, with all complete access in the departments and in Crocus, he replied that what the draft bill was dealing with was liquidity and pacing.

So, if he said that it was dealing with liquidity and pacing, that would have been through his investigation which would have been through the documents and talking to the individuals involved in my department and in other departments. So I hope that the member opposite understands it is important to trust the Auditor; we do. We gave him unfettered access to the information in the departments, the people in the department, the people involved, and on page 145, and I again say that the bill, the draft labour bill, was about liquidity and pacing. The Auditor told CJOB that the draft bill would weaken the controls over the fund.

If the member knows, what we did was in 2001 we had requirements for reporting on the bill. That we did proceed with in 2001. We did not proceed with another draft bill after that fact. So we did not proceed with the bill because it would have weakened the protection and controls over the fund, and I would like to reiterate, we believe the Auditor was correct under that.

Mr. Loewen: Minister of Industry, through you, Mr. Chair, was the bill drafted?

Mr. Rondeau: Ms. Mihychuk, who was the former member from Minto and Minister of Industry, confirmed in the *Free Press* that no bill was drafted, and the idea had not gone to Cabinet or caucus. Then it goes on to say that the Auditor's report stated clearly on page 145 that what the draft labour fund bill, which was not finalized, which was not formalized, which was not presented, there was discussion about what that would entail and it was about liquidity and pacing. This is what Crocus has

asked for in our statements. When we met with Crocus and ENSIS, they talked about liquidity, pacing and reserve requirements. We have been on record on that.

The liquidity had to do with the cash flow in and out when funds were needed to redeem shares. The pacing was the 70% rule where what we had as a requirement, as part of our act, was that 70 percent of the new money had to be placed in Manitoba businesses within 31 months. The other part was the whole idea of making sure that there was a reserve account and that was 15 percent of the value of the fund.

Now those are what the discussions happened in the department. Those are what the discussions happened as far as within from Crocus or ENSIS with my department. The Auditor General clearly states on page 145, and I would invite the member opposite to read clearly the report, because it clearly says that the draft labour fund bill, which was not completed, which was not sent to either Cabinet or caucus, was about liquidity and pacing.

I invite you to read page 145. It is an interesting read. Please take the time and read it, and you will find that the Auditor General's report states that it was about liquidity and pacing, and again, that has nothing to do with valuations. So that was it.

Again, what we hope to do in the new law is that we are trying to do it so that when we split in the new law the monitoring from the promoting, I think that will get rid of some of the issues. I think part of the issue was created in 1997 when it was all put within one department. What you had was you had a confusion of roles. You had the same people who were trying to promote and work with the different funds. They were starting to promote and work with the funds as monitor the funds.

So we also agree with the Auditor General. We believe he is correct when he said there were multiple hats and people had role confusion and what we had to do is ensure better monitoring. So, in our draft bill, which was presented and given first and now second reading and is going to committee, we have corrected this issue. What we have corrected is the monitoring will be in the Finance Department, and that is going to be done through regulation. Then the other part of the bill, which was the promotion and the working with the labour capital, will remain

in the Department of Industry. I think that is appropriate.

So we have read the Auditor's report. We understand what it says about the draft labour bill, about liquidity and pacing. So that we did not want to weaken the bill or weaken the reporting, we did not proceed accordingly.

Mr. Loewen: Once again, I mean, and I have said it before, this minister speaks with the arrogance of somebody who has no money invested in Crocus. Given what he knows, it is not surprising that his monies got invested in ENSIS and not in Crocus. He should treat the unitholders and the taxpayers of Manitoba with a whole lot more respect. He should also treat the Auditor General with a whole lot more respect because nowhere on page 145—I want to assure him I have read every page in this book, including 145 a number of times. Nowhere in here, nowhere in his report does the Auditor General ever say—well, if the minister needs a copy, I would be glad to bring one over to him, but nowhere does the Auditor General ever say in his report that there was legislation drafted that he looked at from government to deal with pacing. He says quite clearly that these issues are issues that were raised time and again by Crocus, not put in legislation. So, you know, my comment to that again, Mr. Chair, is, oh, what a tangled web we weave, and the minister knows exactly what I speak of. To be respectful, he should stand up and apologize to the Auditor General right now for putting all this misinformation on the record, not only in concurrence, but in Hansard.

In any event, we will move on because obviously we are not going to get any answers on this. What I am simply trying to find out, and Minister Mihychuk has mentioned it very, very clearly, that there were issues that her department raised, red flags that were raised when she was minister in '02 or '03, and she reacted to it. She was discussing with her department a new bill to improve monitoring and accountability.

I would ask the Finance Minister if he was aware of any of those discussions.

Mr. Chairperson: The question is directed to the Minister of Finance.

Mr. Selinger: I am aware of what was indicated on page 145 of the Auditor's report and what was further

indicated on pages 183 and 184 of the Auditor's report. That is that there were requests from the fund for legislative amendments that would address potential liquidity issues as the eight-year hold period came up for different investors, and that one area that they were looking at was pacing requirements. Another area they were looking at was the sales cap, and another area that they were looking at was increasing the allowable size of investees by using a net asset test rather than a gross asset test. As I stated earlier, these amendments were not proceeded with.

* (16:40)

Mr. Loewen: Mr. Speaker, I would ask the Minister of Finance if anybody within his department ever discussed with him the legislation that former Minister Mihychuk referred to.

Mr. Selinger: No.

Mr. Loewen: So the minister is saying he is completely in the dark on this issue of a bill that was discussed within the Department of Industry and, according to Ms. Mihychuk's comments, included an official from the Department of Finance in the discussion. He is completely unaware of it.

Mr. Selinger: As I said earlier, I can only quote what the former minister and member from Minto herself said, "No bill was drafted, and the idea had not gone to Cabinet or caucus." I agree with that statement.

Mr. Loewen: Did any member of his department, who she indicated was in on the discussions, ever report any information back to the Minister of Finance regarding discussions that were taking place within the Department of Industry with regard to changing the Crocus act to improve monitoring and accountability?

Mr. Selinger: I have answered that question. What we were aware of was discussions around legislation with respect to the items identified on page 145 of the Auditor's report, pacing, sales caps, investee net asset tests versus gross asset tests. That is what I was aware of.

Mr. Loewen: Thank you. Is the minister indicating that Ms. Mihychuk is lying?

An Honourable Member: Now, there is the integrity. There is the integrity.

Mr. Loewen: Well, that is what he is calling her.

Mr. Selinger: I actually agree with what the minister herself said. She indicated no bill was drafted and the idea had not gone to Cabinet or caucus. I agree with what the member said.

Mr. Loewen: The minister is quoted as saying that, and again the lead up is, despite the existing legislation, Mihychuk said, and I quote, "Officials were saying it was better if the tools were strengthened."

Does he believe that happened, those discussions took place?

Mr. Selinger: Well, I was not privy to those discussions so it is hard to comment on something I had no involvement with. But I do reiterate what the minister said, "No bill was drafted, and the idea had not gone to Cabinet or caucus."

Mr. Loewen: Did the two ministers ever talk about these issues?

Mr. Selinger: Once again, the question has been answered with the quote from the former member herself, "No bill was drafted, and the idea had not gone to Cabinet or caucus."

Mr. Loewen: The question I have asked the Minister of Finance, if he had discussed with Minister Mihychuk at the time the bill that was contemplated to improve monitoring and accountability, did they have discussions on it?

Mr. Selinger: Again, the statement is very clear: "No bill was drafted, and the idea had not gone to Cabinet or caucus." As a member of both caucus or Cabinet, the idea had not gone to me in either capacity.

Mr. Loewen: I am not asking about Cabinet or caucus. I am asking about the minister. Did he have discussions with the Minister of Industry regarding the changes that were being looked at by the Department of Industry that would improve monitoring and accountability, as Ms. Mihychuk has said?

Mr. Selinger: I have answered that question. I gave a categorical no, that I was not aware of it. I have

indicated what the former member has herself said and that that would suggest very strongly that I had not discussed it with her because the bill was not drafted and it had not gone to Cabinet or caucus. As a member of Cabinet or caucus, the idea had not gone to me, according to the former member herself.

Mr. Loewen: Well, again, just to clarify, because we are not asking about Cabinet discussions. We are not asking about caucus discussions. I am talking about discussions between the Minister of Finance and Ms. Mihychuk. Were there discussions regarding the situation that she was overseeing, where her officials were saying it was better if the tools of the legislation were strengthened. Did the two ministers have conversations about that?

Mr. Selinger: I have already stated that I was not aware of it, so, if I was not aware of it, I could not have had a conversation about them.

Mr. Loewen: Mr. Chair, I appreciate that and, you know, finally nice to get the answer from the minister after many, many questions and many, many attempts.

The next issue is the red flags that were raised within the Department of Industry. Did the Minister of Finance ever discuss these red flags with Ms. Mihychuk?

Mr. Selinger: Once again, what was discussed was what is on page 145: pacing, sales caps, investee information. Those are the items that were discussed.

Mr. Loewen: Well, that has got nothing to do with the question I asked. Again, the minister might want to do more than read one page of the report. I would refer him to page 146. Maybe he falls asleep every night before he gets there, but the conclusion the Auditor General reaches, and I quote from the report, "There were sufficient red flags to justify a detailed review in the latter part of 2002."

Were the red flags ever raised by Ms. Mihychuk with the Minister of Finance?

Mr. Selinger: I just wish the member would give the full quote. The Auditor says on page 146 that, "We concur IEDM is not responsible for CIF's performance." It also indicates at the top of page 4, "We note as well, that the monitoring activities of Manitoba Industry, Economic Development and

Mines . . . and the Manitoba Securities Commission . . . were not designed to prevent or detect issues regarding portfolio investment valuations."

The discussions were related to whether the public policy objectives as enunciated in the legislation needed modification to address liquidity issues.

Mr. Loewen: Were the flags that were raised within the Department of Industry ever discussed with the Minister of Finance?

Mr. Selinger: I have just answered the question. We were very aware that there was a potential liquidity problem as the eight-year hold period came to an end and more of the shareholders' money was available for withdrawal or redemption. We were aware of that issue. We were asked for legislative amendments to cope with that issue as indicated on page 45.

We were also, as the department has indicated in its response on page 183, assured that the legislative amendments were the preferred solution to the liquidity issue, but not necessarily the only solution. It indicates very clearly that "Crocus indicated preference for changing the investment pacing rules," but "expressed confidence that it could deal with the challenges."

Mr. Loewen: Can the minister tell us when he first became aware of liquidity problems at Crocus?

Mr. Selinger: They were raised with us by the fund during those times that we met with them. I do not have the specific dates in front of me here, but I think they are stated by the Auditor. I am quite sure they are stated by the Auditor in his report.

Mr. Loewen: I asked the minister when he first became aware of liquidity problems, and when did he meet with the fund.

Mr. Selinger: I will have to check what the dates are in the report, but when we met with them, they stated they had a potential liquidity problem and they asked for legislative amendments to cope with it.

Mr. Loewen: And you met with them, sir?

Mr. Selinger: It is so stated in the report.

Mr. Loewen: Will the minister table with this House before, hopefully, tomorrow when he met with the fund to discuss liquidity issues?

* (16:50)

Mr. Selinger: I will find the proper reference in the report for him. Presently, I am not finding any specific reference to that. The reference that I have got is on the bottom of page 145, that the CIF or the Crocus Fund, "In late 2001, CIF indicated that the eight year investment 'churn cycle', implied in The Crocus Investment Act by virtue of the eight-year hold period for Class A shares, was inconsistent with CIF's investment management strategy. Internal discussions at IEDM examined whether CIF was not well served by the new legislative regime or whether CIF's investment strategies and practices should better reflect the legislated rules. IEDM concluded that the public policy benefits derived from the tax credits depended on the enforcement of the existing rules."

So all I can say is that we were aware, or I was aware as the minister, that they had a liquidity issue that they wished to address through legislative amendment, but that they also indicated on page 184 that they had other alternatives to that and that they could deal with the challenges.

Mr. Loewen: I specifically asked the minister for the dates that he met with the fund because he said he met with the fund. So it is not in the report. I am surprised that the Minister of Industry has not read the report and could not, of course, advise him right away, but, in any event, the quote on page 145 from the report that the minister read from indicates that was in 2001. So is the minister telling us that in the latter part of 2001 he knew there were liquidity problems in the fund?

Mr. Selinger: I do not have a specific date that I can put on the record for the member, but generally we were aware that they were concerned about a liquidity issue related to the redemptions that were upcoming at the end of the eight-year hold cycle.

As the member knows, when a fund starts, everybody who invests in a fund has to have that money stay there for eight years, so there is no redemption issue for the first eight years, but, after year eight is arrived at, years nine, ten, eleven, twelve, et cetera, there are redemptions that people are eligible to take their money out every year after year eight that they have put their money in. So, as time goes along, there is a greater potential for redemptions and the greater potential for a liquidity

issue. However, once again, I think it is important to note that on page 184, Crocus indicated preference for changing the investment pacing rules, but expressed confidence that it could deal with the challenges.

Mr. Loewen: Thank you, but, generally, "we were aware" does not cut it. The Finance Minister has said that he met with the Crocus Fund. He read a passage from a book which indicated that in late 2001, the Crocus Fund had indicated to government that they had a problem with liquidation, or sorry, with liquidity. Would the minister just tell us when he—and I am not talking about we or government, I am talking about him specifically—was aware that there were liquidity issues at the Crocus Fund?

Mr. Selinger: Well, once again, the facts as stated on page 145 accurately capture what was going on. It says here very clearly that CIF or Crocus continued to pursue amendments throughout 2001 to 2004 and then it states what those other legislative amendments included. It also makes it very clear that those amendments were not proceeded with.

Mr. Loewen: The minister is admitting that in late 2001, and possibly earlier, he personally knew that there would be liquidity problems within the fund.

Mr. Selinger: Actually, the member is not accurately hearing the answers that I have given several times right now. The liquidity issue was raised and a preference was expressed for legislative amendments to address it, but also on page 184, the Crocus Fund itself expressed confidence that it could deal with the challenges whether or not the legislative amendments which they preferred were brought into play. They knew they had other recourse to address any potential liquidity challenges. That is what they themselves said, and the department so verifies that on page 184 of the report.

Mr. Loewen: Well, again, the minister twists in the wind here because all the department indicates is what they were told by Crocus, but I want to stay on this point because the minister has admitted that he met with Crocus. We have from the Auditor's report that, as early as January in 2001, it was known within the Department of Industry that there were going to be possibly liquidity problems in 2001, 2002. The minister read a passage that said in late 2001, almost a year later, the fund indicated that there were liquidity problems coming up. I want to

know and, if the minister does not know, I would simply ask him to confirm with the House that he will table tomorrow the dates that he met with the Crocus Fund, as he said he did, and the dates that he became aware that there was a liquidity problem at Crocus.

Mr. Selinger: Once again, all the information has been provided to the Auditor, and he has documented it all in the book so the requests for further information are redundant. All the information has been provided by the Auditor in the book, and I am simply indicating that we were aware of a potential liquidity problem. I am also indicating that the fund itself quite clearly said that it had confidence that even if their preferred solutions to that liquidity problem were not enacted, which they were not, they expressed confidence that it could deal with the challenges. So the fund itself had a preferred solution to its liquidity problem but also expressed confidence that it could deal with those challenges regardless of whether those preferred legislative amendments were brought forward. That is all clearly stated in the report.

* (17:00)

Mr. Loewen: Well, once again, I would just say it is obvious that the minister is not prepared to answer that question in the House. I hope he is prepared to answer it under oath.

The other day on CJOB the Minister of Finance indicated that the legislation was not taken forward because a consensus could not be reached. Could he indicate who was involved in trying to reach a consensus?

Mr. Selinger: Well, the stakeholders and government.

Mr. Loewen: By stakeholders, is he referring to Crocus?

Mr. Selinger: That would be one of the key stakeholders.

Mr. Loewen: So what the minister is telling unitholders and taxpayers in Manitoba is that when the Minister of Industry, on advice from her department, was working on a bill that would provide better tools, strengthen the legislation, provide more monitoring and more accountability, that went to Crocus to see if they thought it was all right.

Mr. Selinger: No, that is the member's imaginary construction of the facts. What I am indicating was that the bill that Auditor discusses on page 145, which would have changed the pacing, sales cap and asset test requirements, which was not proceeded with, which the Auditor himself has said would have weakened the controls on the fund, was not proceeded with. That is the bill to which I was referring.

Mr. Loewen: Would the minister then indicate whether the bill that Ms. Mihychuk is talking about that improved monitoring and accountability, was that a separate bill?

Mr. Selinger: Once again, the former member—

An Honourable Member: She lied? Are you saying she lied?

An Honourable Member: Can we have order, please, Mr. Chairperson?

Mr. Chairperson: Order, please. The minister is trying to answer the question.

Mr. Selinger: Once again, the former member—
[interjection] Can we have order, please?

Mr. Chairperson: Order, please. The minister is trying to answer the question from the Member for Fort Whyte.

Mr. Selinger: Once again, the former member herself is on the public record, through the *Winnipeg Free Press*, as saying, "No bill was drafted, and the idea had not gone to Cabinet or caucus."

Mr. Loewen: The Minister of Finance has indicated that he met with officials from Crocus. Can he indicate who else was in on the meeting?

Mr. Selinger: Yes, on page 149, I have now found the reference to when I was in a meeting with Crocus. It is 149. It is the last point. "In 2002, the fund discussed their concerns with the Premier and pertinent ministers." And it indicates in the first sub-point under that point that the meeting occurred on April 8, 2002.

Mr. Loewen: I thank the minister for that. Was that the first time he became aware that there were liquidity problems at Crocus?

Mr. Selinger: Well, that was the first time we met about it and, as far as I know, the only time. Generally, during that period, from 2001 to 2004, there were requests for legislative amendments to the \$30 million cap, to the pacing requirement and to the asset test, whether it should be net or gross, as indicated on page 145. These things were being reviewed by government officials and they were among the items that were discussed on April 8, 2002, which is very clearly stated here, "On March 11," so we would have known by at least March 11, "On March 11, 2002, the Fund's former Chair sent a letter to the Premier of Manitoba requesting a meeting to discuss a number of issues, including how to interpret the \$50 million asset value test. An April 8, 2002 meeting was held between the Fund's former Chair, the former CEO, the Premier and the Minister of Finance."

Mr. Loewen: Well, I thank the minister for clarification because, in the Auditor General's report, it does not refer to discussions about pacing or liquidity at that meeting at any point. What I have been asking the minister to tell Manitobans, the unitholders and members of this House, is when he first became aware that there were liquidity problems. Is he telling us that he was not aware until that March 11 letter arrived that there were liquidity problems at Crocus? I am not asking him for "we" as government; I am asking him specifically when he as Finance Minister was made aware. He does not have to give me an exact date, but I need to know whether it is '01 or '02 or this April 8 meeting was the first time he had heard about liquidity problems facing Crocus.

Mr. Selinger: I have already indicated to the member, and now we have clarified it with page 149. It was generally during that period of time, between the '01-04 period, that there were legislative amendment requests made by the Crocus Fund. That would be the general period of time that this issue was under review. I should also report to the member, because he seems to skip over this fact every time, that on page 184 the fund expressed confidence that it could deal with the challenges, whether or not their legislative preferences for investment pacing rules were changed. That is what is indicated on page 184. I just simply ask the member to take that into account in his deliberations.

Mr. Loewen: When did the fund indicate to government that they had no problems with liquidity?

Mr. Selinger: I do not think they ever said, in my recollection, that they did not have a potential problem with liquidity. They said they had a potential problem with liquidity as the eight-year hold period started to lapse for the number of people investing in the funds. They expressed a preference for legislative amendments. They never said that there was not an issue. They simply said on page 184 that they were confident they could deal with the challenges, whether or not the legislative amendments were provided, that they had other options even though they preferred the legislative changes.

Mr. Loewen: When was that confidence expressed?

Mr. Selinger: There is no date expressed in the report on page 184, but it would have been during the period of the time when the discussions were going on.

Mr. Loewen: So is the minister saying that at that meeting on April 8 Crocus indicated to him that they had confidence that they could deal with the challenges?

Mr. Selinger: As I just said, during this period of discussion about the fund's potential problem with the liquidity issues, as redemptions started to mount as the eight-year hold period lapsed for more and more shareholders, they always positioned themselves as having a potential liquidity issue, but as was indicated on page 184, they felt there were other alternatives. They never indicated that there was only one solution to the problem.

Mr. Loewen: Well, gee, I guess they were wrong. What a surprise. Here we are 34 000 people later, \$60 million fleeced out of their pockets because this government refused to monitor, and now this minister is showing distain for them by refusing to answer questions. It is not a matter, Mr. Chair, of whether it is some time between 2001 and 2004. It is a matter of when this minister first learned that there were liquidity problems. He has admitted today that he did not do anything about it. He simply took Crocus's word that they could solve the challenge. Unfortunately, for Manitobans, they were not able to take the word of Crocus because it was not solved.

I would like him just to tell us today when he, and I am not looking for an exact date but a month, a period of a year would do, a quarter, when he first learned that there were liquidity problems and when

he first learned that Crocus had indicated they had confidence that they could deal with those challenges.

* (17:10)

Mr. Selinger: Mr. Chair, once again, I have answered the question. It was during that period of '01-04. I have also pointed out to the member that, on page 4 of the Auditor General's report, "the monitoring activities of the Manitoba Industry, Economic Development and Mines . . . and the Securities Commission . . . were not designed to prevent or detect issues regarding portfolio investment valuations." The member should be fully aware of that. It has been put on the record many times. I just categorically disagree that we are not answering the questions. We are given the questions. We are trying to give clarity and focus to the questions, and that is why I point out what is at the top of page 4.

The issues under discussion were issues related to liquidity, related to redemptions and their impact on liquidity, related to pacing and their impact on liquidity, related to caps on the fund and their impact on liquidity. They were not related to valuations. Valuations were first and foremost the responsibility of the fund. Secondly, the valuations were the responsibility of the underwriter to the fund in terms of declaring whether or not they were a full, true and plain disclosure with respect to the disclosure issue. The Auditor General—

Mr. Chairperson: Order.

Point of Order

Mr. Chairperson: The honourable Member for Fort Whyte, on a point of order.

Mr. Loewen: Mr. Chair, once again, you have already ruled on this that we are here with two ministers under questioning that we are entitled to ask either minister a question. They are required to answer from their chairs. How can I tell if the Minister of Industry is here when I look over and his chair is empty? Quite frankly, he has been told that he should be in his chair to answer questions, and that is what I would ask him to do, get in his chair and stay in his chair.

An Honourable Member: It is a stupid rule.

Mr. Chairperson: Order, please. Wait a minute. I have not recognized anybody yet except the Member for Fort Whyte. Do you have anything more to say on the point of order?

Mr. Loewen: Yes, I do, Mr. Chair, and I thank you for that. The Minister of Industry (Mr. Rondeau) quite clearly said in this House that it is a stupid rule.

Mr. Chairperson: I have not recognized him.

Mr. Loewen: No. I am just telling you what he said, and he should stand and apologize to you for that, and he should understand that, even if he does not agree with rules in this House, there is a legislative process to go through and until rules are changed, he should abide by them.

Mr. Chairperson: The member from Fort Whyte is on another matter. The first point of order is about the seating.

The honourable Minister of Energy, on the first point of order.

Mr. Chomiak: On the same point of order, I think we accepted the fact that you ruled that the ministers ought to reply to questions from their seat, and that is totally understandable. What ministers do during the course of other questions or during interludes, I suggest to the member from Fort Whyte, even though he wants to control everything, Mr. Deputy Speaker, is not under his particular control or his particular jurisdiction. I just think it is serving to upset the tenor of the replies of the Minister of Finance (Mr. Selinger) who is attempting to answer a question. I simply state not only does the member not have a point of order but he has misinterpreted your ruling.

Mr. Chairperson: The Opposition House Leader, on the same point of order.

Mr. Leonard Derkach (Official Opposition House Leader): On the same point of order, I do not understand why it is that it is so difficult for two ministers to remain in their chairs so that questions can be directed to them. The Minister of Industry is certainly snubbing his nose at the rules that you have cited to him, and he says that it is a stupid rule. Regardless of that, Mr. Speaker, it is a rule of this House, and if we are to be recognized in terms of speaking and answering questions, we should be in

our seats. When we have a concurrence, and we call two ministers for concurrence, we expect that those ministers will be in their seats prepared to answer questions if the questions are directed to that particular minister.

Mr. Chair, that is not a difficult rule, but if we want to be in contempt of this House, then perhaps we will have to deal with it with the House leader. I do not understand why that has become such an issue when we should be dealing with concurrence, especially when the government wants to get out of this House on Thursday. All they want to do now is waste the time until then. Perhaps we will have to take a different attitude in terms of what we are doing between now and then. So, in my view, I do not understand why the minister is absolutely snubbing your directions that were given with regard to answering questions.

Mr. Chairperson: I think everybody understands the rule now. If you want to be recognized during concurrence, the minister has to be in his seat, but nothing prevents the minister's freedom to move around if he is not being questioned. He is a member of the House. Like another member, he can move around, and the expectation is that if he wants to be recognized, he has to be in his seat. That is the rule. I did not recognize the minister when he was not in his seat.

Mr. Derkach: Mr. Chair, it is not just you recognizing him. If the person who is questioning the minister—

Mr. Chairperson: Is this the same or a new point of order?

Mr. Derkach: Either. I do not know which is more appropriate, Mr. Chair, so let it be a new point of order, but allow me to say that if, in fact, the critic who is asking questions is wanting to direct a question at a minister, he needs to see that that minister is in his chair. Now, it is not a matter of having freedom to move around. It is a matter that you are called here to this Chamber to answer questions, and in order for you to answer those questions, you must be in your chair. Now this is not a zoo, and there has to be some formality to this.

Mr. Chair, if we are in a committee room, the minister takes the chair beside the committee chair, and he stays there. He does not ramble around the

room and does not rove around the room. This is the same format, except that the minister should be in his seat and to that I think that it is completely a disregard for the rules of this House for the minister to be acting as a child, as he is right now.

Mr. Chairperson: There is no point of order. If the minister is the focus of the question, he is now in his seat.

* * *

Mr. Chairperson: The floor is open for questions.

Mr. Loewen: Thank you, and I appreciate the fact, despite he said quite vocally that it was a stupid rule, that the minister has decided and indicated he will stay in his chair which, I think, is the only appropriate action given your ruling.

With regard to the Auditor's indication on—
[interjection]

Well, I would have asked the minister a question, if he would ever answer one, but we are on to a different minister, because I do not think he has got the wherewithal to answer any questions on this, but we will get to him eventually.

The Auditor General indicated on page 145 that in January 2002 an official from the Department of Finance wrote a memo which, I understand, now has been clarified as an e-mail memo, indicating that there should be an independent review of the operations of the Crocus Fund. When did the Finance Minister first become aware that this memo had been written?

* (17:20)

Mr. Selinger: When I read this report for the first time.

Mr. Loewen: Could the minister be a little more specific?

Mr. Selinger: When I read the report for the first time. That is pretty specific.

Mr. Loewen: I know he has had the report for four weeks. Was it four weeks ago that he read that?

Mr. Selinger: I have answered the member's question.

Mr. Loewen: When did the minister first read the e-mail memo referred to in the Auditor General's report?

Mr. Selinger: I said I became aware of this citation in the report on page 145 when I read the report. I got the report on a Friday afternoon. I read it after that over the following week, and I became aware of that. During the course of the last few weeks, I asked to see a copy of the e-mail, I received a copy of the e-mail, and I can confirm it is as the Auditor General has described it in the report.

Mr. Loewen: So the minister is indicating that, four weeks ago when he first got the report on a Friday, he read it over that weekend, and yet it took him until some four weeks later to look for the memo referred to in the Auditor General's report?

Mr. Chairperson: The Member for Fort Whyte.

Mr. Loewen: I am finished.

Mr. Selinger: I simply ask the member to ask what I have just put on the record. I said I received the report on a Friday afternoon. I read the report during the course of the following week. I noted the citation in the report on page 145 and then in the period after that, I received and saw the memo, and I can confirm the memo is as described by the Auditor General on page 145.

Mr. Loewen: Just to clarify, the minister is saying he received the report on Friday, the 13th of May, read it over the weekend, being the 14th and 15th, and yet it took him until the 31st of May, 30th or 31st of May, to even ask to look at the memo.

Mr. Selinger: I have given the member the answer twice now. During the course of the period that I have described, I asked to see the memo. I saw the memo, and it is as the Auditor General described in the report.

Mr. Loewen: Well, I would ask the member to be a little more specific. Surely he can remember what he did or did not do last week. When did you first see the memo, sir?

Mr. Selinger: I have answered the member's question twice now.

Mr. Loewen: I hope all members of the House can now see quite clearly why we are going to need a public inquiry to get to the bottom of this because we cannot even get the simplest of dates from this minister who admitted on a number of occasions last week that he knew what is in the memo and knew this but that finally had to be forced, and it must have been quite a process for this minister to go through on Thursday afternoon to be forced by staff from the Premier's Office, to walk out in the hallway after denying to answer questions for weeks on end about this memo that he, in fact, had never seen it. That must have been quite a humiliating experience for this minister. So, if he was saying on Thursday of last week, which was the 2nd of June, that he had not yet seen the memo, would he indicate when, since the 2nd of June, it was that he got the memo and read it?

Some Honourable Members: Oh, oh.

Mr. Chairperson: Order, please.

Mr. Selinger: Yes, I can confirm the member seems to be manufacturing the facts and putting constructions on what happened that are not related to anything I said. It is just his interpretation of that.

I indicated I received the report from the Auditor General and staff on the Friday afternoon, and during the course of the next week, I read the report. I noted the citation on page 145. Subsequent to that, I asked to see a copy of the original e-mail. It was in an e-mail format. I can confirm that it is as the Auditor General described in the report on page 145.

Mr. Loewen: I would ask the minister simply to take a little moment if he needs, but give us the exact dates.

Mr. Selinger: I have answered this question for the member several times.

Mr. Loewen: The minister has not put one date on the record. Can he confirm that he received the report from the Auditor General on the Crocus affair on Friday, May 13?

Mr. Chairperson: Is there a question here on the floor?

Mr. Loewen: Well, the question is quite clear and quite simple. I simply asked the minister already to indicate whether it was on Friday, May 13 that he first received the draft report from the Auditor.

Mr. Selinger: I thank the member for using the opportunity to clarify that it was a draft report. It was on a Friday afternoon. I do not have my ministerial calendar here, but I will have to check to confirm whether or not that was the 13th.

Mr. Loewen: Maybe the member's memory might get a little clearer as we move the date closer to the present. Did the reply from his department and the Department of Industry and from government go back to the Auditor General on the 27th day of May, 2005?

Mr. Chairperson: Order, please.

Mr. Selinger: The legislation requires that government have a minimum of two weeks to review a draft Auditor General's report. We responded to the Auditor General's office within that minimum two-week period. So we received the report on a Friday afternoon. We concluded our responses to the Auditor General's draft report within the 14 days from the date we received it. Again, I do not have my ministerial calendar here, but from 14 days after we received the report, we provided our responses to the Auditor General's office.

Mr. Loewen: I am just asking the minister to clarify whether he received a report on the 6th of May, the 13th of May, or whether he replied to the Auditor General on the 20th of May. I mean, we are just looking for information from this minister and you would think he would have it. It is pretty straightforward. It is not that long ago, sir.

So I would ask you once again just to clarify when you received the draft report from the Auditor General.

Mr. Selinger: Once again, I do not have my ministerial calendar here, but when I get the opportunity after this session is over, I will confirm the date that we met with the Auditor General, the first date that we received the draft copy of the report, and I will also confirm the date for the member of the two weeks or the 14 days after that we concluded our responses to the Auditor General's report.

Mr. Loewen: I appreciate that. Would the minister also confirm the first date that he saw the e-mail memo from his Department of Finance that is noted on page 145 of the report as he so often likes to quote from?

Mr. Selinger: Once again, I will confirm the sequence of events. We received the report on a Friday afternoon and 14 days after that we responded to the report. The final report came out and subsequent to that I confirmed or asked to see the e-mail that was related to the citation on page 145.

Mr. Loewen: Is the minister telling the House that previous to that, he had not had any official from within his department indicate to him that this memo had been, in fact, sent to the Department of Industry?

Mr. Selinger: That is correct.

Mr. Loewen: Can the minister indicate when he first became aware of the red flags that have been noted on page 145, and particularly in the conclusion on page 146, when he was first aware of these red flags?

Mr. Chairperson: Committee rise. Call in the Speaker. This Committee of Supply will be continued tomorrow at 9 a.m.

IN SESSION

Mr. Speaker: The hour being 5:30, this House is adjourned and stands adjourned until 9 a.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 6, 2005

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