

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

Official Report
(Hansard)

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The Honourable Daryl Reid
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 3, 2012

The House met at 1:30 p.m.

Mr. Speaker: Good afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 21—The Public Schools Amendment Act (Code of Conduct for School Trustees)

Hon. Nancy Allan (Minister of Education): I move, seconded by the Minister of Health (Ms. Oswald), that Bill 21, The Public Schools Amendment Act (Code of Conduct for School Trustees); Loi modifiant la Loi sur les écoles publiques (code de conduite à l'intention des commissionnaires d'écoles), be now read a first time.

Motion presented.

Ms. Allan: I'm very pleased, Mr. Speaker, to introduce this legislation. This legislation will require school boards to adopt codes of conduct for trustees and will allow school boards to discipline trustees who breach the code of conduct. Thank you very much.

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

PETITIONS

Cellular Phone Service in Southeastern Manitoba

Mr. Cliff Graydon (Emerson): I wish to present the following petition to the Legislative Assembly.

And the background to this petition is—follows:

During early October 2011, parts of southeastern Manitoba were hard hit by wildfires. Thanks to the swift action of provincial and municipal officials, including 27 different fire departments and countless volunteers, no lives were lost and property damage was limited.

However, the fight against wildfires reinforced the shortcomings with the communications system in the region, specifically the gaps in cellular phone service.

These gaps made it difficult to co-ordinate firefighting efforts and to notify people that they had to be evacuated. The situation also would have made

it difficult for people to call for immediate medical assistance if it had been required.

Local government, businesses, industries and area residents have for years sought a solution to this very serious communications challenge.

We petition the Legislative Assembly as follows:

To urge the appropriate provincial government departments to consider working with all stakeholders to develop a strategy to swiftly address the serious challenges posed by the limited cellular phone service in southeastern Manitoba in order to ensure that peeper—people and property can be better protected in the future.

And this petition is signed by S. Rettaler, R. Preteau and P. Carriere and many, many more fine Manitobans.

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

Personal Care Homes and Long-Term Care—Steinbach

Mr. Kelvin Goertzen (Steinbach): Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The city of Steinbach is one of the fastest growing communities in Manitoba and one of the largest cities in the province.

This growth has resulted in pressure on a number of important services, including personal care homes and long-term care space in the city.

Many long-time residents of the city of Steinbach have been forced to live out their final years outside of Steinbach because of the shortage of personal care homes and long-term care facilities.

Individuals who have lived in, worked in, and contributed to the city of Steinbach their entire lives should not be forced to spend their final years in a place far from friends and family.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health to ensure additional personal care homes and long-term care spaces are made available in the city of Steinbach on a priority basis.

Mr. Speaker, this is signed by E. Reimer, G. Giesbrecht, M. Bergmann and thousands of other Manitobans.

Mr. Speaker: Committee report—oh, sorry.

Hon. Dave Chomiak (Minister of Innovation, Energy and Mines): Mr. Speaker, I would like to ask leave of the House to return to introduction of bills, if that would be possible, please.

Mr. Speaker: Is there leave of the House to return to introduction of bills?

An Honourable Member: No.

An Honourable Member: Agreed.

Mr. Speaker: I've heard a no. Leave has been denied.

TABLING OF REPORTS

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): I'd like to table the Manitoba Clean Environment Commission annual report '11-12, please.

Hon. Andrew Swan (Minister of Justice and Attorney General): I am pleased to table the Manitoba Justice, Supplementary Information for Legislative Review 2012-2013, Departmental Expenditure Estimates.

Mr. Speaker: Any further tabling of reports? Seeing none.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of the honourable members of the Assembly to our public gallery where we have 35 grade 5 students from École Belmont under the direction of Ms. Shelley Maslow and Ms. Jennifer DeClercq. This group is located in the constituency of the honourable Minister of Justice (Mr. Swan).

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

ORAL QUESTIONS

Election Campaign (2011) Regulation Breaches by Government

Mr. Hugh McFadyen (Leader of the Official Opposition): Day after day in this House, the government and members of the opposition introduce bills and laws that govern the conduct of regular Manitobans.

I want to ask the Premier whether he believes that the laws that are introduced and passed in this House apply to himself and his ministers, or do they only apply to regular Manitobans?

Hon. Greg Selinger (Premier): Mr. Speaker, that's a very broad question, but we do operate under the rule of law in this country, and I see—I've seen no deviation of that recently.

Mr. McFadyen: Mr. Speaker, it wasn't a trick question. The question was whether the Premier believes the law applies to him and his ministers. We had an example of his Minister of Health (Ms. Oswald) who has breached The Elections Act, according to the commissioner. They—the—they had a—the minister had the opportunity yesterday during ministerial statements to rise in the House, explain what happened, and to apologize; that didn't happen.

A second opportunity arose today for the minister to rise during ministerial statements, explain what happened, apologize, and take responsibility for the breach of the law. It's a very serious issue. The Attorney General's (Mr. Swan) bringing in bills; other members bring in bills. They expect everybody else to live by those bills, and yet we have a Minister of Health who, apparently, is allowed to break the law with zero consequences.

So I want to ask the Premier again: Does the law apply to him and his ministers, or is it just for everybody else in the province?

Mr. Selinger: As I said in my first response, Mr. Speaker, the rule of law applies everywhere in Canada, and there's no deviation from that here in Manitoba.

The members knows full well that the elections Manitoba act was brought in to ensure greater transparency and fairness in the way we conduct elections in Manitoba. It does cover a period called the pre-electoral period of up to 90 days. There was an unintentional infraction of that, for which the members have taken full responsibility, and all members on this side of the House accept full

responsibility of that, and we will take that ruling by the elections commissioner as guidance in future behaviour.

* (13:40)

Call for Minister's Resignation

Mr. McFadyen: Mr. Speaker, there's been a finding that a senior member of his Cabinet broke the law, broke the elections law, in the lead-up to the 2011 election.

It's not the first time his government has breached this section. His former Finance minister breached the same section in 2009. They cannot now claim that they didn't know the section was there and they didn't know how it applied.

The minister, in fact, went so far as to not send out a press release to invite a couple members of the media along because they knew that what they were doing was illegal and they were trying to sidestep the provisions of the law.

In light of all of these facts and in light of the fact that they've now had 24 hours for him to apply some consequence to his minister, will he do the right thing today? Will he remove his Minister of Health (Ms. Oswald) from her current responsibilities, and if he won't do that, will the minister do the honourable thing and will she resign?

Mr. Selinger: Mr. Speaker, the Minister of Health has accepted full responsibility for the unintentional breaching of elections Manitoba act. We, as a government, have accepted that. All members on this side of the House have accepted that.

The Minister of Health has done an extraordinary job as the Minister of Health over the last several years in this province, and might I add that that birthing centre is the only—the second one in this country and will be—provide an incredibly valuable service to all those people in Manitoba that need it.

Election Campaign (2011) Call for Minister's Resignation

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, another provincial Cabinet minister under this NDP government has broken the law. Yet, rather than take responsibility for her actions, the Minister of Health chose instead to play dumb.

Apparently, she didn't know she was breaking the law. Really? Come on. How on earth can she

expect Manitobans to believe that she had no idea she was breaking the law that she helped create?

Will she do the honourable thing today and resign, Mr. Speaker?

Hon. Greg Selinger (Premier): Mr. Speaker, the elections commissioner that ruled on this matter themselves said it was an unintentional act on behalf of the members that were involved in the act. It wasn't us that was saying that; that's what the election commissioner was saying.

The election commissioner also said it was understandable that that could be interpreted that way given the vagueness of the way the act has been drafted. In spite of that, the elections commissioner said that it was a breach of the act, in his view. We accept that ruling. We accept and take responsibility for that ruling.

Let the members not play funny and loose with the—what happened—really happened there, and let them acknowledge that this Minister of Health has improved health every single day in this province of Manitoba and repaired an enormous amount of damage left in this province by the members opposite.

Mrs. Stefanson: Well, Mr. Speaker, I guess what the Premier is saying is that the laws that this NDP government brings forward in Manitoba apply to everybody else but he and his Cabinet. Shame on them.

There is another pattern developing in this arrogant NDP government, a pattern of breaking the law, feigning ignorance and—give me a break, Mr. Speaker, this is ridiculous.

The Minister of Health can't honestly stand here today and claim that she didn't know that what she was doing was wrong. Why doesn't she just admit that she knew full well what she was doing: using taxpayer-funded events to gain political points during the last election?

Will she do the right thing today and resign?

Mr. Selinger: Mr. Speaker, the commissioner themselves said that it was an unintentional act on behalf of the ministers involved. The commissioner themselves said it was understandable how, given the way the act was drafted, that this error could have been made.

When the minister was made aware of that, when the ministers were made aware of it, when we

in the government were made aware of it, we accepted full responsibility for that. So the members are misleading the public in the way they're interpreting what's going on here.

And as for whether the minister has done a good job as the Minister of Health, nobody denies that in the province of Manitoba. Even the members opposite know that we have more nurses working in Manitoba now, when they laid them off. We have more doctors in Manitoba now, when they drove them out of the province. We have nurse practitioners in the province of Manitoba that never existed before, and now we have a birthing centre which they voted against.

Mrs. Stefanson: Mr. Speaker, the Premier claims to take this—the situation very seriously. If he takes it seriously, then action needs to be taken. It's not all right that the laws that are passed in this province apply to everybody else but this NDP government.

Will he do the right thing today and ask for the resignation of his Minister of Health for breaking the law?

Mr. Selinger: Mr. Speaker, I know that the member is closely following the questions crafted for her. I've answered this in the first two questions that she answered—that she asked of this side of the House.

The responsibility for breaching the act, we accept entirely, a hundred per cent. Apologies have been made. The public is made aware of this. They have all the information on this, and, by the way, the Minister of Health has done an excellent job as the Minister of Health in every domain of this province and every region of this province.

The member from Steinbach was just up petitioning for another personal care home when we've made investments in Steinbach. And at the same time, all the personal care homes that we put in this budget, every member of the House has voted against them. That's hypocrisy, Mr. Speaker.

Election Campaign (2011) Call for Minister's Resignation

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, accountability is a fundamental principle of our democracy. And with accountability often comes consequences. That is something that's been lost on this minister and this government for a long time. But unlike the past, the Minister of Health, she can't blame bureaucrats, she can't blame the victim, she can't blame anybody else but herself. She took this

responsibility, she took this action and she has to be accountable.

I want to ask her directly: Will she be accountable, stand up today and resign her position, Mr. Speaker?

Hon. Theresa Oswald (Minister of Health): Yes, and I thank the member for raising the issue and offering me an opportunity to say, without hesitation, that I accept the commissioner's ruling, that indeed I was in breach of the act. And I have said quite clearly in public and I will say in this House that I humbly apologize for that.

Indeed, it was not my intention to be in any way in contravention of the act. I didn't believe that I was. The commissioner has ruled otherwise, Mr. Speaker.

And very clearly, I say that I have without a doubt learned of this particular element and interpretation of the law. I apologize for being in breach of it and, indeed, in going forward, I will understand the law better.

Mr. Goertzen: Mr. Speaker, this is about accountability, and I want to talk about the hypocrisy of this government.

In the past, this government issued illegal tickets to Manitobans and then still told them, well, you should pay for those tickets. Manitobans were forced to pay when they didn't actually break the law.

Now the Minister of Health breaks the law, and she doesn't think that she has to pay. What kind of hypocrisy is that, Mr. Speaker? I want to give this minister a chance. She took the action; she knew at the time that she was in violation. She has to have accountability. That's part of the accountability within the system that we have.

Will she have true accountability, stand up, say that she'll resign the position as Minister of Health, or is the message that she has to Manitobans is that she is above the law while they aren't, Mr. Speaker?

Ms. Oswald: Yes, and again I will clearly say that I accept the commissioner's ruling on this matter, and, indeed, did apologize. I'll apologize again and I'm going to guess, then, the next question, I'll be apologizing in the future.

Let's be clear, Mr. Speaker, that yesterday the commissioner made rulings on—if I understand correctly—five complaints that came forward. Four of those complaints were dismissed, which gives me

evidence that, indeed, members opposite who lodged the complaints also don't understand the act.

In the case of my issue, the commissioner ruled that, indeed, I had been in breach of the act. It is the first time it's been applied in a general election. Indeed, I made a mistake, Mr. Speaker, clearly, and I don't deny that. I would suggest to members opposite that four out of five times, they made a mistake too.

Mr. Goertzen: Mr. Speaker, it's very easy to be sorry after you've won the election.

This is a minister who was in a tough election, and she decided to do anything to try to win that election. She figured, well, I know that I'm breaking the law, but I'll do whatever it takes to win the election, and then I can deal with the consequences after.

That is not what the election law is about; it is about having accountability, Mr. Speaker. She may have been successful in fooling people before the election, but now she has to take accountability. She's not really answering the question to me. She's answering to Manitobans, and Manitobans are wondering whether or not there's any accountability for a minister who passed the law, who brought in the law and then who broke the law.

* (13:50)

Can she tell Manitobans whether or not she'll have accountability for the law that she passed, or is she above the law, Mr. Speaker?

Ms. Oswald: Well, Mr. Speaker, I would say again very clearly, the commissioner ruined—or ruled yesterday that, in fact, I was in contravention of the act in the tour of the birth centre. I accept my responsibility for that. Certainly, at the time, I did not believe that I was in contravention. Indeed, the commissioner himself said he believed that this was an unintentional act to breach the law, but I accept his ruling, and I apologize for having committed that breach of the act.

I am accountable to Manitobans every single day, Mr. Speaker. I'm accountable to the citizens of Seine River every single day. I commit to them that I'm going to do my absolute best to serve in the capacity as their MLA and, indeed, as the Minister of Health. I'm going to continue to try to do my best. I apologize for what happened with this ruling, and I'm going to go forward to continue to do my best.

Assistant Deputy Minister Minister's Directives on Email

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the actions of this Minister of Immigration are just unbelievable. First, she says she doesn't see anything wrong with an email sent from her ADM, directing staff to do her political bidding and come to a political rally here. Then she says she knows nothing about an email. Then, miraculously, two weeks later she tables another email that says the department staff knew it was wrong, but the message is, just don't get caught.

Does this minister think it is okay for civil servants to do her political bidding as long as they don't get caught?

Hon. Christine Melnick (Minister of Immigration and Multiculturalism): Well, Mr. Speaker, clearly, the directive was to not come to the House. I tabled the email yesterday. It was very clear in the intention.

But the focus here is on immigration and settlement services in Manitoba, and, you know, we have the member from Agassiz who's sitting there who voted against the settlement services model. Neepawa is in his constituency. HyLife is one of the best immigration stories we have in this province. What is he going to say when the newcomers who work at HyLife and the people at Neepawa—

Mr. Speaker: Order, please. Order, please. I want to caution all honourable members, please. When you are posing your questions and when you're responding, for ministers that are responding to questions, please direct your comments through the Chair.

The honourable Minister of Immigration and Multiculturalism, to conclude her remarks.

Ms. Melnick: Thank you, Mr. Speaker.

What is he going to say when the newcomers who he purports to represent and the community in Neepawa come to him and say, did you stand for immigration in the province of Manitoba? Did you stand to build this community? Did you stand to build Manitoba? And he'll have to tell them, no, I didn't stand up. I stood down for Manitoba.

Mrs. Taillieu: Mr. Speaker, the reason this minister is so miffed is because she's not handing out the cheques anymore.

Mr. Speaker—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please. Order, please. We have members of the public, schoolchildren, who are in the gallery with us today. I'm sure we would want to leave a good and positive impression of their visit to the Legislature, so I ask for the co-operation of all honourable members. Please allow for the questions and the answers to be posed in the Assembly here today.

The honourable member for Morris has the floor.

Mrs. Taillieu: Thank you, Mr. Speaker.

The first email that was circulated encouraged people to leave their taxpayer-funded jobs to attend an NDP political rally. The second email says: I expect that some staff will be interested in attending the gallery tomorrow, and I would strongly recommend against this because if staff are recognized in the gallery we would be providing grounds for more criticism of this government as wasting taxpayers' money.

The second email admits that getting caught would be bad. So let's not do it, because we might get caught, not because it would show partisanship, but because we might get caught, Mr. Speaker.

Mr. Speaker, is it common practice under this NDP government to use members of the civil service to send emails and communicate to staff encouraging them to attend NDP political rallies as long as they don't get caught?

Ms. Melnick: Well, Mr. Speaker, I think the member from Morris just caught herself.

We now know the real agenda here. The real agenda here is not building settlement services. It is not working with not-for-profits. It is not welcoming newcomers to the province. It is not building the economy. It is their wanting to hand out cheques.

Mrs. Taillieu: Mr. Speaker, that is an unbelievable statement by this minister. She knows full well that this program is not changing; it's just being taken over by the federal government because they fund 90 per cent of it.

It's unbelievable that this minister does not even recognize when she's incriminating herself and her staff. The culture of politicizing the staff runs so deeply, she's not even aware that she's doing it. The message she is sending here is it's okay for the civil

service to do the political bidding of the NDP as long as they don't get caught. The email itself suggests caution to the staff is not about showing partisanship; it's about not being caught.

It begs the question, Mr. Speaker: How many other times has a minister of this NDP government encouraged, or even demanded, a civil service support the NDP ideology? How many times have others just not been caught?

Ms. Melnick: Well, Mr. Speaker, the member from Morris just caught herself; she caught herself in showing what the true agenda is.

You know, on this side of the House, we were really hoping we could all stand together in a non-partisan way, that they would support the agreement that they had signed 15 years ago, that we would continue to move forward with settlement services and the whole immigration policy in Manitoba.

The member opposite caught herself; she betrayed the true agenda. This is about her wanting to hand out cheques. This is about her calling for a standing vote on the resolution when she said, I want to be the first to call for a standing vote on the resolution.

On this side of the House, Mr. Speaker, we stood up for Manitoba. Every member across the way stood down for Manitoba.

Assistant Deputy Minister Minister's Directives on Email

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, this Minister of Immigration has had a week to take responsibility, to ask some questions of her department and to get some answers.

I have a very simple question for the Minister of Immigration: How many civil servants, at taxpayers' expense, were asked to shut off their phones, to close their doors during working hours, and attend a political rally at the Legislature organized by the NDP?

Hon. Christine Melnick (Minister of Immigration and Multiculturalism): Well, again, Mr. Speaker, the big issue of the day is protecting the economy of the province of Manitoba.

And the member from River East has newcomers in her community. And when those newcomers come to her and when the small- to

medium-sized business owners come to her and they say, are you protecting me as my MLA? Are you making sure we're building the province? Are you making sure we're bringing in people who will meet the job needs of the province of Manitoba? Unfortunately, the member from River East, with all of her partners on the other side of the House, Mr. Speaker, said—will have to say, no, I didn't stand up for Manitoba; no, I didn't stand with you; no, I didn't stand with the newcomers. I stood down because they want to hand out cheques.

*(14:00)

Mrs. Mitchelson: I am standing with newcomers, who are taxpayers as well, Mr. Speaker, and asking these questions about government accountability and whether their tax dollars are being used wisely.

Mr. Speaker, many service organizations who are funded with taxpayers' dollars to provide services to new immigrants were invited by this government to shut off their phones, to close their doors, and to ignore those new immigrants that they were supposed to be serving to come to a political rally at this Legislature.

Mr. Speaker, how can she be—stand up and say that she was supporting newcomers? Can she answer to taxpayers and new immigrants why they would have directed staff, taxpayer-funded staff, to do that?

Ms. Melnick: Well, Mr. Speaker, it's interesting that this member is asking a question because she, in fact, was in Cabinet when this agreement was signed some 15 years ago. So today—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please. Order, please. Order, please.

I want to caution all honourable members again, please. When the Speaker rises, he's to be heard in silence. The clock is ticking on question period.

We're wasting valuable time, and I'm asking for the co-operation of all honourable members. Please keep the noise level down a little bit to allow the questions to be posed and the various ministers to answer the questions.

The honourable minister, to conclude her remarks.

Ms. Melnick: She was in the Cabinet when this agreement was signed 15 years ago, and it's very interesting, Mr. Speaker. Is she now saying that the Filmon government was wrong in signing this

agreement? Is she now saying that she, as a Cabinet minister, was wrong in agreeing to this agreement?

Is she now saying that Gary Filmon made a mistake when he called on this agreement with the federal government, negotiated for three years? How can this member from River East be so duplicitous to say it was a good agreement 15 years ago—it's proven to be the best in Canada—and today she doesn't support it?

Mrs. Mitchelson: Mr. Speaker, how bizarre. Of course I'm proud. I'm proud to stand here and say that we supported the Provincial Nominee Program and passed the legislation. And the NDP opposition at the time voted against it.

Mr. Speaker, a very simple question to the minister: How many offices that provide settlement services to new immigrants had their phones shut off, their doors closed at taxpayers' expense, turning their backs on the new immigrants that they should have been serving on the day that they were invited to come to a political rally at the Manitoba Legislature orchestrated by this NDP?

Ms. Melnick: Okay, let's look at the history. The Filmon government initiated this agreement 15 years ago. The member opposite supported it 15 years ago. On the 19th of April, the member from River East voted against this agreement, voted in favour of cancelling this agreement.

On her first two questions, she was not in support of settlement services. On her third question, she was supportive of settlement services. Mr. Speaker, where do they stand? Talk about the flip-flop party.

We are the party that stands up for Manitoba. Whether they like it or not, it's recorded on *Hansard*: they stood down.

Strand Theatre Project (Brandon)

Referral to Conflict of Interest Commissioner

Mr. Reg Helwer (Brandon West): Mr. Speaker, this NDP government has exhibited tremendous arrogance and contempt for rules and process and, indeed, the law.

We have Cabinet ministers who have broken Manitoba's election laws; a minister who uses her ADM to send out email invitations to an NDP rally; a government that lied to Manitobans, promising not to raise taxes and then hitting Manitobans with one of the largest tax increases in recent years.

We have the Strand project in Brandon, in which the Premier has brought up the issue of conflict of interest.

Will the Premier refer this issue to the Conflict of Interest Commissioner?

Hon. Greg Selinger (Premier): Mr. Speaker, the Conflict of Interest Commissioner was put in place by this government. We're the ones that brought the Conflict of Interest Commissioner into law in Manitoba and it's available to all MLAs to use it. If the member wishes to consult the Conflict of Interest Commissioner, he can do that any time he wishes.

What he needs to explain is why he voted against \$5 million for improving the dikes in Brandon, why he voted against paramedic firefighters in Brandon, why he voted against new police officer in Brandon, why he voted against an operating budget increase of 5 per cent for Brandon University and why he voted against more operating money for the Assiniboine Community College. That's what he needs to explain: why he voted against all these investments in the future of Brandon.

Mr. Helwer: Mr. Speaker, again, the Premier is deflecting the question by not answering it. I've been hearing concerns about conflict of interest on this issue, the Strand project, in Brandon.

Will the Premier do the right thing and refer this issue of conflict of interest to the Conflict of Interest Commissioner?

Mr. Selinger: Mr. Speaker, I answered it in my first question. The Conflict of Interest Commissioner was put into law by every member of this Legislature, on this side of the House at least. The member opposite has full and complete access to the Conflict of Interest Commissioner any time he wishes to do that.

If he wants to deflect attention from the fact he voted against diking in Brandon, if he wants to deflect attention from why he voted against paramedics and firefighters in Brandon, if he wants to deflect attention from why he voted against more police officers in Brandon, that's his choice.

If he wants to go to the Conflict of Interest Commissioner, he could do that right after question period.

Mr. Helwer: Once again, Mr. Speaker, the Premier is confused on the issue here. The taxpayers of Brandon and Manitoba need to know if there has been a conflict of interest in the Strand project.

Again, will the Premier do the correct thing and refer this issue to the Conflict of Interest Commissioner?

Mr. Selinger: The member from Brandon West could go to the Conflict of Interest Commissioner any time he wishes, and if he's really concerned about it, he can go right after question period. That's why we put the Conflict of Interest Commissioner position in place.

But I do know this: I do know that the member from Brandon East supports more firefighters in Brandon and paramedics and police officers and investment in dikes. He's fighting for the people of Brandon, unlike the member from Brandon West.

Civil Service Politicization

Hon. Jon Gerrard (River Heights): Mr. Speaker, the NDP's Minister of Health (Ms. Oswald) and Education broke an election law with an illegal invitation to the media and photo op at a health-care facility. Election commissioner Bill Bowles said in his ruling: The chain of events leading to the media presence at the door—on the tour also includes the Minister of Health's staff. I understand these people to be government employees who work for the Department of Health. They were part of the department's resources.

The misuse of government's resources is alarming. The reckless and arrogant NDP government have been found guilty of using government employees, the civil service, in illegal political activity.

I ask the Premier: On how many more occasions has the government involved civil servants in political activities?

Hon. Greg Selinger (Premier): Mr. Speaker, the error that was made under the elections Manitoba act has been identified by the elections commissioner. They said the act was breached. We've accepted full responsibility for it. The minister has apologized to the public yesterday, to the House today. This error will—this interpretation of the act will be used as future guidance to ensure that our behaviour falls within the parameters of the act.

The member knows all of these questions right now and—all these answers right now, and the information will provide us guidance in the future and we take it very seriously.

Mr. Gerrard: Mr. Speaker, on April 19th the NDP government again involved civil servants in political activity. As we're well aware, the assistant deputy minister of Immigration was asked to write two emails to recruit members of the civil service and members of organizations funded by his department to take time off work to come to a political rally at the Legislature in relationship to the funding of immigration settlement.

*(14:10)

I ask the Premier: Was his intention of inviting civil servants to a political rally a way to build a partisan bureaucracy through federal government funding of immigration settlement services?

Mr. Selinger: Mr. Speaker, until the recent turn of events, the immigrant settlement program and the Provincial Nominee Program was considered a non-partisan success in the province of Manitoba.

It was broadly supported by all the members of the House, by the members of the business community, by the members of the non-profit sector, by the citizens of Manitoba. And the reality was—everyone acknowledged this was the best program in Canada. Very high retention rates; 80 per cent of newcomers coming to Manitoba remained in Manitoba, 83 per cent of people were working within three months, over 80 per cent were homeowners within five to six years.

The program was considered a non-partisan success, so the civil servant took actions in the context of a non-partisan program, which benefits all of Manitoba, which benefits the economy of Manitoba, which ensures Manitoba is a growing and prosperous province.

Mr. Gerrard: It's contrary to our democratic tradition of a non-partisan civil service when the Premier and his government are involving civil servants in political activity. It's even worse when the ministers of Health and Education are involved in illegal political activity instead of doing their jobs.

The Minister of Health (Ms. Oswald) could have been addressing the chaos of the wait times in hospitals, underscored, of course, by the Brian Sinclair tragedy.

The Minister of Education (Ms. Allan) could have been addressing Manitoba's nation-low education scores in math, science and reading.

I ask the Premier: What was he thinking when he had his ministers engaged in illegal political activities instead of doing their jobs?

Mr. Selinger: Mr. Speaker, the commissioner who reported on the Elections Manitoba breach made it very clear that he did not believe it was an intentional breach of the act. He made it very clear that he understood—the way he—that the act was, in his view, understandably difficult to interpret.

His ruling has come down. We have a hundred per cent and fully accepted that ruling. We take it as guidance on our future behaviour. The member from River Heights knows that. All of these flights of fantasy, over and above what the ruling has said, are purely conjecture in his own mind. We take it seriously and we will take it as guidance in future behaviour.

Water Bomber Fleet Purchase of New Aircraft

Mr. Clarence Pettersen (Flin Flon): Mr. Speaker, I'd like to ask the Minister of Conservation and Water Stewardship a question surrounding the announcement made this morning on the new water bombers.

How will these planes reduce the risk of wildfires moving quickly through forests and threatening communities in Manitoba?

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): Well, I thank the member for Flin Flon for the question. I know the issue and the—you're at—the risk of forest fires is an important one to him.

I think, first of all, it's important to recognize and thank the efforts of all the firefighters that have made some extraordinary efforts over the last month or so. It's been a challenging spring; I know the Province has been engaged in about 63 fires, but many, many more fires have called on municipal firefighters to do an extraordinary job.

I also think it's important to relay condolences to the family and friends of John Froese of the Portage area, who lost his life in a wildfire and it reminds us just how serious a risk this is to all of us.

Despite the intermittent rains that are happening right now, the province is on high alert. We have, in this province, of course, about 39 initial attack crews with 195 firefighters, a thousand emergency trained firefighters on standby, a hundred support staff with six helicopters, six planes.

But today we added a new bomber, Mr. Speaker, and, in fact, two new bombers now. They're faster, they carry more water and they drop almost twice the number—

Mr. Speaker: Order, please. Order, please. Minister, time's expired.

Thompson Bridge (Brandon) Project Status and Costs

Mr. Reg Helwer (Brandon West): Mr. Speaker, the approaches to Thompson Bridge on 18th Street in Brandon are sinking. Highways now has large orange caution signs on both ends of the west span. It would be easy to blame this on the flood and I'm sure that the government will try to do this, but the same thing happened to the east span before the flood.

Why can't this government build bridges correctly, on budget and on time, that work?

Hon. Ron Lemieux (Minister of Local Government): We have an MLA for Brandon West that does not stand up for Brandon. He votes against flood proofing the city. Any kind of major project that's happening in Brandon, this MLA has voted against it.

Mr. Speaker, the citizens of Brandon will look at this MLA and say, who do you stand for, sir? Who do you stand for?

Mr. Speaker: Before proceeding to the supplementary questions of the honourable member, I want to caution the honourable Minister of Local Government. Please direct your comments through the Chair, please.

Mr. Helwer: Manitobans have had to endure the excesses of this government, and the Thompson Bridge project is no different: over \$28 million when it was originally projected at \$17 million, and that included flood protection for 18th Street to build a dike all the way from the bridges to the north hill so that we wouldn't have had to build the temporary dike, and that promise was broken, Mr. Speaker. Like many of this government's broken promises, over budget and broken promises.

When will this government admit it has lied to Manitobans and do the right thing and fix the bridges the right way?

Mr. Lemieux: Mr. Speaker, a number of years ago we made a commitment to Manitobans to deal with the infrastructure deficit in this province, \$4 billion over 10 years. We are well over \$2 billion. And, of

course, this Budget 2012 also addresses the infrastructure deficits within the province and we're very proud of our record, quite frankly, in tackling infrastructure deficit.

The Leader of the Opposition (Mr. McFadyen), when asked again last election, like, what is your plan? Well, it's the same as theirs. You know, and the election before is far worse. He said, well, not only is it the same as theirs, we're going to take all the money out of northern Manitoba and put it into southern Manitoba.

Mr. Speaker, we stand up for Manitobans in every single corner of the province, unlike the member for Brandon West. He doesn't stand up for the people of Brandon West. He stands up for no one.

Mr. Helwer: Mr. Speaker, this government likes to change the past by rewriting history. They put Manitobans at risk by allowing the Corral Centre to be built on a flood plain and not protecting them with a permanent dike on 18th Street. We have a bridge with sinking approaches just like happened on the east span.

This government overtaxes, overspends and can't build not one but two bridges correctly. How many more millions will it take to fix this government's mistakes?

Mr. Lemieux: Mr. Speaker, unlike the mayor of Brandon and council and many other municipalities in the province want to work with the Province of Manitoba in bringing different issues forward—and granted we're not perfect; there are many challenges ahead of us. We want to make sure we work with municipalities. Unlike this member is just criticizing everything that was done in the city of Brandon, and unlike our MLA from Brandon East, who has raised these concerns and looking for positive solutions, which we've been able to address, whether it's the bridge in Brandon—in 18th Street in Brandon or First Street or the hospital that was announced—was it 10 times or five times? They never did address the hospital in Brandon in the 1990s.

But, Mr. Speaker, we're very proud of the monies we've invested in the province of Manitoba in infrastructure, \$589 million. We've seen they voted against it when they had a chance to stand up—stand up—for infrastructure dollars being spent—

Mr. Speaker: Order, please. The minister's time has expired.

Time for oral questions has expired.

MEMBERS' STATEMENTS

Transcona Centennial Celebrations

Mr. Bidhu Jha (Radisson): This year marks Transcona's centennial celebrations. On April 12, a kickoff event for the centennial celebrations was held at the Transcona Legion hall, attended by the Lieutenant-Governor, the Premier, the mayor, local MLAs, MP, city councillor and other dignitaries as well as by hundreds of people. The event was marked with the sounding of the CN whistle, a noise not heard in many years, that demonstrates and reaffirms Transcona's link to the railway. With centennial celebration events planned through the spring and summer, it's a great time to reflect on the history and impact of this vibrant and vital community. I consider it like a large, large family.

* (14:20)

Mr. Speaker, nestled away and on the edge of the Winnipeg—eastern edge of the Winnipeg city, Transcona has always stood from its—stood out from its neighbours. From the shop yard to the schoolyard to the football field, its people have been defined by hard work, perseverance and a tight sense of community spirit.

Now in its 100th year, Transcona has decided to take a break and celebrate the neighbourhood's special character. On April 6th, 1912, Transcona received its town charter and held its first elections on May 20th. Transcona was founded on the site of Grand Trunk Pacific and National Transcontinental railways' repair shops to accommodate its growing workforce and has, over the past 100 years, grown and spread its boundaries and influence.

It now occupies an integral part of Winnipeg's social, economic fabric. The Transcona Historical Museum is releasing a book that documents the history of Transcona called Transcona's story, 100 years, which I encourage all members to read.

Mr. Speaker, 100 years is not a small achievement and throwing a party to match makes and—works of dozens of dedicated volunteers, local dignitaries, businesses and organizations. The series of events making the centennial has been planned by the Transcona Centennial Committee.

I would like to ask all fellow members to join me in congratulating Transcona, the volunteers and—

Mr. Speaker: Order, please. Order, please.

Is there leave for the honourable member to conclude his remarks? *[Agreed]*

Mr. Jha: Mr. Speaker, I thank, from the core of my heart, for working so hard over 12 months period for all the volunteers and committee members making this very, very successful event.

I would also like to ask leave of the House to include a list of members of the Transcona Centennial Committee in the *Hansard*. Thank you very much.

Mr. Speaker: Is there leave of the House to allow the names to be included in *Hansard*? *[Agreed]*

Bill Blaikie, Bernie Wolfe, Doris Andrews, Edna Perry, Paul Martin, Russ Wyatt, Peter Martin, Barb Culbertson, Murry Rougeau, Heather Lamb, Michael Kulasza, Dave Stewart, Darcy Robert, Denise Young, Reta Heintz, Debbie Neufeld, Kim Delorme, Colleen Tackaberry, Doug Buckingham, Diane Trudering, Greg Romance, Anna Horejda, Jean Delorme, Jim Frater, Jim Kolson, Keith Laing, Ken Butchart, Linda Hughes, Linda Rougeau, Reg Wyatt, Rod Giesbrecht, Stacy Boon, Steve Mymco, Tom Thompson, Wendy Galagan

Bill Taylor

Mr. Ralph Eichler (Lakeside): Mr. Speaker, it is my great pleasure to congratulate Bill Taylor of Stonewall for celebrating his 100th birthday. In honour of Bill, friends and family gathered at the Anglican Church of Ascension in Stonewall, April 13th, for celebrate cake and fellowship.

Born in 1912, Bill Taylor has lived in Stonewall his entire life. After leaving Stonewall Collegiate Institute in 1928, he took a job at a local grocery store. Eventually, Bill opened his own store for years, greeted his patrons and a wave of large grin.

Bill Taylor has contributed to this community and his community in a variety of ways. He was once mayor of Stonewall and played an important role in municipal politics. Civil service is not a chore for Bill; it was a way of life.

Turning 100 years old is more than just a birthday; it is momentous occasion that deserves acknowledgement. I'd like to take this opportunity to congratulate Bill on not only a long, long life lived, but a life well lived.

I wish him only health and happiness in the years ahead. Thank you, Mr. Speaker.

National Mental Health Week

Mr. Dave Gaudreau (St. Norbert): Mr. Speaker, next week, May 7th to 13th, is national Mental Health Week, an occasion for all of us to reflect and engage on issues relating to mental health.

Mental illness can take many forms and has a profound effect on individuals and their loved ones. It touches people of all ages, educational and income levels and cultures. Approximately one in five Canadians will experience a mental health issue or illness in their lifetime. However, too many people still experience societal pressure to ignore these feelings or remain silent.

Mr. Speaker, Partners for Mental Health, in a national organization committed to promoting mental awareness. In order to raise awareness, fight negative stereotypes and encourage everyone to take care of their own mental health, Partners for Mental Health has launched the Not Myself Today campaign, which runs through May 13th. On the web-campaign website, www.notmyselftoday.ca, you can take a pledge and pay more attention to your own mental health and well-being, challenge stereotypes attached to mental illness and get involved with those suffering from mental health illnesses and issues.

Mr. Speaker, promoting mental wellness is a priority for this government. Our provincial mental health strategy, *Rising to the Challenge*, is designated to promote good mental health and strengthen supports and services to those with mental illness.

We have more than doubled funding for mental health services since 1999, including increased support for community-based services. Mr. Speaker, we all share the responsibility to provoke-promote mental health wellness and combat negative stereotypes associated with mental illness. Like most people and families in Manitoba, I've had close friends and loved ones who've suffered from mental illness, and I know first-hand how important it is for all of us to engage and reflect on mental health issues. We could start now by recognizing that mental health affects everyone.

I would urge my fellow members and all Manitobans to visit www.notmyselftoday.ca and take the pledge to support improving mental health in Manitoba. Thank you, Mr. Speaker.

Skye Kelly

Mr. Reg Helwer (Brandon West): It was—it is with great pride and esteem that I rise today to congratulate Ms. Skye Kelly on earning a full US college hockey scholarship to St. Cloud State University in St. Cloud, Minnesota. Ms. Kelly has signed her letter of intent to play NCAA Division 1 Hockey for the Huskies, starting in 2012-2013. I am pleased to be bringing her story to our Assembly today and wish her the best of luck.

Ms. Kelly grew up playing hockey in Brandon. She played for several A and AA teams in the male division of Hockey Brandon and always held her own. I was able to entice her over to play with a couple of AA female teams that I had the honour of coaching, and eventually Skye joined a female team at the Midget level.

In her early years, she demonstrated strong abilities in skating, stickhandling and in the more physical side of the game. While playing defence, Skye was never shy about going into the corners in both the male and female programs of Hockey Brandon. She is a wonderful athlete, a great competitor, and will be a bright, future star of women's hockey in Manitoba and Canada.

More recently she has had a phenomenal season with the Balmoral Hall Blazers of the Junior Women's Hockey League, which includes top prep schools from Canada and the northern United States. Indeed, as St. Cloud Head Coach Jeff Giesen has noted, the sky is truly the limit for Ms. Kelly.

Skye has been raised in a loving, single-parent household; money was always an issue. But her mother, Lorrie, always made sure that there were opportunities for Skye to excel. When I spoke to Lorrie a few days ago, she made the comment that if there were more opportunities for low-income families, perhaps there would be fewer problems with youth.

Ms. Kelly is an individual who inspires us all to have truly positive goals and dedicate ourselves to the everyday discipline that it takes to achieve them. It is most important to remember to have fun and to be there for our friends and families. It is a great privilege to bring attention to Skye's life and achievements for our members and the public today.

Thank you, Mr. Speaker.

D'Arcy's ARC

Ms. Deanne Crothers (St. James): Mr. Speaker, many residents of St. James are great animal lovers, and when I go door to door, I often spot a cat in the window or am met by the family dog at the door. I know there are many community members who are proud that St. James is home to the largest no-kill animal rescue centre in western Canada.

D'Arcy's ARC was officially opened by D'Arcy Johnston in 2001. Today, the centre provides shelter, veterinary care, and adoption services for dogs and cats from Winnipeg and other surrounding areas. Over the past 11 years, the ARC has helped 8,500 animals find their forever homes. It is actually far less expensive to spay or neuter a cat than to put one down, and D'Arcy's ARC makes it their mission to spay and neuter every animal that passes through its doors.

At any given time, more than 150 animals from the ARC are awaiting adoption. It costs about \$500,000 a year to run the centre, and while they received a grant from the Province last year, D'Arcy's ARC has become very creative in their own fundraising. Their annual "Paw"sta Dinner is always very popular, and they have begun accepting donations for their gigantic yard sale and barbecue on June 1st.

This past weekend, they held their Stray for a Day event. Beginning at noon on Saturday, a group of 20 staff and volunteers became strays for the day, and they went without food for 24 hours, spent the night outside the centre on Century Street. There are more than 50,000 animals that are homeless in Winnipeg, and while all our wonderful animal shelters work hard to rescue them, I know what a struggle it can be. Since I was young, my family has adopted many strays. The ARC's event this weekend reminded me how many of them are still out there.

Fortunately, the event was a success. It raised awareness about homeless animals. It reminded people of the need to spay and neuter their pets and brought in donations for D'Arcy's ARC.

Many Winnipeggers have found an animal to love at D'Arcy's ARC. I would like to thank staff and volunteers at the ARC for the hard work and long hours they devote to saving our city's cats and dogs. Animals, of course, cannot speak for themselves, and we are lucky to have such dedicated community members who advocate on their behalf.

Thank you, Mr. Speaker.

* (14:30)

GRIEVANCES

Mr. Blaine Pedersen (Midland): I think, Mr. Speaker, following the question period today that there should be no end to the grievances that what's happening in this Chamber.

The Minister of Health (Ms. Oswald) has admitted to breaking the law, the Elections Manitoba law, a law which she was part of developing. She was part of this government that developed this law, part of this government that passed it through this Chamber, and then to turn around and not only has she been part of passing this law and bringing it into force, one of her previous colleagues, Rosann Wowchuk, was found to be in breach of the law before.

So they not only passed a law, they have experience in this law, and yet, here we are. We have this minister now standing up and, Mr. Speaker, you reminded us many times during question period that we should be cognizant of the fact that there's children up in the gallery watching us and watching what's going on in here. And for a minister to stand up and say: well, oh, I'm sorry, I broke the law; just forget about it; I'll be good next time. That's not good enough.

That's not what we expect out of our children. That's not what we expect out of members of this Chamber here, and to say that—I—forgive me, I won't do it again, that's just not good enough for this Chamber and for Manitobans. The laws are passed in this. We take seriously the laws that are passed. Some of the laws we don't agree with at times, either side doesn't agree with them, but the fact is they become law.

And when not only those children up in the gallery watching this but we know that this is all recorded on *Hansard*, whether they were watching it on television, Manitobans watching it on television, or whether they're reading it in *Hansard* down the road somewhere, this is—Manitobans are looking at this and saying, what's going on here? How come I have to obey the law as a citizen of Manitoba and yet here we have a Minister of Health standing up and admitting she broke the law and yet expects no consequences out of this? This is just not right, Mr. Speaker, and I—it's hypocrisy in its worst case and we cannot tolerate this.

This—if this is the way it's going to be, then why should any Manitoban pretend to be a lawful citizen

of this province. We are going down a steep slope here. If this is what it takes, if this is what it takes for—why would anybody even worry about breaking any laws? Take photo radar out there. Why would anybody bother to pay the fine? They can say, aw, I'm sorry. I should—I knew better. I knew that speed limit was whatever it is, and I knew I broke it, but just forgive me, just forgive me; I won't do it again.

Somehow that doesn't work, Mr. Speaker, out in the real world. So how can this minister expect Manitobans to expect respect out of this Chamber and respect from Manitobans if this is the route that they're—that this government is going to take?

There's—Mr. Speaker, there's something fundamentally is wrong here, when you watch what's happened here. We've seen the Minister of Immigration (Ms. Melnick) directing bureaucrat—directing civil servant staff to do their political bidding. We see the Minister of Health (Ms. Oswald) standing up and saying the law doesn't apply to me. We have problems in this Chamber, never mind across Manitoba.

Because if this is a precedent that we're going to set, we are in deep trouble, and you cannot look at any other level of government and expect to see this happening. We don't expect this to happen across Canada. We certainly don't care to see this happen anywhere across Canada, and we see things like—this reminds me of watching Third World countries, how they—government makes laws which—and then they force their citizens to adhere to those laws, and, yet, they turn around and say, no, it doesn't apply to us.

And that's a bad reflection on Manitoba, it's a bad reflection on Canada, and this is where we are going with this type of attitude that this government has. And when the minister stands up today, Mr. Speaker, when the minister stands up and says, well, yes, I broke the law, geez, I'm sorry, I shouldn't have done it, and then she sits down and the government applauds this.

So it's not only the Minister of Health that's—that has this attitude. It is everyone else within government that says, doesn't—the law doesn't apply to me; it applies to them, whoever that—I guess that's the rest of Manitoba out there. And that is—how can you go home to your constituency, as an MLA, and say, well, the law doesn't apply to me, it applies to you? And that is what you've done here. That is—that's the precedent that's been set by this.

This minister has stood up and said, I'm sorry, I broke the law—and she admits it, she broke the law. And yet, is she going to go back to her constituency now and say to her—to the person—and we all have constituency offices, and we all have people coming in—citizens coming in—our constituents coming in to our constituency office. And a constituent's going to come into her office tomorrow and say, well, yes, I broke the law. I knew what the law was, but I broke it. Can you forgive me? Can you make this go away for me? And then that minister's going to say, well, no, I can't, that's the law—it was—that's the law, you have to pay the consequences. How can that person look the—how can that minister, how can that MLA look that constituent in the eye and say this? Because there's a double standard here, and that is what's really worrisome to me.

We cannot—we cannot—let this go. There has to be accountability and the elections Manitoba law was written for accountability, to have accountability and we as—all of us, as MLAs, know very well that there are rules to be adhered to during the pre-election, during the election, and for accounting after the election. And for this minister to—the Minister of Health to stand up and say, well, there was four complaints against our party, but there was three of them were dismissed, but, hey, I'm sorry for the one I broke. That's why we have rules. That's why we have laws in the first place, is to be able to bring in those complaints.

And, yes, you don't win everything when—we know that from our justice system, that we don't win every time someone goes to court. But it's our inherent ability to have those laws, and to make sure that they are adhered to. And we see this now—I really wonder what's next, Mr. Speaker. If this is what this government has decided they can do, and they can get away with, what's next? Because we know it's a slippery slope. You break one law, you get away with it. What's the next law you're going to break? And where does this go from here? And this is the question that—this a question that I have in my mind, as I watched that minister stand up and say, well, I'm sorry. But in the meantime she's thinking, gee, I got away with it this time. What can our government get away with next time?

And history will show that if you are going to break laws, you will continue to break more and more until either you get caught with something serious enough or something happens, but you know that this is something that will continue to happen. It's not a one-off, and we know that this is not a

one-off because we had Rosann Wowchuk do it in the by-election. We had some other instances happen that the election commissioner was looking at from-in violations of the election act. And yet here we are. We're back here and we're saying, oh, no, this is just one thing—it doesn't matter. It'll—it won't happen again.

* (14:40)

Pardon me, Mr. Speaker, but I don't believe that minister. And I seriously question where this minister, where this government is going to go, because we've now seen that they can stand up and admit that they broke the law and expect no consequences. And that is just wrong.

Mr. Speaker: Order, please.

The honourable member for Arthur-Virden, on a grievance.

Mr. Larry Maguire (Arthur-Virden): Yes, Mr. Speaker, thank you very much. It's an opportunity to rise and continue to put words on the record in regards to the unaccountability of the Minister of Health (Ms. Oswald) that we've seen in this House in the last few days, since yesterday, when the elections commissioner announced that the Minister of Health had broken the law in regards to their own law, The Elections Act in Manitoba.

I actually remember seeing that particular ad on TV, Mr. Speaker, prior to the election, and it's a—it's a sad day as our leader had indicated that they knew what they were doing because they didn't even put out a press release on it. They just got all the publicity. I mean, you don't just go to a birthing centre and announce that, you know, just to have a look at it, when you take along two different TV crews with you and then broadcast it for all to see.

Let's face it. The bottom line here is this minister was in a fight for her life and her constituency and this is how they fought back. Did her Premier (Mr. Selinger) actually tell her to go ahead and do this? Did the people leading her party at the time in the election leading up to it say, well, go ahead and do it? We'll deal with the consequences after.

Well, Mr. Speaker, they knew full well that this was just a few days before the election. It was well within the 90-day limit of publicity. And she broke the law. Whose law did she break? Well, you know, we can say that she's accountable to all of us in Manitoba, so she broke Manitoba's law. Certainly she did. I was here as part of the opposition when the

government brought these laws forward. But she broke her own law, her own party's law, the law that they designed, the law that the Premier of the day, who's been there when they brought that law forward, and so I would say that this Minister of Health, albeit she tries to come forward and say, well, you know, we didn't intentionally do this; you know, I apologize. I—you know, she puts on a warm, fuzzy kind of air about her in relation to how she tries to apologize in front of the public on this particular issue. But, you know, if that's the case, then maybe she should turn in the ones that made her do it in regards to the—in her own party or in her caucus, in her Cabinet. She is not standing up for her own citizens. She's not standing up for probably, you know—and I think for the majority of people in Manitoba; that's for sure on this issue.

Who she was standing up for was herself, Mr. Deputy Speaker—Mr. Speaker, pardon me. She was standing up for herself, her own legacy, the fact that she wanted to be back in this House, that her leader had promised her to be the Health Minister as long as she could get back here. So go out there and do anything you need to do to get back into the Legislature.

And, of course, she had a good teacher, Mr. Speaker, because of course he said the same thing: I will not raise taxes. I will provide all of the programming that we're presently providing in Manitoba and I will not raise taxes. No new taxes, I've heard many of my colleagues say on this side of the House in relation to the questions we've covered with the minister. So he led by—she's just following the lead by example that her Premier has put out there, where she said, well, I'll do everything I need to do then to make sure I get back into the House.

None of the members across the floor on the government side today were accountable when they—you know, they all went out and did knock on those doors. They all did go out there and try to say, you know, oh no, we're not going to raise taxes. No, we won't raise taxes, no. Well, we'll supply all of these social goods, these services for you. We're going to continue to do that.

And, Mr. Speaker, I guess these kinds of untruths certainly come home to roost at some point. And so not only did this Minister of Health break the law, break her own law, break the law that Manitobans expected her to uphold, but she's now broken the faith with Manitobans, her faith with Manitobans. They've held her accountable as a

Health Minister. She says she's tried to do her very best, but that faith with Manitobans is now broken and shattered. She can't hoodwink or fool Manitoba citizens any longer on this issue, and she's probably lost a lot of credibility and support right in her own caucus, maybe even in her own Cabinet. And I think that, you know, we have seen in those clips many times the Minister of Education (Ms. Allan) was there, just following along with her, just to—you know, under the auspices—oh, well, I was just there observing.

But, Mr. Speaker, the issue here is that the Minister of Health (Ms. Oswald) broke the law. She knew she broke the law. She knew what the law was. She made the law. So how can she have any credibility left under—when she goes out now and speaks to people, you know, because, you know, there's another pattern here, too, and that is communicate. She says, oh, well, we always talk to people, we do these things, we do that.

There was no public consultation when she just announced that she's going to cut the number of RHAs in half in Manitoba, Mr. Speaker. We're—in fact, more than that, we're down to five from 11. There was no accountability in this minister at all, or her government, in regards to what they did with—they hoodwinked Manitobans again, although they should be getting used to it. They did it with school boards and that backfired on them as far as the idea that they would save \$10 million there and it cost \$10 million. Now they're saying it'll cost—save \$10 million. If you break that down, \$10 million over three years, in all 11 RHAs that was there, it's \$300,000. That's not much more than the salaries of some of the employees that that one particular—one salary in those areas. Certainly, it's no more than two of the people in—the each of those areas.

And so, well, \$10 million sounds like a lot of money to us as Manitobans. When the NDP broke it down, they knew full well what they were doing, and the minister probably provided that with her Premier (Mr. Selinger) and said, well, we can do this, we can get away with this. Just like she thought she could get away with having a video done of her, splashing it on television just before the election to save her own seat, to get her back into the Legislature. And I think that, Mr. Speaker, Manitobans are going to see through this pattern of changing the law to meet their own needs. They've done it before, when they found us as Progressive Conservatives, out living, or out raising the funds that they were raising as an NDP party in Manitoba. What did they do? They changed

the act. They changed the finances act to allow for a vote tax so that they could go out and strip off so many dollars and cents for each head in Manitoba that voted for them, whether they knew who they were or not.

Of course, Mr. Speaker, Manitobans saw a Progressive Conservative Party with accountability and leadership, true leadership, when we went out and said, we would not take these 'munds'—these funds, it was wrong, and the government folded like a—I guess the term I've heard, cheap suit before; they folded anyway. And, they knew it because they knew it was wrong and they knew Manitobans knew it was wrong.

It's just like when they tried to take the \$40 million out of Manitoba Public Insurance to redo the roofs on the university in Mr. Doer's first term, you know, until the taxpayers that are actually paying for the public insurance fees said, we're not going to allow this. They revolted and the government changed their mind in a few minutes. And, of course, I would maybe give Mr. Doer credit for that because at least he could read the public in that area. This Premier can't read the public. He's out there directing his ministers to do things that they shouldn't be doing and the Health Minister is just a prime example—and they got caught on this particular one.

And, not only that, as the commissioner, or the elections commissioner, pointed out, this minister actually used her staff, probably not much better than the labour of—the Minister of Immigration (Ms. Melnick) has done: used her staff for her own photo ops from the two TV crews that they had come along with them, Mr. Speaker, and played the—in that week before the election. And I think that they've kind of been caught in their own unawareness of this.

And, Mr. Speaker, they may think that all of this is coming out too far away from the next election to matter, but, I can tell you, before we got into this House, Manitobans had already started to notice a change in this government's attitude to how they are treating people in this province: saying one thing before the election, like they did with flood compensation, go ahead, protect yourself, do whatever you can.

I've got constituents who are being left hung out to dry, Mr. Speaker, in regards to hundreds of thousands of dollars in bills, in some cases only one particular complaint—claim and this government is letting these people go broke. They're letting them

sell off their own resources before they'll actually—save themselves and their farms and it's an atrocity.

I do commend the Minister of Agriculture (Mr. Kostyshyn) and his staff because they're the only ones trying to help with this it seems. We got to find a way to help that and make it happen, as I said this morning, Mr. Speaker.

But the pattern has already been set by this government, Mr. Speaker, in the fact that they say one thing and do another. And, as pointed out by our leader today, they really don't believe that they have to follow the laws that they have put in place, and that they're above the law and nobody's above the law. We all live that every day, we live it in our lives and that's the—certainly the circumstance that we need to deal with.

* (14:50)

It's the accountability of being in government that provides what the Minister of Health (Ms. Oswald)—with the opportunity here to resign, do the right thing. And I believe truly that that would be the honourable thing for her to do is to take us—my colleagues' suggestions today and resign her seat and allow Manitobans to acknowledge that she did the right thing. Because there'll become—there'll come a time when she'll have to do that anyway, so thank you very much.

Mr. Speaker: The honourable member for Charleswood, on a grievance.

Mrs. Myrna Driedger (Charleswood): I do rise on a grievance today, and I think it's a very, very serious one. And it is about the lack of ministerial accountability, and it is about a Cabinet minister breaking the law. And that is such a serious, serious allegation that was made by the elections commissioner, and it is a very, very serious breach of a law.

And it's not something that anybody should be taking lightly because it is going to set a horrible example in Manitoba if, in fact, a senior Cabinet minister is allowed to get away with breaking the law. The message that this sends out, in so many different directions, will have long, long ramifications in this province.

Mr. Speaker, during the media blackout before the election, the Minister of Health orchestrated a photo op. If it wasn't an orchestration of a partisan and political nature, I'm sure she would've invited me, because she knew how much I wanted to see that

birthing centre. If this Minister of Health really wanted the public to see the birthing centre, there would have been a news release. If she was sincere in wanting to, you know, let people know about something that was happening in Manitoba, I'm sure she would have invited the critic, who was a big proponent of the birthing centre and for midwifery in Manitoba.

But I didn't get an invitation, and it was during a blackout period. You cannot tell me that this Minister of Health didn't know the rules. This Minister of Health is well versed in the rules around this Legislature. She's well versed because she's a senior Cabinet minister. She's well versed because she was part of a government that brought in that legislation.

So now, for us to believe that she didn't know what she was doing is absurd, Mr. Speaker. Of course, she knew what she was doing. This was a very, very deliberate decision by this Minister of Health to try to do something that this government is actually used to doing. They've just never been held to strong account about issues like this. This government loves their photo ops. Here was a great photo op: Go into a birthing centre with babies, touch a little baby's face, have two media invited to this, and get a wonderful picture of the Minister of Health patting the head of a little baby.

Well, Mr. Speaker, that was an orchestrated decision by this Minister of Health, with her staff helping make that happen. And, because of that, because it broke a law, this senior Cabinet minister has no choice but to resign. And, if she doesn't, I think it is going to have big signals that will be sent to many, many people at many different levels.

If we want to tell young people that here we have a government that's supposedly tough on crime, and we've got all these young offenders out there and we're telling them, you have to obey the laws. We're working, and this government likes to say, you know, they're doing all of these things with young offenders, or trying to prevent kids from getting into trouble, and so we're passing laws. Why should these kids not laugh at a government that thinks it is beyond the law? And that is, in fact, what we've seen in the last couple days. It is like this government is saying there are laws out there, but there are different laws for Cabinet ministers.

It doesn't work that way. There cannot be a double standard. And, Mr. Speaker, we have to send out a message that nobody is above the law. It was

their law, they brought it in to make the elections more fair, and that's why this is even more egregious because it is a law that has been broken by a senior Cabinet minister, and a law that was put in place because it was to make elections more fair. And the law that was broken actually was doing the opposite. It was creating an unfair playing field and an imbalance in this election. So that is even more egregious and that is just utter hypocrisy by the government. So for a senior Cabinet minister to do that and not face consequences is going to be very offensive to very, very many people. She needs to be a role model. She's not a rookie. She's been around for a long time, and what has to happen and this government—the Premier (Mr. Selinger) wouldn't even commit to any consequence for a law that his government put into place.

Well, what is that saying, Mr. Speaker? Are laws different then for NDP Cabinet ministers or for NDP MLAs? We saw—and again this Premier's no rookie either. His former Finance minister, Rosann Wowchuk, broke this same law. They were all well aware of it. I'm sure it was discussed in Cabinet. So nobody can plead dumb over there because they would have known that there was this law, and then to say, well, we didn't intentionally do it.

Mr. Speaker, I think everybody has a pretty hard time with that. We don't have a bunch of rookies over there that are going to not know what those rules are. They were looking for a way to bend those rules in their favour, and they didn't think they were going to get caught. So sorry isn't enough.

Can you imagine people now breaking the law out there? You know, driving 150 kilometres an hour. Oh, I'm sorry, Mr. Judge. I didn't know my foot was so heavy on the gas pedal and I'm sorry. Well, what is that judge going to say to that person? I made a mistake. I didn't know I had a lead foot. Or what about somebody that's drunk too much and is driving home and is caught because they drank too much? Well, I'm sorry, Mr. Speaker—or Mr. Judge, I didn't know that I drank that much, and I'm sorry I did and I won't do it again. I learned my lesson. Well, what does that say to anybody that is out there that has been caught breaking a law?

Is a law a law? Does it matter? Does it matter that we put in all this time here debating laws, working on laws? Does it matter if laws can be broken and there's no consequences for breaking a law? I think that we would be sending a horrible, horrible message out to Manitobans.

And, if this government has no consequences for their own Cabinet ministers, a senior Cabinet minister, that will be the utmost arrogance of a government, I think, that we could ever see displayed in a Legislature. We don't all put in all the time we do and come here debating laws for a good part of the time we're here just to say, well, I broke the law, I'm sorry. We all have to be working with great respect for laws and that's why we work so hard to debate laws, build laws, ensure laws are carried out.

We shouldn't just be bringing laws forward that are for everybody else, and that is why—and I'm sure it's not going to be an easy decision for anybody over there, but the NDP government and the Premier are going to have to decide what is important on a bigger picture. What is important if we want to be respected in this province as lawmakers? And I don't think this Premier has a choice. I think he has to ask the Minister of Health (Ms. Oswald) for her resignation. I don't think there is any other choice or any option for this government if they want to have any credibility on this or any of the laws that they bring forward in the next three years.

* (15:00)

Because, Mr. Speaker, we know, every time they stand in this House in the future, if they do not do the right thing in this instance, every time they bring forward a law in the next three years, they're going to be laughed at because nobody is going to have any respect at them, at their arrogance. And I think that, indeed, we have to be—and you know, people say politicians are held to a high standard. We need to see that now. If a Cabinet minister, senior Cabinet minister, has broken the law, we need to have that high standard maintained here in the province of Manitoba, and the Premier has no choice but to ask for the resignation of the Minister of Health. Thank you.

Mr. Speaker: The honourable member for Morris, on a grievance.

Mrs. Mavis Taillieu (Official Opposition House Leader): No, Mr. Speaker, on a point of order.

Point of Order

Mr. Speaker: Honourable member for Morris, on a point of order.

Mrs. Taillieu: Yes, Mr. Speaker. There's been a very serious issue brought in this House today, and that is the issue of a Cabinet minister actually breaking a law. And what we heard today is we heard the

Premier (Mr. Selinger) suggest that the Minister of Health (Ms. Oswald), the minister who did actually break the law, break the—break—broke The Elections Act law, what we heard from the Premier is that he was defending that and saying he didn't think that she broke the law, or because she didn't know that she was breaking the law. But clearly both the Premier and the Minister of Health must have known that they had broken the law because, as we have been talking about in grievances here, a former Finance minister did the same thing.

So, Mr. Speaker, the point I'm making here is that the Premier brought incorrect information to this House; he did not bring factual information to this House.

Hon. Andrew Swan (Minister of Justice and Attorney General): Mr. Speaker, the member doesn't have a point of order; it's clearly a dispute on the facts.

We have a report from an independent officer of this Legislature which indicated there's 'invertent' breach of the election laws and, indeed, we heard today—responsibility by the Premier—and we also heard today a full apology—*[interjection]*

I would appreciate the Leader of the Opposition could maybe listen to the response. We've given members of the opposition the opportunity to speak. I don't know why they're so sensitive.

Mr. Speaker, we heard today the Premier and his answers, responding completely and fully to the questions that were being asked in this House. We also heard the Minister of Health stand up today and offer, I couldn't imagine a more complete and full apology. This is a dispute on the facts and there is no point of order.

Mr. Speaker: On the point of order raised by the honourable Opposition House Leader, I listened very carefully to the comments that were made and thank all the members for the comments. I'm going to take this matter under advisement and to consult with the procedural authorities and then bring back a ruling to the House.

* * *

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, on a point of order.

Point of Order

Mr. Speaker: Honourable Leader of the Official Opposition, on a point of order.

Mr. McFadyen: Mr. Speaker, there's a long-standing tradition, and it's there for very good reason, that on matters involving illegal behaviour or matters concerning enforcement of the law, the Attorney General puts the independence of the Attorney General's office ahead of partisanship.

Given the fact that we have, in this situation, a finding of illegality on the part of one of his colleagues, it's been the long practice of attorneys general in other jurisdictions, even ones that are very attached to a particular political party, to maintain some separation and distance and independence from those debates for very good reason. It's because the people who report to the Attorney General are those who have responsibility for investigating and prosecuting illegal actions and they are also expected to behave in ways that are entirely removed from partisan politics.

And so I find it surprising today that the Attorney General would be taking partisan shots in connection with the illegal behaviour of his colleague, the Minister of Health, and would submit to you, Mr. Speaker, that it's a breach of the rules of the House and that a point of order is called for and that he should be called to account and asked to maintain the appropriate independent and objective role that other attorneys general have taken in these situations.

Mr. Swan: Mr. Speaker, I think the member opposite knows, or ought to know, that it's been a tradition in Parliament, our parliamentary system, going back probably seven or eight hundred years, that there's an individual acting as House leader who actually has the obligation, the duty to stand up to respond to points of order that are raised and, as I'd indicated on the previous matter, this is a dispute on the facts that's been, I think, presented quite clearly.

As Acting House Leader, I'm not sure who else the member opposite believes should stand up to respond to points of order being raised by members in this House.

So, again, the member has no point of order, and, again, I am surprised the Leader of the Opposition wouldn't have a little bit more grasp of parliamentary rules.

Mr. Speaker: On the point of order raised by the Leader of the Official Opposition: because I'm going by memory here, of the comments that were made by honourable members here during their previous point of order, I'm going to take this matter under

advisement and look at the *Hansard* of these proceedings here today and then bring back a ruling to the House, so I can very carefully look at the words that were spoken by all honourable members with respect to this point of order.

Mr. McFadyen: On a new point of order.

Point of Order

Mr. Speaker: On a new point of order, the honourable Leader of the Official Opposition.

Mr. McFadyen: Mr. Speaker, I respect the right and ability of the Attorney General (Mr. Swan) and deputy House leader for the government to make a submission, but the fact is that in the closing remarks of his submission, he—I think he overstepped the line in impugning the motives and knowledge of another member of the House by suggesting that I, as the Leader of the Opposition, didn't have a grasp of House rules.

The reality is this: that there are times when rules—and I think the Attorney General would know this—rules come into conflict with one another. Those are the situations that commonly arise, and that there's a discretion that needs to be exercised in determining which rule would override another.

In the current circumstances, I would have thought that the Attorney General would understand that his role as Attorney General overrides his House responsibilities, and they could have found somebody else within their caucus to take the role of acting House leader in this situation, particularly when the overriding obligation of the Attorney General is more significant; it's more important to the public interest than his day-to-day duties as deputy House leader.

Mr. Speaker: The honourable Acting Government House Leader, same point of order.

Mr. Swan: I think when you peruse *Hansard*, I think you'll find that I said that I expected the Leader of the Opposition knew or ought to know. If that has offended the member opposite, I truly and humbly apologize to him.

Mr. Speaker: Well, on the point of order raised by the Leader of the Official Opposition, taking the comments of the Acting Government House Leader into account, I think that will resolve the matter, I trust, on behalf of the House, and that we can now proceed.

So I must rule that there is no point of order.

Mrs. Taillieu: Mr. Speaker, respectfully, I'm challenging that ruling.

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

Voice Vote

Mr. Speaker: The question before the House is: Shall the ruling of the Chair be sustained?

The question before the House is: Shall the ruling of the Chair be sustained?

All those in favour, please signify by saying aye.

Some Honourable Members: Aye.

Mr. Speaker: All those opposed, signify by saying nay.

Some Honourable Members: Nay.

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

Formal Vote

Mrs. Taillieu: Recorded vote, Mr. Speaker.

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

Order, please.

The 60 minutes permitted for the ringing of the division bells has expired. I'm instructing that it be turned off, and we'll now proceed to the vote.

Division

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

Yeas

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

Nays

Briese, Cullen, Driedger, Eichler, Ewasko, Friesen, Goertzen, Graydon, Helwer, Maguire, McFadyen, Mitchelson, Pedersen, Schuler, Smook, Stefanson, Taillieu, Wishart.

Madam Clerk (Patricia Chaychuk): Yeas 30, Nays 18.

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

* * *

Mrs. Taillieu: Yes, Mr. Speaker, on a point of order.

Point of Order

Mr. Speaker: The honourable member for Morris, on a point of order.

Mrs. Taillieu: Yes, Mr. Speaker, I'd like to cite—

Mr. Speaker: Order, please.

Mrs. Taillieu: —*Beauchesne*, section 59, reflections on this House as a whole, Mr. Speaker, because this, in general, relates to what we as members do in this House, and it reflects on all of us as MLAs of this Legislature.

Now the Minister of Health (Ms. Oswald) has broken the law, a law that was enacted when she sat around the Cabinet table. So she's well aware of that law, a law that she knowingly broke when she went and did a photo op during the blackout period, during the writ period, to prop up her campaign, Mr. Speaker.

And, clearly, she can't say, I didn't mean to do it, and I'm sorry. Because are we going to then allow all people that break the law to say, I didn't know that was a law, I'm sorry, and I shouldn't be held accountable. I shouldn't have any ramifications or consequences. Anybody that breaks a law must have consequences and be accountable. Be accountable for the public because this is public office, must be accountable to the public. And there must be some consequences when a Cabinet minister breaks a law, or is this government saying that the Premier (Mr. Selinger) and Cabinet ministers are above breaking the law? There's a law for everyone else in the province, but a different law for the Premier and Cabinet ministers, Mr. Speaker?

Mr. Speaker, this is why, I think, that this is a reflection on this House as a whole, because when you know when you go out into the public, the public sees us as members of this Legislature. And when one person, the NDP Health Minister, a senior member of Cabinet breaks the law, it reflects badly on this House as a whole. And that is why, I think, that this should be a point.

Mr. Dave Chomiak (Deputy Government House Leader): Mr. Speaker, this is the fourth or fifth in a series, I believe, of points of order that have been brought before this House. And I suggest that not only does the member not have a point of order, but I suspect that the members do not want to do the business of the House and move into the Estimates for today and tomorrow as we anticipated.

Mr. Speaker: On the point of order raised by the honourable member from Morris, I was listening very intently to the comments that were made, and I thank all honourable members for their advice on this point of order. But I did not hear any specific reference to any rule that may have been breached by members of this House.

And so I must, with respect to the member's point of order, rule that there is no point of order.

Mrs. Taillieu: I was citing *Beauchesne* 59, but I challenge your ruling, respectfully, Mr. Speaker.

Mr. Speaker: The ruling of the Chair has been questioned.

Shall the ruling of the Chair be sustained?

Some Honourable Members: Yes.

Some Honourable Members: No.

Mr. Speaker: In the opinion of the Chair, the ruling has been sustained.

All those opposed to the ruling of the Chair then? Shall the ruling of the Chair be sustained?

Some Honourable Members: No.

Some Honourable Members: Yes.

Mr. Speaker: In the opinion of the Chair, the Ayes have it. [*interjection*] We'll get it right yet.

We'll get this right yet. Thank you for your indulgence.

All—it's been a long day.

Voice Vote

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

Some Honourable Members: Aye.

Mr. Speaker: All those opposed, signify by saying nay.

Some Honourable Members: Nay.

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

Formal Vote

Mrs. Taillieu: A recorded vote, Mr. Speaker, please.

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

My apologies to the House.

* (17:00)

Order, please.

The question before the House is: Shall the ruling of the Chair be sustained?

Division

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

Yeas

Allan, Allum, Altemeyer, Bjornson, Braun, Caldwell, Chief, Chomiak, Dewar, Gaudreau, Irvin-Ross, Jha,

Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selinger, Swan, Wiebe, Wight.

Nays

Briese, Cullen, Driedger, Eichler, Ewasko, Friesen, Gerrard, Goertzen, Graydon, Helwer, Maguire, McFadyen, Mitchelson, Pedersen, Schuler, Smook, Stefanson, Taillieu, Wishart.

Madam Clerk: Yeas 29, Nays 19.

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

Mr. Speaker: The hour being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 3, 2012

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