



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**VOTES AND PROCEEDINGS No. 53**

**FIFTH SESSION, THIRTY-SIXTH LEGISLATURE**

**PRAYERS**

**10:00 O'CLOCK A.M.**

Mr. ROBINSON moved:

Resolution No. 35: Custody of Aboriginal and First Nations Children

WHEREAS during the infamous sixties scoop over 3,000 Aboriginal and First Nations children were removed from reserves and other communities and sent out of Manitoba for adoption, often in the United States; and

WHEREAS the sixties scoop was a massive failure on a personal level and a family level and was effectively a form of genocide for many children and their families with the percentage of children who experienced a cultural identity crisis as they grew up extremely high; and

WHEREAS there were also a significant number of cases of abuse and neglect arising from this practice; and

WHEREAS in 1983, the then NDP Government commissioned the Kimmelman Report which recommended the ending of adoptions of Aboriginal and First Nation children out of province; and

WHEREAS the long term effects of the sixties scoop continue to be felt in every community in this province as parents and children deal with the problems of lost relatives and ensuing social problems; and

WHEREAS a 1995 study of 100 Manitoba Aboriginal children who were adopted in Pennsylvania found that half had experienced identity problems and a third had lost all touch with their adoptive parents; and

WHEREAS on February 17<sup>th</sup> of 1999 the Supreme Court of Canada ruled that a four year old Aboriginal child who had lived with his grandfather for three years would be better off in a home in the United States largely because of a higher economic standard of life there; and

WHEREAS this decision is disturbing in regards to this particular case as well as being a decision that should not be used as a precedent for other cases.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba go on record as affirming its opposition to adoptions of Aboriginal and First Nations children out of province except in extreme circumstances; and

BE IT FURTHER RESOLVED that the Clerk of the Legislative Assembly be directed to forward a copy of this resolution to the Supreme Court of Canada.

And a debate arising,

And Mr. ROBINSON having spoken,

Hon. Mrs. MITCHELSON moved in amendment as follows:

THAT the motion be amended by deleting the 7<sup>th</sup> WHEREAS clause and substituting the following:

WHEREAS on February 17<sup>th</sup> of 1999 the Supreme Court of Canada, on Appeal from the British Columbia Court of Appeal, ruled that a four year old Aboriginal child who had lived with his grandfather for three years would be better off in a home in the United States largely because of a higher economic standard of life there; and

WHEREUPON Mr. Deputy Speaker ruled the amendment in order.

And the Question being put on the amendment,

It was agreed to.

And the Question being put on the main motion, as amended,

It was agreed to.

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The House resumed the Adjourned Debate on the Proposed Motion of the Hon. Mrs. VODREY:

THAT Bill (No. 14) – The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. REID,

And Mrs. McGIFFORD, Mr. LAMOUREUX and Ms. CERILLI having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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The House resumed the Adjourned Debate on the Proposed Motion of the Hon. Mr. STEFANSON:

THAT Bill (No. 21) – The Ophthalmic Dispensers Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les opticiens d'ordonnance et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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The House resumed the Adjourned Debate on the Proposed Motion of the Hon. Mr. FILMON:

THAT Bill (No. 23) – The Order of Manitoba Act; Loi sur l'Ordre du Manitoba, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And leave having been denied to have the matter remain in the name of Mr. DOER,

And Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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The House resumed the Adjourned Debate on the Proposed Motion of the Hon. Mr. DERKACH:

THAT Bill (No. 24) – The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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The House resumed the Adjourned Debate on the Proposed Motion of the Hon. Mr. DERKACH:

THAT Bill (No. 25) – The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale, be now read a Second Time and be referred to a Committee of this House.

And the debate continuing,

And Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. TOEWS moved:

THAT Bill (No. 29) – The Victims' Rights Amendment Act; Loi modifiant la Loi sur les droits des victimes, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. TOEWS having spoken,

The debate was, on motion of Mr. REID, adjourned.

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Hon. Mr. TOEWS moved:

THAT Bill (No. 34) – The Court of Queen's Bench Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Cour du Banc de la Reine et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. TOEWS having spoken,

The debate was, on motion of Mr. REID, adjourned.

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**Wednesday, June 30, 1999**

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Hon. Mr. PRAZNIK for Hon. Mr. ENNS moved:

THAT Bill (No. 30) – The Veterinary Medical Act; Loi sur la médecine vétérinaire, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. PRAZNIK, Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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Hon. Mr. PITURA for Hon. Mr. DERKACH moved:

THAT Bill (No. 31) – The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act; Loi constituant l'Association des municipalités du Manitoba et modifications corrélatives, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Hon. Mr. PITURA, Messrs. REID and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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**1:30 O'CLOCK P.M.**

Mr. LAURENDEAU, Chairperson of the Committee of Supply, reported progress having been made on June 29, 1999. Report was received and the Committee of Supply obtained leave to sit again.

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Mr. DYCK, Vice-Chairperson of the Standing Committee on LAW AMENDMENTS presented its Third Report, which was read as follows:

Your Committee met on Tuesday, June 29, 1999 at 10:00 a.m. in Room 255 of the Legislative Building to consider Bills referred.

Your Committee heard representation on Bills as follows:

Bill (No. 7) – The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Doug McGiffin            MAST

Bill (No. 8) – The Ozone Depleting Substances Amendment Act; Loi modifiant la Loi sur les substances appauvrissant la couche d’ozone

Mark Miller              Manitoba Ozone Protection Industry Association

Your Committee has considered:

Bill (No. 3) – The Fatality Inquiries Amendment Act; Loi modifiant la Loi sur les enquêtes médico-légales

Bill (No. 5) – The Highway Traffic Amendment, Off-Road Vehicles Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et la Loi sur les véhicules à caractère non routier et modifications corrélatives

Bill (No. 6) – The Highway Traffic Amendment Act; Loi modifiant le Code de la route

Bill (No. 8) – The Ozone Depleting Substances Amendment Act; Loi modifiant la Loi sur les substances appauvrissant la couche d’ozone

Bill (No. 9) – The Securities Amendment and Commodity Futures and Consequential Amendments Amendment Act; Loi modifiant la Loi sur les valeurs mobilières et la Loi sur les contrats à terme de marchandises et apportant des modifications corrélatives

Bill (No. 13) – The University of Manitoba Amendment Act; Loi modifiant la Loi sur l’Université du Manitoba

Bill (No. 15) – The Cemeteries Amendment Act; Loi modifiant la Loi sur les cimetières

Bill (No. 16) – The Court of Queen’s Bench Small Claims Practices Amendment and Parental Responsibility Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine et la Loi sur la responsabilité parentale

Bill (No. 19) – The Agricultural Credit Corporation Act; Loi sur la Société du crédit agricole

and has agreed to report the same without amendment.

Your Committee has also considered:

Bill (No. 7) – The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

and had agreed to report the same with the following amendment:

**MOTION:**

THAT the proposed section 74, as set out in section 3 of the Bill, be struck out and the following substituted:

**Approval to acquire property**

**74(1)** Subject to the regulations, a school board shall not do any of the following without the approval of either the minister or the finance board:

- (a) purchase, lease or otherwise acquire a building or part of a building to be used for instructional purposes;
- (b) erect, enlarge or remodel a building or part of a building to be used for instructional purposes;
- (c) enter into a contract for any purpose described in clause (a) or (b).

**Regulations**

**74(2)** The minister may make regulations respecting approvals, including regulations governing the circumstances under which an approval must be obtained and procedures for the finance board to follow in the approval process.

On motion of Mr. DYCK, the Report of the Committee was received.

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Hon. Mr. TWEED presented:

Annual Report of the Manitoba Horse Racing Commission for the fiscal year ended March 31, 1999.

(Sessional Paper No. 163)

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The following Bills were, by leave, severally introduced and read a First Time:

(No. 43) – The Highway Traffic Amendment and Summary Convictions Amendment Act; Loi modifiant le Code de la route et la Loi sur les poursuites sommaires

(Recommended by His Honour, the Lieutenant Governor)  
(Hon. Mr. TOEWS)

(No. 39) – The Medical Amendment Act; Loi modifiant la Loi médicale

(Recommended by His Honour, the Lieutenant Governor)  
(Hon. Mr. PRAZNIK for Hon. Mr. STEFANSON)

**Wednesday, June 30, 1999**

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(No. 40) – The Employment and Income Assistance Amendment Act; Loi modifiant la Loi sur l'aide à l'emploi et au revenu

(Recommended by His Honour, the Lieutenant Governor)  
(Hon. Mrs. MITCHELSON)

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Hon. Mr. TOEWS presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 43).

(Sessional Paper No. 164)

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Hon. Mr. PRAZNIK for Hon. Mr. STEFANSON presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 39).

(Sessional Paper No. 165)

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Hon. Mrs. MITCHELSON presented:

Message from His Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 40).

(Sessional Paper No. 166)

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Pursuant to Rule 20 (1), Messrs. SVEINSON, SALE and DYCK, Ms. McGIFFORD and Mr. JENNISSEN made Members' Statements.

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On motion of Mr. HELWER:

ORDERED that the composition of the Standing Committees be amended as follows:

Public Accounts:

Tuesday, July 6, 1999 at 10:00 a.m.:

Hon. Mr. GILLESHAMMER for Hon. Mr. STEFANSON

Mr. DOWNEY for Mr. SVEINSON.

Municipal Affairs:

Monday, July 5, 1999 at 7:00 p.m.:

Hon. Mr. DERKACH for Hon. Mr. RADCLIFFE.

Law Amendments:

Monday, July 5, 1999 at 10:00 a.m.:  
Hon. Mr. PITURA for Mr. DYCK  
Mr. HELWER for Hon. Mr. McCRAE  
Hon. Mrs. VODREY for Hon. Mr. PRAZNIK  
Mr. FAURSCHOU for Hon. Mr. TOEWS  
Hon. Mr. STEFANSON for Hon. Mr. ENNS.

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On motion of Mr. HICKES:

ORDERED that the composition of the Standing Committees be amended as follows:

Law Amendments:

Monday, July 5, 1999 at 10:00 a.m.:  
Ms. WOWCHUK for Mr. ASHTON  
Mr. CHOMIAK for Ms. FRIESEN  
Mr. STRUTHERS for Mr. DEWAR.

Municipal Affairs:

Monday, July 5, 1999 at 7:00 p.m.:  
Mr. EVANS (Interlake) for Mr. MARTINDALE  
Ms. CERILLI for Mr. SALE.

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By leave, prior to Orders of the Day, the House reverted to "Ministerial Statements and Tabling of Reports".

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Hon. Mr. PRAZNIK presented:

Manitoba Lotteries Corporation, Quarterly Report, Six Months, April 1, 1998 – September 30, 1998.  
(Sessional Paper No. 167)

Also:

Manitoba Lotteries Corporation, Quarterly Report, Nine Months, April 1, 1998 – December 30, 1998.  
(Sessional Paper No. 168)

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Hon. Mr. PRAZNIK moved:

THAT Bill (No. 28) – The Legislative Assembly Amendment Act (2); Loi n° 2 modifiant la Loi sur l'Assemblée législative, be now read a Second Time and be referred to a Committee of this House.

**Wednesday, June 30, 1999**

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And a debate arising,

And Hon. Mr. PRAZNIK, Messrs. ASHTON and LAMOUREUX having spoken,

And the Question being put,

It was agreed to.

The Bill was accordingly read a Second Time and referred to a Committee of this House.

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By unanimous consent, it was agreed to waive Private Members' Business for Wednesday, June 30, 1999, only.

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By unanimous consent, the sequence for consideration of estimates, as outlined in Sessional Paper No. 110 tabled on May 11, 1999, and subsequently amended, was further amended in order that Justice be considered in the Chamber until 4:00 p.m. followed by Finance and Government Services be considered in Room 255 until 4:00 p.m. followed by Consumer and Corporate Affairs and Urban Affairs be considered in Room 254 for Wednesday, June 30, 1999, only.

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Madam Speaker having left the Chair and the House resolving itself into a Committee to consider of the Supply to be granted to Her Majesty;

And the House continuing in Committee.

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The House then adjourned at 6:00 p.m. until 1:30 p.m. Monday next.

Hon. Louise Dacquay,  
Speaker.