



Fifth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

*Published under the
authority of
The Honourable Louise M. Dacquay
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley, Hon.	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin, Hon.	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 30, 1999

The House met at 10 a.m.

PRAYERS

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

Madam Speaker: As previously agreed, we will now proceed to Private Members' Business for one hour. Leave was granted that the Speaker put the question at 10:55 on Resolution 35.

Res. 35—Custody of Aboriginal and First Nations Children

Mr. Eric Robison (Rupertsland): Madam Speaker, I move, seconded by the member for Osborne (Ms. McGifford), that the following be adopted:

"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 17th 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."

Motion presented.

Mr. Robison: Madam Speaker, I will not speak in great detail about the resolution. I believe that the resolution speaks for itself, and I understand that my colleague the Minister of Family Services (Mrs. Mitchelson) may want to amend the resolution as it is now currently written.

I want to briefly talk about the problem of out-of-province adoptions, particularly with aboriginal children, and even though we do not have an exact number of how many children were adopted out of the province of Manitoba during what is regarded as the sixties scoop, but

onward to the early '80s, Madam Speaker, I believe that it has been regarded oftentimes by the aboriginal leadership in this province and nation-wide as being a form of genocide, because it took away the children from their homes and their parents and their loved ones. The result has been where we have had to have these children be reunited.

Mr. Marcel Laurendeau, Deputy Speaker, in the Chair

There is a reunification program, as we all know, in the province of Manitoba and the task for these two individuals, Eva Wilson Fontaine [phonetic] and Charlene Parisien [phonetic] is quite challenging in the work that they have to do because many times they have to reunite children who have been taken away from their communities and also their families. The work that they have to do is tremendously hard and challenging, as I said, so we must end this practice, Mr. Deputy Speaker, of sending our children out of the province.

What is contained in the resolution is a particular matter that came up on the 17th of February of 1999 where the Supreme Court of Canada ruled that this young child be moved with his adoptive grandparents in the state of Connecticut near the city of Hartford in the United States. This troubled a lot of people. Manitobans were told that such out-of-province adoptions were ended more than a dozen years ago. During what I called earlier, the '60s and the 1970s, it is estimated—and the only figure we can up with is that there is no actual record of the number of children who were taken out of this country, out of this province. I know other provinces experienced similar circumstances, but I know in Manitoba the only estimate that has ever been found has been contained in the Aboriginal Justice Inquiry which took place in the province of Manitoba between 1989 and 1991. Of course, a report of the Aboriginal Justice Inquiry was tabled in 1991, and they estimated at that time that over 3,000 aboriginal children from this province were shipped out of Manitoba, often ending up in the United States but also in other countries, in Holland, Germany and other countries in Europe. We feel that that is not appropriate.

Now, this poses a further problem because Native Canadian Children in American Adoptive Homes, the name of a study of 100 Manitoba children adopted in the state of Pennsylvania, found that as adolescents the adoptees had far more problems than any other racial group under similar circumstances. Half the aboriginal children studied had identity problems, and a third had lost all contact with their adoptive American parents. So that tells us that this experiment does not work.

I am grateful to the government of Manitoba and the current Premier (Mr. Filmon). In my letters to him, he responded positively in becoming involved with this current matter that I was talking about, the decision reached at the Supreme Court of Canada level on the 17th of February, and also the Minister of Family Services (Mrs. Mitchelson) I know directed her staff to see if, indeed, this child, this four-year-old child particularly, who was shipped out to the state of Connecticut, is, in fact, in a safe environment in his current home with his adoptive grandparents, because there were reports that his own parents, who were adopted by these same people, including his aunt and his biological mother, had a strenuous upbringing as children. So I thank the Minister of Family Services who has intervened and has directed her staff to ensure that there be a study done on the home that this young child has been taken to.

The decision of the Supreme Court is not only disturbing because of the principle, it is disturbing on a personal basis, because I have spoken to the relatives of this young boy involved, and we find it difficult to understand the basis, which we feel to be economics. Because it appears that the Supreme Court ruled that because of the economic circumstances of the biological grandfather, who does not have a whole lot on the reserve that he belongs to, which is the Sagkeeng First Nation, they felt that the love that was to be offered to this child would not be there. That part of it was overlooked, is what I am trying to say. Also a keen sense of who he was as an aboriginal person was entirely overlooked with the decision. So therefore the family went through all legal avenues available to them in the country of Canada and the province of Manitoba. I know that the Manitoba court's hands were tied

because of the decision that was rendered in British Columbia.

* (1010)

So we are faced with the problem of this young child, which has gained national attention, who is now living in the state of Connecticut. I know that his biological grandfather, whom I regard, simply because of anonymity, as Buddy, is tremendously hurt by the decision that was made and is still doing his utmost to ensure that this boy retains connection with his biological family here in Canada at the Swan Lake First Nation and at the Sagkeeng First Nation.

So I know efforts are being made for the initial visit, the friendly visit, as they call them in terms used in the state of Connecticut, for the biological grandfather to meet and also to visit his grandchild and maintain that communication so that we will not have another case where this child will be returned in the years ahead, having to again deal with the social problems and the growing up problems that he may have experienced while in the care of this family, although they may be well meaning, but nevertheless it amounts to nothing less than cultural genocide.

With those few words, I want to conclude my remarks by thanking the members of the Legislative Assembly, whom I anticipate will support this resolution, and again reaffirm the strong position taken by Manitobans and the Manitoba government as legislators, even in opposition, that they will support this resolution and again reiterate the position of Manitoba that such experiments as out-of-country adoptions will not be tolerated by this province. Thank you, Mr. Deputy Speaker.

Hon. Bonnie Mitchelson (Minister of Family Services): I am pleased to rise today as the Minister of Family Services and speak to Resolution 35, which was brought forward by my honourable friend the member for Rupertsland, and thank him for the resolution that we see before us today.

I am pleased also, Mr. Deputy Speaker, to speak on the important subject raised in the resolution regarding the large number of

aboriginal and First Nations children who were in the past sent to adoptive homes outside of Manitoba, often in the United States. This matter is one which affected many families and individuals and which has had long-lasting effects among those families directly and indirectly involved. It is certainly an issue which knows no political boundaries and is one in which all members of this Legislature can come together in agreement that the widespread adoption of children of aboriginal and First Nations origins out of Manitoba was a very regrettable part of Manitoba's history.

The Manitoba government has recognized the concerns of First Nations and other aboriginal groups regarding the placement of aboriginal children. In response to the concerns which have been raised and the recommendations to end out-of-province adoption of aboriginal children put forth in the Kimelman report of 1983, the Department of Family Services has taken a number of steps to ensure that the actions of the past are not repeated.

In 1984, a directive was issued to the Child and Family Services system regarding the placement of aboriginal children in care and included guidelines for permanent placements. This directive was replaced in 1988 by a standard in the program standards manual which became known in the field by its section number, Section 421. These standards have required aboriginal children to be placed in accordance with priorities which respect their cultural and linguistic heritage.

The Adoption Act recently passed by this Legislature maintains the provisions of The Child and Family Services Act of 1986 to ensure that Manitoba children are not placed outside this province without the approval of the director of Child and Family Services and that children cannot be placed for adoption outside of Canada without the approval of cabinet. The act also includes provisions to ensure that services are provided in the best interest of the child involved and are delivered in a culturally sensitive manner.

The Department of Family Services has introduced standards which require Child and Family Services agencies to place high priority

on ensuring that aboriginal children are placed with family or extended family, other families within the child's community of origin, or other families of the same tribal council or region as the child. The department is currently reviewing these standards with the view to further strengthening them to ensure full compliance.

The Department of Family Services has been working closely with the leadership of the aboriginal community to develop the Urban Aboriginal Strategy on Child and Family Services. The department continues to support the work of the Urban Aboriginal Strategy committee to develop an action plan which addresses the issue of the large number of aboriginal children in the care of the Winnipeg Child and Family Services agency.

In carrying out this important work, it is important to note that Winnipeg Child and Family Services will be guided by a recently appointed board of directors. I am pleased that this agency, the largest of the Child and Family Services agencies in the province, now has a significant aboriginal membership on its board for the first time in history. These members include Yvon Dumont, Manitoba's 21st Lieutenant Governor and chief executive officer of the Louis Riel Institute, also former president of the Manitoba Metis Federation, the Metis National Council and member of the Manitoba Aboriginal Economic Development Board; and Wendy Whitecloud, who is the director of the academic support program, Faculty of Law, University of Manitoba, who chairs the Winnipeg First Nations Local Area Management Board and is past board member of the Elizabeth Fry Society; Sidney Garrioch, vice-chief of MKO, the aboriginal political organization representing 25 northern First Nations communities, former chief of Cross Lake First Nation from 1989 to 1997 and a past executive council member of Awasis Agency of Northern Manitoba; and Joy Fontaine, Child and Family Services advisor to the Assembly of Manitoba Chiefs.

In addition, Mr. Deputy Speaker, Josie Hill is returning to the board for another term. She is the executive director of Ma Mawi Aboriginal Family Resource Centre in Winnipeg and former

executive director of the Native Women's Transition Centre, who has extensive volunteer and professional experience in aboriginal social services.

Those are five members of the nine members appointed by government that will have background and have shown leadership in the aboriginal community, and I think that all members would agree that these people are of very high calibre and will contribute to trying to resolve some of the issues that have presented themselves in the Winnipeg agency, and we are hopeful that they will be able to provide some policy direction and some leadership to ensure that the 70 percent of children that are involved in the care of the Winnipeg Child and Family Services agency will see the appropriate supports and services provided through that agency.

I want to make a few comments regarding the specific case which has caused this resolution to come before the Manitoba Legislature. It arises from court action that was initiated and decided upon in British Columbia. On February 17, 1999, the Supreme Court of Canada set aside a decision of the British Columbia Court of Appeal and restored a decision of the Supreme Court of British Columbia, which is the equivalent to the Manitoba Court of Queen's Bench, giving custody of a four-year-old boy to the adoptive grandparents. The boy had been in the care of his biological grandfather who resides at Sagkeeng First Nation in Manitoba. On March 17, 1999, the trial judge, Mr. Justice Bauman of the Supreme Court of British Columbia ordered that the child, now four years of age, be turned over to his adoptive grandparents.

* (1020)

The biological grandfather initiated several legal actions regarding this matter. On March 17, 1999, the grandfather filed a notice of motion for rehearing the case before the Supreme Court of Canada on the basis that proper notice was not given to the Sagkeeng First Nation and the failure of the Supreme Court to require a psychological assessment to determine whether the harm caused by a transfer

would outweigh the benefits. On April 1, 1999, counsel for the adoptive applicants filed a brief in response to the rehearing motion.

On March 18, 1999, the grandfather's lawyer in Vancouver filed for leave to appeal the decision of Mr. Justice Bauman to the British Columbia Court of Appeal. On March 19, 1999, the grandfather brought an application in the Manitoba Court of Queen's Bench pursuant to The Child Custody Enforcement Act requesting a variation of Mr. Justice Bauman's decision as to the transition process and an order requiring a psychological assessment.

Mr. Justice Carr held that, as ruled by the Supreme Court of Canada, the transfer was to return to the trial judge in British Columbia, and accordingly the transfer was to take place on March 20, 1999, as stipulated by Justice Bauman. On May 3, 1999, the Supreme Court of Canada decided not to rehear its decision of February 17, 1999, which resulted in the boy in question being returned to the custody of his adoptive grandparents in Connecticut. The biological grandfather of the boy requested that the court review its decision because of questions about whether Sagkeeng First Nation should have been an intervener and whether a psychological assessment of the child should have been part of the proceedings. The court denied a rehearing on the basis that the grandfather could not show there was a potential failure of justice at the original hearing.

Resolution No. 35 calls upon members of this Legislature in Manitoba to: "go on record as affirming its opposition to adoptions of Aboriginal and First Nations children out of province except in extreme circumstances;"

It also calls upon the Clerk of the Legislative Assembly to: "be directed to forward a copy of this resolution to the Supreme Court of Canada."

I would recommend, Mr. Deputy Speaker, that all members of this Assembly support this resolution with one minor amendment. I believe that when this resolution is forwarded to the Supreme Court of Canada, it is important for the record to note that the court action originated and was decided in British Columbia. I would

therefore propose a friendly amendment, which I think members of the official opposition would support, to the seventh clause in the resolution.

I will now, Mr. Deputy Speaker, move that amendment.

I move, seconded by the member for Rupertsland (Mr. Robinson),

THAT the motion be amended by deleting the seventh WHEREAS clause and substituting the following: WHEREAS on February 17, 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

I encourage all members to support this and send a strong, united message from Manitoba.

Mr. Deputy Speaker: It has been moved by the honourable Minister of Family Services (Mrs. Mitchelson), seconded by the honourable member for Rupertsland (Mr. Robinson): WHEREAS on February 17, 1999, the Supreme Court of Canada—

An Honourable Member: Dispense.

Mr. Deputy Speaker: Dispense? Dispense.

It is in order.

It is the will of the House to adopt the amendment?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed? [agreed]

Is the House ready for the question on the main motion? Is it the will of the House to adopt the resolution, as amended?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered.

House Business

Hon. Darren Praznik (Government House Leader): Mr. Deputy Speaker, if you could call bills in second reading stage in the order in which they appear on the Order Paper for continuation of debate on second reading. Followed by that, if you could call the following bills for second reading: Bill 29, Bill 34, followed by Bill 30, Bill 31, and then Bill 28. If you could do it in that order.

* (1030)

DEBATE ON SECOND READINGS

Bill 14—The Amusements Amendment Act

Mr. Deputy Speaker: On debate on second reading, on the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mrs. Vodrey), Bill 14, The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements, standing in the name of the honourable member for Transcona (Mr. Reid). Is there leave that this matter remain standing?

Some Honourable Members: No.

Ms. Diane McGifford (Osborne): I am pleased this morning to speak about Bill 14. The purpose of this bill, I understand, is to broaden the range of materials covered by The Amusements Act so that an extended act will be in a position to encompass all current and future electronic formats.

I understand that expectations are that in the next few years digital video disks, sometimes I believe known as DVDs, will replace videos as the most usual home video format. Digital video disks are not currently covered under The Amusements Act, but the proposed amendment will allow the Manitoba Film Classification Board to classify DVDs. I understand too that DVDs may soon replace audio CDs, videotapes, laser disks, CD-ROMs, and perhaps even video games. I mentioned the many formats because I want not only to indicate the wide application of DVDs but also to point out the possible increase in the Film Classification Board's responsibilities.

I hasten to add that my caucus entirely approves of including DVDs in all their various and many manifestations within The Amusement Act. We have supported and we continue to support the classification of films and videos, so it seems to us only logical and reasonable that we would also support the classification of DVDs, the format that is expected very soon to supersede videos and the other formats which I mentioned.

As well, Mr. Deputy Speaker, we support the whole concept of a film classification board which is composed of Manitobans of various ages, of both sexes, Manitobans from a variety of cultural, racial and religious backgrounds, individuals with children and individuals without children. We believe that a diverse composition of the Classification Board can best determine community standards and so classify films, videos, and DVDs as intelligently, respectfully, and sensitively as possible.

We support the amendment to The Amusement Act, but what disturbs both my colleagues and me is that the minister has publicly announced that she does not intend to introduce a rating system or a classification system for video games. In other words, though the proposed amendments of Bill 14 itself will make it possible to classify video games, the minister indicates that the Film Classification Board will not classify video games. Instead, the minister has begun what she describes as an informative campaign, a public awareness campaign designed to promote parental awareness with regard to video games. This campaign will feature the ESRB or the Entertainment Software Rating Board system for rating video and computer games, the system, as I indicate, also known as the ESRB.

All videos rated by this system feature a sticker which indicates so. The minister's system, I think, sounds better than it is in fact. I want to point out that the system is previously existing, industry-supported, entirely voluntary, and American-based. I will deal with this series of pitfalls individually. The fact that the system is previously existing should not be a real problem. Why reinvent the wheel, as the expression goes. But I for one take serious issue with at least two of the ESRB's ratings. I refer to

teen and mature. M for mature puts a positive spin on content that should, in my opinion, nearly always be considered restricted. Personally, I find it distasteful to suggest that more extreme games are more mature or more grown-up, more sophisticated. Consider, for example, a video game entitled *Forsaken*. The ESRB has rated it mature, given it an M, but the ESRB does not offer any content description on the front of the box. So, when I was studying these video games, I had to turn it over, and I found a description on the back in minuscule, hard-to-read print, and the description said: animated blood and gore, animated violence, absolute player control. What could possibly be construed as mature about this video game, judging from this description, defies me, and this is one of hundreds, perhaps even thousands.

Consider *Tomb Raider III*, marked T for teenager with a message in the same minuscule hard-to-read print, and this message is: animated blood, animated violence. Another T-rated video game *Blasto* includes the usual violence with this added information: Mild language and suggestive themes. These last two descriptions, Mr. Deputy Speaker, I assume, are code for profanity and the sexual exploitation of women. Again, why this particular video game would be labelled "teen" boggles the mind. I can only conclude that the ESRB and our minister have given up on teens and decided in their wisdom to hone in on younger children. The T rating and description inform parents that *Blasto* and *Tomb Raider III* are not suitable for their young children. Instead, following the ESRB's rating system, these games are judged suitable for teenagers. Then we wonder why we have violence in our society. I think the minister should give her head a shake and reconsider.

Now, of course, the label "T" does not mean that a six-year-old could not rent or buy this particular video game—*Blasto* is available—or perhaps, what would be more likely, that a 12-year-old could not rent or buy the mature game called *Forsaken*, which is supposed to be suitable for 17 years and older. Indeed, the minister's entirely voluntary system allows anyone, regardless of her or, more likely, his age, to rent or buy any video he or she has the money to rent or buy with. This system is entirely voluntary. Businesses do not need to

comply with the ESRB ratings, but, on the other hand, businesses do have to comply with the film classification ratings for videos, and cinemas have to comply with the film classification ratings for films.

Anyone can buy or write or rent, for example, *Fighting Force*, the attractions of which include the following, and just listen to this, Mr. Deputy Speaker: Go play in traffic. Use oncoming cars to turn hoodlums into hood ornaments. Fight alone or share the carnage with a buddy. There is no ring, no referee and no below-the-belt calls. Fellas meet Mr. Knee. Players are warned as follows: You want to fight, take it outside because this battle is too big for some skinny assed arena, four killer characters, dozens of brutal weapons, tons of crushing moves and vicious 3-D action that goes so fast there is only time to remember half the golden rule. So by any all means, do unto others because, in your hands, almost anything can become a weapon. Just remember to wash your hands afterwards.

* (1040)

I have described this particular game *Fighting Force* at great length because I want to make the point that this video, which by the way carries no rating though it is available, does not meet in my opinion our community standards. The vast majority of Manitobans probably do not know that this video exists, but I believe that if they did, most would agree that it is wrong to have this particular video rated as teenage or mature. As I said, it was not rated, and it does not have to be rated because the Film Classification Board is not forced to rate or classify videos.

I believe most Manitobans would want this particular video to be rated restricted, meaning only adults or persons of 18 and over can rent or buy it. By the way, a video rated as 18 or 18-plus means not only that only adults can rent or buy, but the content is sexually explicit or graphically and excessively violent. Clearly, the video game that I described is graphically and excessively violent. The question that arises, of course, is why a video game like *Fighting Force* is not classified in the same way as films and videos are. Why is excessive force and excessive

violence, foul language, horror, sexual activity, classified and restricted in one domain and not even rated in another domain, in the video game domain? This video was not rated. In the context that I am speaking of, classified means restricted regarding age with legal sanctions and penalties in instances of violation. Anybody who showed a film that included the kinds of themes and language and violence that I described in a cinema to anybody under 18, Mr. Deputy Speaker, would be subject to legal sanction, but not when the video game is rented.

I want to add that not only will the minister's decision not to classify video games mean the continuation of a free-for-all when it comes to who can rent or buy video games, but also merchants have absolutely no responsibility as to whom they can rent or sell videos. It is entirely voluntary. Whether a dealer chooses to endorse, accept and encourage adherence to the ESRB system is entirely voluntary.

For example, I have done some research in many Winnipeg video outlets which rent video games and many stores which sell them. The only time I ever saw the so-called ESRB guide or the rating posted was in Rogers Video on May 25, the day of the minister's press conference. None of the retailers I visited, including several who are advertised in the minister's May 25 press release as retailers who support the minister's public awareness campaign, none of them had ESRB classifications on all or even most of their videos, and none of them described, as I understood that they had intended to do, the ESRB rating system.

In fact, one retailer, and this is a chain which is listed in the minister's press conference as a supporter, at this particular chain, I was informed by a young clerk, and I want to quote: "not all the videos are rated because there are no laws, you know," which I found very interesting, Mr. Deputy Speaker, because this young man was almost right but not quite right. There are indeed potential laws. There is legislation. It is simply that the minister has chosen in her wisdom not to classify video games. The regulations 54(1) subsection 1(l) allows that video games be exempt from classification, although the Film Classification Board, if it was ordered to do so by the minister, would classify

video games. Again, the question that occurs to me is where is the logic. Well, as far as I am concerned, it simply is not there.

Now, I want to turn briefly to the question of the minister's adopting an American industry-based rating system. First, the question of the minister's rating system being industry based. My understanding from the literature I have read and the research that I have done is that industry-based rating systems have in the past proved undependable, unreliable and even unacceptable. For example, I understand that when the Commonwealth Office of Film and Literature Classification in Australia introduced its legislation, it specifically rejected an industry-based rating system opting instead for a rating system for computer games broadly based on established film and video classifications but with some significant differences. The ministers in Australia agreed that the system for computer games should provide by law for a stricter application of guidelines than those applying to film and videos. They did this for a very important reason. The ministers believed that a tougher approach to rating video games was necessary to reflect concerns about the possible harmful effects of the interactive nature of video games. This was the view, by the way, reinforced by public consultation process that led up to the legislation in Australia. So the important point here is the dangerous or potentially dangerous interactive nature of video games.

There is an important argument here with regard to the dangers of an industry-based model. It is inconceivable that an industry-based model would deliberately decide for a tougher approach to reflect concerns about the possible dangers of the interactive nature of games, because the industry's interests lie with selling and renting as many games as possible. Of course, as the minister well knows, the group which rents or purchases the vast majority, the lion's share of video games, is young teenage boys. The industry's interest is clearly in assuring that few games are rated mature or adult only, because its usual customers would not be allowed to purchase these games if they were rated in that manner. But in Manitoba, in our entirely voluntary rating system, anyone can purchase anything because the minister endorses

public awareness and not classification. She thinks classification smacks of Big Brother but only apparently when it comes to video games, because she does not talk about Big Brother when it comes to films and videos themselves.

I also take exception to the minister's decision to import an American system. The assumption seems to be that what works or does not work, depending on your perspective, what works in the U.S. is fine for us here in Manitoba. The minister has failed to understand that American values are not necessarily Manitoba values or Canadian values. I think we have our own values and traditions, our own community standards, and I would assume that most Manitobans believe we are less tolerant of violence and firearms than our counterparts in the U.S. I would assume that Manitobans want a classification system that reflects our standards, our culture, our behaviours and our beliefs about tolerable levels of violence.

Furthermore, of course, we do have our system, the Film Classification Board system for classifying movies and videos, so, Mr. Deputy Speaker, I do not understand why we do not use this system. Why not ask our Film Classification Board to classify video games? Even if the minister wanted to endorse a voluntary rating system after that, which, of course, I do not encourage, but why not have this work done here in Manitoba rather than import an American-based rating system which reflects American values. The truth is that the minister's decision to promote an already-existing, industry-based, American rating system for video games and to have this system proceed on an entirely voluntary basis is illogical.

*(1050)

Furthermore, I believe that the minister's public awareness campaign will have some impact now and perhaps just before the election, but as the months pass by, surely the system will disappear under the waves, and eventually entirely disappear from public view. In fact, as I have already said, it really is not in most video rental agencies at this time. I am really sorry to say that it seems to me that the minister's campaign is what is commonly known as a puff piece, that is, light and insubstantial.

In Hillary Clinton's book, *It Takes a Village*, she writes and I quote from Hillary Clinton here: Video games have transformed millions of television sets into scenes of blood and violence that children not only watch but participate in. Agile fingers race across the controls of bestsellers like *Mortal Kombat* and *Killer Instinct*, directing characters on the screens to execute the most desired outcome, a brutal murder. There are moves like the neck breaker, the skeleton grab, the skull whipper and the death scream. In *Mortal Kombat*, a computer-generated voice urges finish him off, as blood spurts all over the picture.

Mrs. Clinton's description underlines the violence, realism and interactive nature of video games, and I think it is important to inform the House that this passage from *It Takes a Village* is a few years old. Since then, games have become more and more violent, more violent, I believe, than most MLAs realize. I would like to urge all members of the House to attend a video arcade, scan some of the video magazines or rent games. I know a few days ago, when I asked the minister a question, she indicated that I must have a lot of time on my hands to actually know about video games, but I think we have a public responsibility to know what is being shown and what is being used in this province. Mr. Deputy Speaker, it is horrifying, and I do not believe that most members of this House understand quite how ugly it is. After studying magazines published in 1996, 1998 and 1999, it is abundantly clear to me that the violence and interactive nature of games is growing, not shrinking.

What Mrs. Clinton did not discuss in the quoted passage is the pornography and sexual violence which are the central discourse in so many video games, for example, Mr. Deputy Speaker, *Night Track*, where scantily dressed young women are pursued by monstrous characters. *Night Track* was one of the first games to use real actors. In one scene, three ghouls use a blood-draining auger to kill a young woman in a negligee, and this is not rare, nor is it the worst of materials available. Add to this the spectre of the move towards virtual reality. All these factors indicate the importance of classifying video games and regulating video games.

While we on this side of the House support the minister's amendment to The Amusements Act, we do not support her decision not to classify video games or rather to have video games classified by the Film Classification Board. We believe that her government should follow the examples offered by Australia and Britain and act to control the situation which has the very real potential to affect behaviour by encouraging various forms of violence and especially violence against women. I would like to call on the Minister of Culture, Heritage and Citizenship (Mrs. Vodrey), who is, interestingly enough, also the Minister for the Status of Women and who prides herself on her government's position with regard to domestic violence, today to reconsider her decision not to include the classification of video games in The Amusements Act or perhaps, to put it more correctly, I ask her today to begin as soon as is feasible to classify video games, because, of course, as soon as this bill is passed, she can call for the classification of video games. She is choosing not to again. It is so illogical, it boggles the mind.

At the same time, I want to urge once again all members to familiarize themselves with video games and video game material and then to do the right thing. I am speaking to government members particularly now to do the right thing, to go to speak to the Minister of Culture, Heritage and Citizenship and urge her to reconsider her really ill-conceived decision not to push video game classification and instead to push it under the proverbial carpet.

The best interests of youth, parents, and the larger community really demand the classification of video games. So I would like to call on all legislators to encourage them to do their duty to put the interests of the community first. As I near the end of my remarks, lastly, I would like to call on the minister not to fall back on her Big Brother bugaboo. Let me remind her that the province currently classifies both films and videos. There is nothing different from classifying video games. It is simply logical. My argument is for logic; my argument is for consistency; my argument is for a safer community. I ask the minister to show some leadership, take the direction that is required,

and I hope she finds the courage and moral fibre to do this immediately.

Mr. Kevin Lamoureux (Inkster): I, too, would want to put a few words on the record on this particular bill. As the member for Osborne was talking about the issue of consistency, I think that is where I want to start off from. If you go into any store, whether it is a Video Update or Blockbuster, you will find that there are all different sorts of classifications in terms of movies. This is, in fact, a very positive thing. It allows information to parents and others to be able to get a gauge at a glance, if you like, in terms of what sort of content they can expect by watching this particular movie.

Bill 14, from what I understand, attempts to expand the Film Classification Board's ability to be able to have more of an impact on things in which it does not have today. An excellent example of that is DVDs. From what I understand, that is something that is not necessarily covered to the extent in which it should be covered, because it is one of those technological breakthroughs. It is things of that nature, if you can get a DVD, for example, of a particular movie and the VHS format of the same movie, one has to be labelled, the other one is somewhat questionable.

So the need for the legislation is, in fact, there. There is no question about that. I think that the member for Osborne (Ms. McGifford) has brought up some other issues that do need to be addressed. When we talk about the video games, as a father of two young children, one which derives a tremendous amount of pleasure out of N-64, Super Nintendo, and the Gameboys that are out there, there are just a phenomenal number of games that are coming into the market.

I have had opportunity to walk downstairs and see my son playing with some of his friends with some of these games. You would be amazed in terms of just how graphic they can be. It does cause a great deal of concern on my part as a parent. So, when I started, I talked about consistency. I know that, if I walk into a video store and I see the black letter R in red on a movie, I know that this is not necessarily the type of movie that I want my ten-year-old to be

watching. It is not necessarily a Big Brother approach at dealing with the movies; it is just providing information that allows me, at a glance, if you like, Mr. Deputy Speaker, to be able to make a good judgment call on what I feel as a parent is in the best interests of my child.

* (1100)

So what is the real difference? Well, as information that has just been provided to me, if my son walks into a Video Update or a Blockbuster and attempts to rent a movie that has the restriction on it, the operator or the till person, if they rent that movie out to my son, there is going to be a fine, and who knows what could come out of that? But it would be an illegal act for that clerk to be able to give that movie to my son. I appreciate that, and I do not look at it as a Big Brother thing, as I indicated. Because of availability, I would like to believe that government, through the Film Classification Board, is assisting me, and this is one of the ways in which it does that.

So I think that a vast majority of parents would concur with the type of sentiments that I have put on the record in regard to the benefits of government participating in labelling movies and now through DVDs and so forth. Well, the next step, if you want to call it that, is the types of games much like, you know, a few years ago, no one imagined that we would have the DVDs and the digital format and how prevalent they would be. Well, today we are seeing all sorts of games, and I think, again as a parent, that I would appreciate being able to walk into a store and not have to read books or try to get the books. Because more often than not they are actually enclosed in the sealed packages, you have to purchase the game in order to read it. A simple classification is something that would go a long way in helping, not censoring, the public. I do not look at it as censoring the public; I look at it as an informational piece that allows me as a parent to be able to provide the types of games that I believe are important to my children. If you believe that that is censorship, yes, from the parent to the child, but I believe I have the right, as other parents, to do that.

I do not believe the government—and I am generalizing here; I am very much generalizing—

has the right to ban a game from entering into the province. I emphasize I am generalizing. But that would be a form of censorship that one could really question, but providing information that will assist parents or guardians, I think, deserves a lot of merit. The arguments that were used for movies a number of years ago could now be used for games.

That is why I would then go into the issue of consistency, and that is what, towards the tail end of her speech, the member for Osborne (Ms. McGifford) was talking about. On that particular point, I agree with the member for Osborne that there is a need for consistency on this particular issue. I, too, would ask for the government to give that consideration. We will have to wait and see if there are any forms of amendments coming to this particular bill in the committee stage. We, at this point, would like to see the bill pass into that stage. Thank you, Mr. Deputy Speaker.

Ms. Marianne Cerilli (Radisson): I too would like to speak on Bill 14, The Amusements Amendment Act. I was quite optimistic during the throne speech when the introduction of something to deal with the increase in violence in video games was proposed and was presented in the Legislature. I, like many of us, am aware of the increase in violence in a number of toys and games and entertainment products available to children and youth, and know that this is incredibly necessary to try and keep up with the changes in technology and a trend towards more violence, more sexism, more pornography.

But I must say that I am disappointed at what is actually in the bill. It is not much of a bill. I guess the only good thing we can see in it, because it does not actually come through with a classification system that is going to limit access by children and youth to pornographic and excessively violent material, but it does leave open to a government of the future to bring in such a classification system without having to make further amendments. It raises the question of why this government would fall short of doing that.

The minister has made some kinds of comments that she wants to be partners with parents and wants to give parents some tools, but

I am sure that most parents would be quite willing to have a rating system that is similar to what is available for movie videos and movies in theatres and cinemas, and that is the knowledge that their child is not going to be able to have access, whether they are out with relatives or whether they are out with friends and family, other family, to know that kids are not going to be able to get into certain kinds of entertainment.

So I do not think that her rhetoric about being partners with parents actually is believable or makes much sense, because I think that parents would have appreciated to have something that would have been really helping them when they know that their young adolescent children, in particular, are on their way off to the video store to rent or to purchase these kinds of games, that they are not going to be able to have access to it without having their parents along. Because we know that the majority of these games are rented, not by very young children, but are going to be rented and bought by teenagers. We know though that younger children do often get access to them. It is amazing how young children are when they figure out how to work the computers and get access to these kinds of video games.

I think it is important that the government is at least acknowledging that we must try to keep up with the changes in technology and the changes in what I often refer to as violence as entertainment. This is an area that has grown by leaps and bounds, everything from the music videos that young people watch after school. It is amazing to see the kind of content in everything from music videos to toys and to really understand the linkages between technology, between media, between our culture and violence, I think is something that we do not spend enough time in, in the political arena. I think and I think most parents realize this is having a tremendous influence on children. It is both subtle and not so subtle.

Some of the types of ways that both advertisers and the producers of everything now from—it is almost like it is vertically integrated in a way, where they see a product on television, the product is also in a cartoon, they go to the restaurant and this caricature is being offered again for parents to have to purchase everything

from commercials to toys to the music. It is all integrated in such a way that makes it much more difficult for parents to try and put limits and deal with the pressure that children place on them to purchase these products and to let them have access to what is being more and more aggressively marketed at children.

I think that is another thing that has to be addressed that is not necessarily addressed in the legislation that we are dealing with today. I am going to touch on that because it is also interesting that we are dealing with this legislation at the same time as we have been debating in this House and across the province the introduction of the Youth News Network into our schools in Manitoba. I think it just accentuates that this issue is coming at an accelerated rate in terms of the connection between entertainment and technology and violence and media in our culture.

* (1110)

I think that we cannot underestimate this and we cannot deny this, particularly when we look at some of the evidence. We know from studies that toddlers and children will mimic what they see and hear on television. We know that preschoolers pay greater attention and cannot tell the difference between fantasy and reality and may not take the distinction between different caricatures and programs and commercials into account. We know that children can be very persistent and try to stay up later and try to have access to all these different products.

We know that the stats are very disconcerting when we see the increase in the number of hours that children are watching television. I know the stats that we have been quoting in the Legislature here is 6.5 hours per week of television watching. The number of violent deaths that children are exposed to, it is estimated by the time most children are 12 years old, they have seen up to 12,000 violent deaths on television. I know that these stats are not keeping up with the changes in what we are dealing with today in terms of video games. So when we add in what children are viewing in terms of video games, music videos, home videos, movies, the exposure to violence is having a huge impact.

As I was suggesting, I think that we only have to look to the recent shootings in schools to realize that older children are not immune to this as well. We look at the fact that the violent shootings were copied in other jurisdictions because of the way that the media portrayed it and the actual volume of coverage that these events got. I think that we have to do a much better job of understanding this and of dealing with this.

One of the areas, I think, that we are not giving enough attention to is the interactive nature of a number of these games, that it is one thing to sort of sit and watch some of these kind of violent deaths, the kind of dismembering of bodies, the kind of thing that can go on in a movie, but it is quite another thing then to have a child sit in front of a computer and be an active participant and have the objective of scoring points by the more people that you kill, the more parts that you dismember, the more people and situations that you can move through as the game progresses, that there is an escalation in the severity in the kind of disconcerting violence that occurs as children progress through the games.

The kind of interactive nature of the games is another area that, I think, needs to be addressed and why I think there is a requirement perhaps to deal with the video games in a way that is not necessarily dealt with with videos and movies. I know that other members have made the comparison already to the major illogical move by this government with this legislation. It is trying to claim that video games are available on the Internet, and, therefore, we should not be trying to limit access by children and youth because they can get them off the Internet.

Well, the same can be said for movies and videos. We know that those both have restrictions on them that limit minors from having access, whether it is at the theatres or when they go and rent them at the video store. We know that there are a number of attempts that are being made through rating systems for television, for broadcasting, for advertising, to try and limit children from having access to television programs in the early part of the evening, those types of regulations.

I just happen to have with me from August '95 a decision by the CRTC that was issued when Sega video games manufacturer and supplier wanted to begin distributing their programming through cable, and there were public hearings and the decision put a number of limitations and required that, even though this is a different type of program or a different type of service or technology, they were still going to have to comply with the sex role portrayal code for television and radio programming, voluntary code regarding violence in television programming and the broadcasting code for advertising to children.

That is only what is going to be available over cable. That is not what is available on the games that are available through video stores or to be purchased and rented by children and youth, and I think that is why it is very necessary that there would be a classification system available to help ensure, give parents some confidence that they did not have to try and monitor their children day in and day out when they are having access to these games over at their friend's house or wherever they might be.

The other weakness in the legislation is that basically it is a public relations program to try and give people some information about what the content is of these video games, it is that the system itself is entirely voluntary. So what the government is bringing in, in terms of the limited scope of what they are calling a video classification system, the way they referenced it in the throne speech, is completely voluntary and retailers are not obliged.

I do not know what kind of consultation they did with community groups. I do not remember hearing them going out and talking to parent councils or groups that deal with violence, the Group Against Pornography or there are representatives of Media Watch who live in Manitoba. I do not think that there was any consultation done with other people that would deal with this, like women's groups and women's shelters, where they are continually trying to deal with kids who are reeling from the effects of violence, but I know that they have not done this kind of consultation, that they have opted for this, to try and make it sound like they have done something. I know that they will use this in their

public relations when they can go out and make it sound very good, that, yes, they have tried to address this problem. But when you look at the detail and realize that it is completely voluntary, you have to wonder what kind of corporate influences they have caved into on this one to not put in the kind of protection that I think parents, educators and the general public would like to see.

The other big problem with not having community input is that they have chosen not to then have Manitoba standards or our community standards. They have opted for American standards and an American rating system to identify the contents in the video games and have that advertised as what is now to be acceptable in our community and in our province. Again, I think that, had they taken the time on this to go out and talk to parents and others in the community and even talked to young people themselves, I think that young people will see the effect that this has on their friends.

I think that young people may see the first signs. I know I have talked to parents who are very concerned about the amount of time that their children spend playing these kinds of games, and they believe that it does make them more antisocial, it makes them more aggressive, that it makes them less in the other kinds of play and activities that children, I think, need to be part of. I think that if they had talked to parents, they would have heard that they wanted to see something that was going to be available across the province to set a standard that would ensure that children were not going to have access to these types of video games.

As I have just spoken about how some young people will be concerned about this, the other problem with the approach that they are taking with just labelling the video games in terms of those that have the most pornographic content and the most violent content, without actually restricting access to minors, is that that is basically going to tip off the young people who really want this kind of entertainment and basically tell them which ones they can go and look for without having to buy some of the magazines that we know are available.

* (1120)

I know the member for Osborne (Ms. McGifford) was showing me a magazine the other day that promoted these types of games. It was horrifying to see that young people could buy these types of magazines and then know which video games to go out to buy, to know even the kinds of steps that were required in the video game to get to the different levels and to the different violent scenes and situations that are part of the video games.

I think that we cannot underemphasize the fact that the government has fallen far short of what they suggested they were going to do in the throne speech. When they were talking about dealing with this growing problem, I think they raised the hopes of Manitobans that they were going to try and keep up with the technology, that they were going to try and keep up with the increase of violence in this area. They have, we see now, failed to do that.

The parallels that they have drawn in terms of access to the Net is a really fraudulent argument, is an incredibly weak argument, when we know that we have lived for a long time with the classification of movies and videos, and that is something that is accepted. I think that we cannot sort of roll over and play dead, as this government is doing, in terms of accepting what we often hear with these new technologies: that we cannot keep up to them, that we cannot keep up to the growth in the Internet, that we cannot regulate it. I think we have to try and make some attempts at that.

I am very disappointed in the legislation and with the lack of consultation, with the lack of actual classification system, with the fact that it is voluntary, and with the fact that the government really is not going to provide parents and others with the tools that they need to protect children from what, again, is not a good sign in terms of the kind of society that we are living in.

As I said, I wanted to spend a little bit of time talking about how it is no coincidence that we are dealing with this legislation at the same time as the government is standing aside again and not taking any position while schools in this

province are signing on with YNN. We just heard one school division now is going to have Grade 5 and Grade 6, 10- and 11- and 12-year-olds who are going to be in school time watching TV commercials and watching someone's idea of what is news for youth concocted into a program that is basically to try and sell products to young people and to use our public school system to do that.

I find it absolutely reprehensible that the Education department and the Education minister have no policy on this, that they had not seen the material, that they have not taken any interest really into finding out what is in the contracts. The fact is that there is going to be attendance taken, and it is going to be difficult for parents, perhaps, to opt out or to have their children opt out. I was talking with one parent on the phone last night who is very concerned about this.

She has been told by the staff and administration at the school in East Kildonan that, oh, yes, your child will be able to miss the class time. That class time is going to amount to seven days a year for just the programming. That is not to include the time that they are going to spend discussing the programs, so this is probably going to be two weeks of class time. This parent wants to know what is her child, who is opting out of this program, going to be doing during that time?

Is she going to have time with the teacher, with other students who are going to be opting out of the program, or is she going to simply be given some more free time, which I do not think would meet the satisfaction of this particular parent, and I am sure most parents who want their children in school to be involved in meaningful educational activities? They do not want them to be sitting passive watching television commercials.

It is particularly a concern when we have schools that are going to be showing this program to kids as young as 10 years old in Grade 5, and this is something that I am going to be paying much more attention to. I know that the broadcasting code or the advertising code, I should say, for children does not apply to teenagers, but it certainly does apply to 10-year-

olds. To start looking more closely to ensure that all the regulations that we do have in place to try and protect children from exploitative advertising or to try and protect children from violence in media is going to be applied in that case as well.

Mr. Deputy Speaker, with those comments I want to just conclude by putting on the record that in this whole area of dealing with violence as entertainment, of dealing with the growth of technological media culture that is changing the way that kids play, I would say, that is changing the very nature of the way that kids deal with their free time, that I think is then going to change the way that children are, which is indeed eventually going to change our society.

I think the government is way behind. I think the government has missed the boat, and they are not meeting the challenge. I look forward to the chance to seeing an election and a new government when we can start dealing with these issues in a much more proactive way, that is going to meet the needs of families, that is going to take the best interests of children first and is going to ensure that children who often cannot make the best decisions in their own best interests do not have access to the kind of exploitative and violent and pornographic and sexist material that is available in videos, video games that we unfortunately have available today. Thank you very much.

Mr. Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 14, The Amusements Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed. Agreed and so ordered.

Bill 21—The Ophthalmic Dispensers Amendment and Consequential Amendments Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Health (Mr. Stefanson), Bill 21, The Ophthalmic Dispensers Amendment and Consequential Amendments

Act; Loi modifiant la Loi sur les opticiens d'ordonnance et modifications corrélatives, standing the name of the honourable member for Transcona.

Mr. Daryl Reid (Transcona): Mr. Deputy Speaker, I will not be critical. I know you spoke much clearer French than my French judging by my opportunity just a short time ago to try and do a second reading on one of my bills in the French Language. I kind of muddled my way through that, so I will not be critical of your attempts in either language.

It is my pleasure to rise and speak on Bill 21, The Ophthalmic—I cannot even say it myself; I cannot speak in either language—Dispensers Amendment and Consequential Amendments Act. I can see perhaps I should learn a third language, and maybe I will do better at that.

Mr. Deputy Speaker, I am pleased to rise. I will just have a few brief comments to let other members have the opportunity to speak to this Bill 21. This bill changes the name of the act to The Opticians Act, and allows opticians licensed in other jurisdictions to register in Manitoba without further testing. It is my understanding that this bill will also repeal the current minimum age requirements, I believe which were 18, for the opticians, and it simplifies the appeal and penalty provisions of the act.

It is our understanding that for this bill the best way to give the public the opportunity to come and add comment on this bill and to pass judgment on the government's attempts with Bill 21 is to move this bill through to committee. We look forward to this bill moving to committee to give the public that opportunity and any comments they might want to add to Bill 21, and perhaps give my colleagues, perhaps the member for The Maples (Mr. Kowalski), the opportunity to make his attempt at the title of Bill 21, and other members of the House that might want to add comment on this bill. I look forward to that opportunity.

* (1130)

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, as someone that uses an optometrist every so often, I thought that it would be

appropriate just to say a very few words. It also gives better definitions of titles, who can use what titles. From what I understand, this is something which industry stakeholders are very much aware of in terms of this particular bill and quite supportive. I know my colleague for The Maples often uses the word "ditto," and one could easily say ditto to the number of the comments that the member for Transcona (Mr. Reid) has put on the record, but, suffice to say, we have no problems with this bill going into committee.

Mr. Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 21, The Ophthalmic Dispensers Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les opticiens d'ordonnance et modifications corrélatives.

Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed? Agreed and so ordered.

Bill 23—The Order of Manitoba Act

Mr. Deputy Speaker: On the proposed motion of the honourable First Minister (Mr. Filmon), Bill 23, The Order of Manitoba Act; Loi sur l'Ordre du Manitoba, standing in the name of the honourable member for Concordia (Mr. Doer).

Is there leave that this matter remain standing? No. Leave has been denied.

Mr. Daryl Reid (Transcona): I will attempt the title of this bill. I am pleased to rise on Bill 23, The Order of Manitoba Act, to add my comments. It is not as tough to say as what the previous bill was. This bill establishes a new honour similar to the Order of Canada, which will be awarded to Manitoba citizens so deserving that have excelled in any field of endeavour.

Now we know, Mr. Deputy Speaker, that there have been a number of Manitobans over the years that have been awarded the Order of

the Buffalo Hunt here in the province of Manitoba. We know that they are very deserving Manitobans to have that, and I am sure it is a very prestigious award to be made for them, and they were quite appreciative of that recognition.

This bill will allow for the Lieutenant Governor and an advisory council to sit in on a committee, including the presidents of the three universities and four other prominent citizens to sit in on a committee, to determine Manitobans that would be so deserving of this new Order of Manitoba recognition.

One of the caveats that we put on this particular bill is with respect to the clause, I think it is Section 7 of the bill. I will not reference that specifically by its contents, but reference that it includes letters that can be placed after an individual's name, the O.M. designation. There may be some problems with respect to conflict between the use of those designation letters with those that may be given out by the monarchy. We want to know how that is going to impact on that area when this bill goes through to the committee stage.

For any members of the public that wish to speak to this bill, we will also be looking to ask the minister with respect to how the letters O.M. after the name of an individual that has been given the Order of Manitoba, how this would conflict with the designations that would have been given by the monarchy. We want to make sure that there is no conflict between those two.

So those will be the extent of our comments here today. We will give members of the public the opportunity to come out and give us comments on Bill 23. Thank you.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, in doing some review prior to speaking on this particular bill, I thought it was interesting that it was actually Premier Campbell, the last real Liberal Premier, who had brought in the Order of the Buffalo Hunt back in 1957. In keeping with the spirit of recognizing prominent Manitobans who do our province so well in terms of the efforts that they put in to make life that much better in the province, I think, that it is something that is, indeed, long overdue.

Madam Speaker in the Chair

I understand that other provincial jurisdictions currently have their provincial orders, if I can classify it in that sense. I understand that actually we are the sixth province to adopt an order, this one being the Order of Manitoba. As the Lieutenant Governor stated in the Speech from the Throne, he has accepted the position of Chancellor of the Order. Appointments to the order will be based on submissions made of the Order from the Manitoba Advisory Council. Membership on the council will see members automatically appointed by virtue of their office, namely, the Chief Justice of Manitoba, the Clerk of Executive Council, and the president of our three universities.

As I indicated, Bill 23, The Order of Manitoba Act, is a bill in which I am sure receives all the support from all members in this Chamber, something that goes a long way in recognizing well-distinguished individuals who have contributed so much to our province over the years, and no doubt a number of people would be eligible. Thank you.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 23, The Order of Manitoba Act. Is it the will of the House to adopt the motion?

An Honourable Member: Yes.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 24—The Municipal Amendment Act

Madam Speaker: To resume adjourned debate on second reading, on the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 24, The Municipal Amendment Act (Loi modifiant la Loi sur les municipalités), standing in the name of the honourable member for Transcona.

Mr. Daryl Reid (Transcona): Madam Speaker, I am pleased to rise to add my comments on Bill 24, The Municipal Amendment Act. This bill amends The Municipal Act to provide for more flexibility for communities in unorganized

territories or unorganized parts of our province and allows those particular communities— [interjection] The member for The Maples (Mr. Kowalski) references perhaps Transcona being one of those unorganized areas, but I can assure him that area is very well organized and has been for a significant period of time.

Getting back to the bill, this bill will allow for flexibility for various parts of our province that are now currently considered to be unorganized, to organize themselves into municipalities to allow for some flexibility in that matter. It will also tighten up notice requirements for tax sales, while restricting municipal employees from purchasing tax sale properties at an auction. This has been an issue that has been before the Legislative Assembly and has been an issue with the public for some time.

We have seen various times as the media has reported on this matter, where employees in various municipalities would have had some advance notice or some notice dealing with properties that have come into default of property taxes. Those properties would have then been sold for a fire sale price. Since members of the public are not perhaps fully aware of some of these sales occurring and that the price would be considerably lower than what full market value would have reflected, the employees in some municipalities have taken advantage of this knowledge, or their family members have taken advantage of this knowledge, and have purchased properties for less than what might be considered to be full market value. It is hoped that this Bill 24 will address that and make sure that no other individuals will have greater advantage by virtue of being employees of various municipalities than what members of the public would have with respect to the property tax sales and that we would restore some balance and some fairness into those matters.

So we look forward to this bill moving through to committee to give members of the public the opportunity to come forward and add their comments with respect to Bill 24 and perhaps any suggestions they might have with respect to improvements on this piece of

legislation. Thank you for the opportunity to speak on Bill 24.

* (1140)

Mr. Kevin Lamoureux (Inkster): Madam Speaker, as I was listening to the member for Transcona, I believe it was the Weir Report from a way back that talked, I believe it was, in regard to The Municipal Act and the need to address a number of real problems that are out there. I cannot recall offhand if the property tax issue was included in that particular report. I might even have the title of the report wrong. But the issue has always been there in terms of the way in which rural Manitoba has been organized for certain areas of the province, the total lack of organization to areas where there are numerous municipalities, and many argued in terms of lining up municipalities with the school divisions. It is something that has been there for many, many years. If you really review the last number of years in which this particular government has had the opportunity to govern the province, one would have expected to see more leadership on The Municipal Act in terms of bringing it or preparing it for the future of the province of Manitoba.

I think that it is something that is long overdue. Having said that, I would echo some of the comments the member for Transcona (Mr. Reid) makes reference to. I am very much aware of the property tax sale component. There is not only in terms of a perceived but a very real problem that is there in terms of the way in which properties are disposed of through back taxes. I have not had the opportunity to go through the bill with a fine-toothed comb to be able to add any more on it but, hopefully, Madam Speaker, it addresses that particular issue, because I know that it has upset a great number of people in a very real sense because they have had property virtually disappear from under them at an assessed value which for the amount that they paid for the property and the amount that that property is actually worth is just an amazing difference.

Hopefully this bill will at least, at the very least, deal with that issue, and in addition to that issue, hopefully better facilitate organizing different parts of the province of Manitoba.

With those few words, we are prepared to see the bill go to committee.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 24, The Municipal Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 25—The Municipal Assessment Amendment Act

Madam Speaker: To resume adjourned debate on second reading, Bill 25, The Municipal Assessment Amendment Act (Loi modifiant la Loi sur l'évaluation municipale), standing in the name of the honourable member for Transcona (Mr. Reid).

Mr. Daryl Reid (Transcona): Madam Speaker, it is my pleasure to rise to speak on Bill 25, The Municipal Assessment Amendment Act. This particular piece of legislation allows for board of pension and the Municipal Board to increase assessment on appeal.

I am not sure of the exact reason why the government would want to have this, but there is some concern with respect to whether or not individual Manitobans, including those living in the city of Winnipeg, who want to appeal their assessments on their properties would also be put in the position of having to worry about various municipalities coming back, and should that citizen launch the appeal, the municipality then would also appeal the assessment and look to raise that assessment at the time when the citizen would be looking to lower the assessment on their property.

This particular bill exempts nonprofit cemeteries from municipal and school taxes, and it also exempts the small-craft harbour property from municipal taxes as part of the changes of this particular piece of legislation. We hope that this bill would not put undue pressure on citizens wanting to have some reasonable consideration or is a discouragement for their launching

appeals of their property tax, considering that the municipalities then would be in a position to also request consideration for raising of those assessment levels.

We hope that this would not be a deterrent for members of the public, who would be having, I would expect in many cases, limited financial means, to have legal representation at those hearings to defend their interests, being discouraged from doing so if the municipality was to take a counter position and wanting to have their assessments raised.

So we would hope that this bill would not provide for any discouragement of citizen rights in these regards and that, when this bill goes through to the committee, members of the public would come out to the committee and present their viewpoints on this particular bill. We know, having sat in committees of this Legislature over several years now, that individuals such as Mr. Michael Mercury have come before the committee on many occasions representing viewpoints with respect to municipal assessment changes in legislation and that we would expect in this case that there may also be opportunities for individuals such as Mr. Mercury to come out and provide some opinion in this regard.

We would hope that the intent of this legislation was not to restrict citizens from appealing their property tax assessments but would afford some fair and reasonable means of making sure that if a citizen in our province feels aggrieved with respect to the level of tax assessment, they would be able to do so, knowing full well that they would receive fair and equal treatment no matter where they may reside and what municipality they may reside in in this province.

So with those few words, Madam Speaker, we are prepared to see this bill moved through to committee to give members of the public the opportunity to speak on Bill 25 and perhaps share some of their experiences, and perhaps by way of those committee hearings, if there are any concerns raise them at that time and propose amendments to the members of the committee that we can also share with this House. Thank you for the opportunity on Bill 25.

Mr. Kevin Lamoureux (Inkster): I do have a number of words actually that I would like to put on the record in regard to Bill 25. I think that we are vastly underestimating the problem that lies ahead of us, in particular with the city of Winnipeg. I have had opportunity to go through the process. I bring the issue primarily because I do believe that the government needs to look at it very seriously and the future negative impact on the way in which properties are assessed, in particular in the city of Winnipeg, and the impact that that is going to have on the taxing abilities of school divisions in the city and a lot of the shifting.

There is widespread belief that we have certain areas, and particular in the city of Winnipeg, that are vastly overassessed. What we are really talking about is pockets, and I am going to refer to the pockets that I am most familiar with. If you drive out in the north end of Winnipeg, you will find many properties that would be assessed well into the \$30,000, even \$40,000, when, in fact, their actual value is tied in likely between \$15,000 to \$25,000. This is not just one or two houses. We are talking of blocks of homes that are vastly overassessed, and there is going to come a point in time in which that realization is going to be before us.

What I find most unfair is that today these homes, because of that inequity, are paying more than what I would argue is their fair share of property tax, because it is through that assessment that the property tax is, in fact, put into place. That is why people are paying the property tax, based on the assessments.

I recall back in the late '80s, when we had the bill and we were having a huge debate in terms of when property should be assessed, how should properties be assessed, the pros and the cons, back then I believe the Liberal Party's position is that you had to have the assessment being done on a more regular basis. Now, ultimately the government of the day with the support of the New Democrats at that time were able to bring in our current assessment base of every three years.

Part of the problem that we have today is as a result of the current legislation. So now when I see amendments and the amendments are again

empowering the city to give the assessment upwards virtually immediately, one has to ask, well, who is standing up then for those individuals that have—and I would be more than happy to take any minister through a tour on this, Madam Speaker. In fact I would suggest even some of those ministers would be aware of what it is that I am talking about, where there are properties that do need to be brought down in their assessment. Everyone and his dog in terms of the stakeholders are very much aware of that, but they stand by because they say, well, at this point in time, this is what the property was in fact worth, but over the last few years, the last couple of years in particular, we have seen a dramatic decrease in that assessment.

* (1150)

So we see the government advocating the need for the assessors to say, well, if you come to the appeal board we will then have the power to increase your assessment, but we do not see balance being given to the other end, from my perspective, Madam Speaker. Maybe what we need to do is start revisiting that debate that we had in the very late '80s to get a better understanding of what would be fair and appropriate.

Bill 25 does cause a great deal of concern for us. It does make some other amendments that are more of a housekeeping nature, but we are very much concerned in terms of the way in which assessments are done in the province of Manitoba and believe that there ultimately has to be a better way. We should not be necessarily so one-sided in trying to address an issue that is there, that we need to be a little bit more open-minded in addressing the entire issue of assessments of our properties and how those property taxes are ultimately being brought in, because the impact is overwhelming and it helps or it assists in the deterioration of communities because the government has not taken the type of action that is necessary in addressing it in a more immediate fashion. With those few words we are prepared to see this particular bill go to committee.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 25, The Municipal

Assessment Amendment Act. Is it the will of the House to adopt the motion?

An Honourable Member: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

SECOND READINGS

Bill 29—The Victims' Rights Amendment Act

Hon. Vic Toews (Minister of Justice and Attorney General): I move, seconded by the Minister of Highways (Mr. Praznik), that Bill 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.

Motion presented.

Mr. Toews: Madam Speaker, the purpose of the act is to ensure that if money becomes payable from the government to an inmate as a result of anything occurring while the inmate was in custody, that money will first be used to ensure that the victims of that inmate's crimes have been fully compensated.

The act provides that if any inmate becomes entitled to any funds from the government as a result of a legal claim against the government or any of its employees in connection with an injury that occurred or was alleged to have occurred while the inmate was in custody, those funds are redirected to the Minister of Finance to be held in trust to be used to compensate victims of the inmate in accordance with a procedure set out in the act.

The director of victim support services will search for victims of the inmate. After allowing 12 months to elapse, the director will decide how much of the money is to be paid to victims who have registered with the director and how much will be paid to each victim. The director will also determine how much is to be paid to the inmate and how much is to be paid to the Crown to reimburse it for payments made to victims of the inmate.

In making that decision, the director will consider any physical or mental injuries suffered

by the victim, any continuing effects on the victim, and any other compensation received by the victim as well as the effect that a payment under this act will have on other compensation payable. The director will also consider any other factors that he or she considers relevant. The director is not required to conduct a formal hearing to make these determinations and may consider any information or materials, including court records or other public sources that the director believes would be of assistance.

In closing, I would reiterate that this act will ensure that prior to an inmate receiving funds from the government the victims of that inmate's crime are as fully compensated as possible and the victims, of course, have other recourses civilly in addition to what is being granted here.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wellington (Ms. Barrett), that debate be adjourned.

Motion agreed to.

Bill 34—The Court of Queen's Bench Amendment and Consequential Amendments Act

Hon. Vic Toews (Minister of Justice and Attorney General): I move, seconded by the Minister of Highways (Mr. Praznik), that Bill 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.

Motion presented.

Mr. Toews: The Court of Queen's Bench Amendment and Consequential Amendments Act provides a framework to address issues relating to appointment and functioning of masters of the Court of Queen's Bench.

Since the early 1990s, our government has been addressing the judicial independence requirements of individuals who hold judicial office. With amendments made to The Provincial Court Act as it pertains to Provincial Court judges in 1994 and to justices of the peace

in 1997, it is now a time to address the same requirements with respect to masters.

Masters perform a variety of judicial functions within the Court of Queen's Bench which are essential to our system, particularly in the areas of child protection and maintenance enforcement. The duties they perform require masters to be independent of government. There are three primary components of this legislation which work together to provide for judicial independence of masters, while ensuring there is no infringement upon executive functions of government. They are the appointment and complaint processes to ensure security of tenure and accountability to the public for their conduct and independent compensation process to ensure financial security. The provisions of the proposed bill generally mirror those in place for Provincial Court judges in The Provincial Court Act.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

Motion agreed to.

Bill 30—The Veterinary Medical Act

Hon. Darren Praznik (Government House Leader): Madam Speaker, I would move on behalf of the Minister of Agriculture (Mr. Enns), and seconded by the honourable Minister of Government Services (Mr. Pitura), that Bill 30, The Veterinary Medical Act; Loi sur la médecine vétérinaire, be now read a second time and be referred to a committee of the House.

Motion presented.

* (1200)

House Business

Mr. Praznik: Madam Speaker, I would hope that perhaps Madam Speaker would not see the clock, that there would be a willingness not to see the clock until we complete at least an adjournment on this bill.

Madam Speaker: Order, please. I have to determine if there is unanimous consent. Is there

unanimous consent of the House for the Speaker not to see the clock at twelve o'clock to complete second reading on Bill 30 and Bill 31? Agreed? [agreed]

* * *

Mr. Praznik: Madam Speaker, I am moving this motion on behalf of the Minister of Agriculture (Mr. Enns). I know it is against our rules to refer to absences, but I think all members are aware today that he is on his way to Ottawa for meetings regarding the situation in southwestern Manitoba. We hope he comes back with a cheque. That is the object of the trip.

Madam Speaker, veterinarians, as members know, are a professional group and are very highly valued by our society. The activity standards and discipline matters of the professional group are governed by The Veterinary Medical Act. This new bill is a replacement for the existing legislation.

The new bill will make it easier for the self-governing professional body to carry on the business of setting practice standards and managing disciplinary procedures regarding its members. The core component of the existing act, which governs what veterinarians can do as licensed professionals, is not being changed. The major change being made is in the area of disciplinary matters and how complaints against members of the profession will be handled.

The current system where complaints against veterinarians are handled by a government-administered veterinary medical board will be replaced by a peer review committee that will operate under the administration of the Veterinary Medical Association. This will bring this act into conformance with other professional acts in Manitoba, for example, acts governing dentists and physicians.

Complaints against veterinarians will be dealt with by the peer review committee which is enabled by this bill. The peer review committee functions as a roster of persons from whom a complaints committee and an appeals committee and an inquiry panel may be appointed when needed. In the public interest, it

is proposed that three persons be appointed to the peer review committee who are public representatives, not veterinarians, and at least one-third of the committee shall be of that type of appointment. The association, with the approval of the minister, will appoint the public representatives. Complaints against veterinarians, it is proposed, will be investigated in a more efficient fashion with only the most serious cases going before an inquiry panel.

Under the veterinary medical board system currently in place, any inquiry held to investigate a member has to be a full judicial inquiry which generates substantial legal costs. The options for resolution of complaints are broadened in this proposed bill allowing for less costly investigations, while maintaining a comprehensive disciplinary system for the protection of the public. Complaints have the privilege of appeal under this proposal to the peer review committee and can request that an inquiry panel be struck if they feel their complaint was not dealt with appropriately.

It is proposed that hearings of inquiry panels are open to the public unless extenuating circumstances, for example, harm to individuals or public security, would dictate otherwise. The inquiry panel, the peer review committee, it is proposed, may make orders including issuing a fine of up to \$10,000 for a first offence and second offences having, it is proposed, a maximum of \$30,000. It is proposed that findings or an order issued by an inquiry panel can be appealed to the Court of Appeal. It is also proposed that membership fees from the members of the profession will fund the activities surrounding this new disciplinary process, with the peer review committee activities being administered by the governing council, the association.

Other minor changes in the legislation were required to ensure that activities in support of the major change could be carried out. Inspection of veterinarians in practice to enforce the practice standards required provisions to allow the governing council to appoint inspectors. Inspectors appointed by the association, it is proposed, would operate on a fee-for-service basis and do not represent any costs to the government. It is also proposed that a minor

change was required to allow employees of owners of animals to treat animals on behalf of the owner. Researchers conducting approval projects using animals are now allowed to perform veterinary procedures without being in contravention of the act. I believe that is also a provision in the bill. The association continues to be responsible for setting the criteria for qualifications for veterinarians and veterinarian practices as is done by many other professional organizations. It is proposed that the association will conduct registration and licensing for veterinarians and animal health technologists.

Animal health technologists do not have their own act. In a case where an individual may have their licence removed or there is a refusal to issue a licence, it is proposed that the person would have a right of appeal to the Court of Queen's Bench. The necessary transitional clauses are included to allow completion of cases currently under investigation and continue orders made under the current legislation. The moving of disciplinary procedures to the jurisdiction of the professional group concerned, if approved by this Legislature, will allow the process to be much more flexible and cost-efficient and will bring this profession and act into conformity with other legislation of a similar nature. Altogether these changes will ensure that the veterinary profession has the authority to discipline its members and at the same time protect the public interest. Thank you, Madam Speaker.

Mr. Daryl Reid (Transcona): I am pleased to rise to add my comments on Bill 30, The Veterinary Medical Act. This bill makes a number of changes with respect to the practice of veterinary medicine in this province. It is comprised of a number of sections that are quite involved but do allow for some inspection and also steps being taken by the Manitoba Veterinary Medical Association with respect to individuals that would be practising veterinary medicine within our province, including with respect to the investigations also dealing with any complaints that may come forward and with respect to annual licensing, et cetera.

This bill, yes, it is much easier to pronounce than the ophthalmologist bill that was previous, but we are prepared to see this bill go through to

committee to allow members of the public the opportunity to come forward to speak on Bill 30, and how it may impact upon their practices and on their lives. We look forward to that opportunity when members of the public come before committee. Thank you, Madam Speaker.

Mr. Kevin Lamoureux (Inkster): I will just say a few words in regard to the bill. It is definitely a fairly thick piece of legislation. I understand that there is a general feeling to have the bill go to committee as early as Monday. I have not had the opportunity to really do any depth research. I might reserve my comments until we get into third reading. From what I understand, it is a bill in which there has been a considerable amount of consultation done from within the industry. For now we are prepared to see it go to the committee stage.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 30, The Veterinary Medical Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed. Agreed and so ordered.

Bill 31—The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act

Hon. Frank Pitura (Minister of Government Services): Madam Speaker, I move, seconded by the Minister of Urban Affairs (Mr. Reimer), that Bill 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.

Motion presented.

Mr. Pitura: Madam Speaker, I would just like to advise that in the capacity of acting for the Minister of Rural Development (Mr. Derkach) who is presently attending the Association of Manitoba Municipalities district meetings, it gives me a great pleasure on his behalf to

introduce for second reading, Bill 31, The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act.

As members of this Legislature will recall, on January 1, 1999, a new municipal organization came into being. The name of the new organization is the Association of Manitoba Municipalities or AMM. It has been established as a result of the amalgamation of the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities and represents every municipality, urban and rural, in Manitoba. The merger was passed by the membership of both associations at their annual conventions in 1998. The bill has been requested by the new association to establish the parameters under which it will continue to operate.

Bill 31 sets out the powers and obligations of the AMM, which it will be required to follow as a corporation under The Corporations Act. For example, Bill 31 will include: It establishes the name of the new organization; outlines the objects of the association; carries over the assets and liabilities of the former associations in the name of the new association; confirms that it will operate under The Corporations Act; confirms that the association will function as a not-for-profit corporation without shared capital; outlines its by-law-making powers and the need for by-laws to be approved by the membership; and repeals the acts incorporating the former Manitoba Association of Manitoba Municipalities and the Union of Manitoba Municipalities.

The AMM officially began operating at the start of the year and Bill 31 also seeks to ratify the actions of the association from that date until the proclamation of this bill. Bill 31 seeks to acknowledge through legislation the decision and the choice made by Manitoba's municipal leaders to amalgamate their existing organizations. Therefore, the bill has been prepared in consultation with legal counsel representing the new association.

I wish to applaud the AMM for the forward-thinking way in which the membership has approached the merger and wish the new organization well for the future. I also look

forward to continuing the close working relationship with the AMM that the government and the Department of Rural Development had with its predecessors, the UMM and MAUM. I seek the thoughtful consideration of all the members of this Legislature in moving forward Bill 31, The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act. Thank you.

*(1210)

Mr. Daryl Reid (Transcona): Madam Speaker, I am pleased to rise to add my comments on Bill 31, The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act. We are supportive of this bill, and we would like to see this bill move through to committee as quickly as possible to give members of the public the opportunity to come forward and add their comments on this. We are prepared to pass it at this time.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, on behalf of the Liberal Party, want to put a few words on the record and actually applaud both former organizations, the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities in recognizing that there was, in fact, a need for the change. It would have been very easy just to sit back and let the status quo prevail, but in the passing of the resolution that the minister makes reference to, we have seen the creation of a group, the Association of Manitoba Municipalities or acronym of AMM, created.

If they are as effective as one organization as they were as two separate organizations, I think that Manitoba is going to be very well served by this particular new association. Now we are going to see the two groups form one, which will give it that much more strength, we believe, and ensure that the many different issues that are out there are, in fact, being advocated and actions being taken in order to increase the quality of living for all.

With those few words, we are quite supportive of the bill and would like to see it pass through committee and ultimately receive its Royal Assent.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 31, The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed. Agreed and so ordered.

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, just before we adjourn, I would like to announce then that Bills 24 and 25 will be referred to the Standing Committee on Municipal Affairs, which is called for Monday evening next at 7 p.m., and the bills that have received second reading today, which I believe are Bills 14, 21, 23, 30 and 31—I think that is the whole list. I look to the Clerks—

An Honourable Member: How about Bill 20?

Mr. Praznik: —and Bill 20. I believe I have referred that already to the Committee on Law Amendments. If not, I am referring those bills to the Committee on Law Amendments for Monday morning next at 10 a.m.

So just to recap, Bills 20, 14, 21, 23, 30 and 31 are referred for Monday morning next at 10 a.m. and Bills 24 and 25—pardon me, Madam Speaker, I would like to make one other change. Bill 31 I will refer to the Monday evening Committee on Municipal Affairs rather than Law Amendments. So Bills 24, 25 and 31 are referred for Monday evening next at the Committee on Municipal Affairs which I am calling for 7 p.m.

Madam Speaker: Firstly, the Standing Committee on Law Amendments will meet on Monday at 10 a.m. to consider Bills 14, 21, 23 and 30. Secondly, the Standing Committee on Municipal Affairs will meet Monday evening next at 7 p.m. to consider Bills 24, 25 and 31.

The hour being after 12, I am leaving the Chair with the understanding that this House will reconvene at 1:30 p.m. this afternoon.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 30, 1999

CONTENTS

ORDERS OF THE DAY		Lamoureux	3730
Private Members' Business		Bill 25—The Municipal Assessment Amendment Act	
Res. 35—Custody of Aboriginal and First Nations Children		Reid	3731
Robinson	3713	Lamoureux	3732
Mitchelson	3715	Second Readings	
Debate on Second Readings		Bill 29—The Victims' Rights Amendment Act	
Bill 14—The Amusements Amendment Act		Toews	3733
McGifford	3718	Bill 34—The Court of Queen's Bench Amendment and Consequential Amendments Act	
Lamoureux	3722	Toews	3733
Cerilli	3723	Bill 30—The Veterinary Medical Act	
Bill 21—The Ophthalmic Dispensers Amendment and Consequential Amendments Act		Praznik	3734
Reid	3728	Reid	3735
Lamoureux	3728	Bill 31—The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act	
Bill 23—The Order of Manitoba Act		Pitura	3736
Reid	3728	Reid	3737
Lamoureux	3729	Lamoureux	3737
Bill 24—The Municipal Amendment Act			
Reid	3729		