

First Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

*Published under the
authority of
The Honourable Myrna Driedger
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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| YAKIMOSKI, Blair | Transcona | PC |

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 3, 2016

The House met at 1:30 p.m.

Madam Speaker: Please be seated.

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Hon. Cathy Cox (Minister of Sustainable Development): Madam Speaker, I am pleased to table the Pineland Forest Nursery 2015-2016 annual report.

MINISTERIAL STATEMENTS

Madam Speaker: The honourable Minister for Sport, Culture and Heritage—the required 90 minutes' notice prior to routine proceedings was provided in accordance with rule 26(2).

Would the honourable minister please proceed with her statement.

Arts and Culture Day

Hon. Rochelle Squires (Minister of Sport, Culture and Heritage): Madam Speaker, today is Arts and Culture Day at the Legislature. It is an honour to rise to acknowledge and celebrate the role that culture plays in the lives of Manitobans.

Culture is woven into the fabric of our lives. When we engage with the arts and culture we connect with our past, share our stories and express new ideas. Arts and culture can inspire and entertain and they also have the power to be a catalyst for change, to insist that we question our world and imagine new ways of walking through it together. A thriving arts and cultural scene is integral to our community life, and we in Manitoba are fortunate to have such a rich and vibrant cultural scene.

Culture is a powerful economic driver in Manitoba. Culture GDP is accountable for an incredible \$1.7 billion of the total Manitoban economy in 2014 and its growth continues to outpace the economy as a whole. The culture sector creates 22,000 jobs and generates new business opportunities throughout our province. Our government is proud to invest in our cultural sector and work with the cultural community to grow Manitoba's economy.

Manitoba's artists and cultural organizations have earned a distinguished reputation for excellence across Canada and throughout the world. In doing so, they have shone a spotlight on our province, attracting thousands of visitors each year to enjoy our many festivals, to visit our museums and our galleries and to attend live performances in our theatres.

Madam Speaker, Manitobans for the Arts are here today to speak with members of the Legislature. I encourage my colleagues today to engage in these discussions with artists and representatives. Today is an opportunity for us to explore new ways to work with the arts and culture sector and grow the cultural economy.

I would ask that all members of the House join me in welcoming representatives from Manitobans for the Arts who are here in the gallery today.

Mr. Tom Lindsey (Flin Flon): There aren't many other places that have so much to offer as Manitoba, and I know Manitobans are incredibly proud of our vibrant and diverse arts and culture community.

Today, Arts and Culture Day at the Leg., is an opportunity to recognize the incredible talent we have here in Manitoba. Our province is no longer the hidden jewel of the prairies. The world is beginning to take notice.

Winnipeg was recently named on National Geographic's list of top 20 best trips of 2016, and it's obvious why. From Sagkeeng to Ste. Anne you can find arts and culture on every street corner. We are multicultural, multilingual and home to the world-class cultural events such as Festival du Voyageur, Folklorama and Gimli's Icelandic Festival.

It's clear that Manitobans value arts and culture. Not only does it contribute \$1.7 billion to our GDP, it's one of Manitoba's fastest growing sectors. But to make sure arts and culture continue to thrive in this province, we have to continue to give them the support they need.

This means a government investment in the cultural sector. This is especially important for smaller communities, like my own community of Flin Flon.

Libraries aren't just a place to take out books. They're a gathering place for artists and writers. The museums don't just hold artifacts; they hold a collective memory of our communities.

Madam Speaker, our NDP team is proud to support arts and culture in Manitoba. Our culture is who we are, and it's the talented Manitobans and dedicated cultural organizations who help showcase our province to Canada and to the rest of the world.

Thank you, Madam Speaker.

Ms. Cindy Lamoureux (Burrows): Madam Speaker, I ask for leave to speak in response to the ministerial statement.

Madam Speaker: Does the member have leave to speak in response to the ministerial statement?
[Agreed]

Ms. Lamoureux: First, I would like to thank those here today that advocate on behalf of our cultural sector. Thank you for taking the time to meet with all three caucuses as well as joining us here in the gallery.

We, as elected officials, need to move pass only talking, and we need to start putting our words into action.

Manitoba for the arts have three key requests: No. 1, strengthening the financial capacity and sustainability of cultural organizations with increase and significant investment in the cultural sector; No. 2, renovate and expand cultural infrastructure with a new cultural capital fund to address the infrastructure deficit and new investment for creative production and presentation spaces around the province; and, No. 3, support the development of new cultural policy and ensure that key recommendations are prioritized and resourced in future budget cycles. Simply put, we need to invest in sector, infrastructure and cultural policy review.

Although investment is vital, it's not the only way we can help. We also need to support and acknowledge people in the arts.

You know, Manitoba should be very proud. Next November we will be having the first ever Winnipeg arts theatre awards. This will generate a lot of excitement and acknowledge many deserving artists.

The arts are beneficial to so many communities, which I'm sure everyone in this House can acknowledge.

I would like to thank Manitoba for the arts, again, for being here today, and not only educating us for all the efforts that help make Manitoba more beautiful every day.

MEMBERS' STATEMENTS

Zeid's Food Fare

Mr. Blair Yakimoski (Transcona): I rise today with the opportunity to acknowledge and commend a Manitoba-made family business who have thrived, grown and given back to benefit all Manitobans.

Wajih (Moe) and Suad Zeid made our province their home, coming from Palestine in 1967 and shortly thereafter began the legacy of Zeid's Food Fare. They are a proud family-owned, community focused food store, where you can get friendly old-style service like custom-cut meats, carry out and delivery.

Although Moe and Suad can still be around the stores a lot, much of the day-to-day operations of their five stores is now tasked to their children Munther, Ramsey, Husni, Tarik and Maha. Through their leadership, Zeid's Food Fare has become the largest independent food retailer in Manitoba, an amazing accomplishment in today's big-box climate.

This family is an active participant at the local Muslim community and their faith guide them in their business values and philanthropic pursuits. They take this to a level that makes all their 200-plus employees, and anyone who touches their business, proud.

This year, they celebrate 40 years in the business and have used that mark to really give back to the community, as they were the main sponsor for the Grace Hospital Foundation gala, the major sponsor this year and moving forward for the Canadian Diabetes Association D-Camp, the police endowment fund and the Children's Hospital Foundation, for which they have raised over \$300,000 through their annual fundraisers. This year they are the naming sponsor of the CHF Ice Crystal Gala, which my wife Amy and I look forward to attending on November 20th with the Minister of Health, as well as some other members from all sides of this House.

I asked Munther why they are so involved and his answer was: the best care for our children will bring us a bright future.

Expect the Best is the motto of their stores and this family delivers the best that Manitobans have to offer.

Please join me in congratulating and thanking the Zeid family for their 40 years in business and their outstanding contributions to our community.

Madam Speaker, I ask for leave to submit the names of the family members involved in all they do, in Hansard.

Madam Speaker: Is there leave to include the names of the family in Hansard? *[Agreed]*

Wajih Zeid, Suad Zeid; their children, Munther Zeid, Ramsey Zeid, Husni Zeid, Tarik Zeid, Maha Zeid; Munther's children, Wajih Zeid, Suad Zeid, Nadine Zeid, Bilal Zeid, Tarik Zeid, Janan Zeid; Husni's children, Hanan Zeid, Neebal Zeid, Mohammad Zeid; Tarik's children, Suad Zeid, Kareem Zeid; Maha's children, Fouzie Zeid, Amneh Zeid, Hamzie Zeid, Maysa Zeid, Khalid Zeid, Yousef Zeid, Nisreen Zeid, Zaher (Zack) Zeid.

Peace of Mind 204

Mr. James Allum (Fort Garry-Riverview): Madam Speaker, we know that mental illness is a major struggle for people across the province.

This struggle is compounded by stigma, which prevents people, especially young people, from talking about their experiences and seeking out the services they need.

* (13:40)

Thankfully, there are groups like Peace of Mind 204, a student-led initiative that helps young people understand mental illnesses, improve their mental health and find ways to cope with loss.

Peace of Mind 204 was started by a Vincent Massey Collegiate student, Loizza Aquino, who joins us in the gallery today.

After losing a close friend to suicide, she knew that help was needed and that she needed to take action. Peace of Mind 204 is getting stronger every day and has drawn in many caring students also affected by loss. Ceanray Harris-Read, one of our former pages from Collège Churchill, joined Loizza as a founding member. Jibril Hussein became involved shortly after and now helps run Peace of Mind 204. Ceanray and Jibril are also joining us in the gallery.

These amazing students have created events throughout the year called YAMIS, or Youth Against Mental Illness Stigma. The two most recent were held at the wonderful Park Theatre in Fort Garry-Riverview. YAMIS provides an opportunity

for students from across the province to come together to support each other, to speak out and to share their stories. When I was in high school a long time ago, mental health was never acknowledged or considered. When my own children were in high school, some progress had been made, but the conversation was still undertaken behind closed doors.

Today, as a direct result of Peace of Mind 204, students, families and school leaders are now having open conversations about mental health, about where and how to get help and about the need to create more supports for young people in need. The courage these young students bring to promoting awareness and fighting stigma is nothing short of awe-inspiring. Please join me in thanking the members of Peace of Mind 204 for their incredible advocacy, for their bravery and, without a doubt, for saving lives here in Manitoba.

Family Doctor Week

Hon. Cathy Cox (Minister of Sustainable Development): Madam Speaker, I am proud and honoured to recognize the valuable contributions and dedication that family doctors make to Manitobans each and every day. Family physicians are extremely respected members of the medical profession. They diagnose and treat illness and injury, promote disease prevention and good health, co-ordinate care and also advocate on behalf of their patients. Many are involved in teaching students and residents and in conducting research that advances the practice of family medicine. Family physicians work tirelessly to provide patients and their families with highly valued primary medical care and support.

This year, Family Doctor Week is—in Canada is from November 7th to the 12th. The College of Family Physicians of Canada will be holding its annual Family Medicine Forum in Vancouver with an expected turnout of over 4,000 participants. And next week's event also includes celebrating the 2016 award recipients from across Canada.

It's my pleasure, Madam Speaker, to inform the House that Dr. Pravinsagar Mehta has been named the Family Physician of the Year by the Manitoba College of Family Physicians. As well, Dr. Ganesan P. Abbu and Dr. Alan Katz received awards of excellence. It is also my pleasure to announce that ACCESS River East, right in my constituency, is the recipient of the Gary Beazley Patients Medical Home Award. I would also like to personally acknowledge the outstanding work of the ACCESS River East.

They are such an important part of my community, ensuring that the health and well-being of so many is taken care of.

Madam Speaker, I ask all members to join me in showing continued support for family physicians and to congratulate both the Manitoba family of—Manitoba College of Family Physicians and the College of Family Physicians of Canada on celebrating Family Doctor Week in Canada.

Honourable Sharon Carstairs

Ms. Cindy Lamoureux (Burrows): Today I rise in excitement to recognize a great role model of mine, the Honourable Sharon Carstairs, a dedicated public servant serving Manitobans and Canadians for nearly 30 years. To begin, I want to thank Ms. Carstairs for meeting with Peace of Mind, a youth mental health initiative, as well as meeting our caucus for lunch and for being here in the loges today.

Ms. Carstairs is an academic. She earned a master's in teaching of history, she taught high school for 20 years, and then she was elected as leader of the Liberal Party of Manitoba. Once re-elected, she became the first female Leader of the Opposition in any Canadian legislature. Talk about inspiring, Madam Speaker.

In 1994, Ms. Carstairs was appointed to the Senate of Canada and served until 2011 in various roles. This past June, she was inducted as a member of the Order of Canada, and to this day, she keeps herself very active five days a week working with out of care foundation in Ontario, the International Centre for Dignity and Palliative Care here in Winnipeg and the Canadian hospice and palliative care association.

On a more personal level, I have super fond memories of Ms. Carstairs, who has been part of my life literally since the day I was born. I was carried home from the hospital in a baby blanket that she had gifted to me the day that I was born. And as my colleague from River Heights stated, she never once forgot to send a thank-you card, and we all know how special it is that those simple acts of kindness truly are.

Ms. Carstairs is well respected for her activism, and that isn't always easy after a long career in politics. She broke down many of the barriers that women faced in politics, and with that said, look how times have changed: 67 per cent of our caucus is women.

I would like to thank her for her dedication and the public service and continued work that she does to be a champion of palliative care for Canadian seniors.

Thank you, Madam Speaker.

Madam Speaker: Any further private members' statements?

Jim Prentice

Hon. Steven Fletcher (Assiniboia): The Honourable Jim Prentice was a great Canadian. His time with us came to a sudden end in a tragic plane crash a few weeks ago. This past Friday, the member from Tuxedo and myself had the honour to attend Jim's funeral in Calgary.

I knew Jim when we were first elected federally in 2004. Jim became one of the most senior ministers in the Canadian government, serving as Minister of Indian and Northern Affairs, Minister of Industry and Minister of Environment. He oversaw the greatest expansion of our national parks system to date. Jim has also played a critical role in reconciliation with First Nations. As colleagues in Cabinet, I was fortunate to see Jim behind the scenes, and a remarkable man is what I saw.

I can tell this House and all Canadians that there's no doubt in my mind that without Jim Prentice's leadership and vision, there may never have been a residential schools settlement.

Jim voluntarily—and that's unusual—left federal politics in 2010 and had a successful career in the private sector. He returned to politics and became the 16th premier of Alberta. Jim's accomplishments were shared with his wife Karen of 33 years.

Jim's values and passions will live through his children and grandchildren and through his contributions to his province and country. During a speech in Parliament, Jim pointed out it is written in stone at the entrance to the Parliament Building: Where there is no vision, the people perish.

And so it shall be with our young Aboriginal people in their communities unless and until the government has the courage to address these problems.

Wisdom, fortitude, empathy, vision, leadership. Thank you, Jim Prentice.

Introduction of Guests

Madam Speaker: Prior to oral questions, we have some guests here.

And in the public gallery we have a page from last year, Ceanray Harris-Read, and as you have just been introduced to Sharon Carstairs, the former MLA for River Heights, on behalf of all of us, we'd like to welcome you all here today.

* (13:50)

ORAL QUESTIONS

University of Manitoba Contract Collective Bargaining Negotiations

Ms. Flor Marcelino (Leader of the Official Opposition): The drought is over for the Chicago Cubs. We can only hope the PC government's drought in answering simple questions will end today.

Madam Speaker, on September 13th the University of Manitoba put an offer on the table to its faculty. Weeks later, the government interfered in the process by calling for a lower offer which can only hurt the situation at the university.

The Premier has covered up his interference by blaming others. Just yesterday, his government voted against a sensible motion calling on the government to not interfere in negotiations.

Will the Premier reconsider his stance and commit to not interfere in negotiations?

Hon. Brian Pallister (Premier): Madam Speaker, I wanted to add that I think the tributes that we gave today in this House were tremendously well deserved: to Ms. Carstairs, of course, for her work—not least of which, her work in the area of palliative care, tremendous contribution to the people of Canada, the people of Manitoba, deserving of recognition; also, my friend, Jim Prentice, and his work, not solely, but certainly on behalf of and with indigenous Canadians is deserving of acknowledgement; as is the work of the young people who were acknowledged earlier by the comments made by one of our colleagues in respect of mental health.

These accomplishments are only possible with teamwork. We are committed as a government that is a team to working with others who share our goals for a better Manitoba. We will continue to demonstrate that in every action.

Madam Speaker: The honourable interim Leader of the Official Opposition, on a supplementary question.

Post-Secondary Funding Government Plan

Ms. Flor Marcelino (Leader of the Official Opposition): I thank the Premier for his statements, which we affirm, but we're waiting for the answer to the question.

Yesterday, Madam Speaker, hundreds of students came to the Legislature calling on the government to keep tuition affordable to Manitobans.

Our motion urged the government to fund post-secondary education at least at the rate of economic growth to ensure all students have the supports they need now and for the future, but, yet again, the government voted against it.

Will the Premier reconsider his decision and support steady funding for our post-secondary institutions?

Hon. Brian Pallister (Premier): Of course, Madam Speaker, and I, like I think most if not all of the members in this Chamber, have benefitted from our educational system and the investment that Manitobans have made in it, and I deeply—I am deeply appreciative of that, personally. I could not have obtained—I was the first of my siblings to obtain, as the oldest, to obtain a university education, but could not have done that without the help of many people along the way and, not least of all, the taxpayers of the province of Manitoba.

And so I recognize that barriers that are put in the way of pursuit of post-secondary education and training are very important to be conscious of and to minimize as we can, and we'll continue, and I certainly know that I am joined by all members on this side of the House in our pledge to make sure that those barriers do not rise to any degree beyond the capabilities of young people to assume those responsibilities.

Madam Speaker: The honourable interim Leader of the Official Opposition, on a final supplementary.

Ms. Marcelino: Thank the Premier for his response, and we will await the actions.

Madam Speaker, we heard from hundreds of students yesterday who told us that rising tuition is a major concern for their futures and for accessibility

so that all Manitobans can benefit, not just the privileged few.

Yesterday we put forward a motion calling on the government to keep tuition tied to the rate of inflation.

Why did the government vote against keeping tuition affordable for Manitoba students?

Mr. Pallister: Well, Madam Speaker, there are many cost factors involved in the lives of students, not least of which would be the PST, which the previous administration raised, an additional burden on young people; not least of which would be income taxes on their summer employment, which, of course, were onerously high under the previous administration. These are both major cost factors.

Madam Speaker, for example, in Manitoba we inherited a system the previous government put into play and maintained whereby we started to tax people at about \$9,000 of income. Other provinces wait much longer to do that. That, of course, damages the ability of students who are in that situation very frequently of being between the nine and, say, 16 or 17 thousand that Saskatchewan lets you have tax free.

So the previous NDP government placed onerous tax burdens on young people and students in many ways, Madam Speaker, with many different taxes they levied and increased after promising not to. We have pledged to do our best to hold the line on tax increases and make sure more money stays in the hands of our young people and all Manitobans.

Labour Relations Act Government Position

Mr. Tom Lindsey (Flin Flon): I was proud to walk and stand with students and workers yesterday and, in fact, every day as they fight for a fair shake for working people.

At committees we heard dozens of workers' experiences. In one instance, worker was intimidated and threatened for considering organizing; another instance, we heard of a worker that was fired for trying to organize. It's unacceptable, Madam Speaker, and it's why it's so important that workers have the right to join a union; 65 per cent of members have signed a card. Any attempt to change that is a threat to workers.

So I ask the minister: Tonight, will he ask questions to find out how it really is for workers in this province, and will he reconsider Bill 7?

Hon. Cliff Cullen (Minister of Growth, Enterprise and Trade): I do appreciate the comments from the members opposite. Obviously, we're looking forward to presentations again tonight.

Clearly, we are respectful of the rights of workers. We believe, unlike the opposition, the right to a secret ballot vote is the right thing to do. We believe that. So do many Manitobans. Approximately 70 per cent of Manitobans also believe in the right, the democratic right to vote. We think it's the right thing to do; so do Manitobans.

Madam Speaker: The honourable member for Flin Flon, on a supplementary question.

Mr. Lindsey: The minister didn't ask a single question at committee except for those who supported his position. If he was listening, the minister would have heard about temporary foreign workers who were terrified of being sent home for trying to organize, fear that they would not just lose their jobs but be sent out of the country, losing everything in the process.

Madam Speaker, workplaces are not democracies, and the right for workers to sign up to join a union is a private—in private, excuse me—ensures that workers like this are protected.

Will the minister really listen, tonight, to workers and will he question his government's commitment to this—

Madam Speaker: The member's time has expired.

Mr. Cullen: Well, Madam Speaker, we're listening to Manitobans and Manitobans gave us a really strong mandate back in April: 70 per cent of Manitobans agree with our position. We think maybe that number's even higher.

You know, we're listening. We made a commitment to Manitobans during the election campaign. We're moving forward on that promise that we made.

And, interesting, Madam Speaker, to reflect back two years ago today and the opportunity that members opposite had and reflecting on their values, and changes were made two years ago. We're making some changes, beginning tonight.

Madam Speaker: The honourable member for Flin Flon, on a final supplementary.

Mr. Lindsey: At committee we heard how intimidating the process can be for women who only trying improve their livelihood, who fear the

possibility of reprisals from unscrupulous employers. They express a desire to join. But we also heard stories of hope and resilience, women who stood up against those who might try and undermine them.

Madam Speaker, it gives me hope that, regardless of what attacks this government foists on workers in this province, there'll be men and women that stand up and stand up for themselves in spite of what this government tries to do.

Is the minister listening, and will he listen tonight, to our strong Manitobans that are working for a better shake for themselves and for all working people, and will he withdraw—

Madam Speaker: The member's time has expired.

* (14:00)

Mr. Cullen: We believe we're doing the right thing; Manitobans believe in the secret ballot.

We firmly believe in democracy. I think many Manitoba women believe in democracy, and they're not going to be intimidated because they're going to have the opportunity to have a secret ballot vote. That's the right thing to do. Women in Ontario, women in BC, women in Saskatchewan, women in Alberta all have the opportunity for a secret ballot vote. That's the right thing to do.

University of Manitoba Contract Collective Bargaining Negotiations

Mr. Wab Kinew (Fort Rouge): The University of Manitoba Faculty Association strike rolls on today. People are marching on the picket lines, conciliation appears not to have led to any breakthroughs, at least not yet, and through it all, students are caught in the middle wondering what's going to happen to their term, what is going to happen to their educations.

The faculty are calling for a fair deal to deliver a quality education to Manitoba students. The administration is trying to negotiate, but the Premier (Mr. Pallister) has put restrictions on what they can do. All of that has created real consequences for students.

Will the Premier and his government withdraw their interference and allow for administration and faculty to focus on what really matters: quality education, quality research and a quality experience for students in Manitoba?

Hon. Cameron Friesen (Minister of Finance): I thank the member for the question.

Once again I would take this opportunity to set him and others straight. This government has been very clear that precisely what this new government of Manitoba will not do is interfere in a negotiation that is taking place between an employer and an employee.

We can continue to have this conversation day by day. Obviously, the backdrop is this: we understand and we have conveyed very clearly, Manitobans must understand, all of us must understand together, that the backdrop is the incredible fiscal challenge that faces us all. That is the backdrop, but we watch this process. A conciliator has been appointed. We have faith in this process.

Madam Speaker: The honourable member for Fort Rouge, on a supplementary question.

Mr. Kinew: It's the students who are paying the heaviest price this week because of the strike. But students are also speaking up in support of faculty negotiating for quality education at the University of Manitoba.

Just today, the Manitoba Medical Students Association voiced a strong message of support for faculty and against the monetization of education and research. They say students aren't customers and that faculty have a right to a fair deal. Yet the Premier's actions run counter to the outcome these future doctors want.

Will the Premier withdraw his interference, refrain from interfering again and let students return to their studies?

Hon. Ian Wishart (Minister of Education and Training): I appreciate the question from the member.

Certainly I understand students being concerned about their academic futures. We all are concerned that this process will lead to a—and the conciliation process continues, and that is encouraging—that it leads to an end that does not put students' academic years at risk. I think it's very important that we all keep that in mind. I certainly do.

That's my No. 1 priority here, is to worry about the students of Manitoba and that this particular bargaining process will be resolved in time so that there is no risk to the students in Manitoba.

Mr. Kinew: It seems to me that the best way the government could do that is by guaranteeing that they won't interfere again.

Now the faculty association is on strike for a number of reasons, but it's not about the wages, as the Premier assumed when he called for a wage freeze; it's really about smaller class sizes, hiring more teachers and putting place a better tenure process, all of which makes sense. The most important thing, again, is the quality of education.

The Premier's interference has already made its mark in this process, and it has had real consequences for students at the University of Manitoba.

Will the Premier commit to not interfering in these negotiations again?

Hon. Brian Pallister (Premier): I recognize the member's great desire to place blame in the circumstances that he finds himself. This, of course, will be counterproductive and is not supported by the fact his—[interjection]

Madam Speaker: Order.

Mr. Pallister: —loose paraphrasing of the—in his preamble describes him taking sides in the debate, which is not productive to the resolution of the debate. In fact, it's counterproductive to the resolution of the debate.

And so what we have done, Madam Speaker, is something the previous administration refused to do. We have demonstrated, clearly, what we would see as the desired mandate in respect of the bargaining process, a process which was going nowhere under the previous administration.

I remind the members opposite that there were two previous strikes at Brandon University. At neither—on neither occasion of those strikes did members on this—well, members who were, on that time, in opposition, place blame on the government in respect of their actions. And I would remind the members opposite—

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Mr. Pallister: —to contemplate partisan games with a strike is petty politics that is both dangerous and will not lead to fruition. We are interested in the best interests of the students. It appears the members opposite are putting politics ahead of progress in these negotiations.

Access to Mifegymiso Pharmacare Coverage

Ms. Nahanni Fontaine (St. Johns): After two and a half years of rigorous testing, Health Canada has finally approved Mifegymiso, more commonly known as the abortion pill. This is a huge step forward for women and girls in having control over their reproductive health. This essential medication is projected to cost anywhere between \$270 and \$300, which will, quite obviously, put it out of reach of many women economically marginalized in Manitoba.

Manitoba must cover all essential medication: Does the Minister of Health believe the abortion pill is an essential medication for women?

Hon. Rochelle Squires (Minister responsible for the Status of Women): I thank the member for the question regarding women's issues. Women's issues are very important to this government. I am proud to be part of a government that is advancing women's issues. I was happy to partner recently with our Minister of Education in terms of making our women and girls safe on campuses with a sexual assault prevention and awareness legislation that I hope all members of this House will support.

I was proud last night to attend an event raising awareness in combatting domestic violence, and doing other initiatives this month to combat domestic violence. Tomorrow I will be helping, working with young girls, encouraging young girls in this province to get involved in non-traditional careers. Madam Speaker, we're very proud to stand up for women in this province.

Madam Speaker: The honourable member for St. Johns, on a supplementary question.

Ms. Fontaine: I want to thank the minister for providing her calendar to the House today. I'm glad. I'll add that to my list.

The World Health Organization lists Mifegymiso as essential medication for women. It is the responsibility of the Health Minister to ensure and support its accessibility and affordability for all Manitoba women.

So I'll ask the Health Minister: Will he put it and make it affordable under Pharmacare?

Ms. Squires: Madam Speaker, I'm happy to take the question once again, and in regards to the members opposite poorly researched private

member's resolution, there were so many errors in that resolution I don't even know where to begin.

Madam Speaker: The honourable member for St. Johns, on a final supplementary.

Ms. Fontaine: I mean, quite obviously, the government's approach is that every time I ask a question on women they're going to get the Status of Women Minister to stand up.

But, clearly, this is a question for the Minister of Health; how Canada requires doctors to take online training, buy stock and maintain this essential medication, and women must be watched by a health-care official while taking the pill, all impeding accessibility.

Will the Health Minister, under whose portfolio this falls, commit to keeping women's health care accessible by allowing pharmacists to dispense this essential medication and making it affordable by covering it under Pharmacare?

Ms. Squires: Madam Speaker, it is 2016, and I'm not sure if I have to table something to let the members opposite know that as a woman I am entitled to stand up in my place as Status of Women Minister and answer and advocate for women in the province of Manitoba.

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

* (14:10)

Winnipeg Crime Statistics Jail Population Increase

Mr. Andrew Swan (Minto): Does this Premier believe that an 8 per cent increase in crime in Winnipeg is an improvement for Manitoba?

Hon. Heather Stefanson (Minister of Justice and Attorney General): I thank the member for the question.

And, certainly, we have inherited a very difficult situation in our justice system in Manitoba. After 17 years of mismanagement there are many challenges that we're facing and we—where they failed, we will get it done.

Madam Speaker: The honourable member for Minto, on a supplementary question.

Mr. Swan: Madam Speaker, crime stat data posted by the Winnipeg Police Service shows that crime in 10 major categories selected by the police service

shows that for the six months from May 1st to October 31st of this year, crime is 8 per cent higher than the same period last year.

The minister has shown no plan and no answer for the sudden increase in the jail population of more than 7 per cent in the last five months.

Will the Premier agree the reason might be the increase in crime under this government's watch?

Hon. Brian Pallister (Premier): Well, speaking of 8 per cent, Madam Speaker, poverty—increased poverty and the increased stress of an excessively high PST on things like benefits at work and home insurance, places great stress on households. It's not inseparably linked to the increased occurrence of crime. I would expect that the member, who rebelled and revolted against his caucus just two years ago based on the PST hike, which was hurting his poll numbers, would be able to make that link and understand and at least accept some part of the responsibility for increased crime as a result of increased financial stress on low-income households, something that we are addressing and will continue to address.

Madam Speaker: The honourable member for Minto, on a final supplementary.

Mr. Swan: I can inform the Premier that when I left my job as Attorney General after five years, the rate of crime in Manitoba was 40 per cent less than when I started that job five years ago. And it's just taken five months or six months for this Minister of Justice to turn it all around and now have an increase in crime.

Just today, the member for St. Vital (Mrs. Mayer), the member for River Heights (Mr. Gerrard) and myself attended the Manitoba Criminal Justice Association crime prevention breakfast. The Minister of Justice should have been there and wasn't. The topic, which was chosen by all the people trying to prevent crime from happening, was fentanyl and other street drugs.

Will this minister agree that it may be the reason for the increase in crime and the increase in our jail population is the inappropriate use of fentanyl and other opioids?

Mr. Pallister: I think the members—remaining members of the NDP sitting with the member opposite need to take note how quickly he throws his colleagues under the bus, and he did that two years ago to the premier—previous premier, as well, when

he held a press conference and said, and I quote, and, unfortunately, our concern is the premier has become more concerned about remaining leader than necessarily doing things in the best interest of the province.

If the former Attorney General was so proud of his record, why did he resign, walk away and try to blame the premier for every problem that was facing his own political organization? He should have had the courage of his convictions to stand up for the things he claims to believe in now, rather than pursue his own personal, selfish agenda.

Madam Speaker, we have an agenda to improve the lives of Manitobans and part of that agenda is to reduce criminal activity, and we will face up to that challenge where the previous member walked away and pouted.

Diabetes Rates Reduction Plan

Hon. Jon Gerrard (River Heights): Madam Speaker, the Minister of Health has set up a review of health care.

On June 16th the Minister of Health said that the diabetes epidemic, which now affects about 120,000 Manitobans, is, and I quote, one of the great challenges that we face here in Manitoba.

When I've asked the minister previously, he quickly turned to the federal government. Will the minister, today, accept that the responsibility for addressing diabetes in Manitoba is largely a provincial one? Will implementing a plan to prevent and treat diabetes be included in the minister's review?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Well, Madam Speaker, I think the member raises an important point.

We were glad to be joined yesterday by the Canadian Diabetes Association here in the Legislature. They provided, as always, good information and good context around a number of the different issues. He will know because he was there—and I was glad to see him there—that there were two reports provided: one was a provincial action plan, one was a federal action plan, because this is, in fact, a joint responsibility in many ways.

Madam Speaker: The honourable member for River Heights, on a supplementary question.

Mr. Gerrard: Madam Speaker, this week the Canadian Medical Association Journal projects that in Alberta five out of 10 non-First Nations people will develop diabetes in their lifetime. Diabetes is a disease which affects indigenous people, but it's not just a First Nations disease. The costs of treatment are extraordinarily high.

Every time I mention diabetes, the minister mentions dialysis, but the cost of a plan which relies on only, or primarily, on more dialysis and kidney transplantation is not economically sustainable. We must prevent diabetes.

For six months, I've asked the minister for his provincial plan. We need to do better than that. Where is it?

Mr. Goertzen: Well, I didn't, in my first response to the question, mention dialysis, but I'm glad that the member did mention dialysis because that is a significant issue and it's a significant concern. It's one that we raised with the federal Health Minister in Toronto when we met.

And I would say as well, Madam Speaker, it wasn't just myself who was raising the issue about ensuring that there was support for funding for issues around dialysis. It was also raised by the New Democratic Health Minister for Alberta and the Liberal Health Minister for Ontario.

Madam Speaker: The honourable member for River Heights, on a final supplementary.

Mr. Gerrard: Madam Speaker, diabetes is a preventable disease. Diabetes was not present in our indigenous people before the 1940s.

Three years ago, Manitoba Liberals wrote a report on diabetes—which I table—which highlighted an approach to preventing type 2 diabetes, which included a centralized 'leaderstrip' structure, province-wide implementation of best practices, vigorous efforts to translate knowledge of preventing diabetes in individuals and to reducing diabetes in whole communities, and approaching this as a deficiency disease, not just as a disease of excess sugar.

Our report was ignored by the previous government.

Will this government now adopt the recommendations of the Liberal report on diabetes?

Mr. Goertzen: We certainly appreciate ideas that come from all Manitobans and all members of this

Legislature, frankly, Madam Speaker. Not every idea that gets brought forward by the members opposite will be adopted, but I can assure you that every one will be looked at and listened to.

Canada Signs CETA Effect on Manitoba

Mr. Greg Nesbitt (Riding Mountain): Yesterday the Government of Canada signed the Canada-European Union comprehensive economic trade agreement, or CETA. This trade agreement will create jobs for the people of my constituency of Riding Mountain as well as many other Manitobans.

Can the Minister of Growth, Enterprise and Trade elaborate on the other positive effects this will have on Manitobans?

Hon. Cliff Cullen (Minister of Growth, Enterprise and Trade): I appreciate the member's question, and I recognize that he's a part of team that recognizes the importance of trade for Manitoba.

Our government is certainly pleased that the Government of Canada was able to sign the Canada-European comprehensive economic trade agreement, or CETA. I know the previous Conservative government spent seven years getting that legislation and bill together.

This trade deal will provide over \$200 million in economic benefits to Manitoba. Unlike members opposite, our government is proud to support trade, trade that will lead to improved job creation and economic prosperity for all Manitobans.

I encourage all members of this legislator to support CETA and the economic benefits and jobs that it will bring to Manitoba.

Protecting Children Act IEP Security Concerns

Ms. Nahanni Fontaine (St. Johns): This week, over 1,000 Manitobans' health information were stolen from a locked room in a hospital that is trained to handle and protect hundreds of thousands of sensitive documents, both in person and online.

It raises serious concerns over the broadness of the information-sharing piece in the government's proposed Bill 8. Under this bill, a wide range of children can have private information shared across multiple institutions, including the thousands of students with individual education plans who aren't necessarily in care.

What assurances can the minister provide that personal information of thousands of young students is protected?

* (14:20)

Hon. Scott Fielding (Minister of Families): It truly is an honour to bring in The Protecting Children Act. It's something that we had supporters, such as Sheldon Kennedy, that came out that talked about the merits of protecting children, the valuable work of sharing information across lines, whether it be the education system, whether it be health, whether it be justice. This is something that we truly think will make a difference in terms of sharing information and protecting our children foremost.

Madam Speaker: The honourable member for St. Johns, on a supplementary question.

Information Sharing Protection

Ms. Fontaine: Even in a hospital with significant data security measures, breaches can happen.

Under Bill 8, private information can be shared to third party with much lower security measures with the very real risk of sensitive information being inappropriately shared. Under Bill 8, a child who merely needs a test read aloud to them or who needs extra tutoring meet the expectations of a new school can have her private information shared with agencies. With no mechanism within the bill to challenge what information is being shared, her parents are not able to stop this.

Will the minister revisit Bill 8 to ensure it includes proper safeguards to ensure that information is responsibly shared between different service providers?

Mr. Fielding: We're very proud of the bill. In fact, we had not just support from our caucus, but the Liberal caucus, who had suggested some amendments to this. We think it makes absolute sense in terms of the approach there.

When you're talking about the education system, there's a wide variety of people that will utilize this. We think the education system is also an area that you can use the information sharing and people can benefit from it. There's professional discretion that's going to be involved where, of course, people within the education system can share that information, which we think is critical to it. It's something that's supported by the Manitoba school board trustees, that are very supportive, that sent us a letter of endorsement of it.

So we very much support this. We encourage the opposition to stand up and support children as well.

Madam Speaker: The honourable member for St. Johns, on a final supplementary.

Funding for Service Providers

Ms. Fontaine: To be absolutely clear, of course this side of the House stands with children, absolutely.

Bill 8's broad definition of service provider lays an undue pressure on small community organizations and schools to be responsible for detailed and sensitive information about children. The people who work in these organizations are not experts on information security, unlike the folks at health sciences. They don't have the capacity, time, training to invest in proper security measures.

Without additional funding, the government should not put these expectations on teachers or social service community agencies.

Will the minister provide additional funding to service providers identified in Bill 8, ensuring children's sensitive information is handled properly?

Mr. Fielding: In committee as well as in any time we spoke about it, what we said, the cornerstone of this is education and training. So, absolutely, we'll be supporting initiatives ensuring that people, care providers, whether it be in the education system, whether it be in the justice system, all these stakeholders that right now are not allowed to share the information, will be able to.

So the cornerstone of this is education and training, and, of course, we're going to support that going forward.

Agriculture Industry Grain Market Pricing

Mr. Mohinder Saran (The Maples): The Premier (Mr. Pallister) was part of the team that dismantled the Canadian Wheat Board. We know that there have been serious consequences for grain producers since the Premier and Mr. Harper went against the wishes of farmers and eliminated the single desk.

New research suggests that farmers have not actually realized all the gains that were promised to them when the Wheat Board was shuttered.

Will the Premier acknowledge that his policies have not put farmers first?

Hon. Ralph Eichler (Minister of Agriculture): We're very—indeed—and pleased with the

announcement with CETA. We know that this opens the opportunity for markets in the European nations and, of course, we know that members opposite's not favoured at creating new jobs, new opportunities.

We've asked to get onside and join us in celebrating CETA as we move forward.

Madam Speaker: The honourable member for The Maples, on a supplementary question.

Mr. Saran: New research from the University of Manitoba—excuse me—suggests that profits generated from the boom crop that farmers are enjoying are not completely being returned to the producers. We know that our farmers are excellent competitors and marketers, but we also know they require a fair marketplace in order to properly participate in the open market.

Will this government ensure that the marketplace is fair for all producers so that we can continue to support our farming sector?

Mr. Eichler: I thank the member for the question.

That, indeed, is really what CETA is all about: that is, working with the commodity groups to ensure that they do, in fact, get a fair market price. Whenever you consult with commodity groups—and, in fact, I've asked the member several times to attend some of these meetings that I've had—that's exactly what they say. They want a good marketplace; they want a good return on investment. Agriculture's a place to see where products are actually marketed in an open, transparent way.

Madam Speaker: The honourable member for The Maples, on a final supplementary.

Mr. Saran: There are small, practical steps that could be taken that would help increase transparency and the marketing of grain products. Requiring companies to report how much product has been sold and at what price on sales over a certain volume would help increase transparency in the marketplace.

Will the government support these practical steps in order to help our local products thrive?

Mr. Eichler: That's exactly why the Wheat Board's not here today. It's the government that actually wanted to enforce those rules on Manitobans and hard-working farmers right across Canada. This gives our producers an opportunity to actually market their products on a worldwide nation, and, of course, maybe if they get onside with TPP, we'll expand that market just a little but farther.

**Manitoba Hydro Report
Clean Energy Promotion**

Mr. Ted Marcelino (Tyndall Park): The Hydro minister spent \$4.2 million on an untendered contract. And the report that was produced was about something that everybody knew: that Keeyask and Bipole III were already too far along to be stopped.

Now, will the minister stop his interference and let Hydro get on with the work of promoting our clean energy advantage?

Hon. Ron Schuler (Minister of Crown Services): Well, I'd like to thank the member for that question.

In fact, we were at Hydro committee last week in which that particular question was asked three times of Manitoba Hydro, and each time the question was answered. In fact, one of the members of the committee said: I thank Mr. Riley for that, and, again, I think it shows the value of this committee. We've received, I think, a pretty clear answer very quickly.

Who is the member who praised Hydro committee and our new board chair? The member for Minto (Mr. Swan).

Madam Speaker: The honourable member for Tyndall Park, on a supplementary question.

East-Side Route

Mr. Marcelino: Let's try this again. The minister paid \$4.2 million for a report that makes conclusions about the east-side route, but the chair of Hydro could produce no evidence that an east-side route for Bipole III could ever actually be built.

I'll tell you what, Madam Speaker, for \$100 in fuel the honourable minister could get out on the road and actually go and talk to east-side communities. Will he do that?

* (14:30)

Hon. Brian Pallister (Premier): Madam Speaker, speaking of roads, two years ago today, five senior Cabinet ministers from the former government told the leader to hit the road. And they put on display—they put on display—for all Manitobans to see, after 15 years of trying to govern and failing in every respect—after 15 years—that they were totally and completely dysfunctional.

Two years later, Manitobans—

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Mr. Pallister: —demonstrated that they believed in teamwork and elected, with a new mandate, a new government and gave us a record opportunity. And six months ago today—six months ago today—our first Cabinet was sworn in. And so we have a happy anniversary today and perhaps an unhappy one. I hope we can learn from both. What we should learn most of all is that dysfunction does not work in a government and teamwork does, Madam Speaker, and we'll continue to demonstrate that teamwork as we move forward and face the challenges before us.

Madam Speaker: Petitions? Petitions?

Oh, time for oral questions has expired.

No petitions? Grievances?

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

Hon. Andrew Micklefield (Government House Leader): Madam Speaker, I'm calling for debate this afternoon report stage amendments on Bill 15, as well, in accordance with rule 139, section 11, on behalf of the Minister of Education and Training (Mr. Wishart), I'm requesting that you combine the debate on the two report stage amendments for Bill 15, listed on the Order Paper in his name.

REPORT STAGE AMENDMENTS

Madam Speaker: It has been announced that we will be debating report stage amendments on Bill 15.

Regarding the request to combine the Minister of Education and Training's amendments for Bill 15, as this is not a common occurrence, I would like to take a few moments to explain this process to the House.

First, our rule 139(11) states: The Speaker may select or combine amendments or clauses to be proposed at the report stage. Second, as indicated, the use of this rule is a rare occurrence in our House and we do not have past practice to rely on regarding the implementation of this concisely worded rule.

Our subrule 1(2) instructs us to be guided by the parliamentary traditions of the Canadian House of Commons in areas where our usages and customs do not apply.

Following that direction, on page 784 of House of Commons Procedure and Practice, O'Brien and Bosc note the following regarding the grouping of report stage amendments, and I quote:

Motions in amendment are grouped for debate according to two criteria: their content and their position in the bill. Motions which could form the subject of a single debate are grouped according to content if, once adopted, they would have the same effect in different parts of the bill or if they relate to the same provision or similar provisions of the bill. Motions in amendment are combined according to the location at which they are to be inserted in the bill when they relate to the same line or lines. These motions in amendment will then be part of a single scheme for voting purposes. End quote.

For future references, then, as your Speaker, when any member, government or opposition asks to combine the debate on their own report stage amendments, I will follow our rule 139(11), guided by the practices outlined by O'Brien and Bosc.

As the two report stage amendments for Bill 15 listed on the Order Paper in the name of the Minister of Education and Training meet the criteria of similar content and position in the bill, I will be grouping them for debate today.

For the information of the House, we will proceed as follows: the minister will move both motions separately and consecutively; I will put each one back to the House in turn; there will be one debate covering both motions with 10-minute speaking times for all members except party leaders who have 30 minutes; when debate concludes, I will put the questions on both motions separately and consecutively.

Bill 15—The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended)

Madam Speaker: I thank all members for their patience and co-operation with this process and we will now consider report stage amendments on Bill 15, and I recognize the Minister of Education and Training to move his two amendments.

Hon. Ian Wishart (Minister of Education and Training): Thank you, Madam Speaker, and I appreciate the House's co-operation regarding this, particularly amendments for the Bill 15, and I would cover the details—I need to read them—*[interjection]*—need to read them, and the two would be The Sexual Violence Awareness Prevention Act.

I move, seconded by the Minister of Health,

THAT Bill 15 be amended in Clause 2 by replacing the proposed subsection 2.2(5) with the following:

Four-year review

2.2(5) Within four years after a board adopts its policy under this section, and within each subsequent four-year period after that, that the board must undertake a comprehensive review of the policy that includes consultations with students.

Okay, and I move, seconded by the Minister of Health—I understand that speak—

Madam Speaker: It has been moved by the honourable Minister of Education, seconded by the honourable Minister of Health,

THAT Bill 15 be amended in Clause 2 by replacing the proposed—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

Mr. Wishart: Thank you, Madam Speaker. Learning process for us all.

I move, seconded by the Minister of Health,

THAT Bill 15 be amended—be amended in Clause 7 by replacing the proposed subsection 13.1(3) with the following:

Four-year review

13.1(3) Within four years after a registrant adopts its policy under this section, and within each subsequent four-year period after that, that the registration—the registrant—sorry—must undertake a comprehensive review of policy that includes consultations with students.

Madam Speaker: It has been moved by the honourable Minister of Education, seconded by the honourable Minister of Health—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Mr. Wishart: It's a pleasure to bring forth this amendment to Bill 15. We think it—during the process of consultation and the committee hearings, we heard from students that they felt that a five-year review might be too long a period, and we certainly have consulted further with the student body, and been—I think that there's some merit in this particular point, which is why we have brought forward the amendment.

Many students are there, actually, only for a four-year period, at a post-secondary institution,

because that's the basic period for most to get their degrees. I know that it's not absolute, but, certainly, many are there for a four-year period. This would guarantee that sometime during that four-year period that they are present at a post-secondary institution or a private institution that they would have the opportunity to be consulted, and, in fact, it would be mandatory that they would be consulted as students would be part of the process.

So I think this is a good amendment, and I believe that it will provide everybody with the opportunity necessary to be heard regarding any changes that might occur regarding student standards under Bill 15. Thank you.

Mr. Wab Kinew (Fort Rouge): Just a quick question of clarification: Are we having two separate 10-minute periods, or it's now considered one?

An Honourable Member: One.

Mr. Kinew: Okay. Thank you for that clarification.

I'm happy to rise today, Madam Speaker, and put a few words on the record regarding the proposed amendment from the Minister of Education and Training (Mr. Wishart). I can confirm that this was an issue that was raised at the legislative committee for this bill. We heard, I believe, from five different presenters there. Four of them were representing student groups or student interests, and each of them did identify the need to have a relatively shorter review period for this piece of legislation, specifically for the policies that the universities and colleges are to implement under this policy.

* (14:40)

One presenter at committee suggested that we implement a one-year review period. I believe a couple of the other ones suggested a three-year review period, but the consensus seemed to be that five years was too long. I can share with the House and with the Minister of Education and indeed yourself, Madam Speaker, that in the time where this bill and previous—well, similar piece of legislation was being considered by the House, I did actually run into one of the general counsels from one of the universities here in Manitoba, and, in a somewhat sarcastic fashion, he said, oh, gee, thanks, you know, because of the additional compliance requirements that the law will put upon the universities. And, of course, the general counsels being the ones who have to sort of oversee that compliance, it means an additional piece of workload for him. But I think it was a little facetious in that I know that this

institution already has a sexual misconduct policy in place and it is likely already in compliance with the legislation that's being contemplated here today.

So all that to say, Madam Speaker, that to me this does seem to be an important point, that we need to strike a balance between having a shorter review period as were requested by the students, something shorter than five years, but also that the administrations of the universities, colleges, private vocational institutions, likely would be overburdened if we were to move to too short a review period, say a one- or two-year, perhaps even three-year review period. And so to me, it is reasonable that we have a four-year review period. You know, in, you know, some conversations about this, it was shared with me that, you know, since many students at post-secondary pursue a four-year program, a four-year degree program, that a four-year review period would make sense so that some of these students could complete their studies under one existing regulatory or policy regime. And that is something that makes sense to me. However, of course, you know, that insight would probably only apply to about 25 per cent of students, seeing as how the other 75 per cent of students would have some overlap with the other policies if there was, indeed, a change before that four-year period was reviewed. So I find no reason to object to a four-year period. I think it's a reasonable balance between what we heard from students at the committee stage.

But, again, just to put on the record, if this matter is ever reviewed again, the concerns with the students were that for them, the culture is changing so quickly, technology is changing so quickly, they don't want to see a situation where the statute is in stasis. They don't want to see a situation where the law fails to keep up with the times, as it were. Of course, we've seen many developments in social media, not just in terms of public sharing of information in social media but also certain apps which are used by students today to, you know, sort of facilitate direct conversations with one another. I'm thinking about apps like Snapchat, things like that.

So it is a reasonable request on behalf of the students that we do review the legislation or, rather, the policies under this legislation, more frequently than five years. Again, I would hope that under the legal space established by this bill that the universities would take it on themselves, that the colleges would take it on themselves, that the private vocational institutions would take it on themselves to

update their policies as needed so that it wouldn't be up to, say, the ministry or the department to come back and tell them, hey, there's been a major new development with technology X; you should update your policies. Hopefully, the university communities would recognize the changing habits of their student populations and that they would proactively undertake to adapt their sexual violence awareness and sexual misconduct policies to keep in line with those evolving cultural standards. And, to me, that seems like a good outcome.

So I would hope that with this amendment added to the bill that we contemplate here today that there would be clearer direction to the universities, colleges, private vocational institutions, that they do have not just a requirement to implement a policy at one time but a reminder to them that they have to ensure that these policies are living documents, things that are constantly being updated and policies which evolve with the times.

So, with that in mind, I'm inclined to support the minister's amendment here and to indicate that our colleagues on the NDP side are also inclined to support this. We feel that this is an important piece of legislation.

I would put on the record that there is always this contemplation between what belongs in the legislation proper, what should be established under regulation. To me, this amendment could potentially have been accomplished through regulation. It could be that the regulations established under the bill would set out the review period. However, in this instance, since the bill does have to do with the safety of students, since students have been unequivocal in their demands to have campuses which are free from sexual violence, free from sexual harassment and free from sexual misconduct, that it is very important that we set out explicitly within the legislation itself those things that we think are very important to the proper execution of the goals of this bill.

So, even though it may be a situation where this amendment could've been accomplished through regulation, I do support the idea of setting it out explicitly within the legislation that we're contemplating passing here today just so that we can err on the side of fully elucidating, articulating and clearly defining those pieces of this bill that we want the institutions to follow.

So, on that basis, I do appreciate the minister's attention to this matter. I am happy that the minister

has responded to some of the comments which were made by the students at the committee, and I would hope that that willingness to show some flexibility with respect to the priorities articulated by the students themselves will govern the debate and, indeed, the votes that are to follow on subsequent amendments, which, of course, are based on reflections from the students themselves.

So, with that in mind, Madam Speaker, I'd just like to reiterate once again that I'm happy to support this proposed amendment and to just show that this is something we have kicked around back and forth, and inasmuch as this helps to find a good balance between the requests of the students to have a shorter review period and the imperative, as it were, to prevent an overly onerous demand on the general counsels and administrations of the universities that this, to me, does strike a balance and does actually get us to a situation where we can ensure that there is a reflexive and an updated policy, but one that's not always in a state of being a demand on the general councils and presidents, VPs, AVPs, of the various institutions.

So I just wanted to put those words on the record, Madam Speaker, and again thank the House for the time here.

Miigwech.

Madam Speaker: The question before the House is—oh—the honourable—pardon me—the honourable member for Fort—~~for~~ River Heights.

Hon. Jon Gerrard (River Heights): I just want to put on the record support for the review which the students have called for. This is an area which could be fairly rapidly moving, and, hopefully, most of the rapid changes can be dealt with in regulation or in the way that each of the institutions makes changes. But this at least provides some force behind the need that this be reviewed and not just sit on the table. It's a very important issue, and that's, of course, one of the reasons why this review needs to occur.

Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is the first report stage amendment, moved by the honourable Minister of Education and Training (Mr. Wishart),

That Bill 15 be amended in Clause 2 by replacing the proposed subsection 2.2(5) with the following:

Four-year review

2.2(5) Within four years after a board adopts its policy under this section, and within each subsequent four-year period after that, the board must undertake a comprehensive review of the policy—

An Honourable Member: Dispense.

Madam Speaker: Is it the pleasure of the House to adopt the amendment? [*Agreed*]

* (14:50)

The next one, the question before the House is the second report stage amendment moved by the honourable Minister of Education and Training (Mr. Wishart),

THAT Bill 15 be amended in Clause 7 by replacing the proposed subsection—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Is it the pleasure of the House to adopt the amendment? [*Agreed*] I declare the amendment carried.

Further amendments.

Mr. Kinew: I move, seconded by the member from Flin Flon,

THAT Bill 15 be amended in Clause 2 by adding the following after the proposed subsection 2.2(4):

Meaning of culturally sensitive policy

2.2(4.1) For the purpose of subsection (4), a culturally sensitive policy is one that

(a) reflects the perspectives of those most vulnerable to experiencing sexual violence, including those who are vulnerable because of age, disability, ethnicity, gender, gender identity, gender expression, sexual identity or sexual expression; and

(b) is in keeping with the requirements of *The Human Rights Code* and the provisions of the *Criminal Code* (Canada) relating to consent and sexual assault.

Il est proposé que le projet de loi 15 soit amendé dans l'article 2—non, c'est pas nécessaire? Okay. Alors c'est tout, Madame la Présidente.

Translation

It is moved that Bill 15 be amended in Clause 2—no, it's not necessary? Okay, so that's all, Madam Speaker.

Madam Speaker: It has been moved by the honourable member for Fort Rouge (Mr. Kinew), seconded by the honourable member for Flin Flon (Mr. Lindsey),

THAT Bill 15 be amended in Clause 2—

Some Honourable Members: Dispense.

Madam Speaker: The honourable member for Fort Rouge.

Mr. Kinew: This amendment is being brought forward just to provide greater clarity for those who will have to implement the legislation.

I do recognize the work that the Minister of Education and the others who have had in developing Bill 15, and I do think it is an important priority to include cultural sensitivity as something that the educational institution should contemplate when they are developing sexual violence or sexual misconduct policies. However, it seems to me that we also do need to provide clarity and an understanding that while the reasonable accommodation towards cultural values can and should be made, that we also always have that overarching directive that the human rights of all individuals in our society are protected, and also that the definition of consent, which, of course, as I mentioned in another part of the bill as well is one which is consistent with the Criminal Code of Canada.

So, by way of background, Madam Speaker, the presenters at committee over and over again did highlight what they felt was very important and that is that these policies that the institutions develop be tailored towards those who are most vulnerable to sexual violence. And what, you know, the presenters either shared or volunteered, when asked for clarification, was that some of the groups who are most at risk of being either the victims of sexual violence, sexual harassment or who might otherwise have some form of sexual misconduct perpetrated against them include groups such as young people, so those aged 15-24, those Manitobans with disabilities, indigenous people, newcomers including international students.

And so what this amendment seeks to do is in the one clause, provide greater clarity for what is meant by vulnerable—you know, those who might be

vulnerable, and to propose a definition for that, which is based on what we heard from the students, which is based on what the students and the student leaders themselves shared.

And then, in the second clause, seeks to make clear that though an institution can accommodate and can tailor something to make it more fitting, more culturally safe, more culturally specific to a person from these groups, that, of course, there is the directive that that must be consistent with both the Human Rights Code here in our province and also the Criminal Code definition of consent.

Now, the reason this is important, Madam Speaker, is because, again, you know, drawing on my time as an administrator at a university in our province, compliance with a law like this one will be left to the general counsels of the universities, those universities that have general counsels, or the outside counsel for the other institutions, colleges and vocational institutes.

And I am concerned that there may be some confusion, perhaps, or perhaps a lack of clarity, around exactly how much accommodation or exactly how much can be done under this cultural sensitivity class legal space which has been created under this bill. And so where a general counsel or an outside counsel for one of these institutions may say, well, I have this one provincial statute that says this and then I have this other provincial statute that says that, and they may actually be in tension with one another, this amendment seeks to clarify that and to say, no, there is no tension because whatever sort of legal space has been created in the form of cultural sensitivity must comply with the Human Rights Code.

And, now, of course, we know that the Human Rights Code in our province prevents discrimination on a variety of different fronts, including but not limited to discrimination on the basis of religion or creed, discrimination on the basis of gender or gender identity, and discrimination on the basis of ability or discrimination on the basis of one person's, you know, cultural identity, as it were.

And so there is somewhat of a nice match between the concerns that the students had that certain groups who are at risk of being marginalized have an explicit recognition under the bill, but also the assertion that where we make accommodations, that that should be consistent with what is proposed in the Human Rights Code.

So, again, Madam Speaker, I think this is an important amendment, a very important amendment, because, again, the whole rationale behind advancing this bill is to ensure that we advance the safety on campuses; that, as the students said at committee, that we increase the awareness around consent and that we ensure that there is an increasingly better attitude around respect on campuses in our province.

Now, I have, you know, in my time at university, you know, in the past, I did have situations arise whereby the institution did make some accommodations for various cultural groups. And I can share with you that at certain points some of those cultural edicts do run counter to what is considered acceptable in the mainstream, particularly around the role of gender in certain cultures.

My own culture, for example, has certain responsibilities, if you will, that are asked of people from various genders. And yet, in a free and open society, one that respects the Charter of Rights and Freedoms, one which respects the human rights of all individuals, we might say that it's unfair to ask different things of different people based solely on their gender.

* (15:00)

And so for a situation like that, which has been a real situation at a university right here in our province, this amendment would provide clarity to the general counsel and it would provide clarity to the administration, to the faculty, to the students. And it would say simply, yes, it is important to accommodate cultural differences and to tailor the approaches that you're using so that it respects the unique cultures that we are privileged to share this province with, yet, at the same time, that that can't interfere with what we understand to be the basic universal human rights of all people.

And, again, on a personal level, Madam Speaker, you know, this is one of the big issues that I am constantly contemplating, as it were, and that is around how do we reconcile the unique cultural identities that we claim and we, you know, are very proud of, and yet find a way to have a pluralistic multicultural society which respects all people, and it seems to me that human rights have proven, over the past six decades, to be the best arbiter and the best instrument that we have to ensure that all people are respected and to ensure that all people are treated fairly.

So, given that Bill 15 itself is about taking a step towards safety, taking a step towards fairness, taking a step towards respect on campuses, it seems to me that we ought to ensure that those policies would respect the Human Rights Code at all times. Again, I am sure that the administrators, you know, general counsel, students, do want to respect the Human Rights Code, but there may be situations where the legislation, without this amendment, would be unclear and, where there is a lack of clarity, there is a potential for court challenges down the road. There is the potential for real controversies on campus which may negatively impact students and which may actually run counter to the goals that I think we're all supportive of here in Bill 15, which is, again, advancing safety for students and combatting sexual violence on campuses in Manitoba.

So I thought I would share that, perhaps a little wordy, but passionately felt view on why this amendment here is important.

Miigwech, Madam Speaker.

Mr. Wishart: And I thank the member for his comments. I know that he shares our concern that we want to make campuses safer for students, all types of campuses, whether they be public or private. We certainly—when we included the private in this bill we thought, well, you know, we're just picking up a relatively small number. There's not any known issues, and since that time we have had a couple of individuals come forward with making us aware of situations that this bill would have a significant impact on. So we're actually very pleased that we have included privates as part of Bill 15.

I understand, certainly, that the member is very adamant and certainly has a strong feeling that cultural diversity or cultural sensitivity should be included, and we absolutely agree with that. I think where we have any differences here is how we approach or how we achieve that.

Our view of Bill 15 is it creates a broader framework under which we trust the committees would, by regulation or by policy, deal with any need to bring forward culturally sensitive and appropriate actions to deal with any sexual harassment or any sexual attack situations, and I know that some of this continues to evolve a bit. And I would certainly think it would be absolutely necessary on the part of post-secondary institutions of all types to be constantly reviewing this as we have talked about earlier in the previous amendment.

I think it's important that we trust, to some degree, the committees that will be in place to work on this and that we trust in the consultation with students in getting in place what are culturally appropriate policies for all of this. We feel, to some degree, that putting it in the act may actually tie our hands in the future. I know we've thought long and hard on this and we've had a number of discussions regarding this and had some discussions with other legal expertise that feels that we may be limiting our abilities in the future to move forward on this to be responsive as things develop.

The member talked, you know, about culturally sensitive. He also talked, in his comments on the other bill, about technology changes which occur very rapidly these days. I mean, Snapchat is the thing today. Two weeks ago, Vine was something that was very popular with the younger generation; now it seems to be on its way out. Things evolve very, very quickly, and I think it's important that we give the flexibility to the administrators and to the students to put in place the right kind of policies and we back them up with the regulation as necessary. And I think that that's the approach that we are most comfortable with in regards to this.

In—as regards to clause (b) and the Criminal Code and the Human Rights Code, really, any—or any legislation that we would introduce in this House would have to be in full compliance with this in any regard. So I do think it's a bit redundant to have to list that. I mean, why would we want to do that in regards to any legislation we bring forward? We know that that is a requirement of this House, and we certainly fully support that. I think it's absolutely necessary that we would design any legislation in regards to that. And we would certainly make sure that we would support the need to make sure the Human Rights Code is complied with in any piece of legislation we would bring forward in this House. So, though I certainly understand what the member is asking for with his amendments and I certainly appreciate his concerns, we feel that this—going this way actually doesn't improve the strength of the bill and may actually tie hands now and into the future in regards to how we can keep this current.

Moving from five years to four, I think, is a step in the right direction. We did talk about going shorter—even shorter periods of time, as that was suggested, but as the member has mentioned, and I think I—we would agree with, shorter than that was a little too quick. So that would actually cause some disruption in terms of policy process as well.

So I think we're more comfortable with working within the regulations that would accompany this bill to accomplish these goals. We certainly support the goals as the member has stated. I think we're very much on the same page on that. It really comes down to how best to achieve them, Madam Speaker, and I believe that by using the regulation and trusting in the activities of the councils and the student membership that we are probably going the right way and in the most responsive way. So I don't think we'll be supporting this particular amendment.

Thank you.

Ms. Judy Klassen (Kewatinook): I'm of the—I concur with the member for Fort Rouge (Mr. Kinew). We seem to actually have to specify in our legislation what to—we hope to accomplish by items when we enact legislation here in the House, otherwise, we see at times openings for misinterpretations or what I always have heard, unintended consequences of bills that are enacted.

I believe by allowing this amendment to be included will alleviate the chance of misinterpretation. We only have to remember Tina Fontaine. It was shocking to find out that she had been—talked—she had talked to authorities and was released. You know, and we all know the tragic outcome of that event. Had someone gone above and beyond, perhaps that story wouldn't have ended up so tragically. If we cause attention to the meaning of culturally sensitive, a lot more people will gain that knowledge and understanding of the plight of our people, our indigenous populations, our immigrant populations, here in Winnipeg. And so I would ask that the Minister of Education keep this in mind.

Thank you.

Mr. Andrew Swan (Minto): I just—I'm pleased to put a few words on the record.

I just want to start by talking about how positive the committee experience can be in the province of Manitoba, and I want to thank the folks who came down and presented to the committee just the other night to Michael Barkman, Laura Garinger, Janelle Curry and Rosemarie Gjerek. You know, it takes a fair amount of courage for a Manitoban to come down and present to our committees. It's an extremely democratic process. Sometimes, when there are many, many people who want their views to be known, democracy is not an easy process. But I do want to recognize the fact that we had some very

good counsel and some very good advice that came forward at the committee hearing.

* (15:10)

And I was certainly pleased that the Minister of Education was prepared to listen on one front and change the period of time for the review; I think that was good. That was something that was recommended by the presenters. I'm disappointed that it sounds like the Minister of Education won't be supporting another good idea, which came forward from the excellent presentations that the member for Fort Rouge and I were delighted to hear at the committee the other night.

There are some good reasons to provide more of a definition for a culturally sensitive policy. The organizations, the institutions that will be governed by this—some are big; some are small; some, like the University of Manitoba or University of Winnipeg, may be seen as truly diverse and perhaps already well on the way to making sure that their policies are everything they can be.

We do know that the bill, from the original bill that the member for Fort Rouge brought forward, is expanded to include private institutions. We agree with that change, but that also brings with it a concern that some of these smaller institutions don't have the capacity, maybe haven't gone through some of the processes that some of the larger institutions already have. So, given that, I think it's even more important that we set out a definition of a culturally sensitive policy. And I believe that the amendment put forward by the member for Fort Rouge does reflect the advice that we received at committee the other night.

And, as the critic for human rights in Manitoba, and with my own experience in amending the Human Rights Code, sometimes it is very important to spell out and to specify certain areas just so everybody can be very clear right from the outset what is and what is not appropriate behaviour. And, in this clause, the suggestion is that we define a culturally sensitive policy by one respecting the perspectives of those who are most vulnerable to sexual violence in our institutions. It sets out a number of headings, very similar to some of the items included in the Human Rights Code.

We changed the Human Rights Code a couple of years ago to make sure that gender identity was something that was protected against discrimination. And there were some people who said, well, if it's

gender identity, perhaps you can already protect that because discrimination based on sex is prohibited, or discrimination based on sexual orientation is something which is already set out. Well, my view and the view of this Legislature, which passed the bill unanimously, was that no, we actually did need to specify that. So somebody who identifies with a different gender doesn't have to convince somebody of their orientation, because actually for someone who is a transgender, their sexual orientation does not in and of itself define them; it's their own choice.

And so, too, is that the case here, because we know that individuals with different gender identity, different gender expression, different sexual identities are actually at higher risk for being victims of sexual harassment and sexual abuse. And I think it is very wise for us, at this stage, at a very important time, to make sure that the bill is everything that it can be.

And I appreciate the minister's point that we don't need a law if it was only affecting lawmakers to expressly comply with the Human Rights Code and the Criminal Code. Again, it won't be lawmakers that will be taking forward this bill. It will be the administrators, it'll be student organizations and faculty associations working on these policies that will be taking this forward. And I think it's actually very helpful and not redundant to make specific reference the Human Rights Code and the provisions of the Criminal Code to make sure those policies are everything they can be.

So, again, I do want to say I respect the Minister of Education. I think we had a good discussion in committee the other night. Perhaps he can send a memo to the Minister for Growth, Enterprise and Trade on how to participate. I do disagree with the Minister of Education. I do believe that this strengthens the bill; it'll make it stronger and make it safer for students in all of our post-secondary institutions in Manitoba.

Thank you, Madam Speaker.

Madam Speaker: Are there any further members wishing to debate this amendment?

Is the House ready for the question?

An Honourable Member: Question.

Madam Speaker: The question before the House is the report stage amendment moved by the honourable member for Fort Rouge (Mr. Kinew),

THAT Bill 15 be amended in Clause 2 by adding the following after the proposed subsection 2.2(4):

Meaning of—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

The honourable government House—or the honourable Opposition House Leader.

Recorded Vote

Mr. Jim Maloway (Official Opposition House Leader): Madam Speaker, I'd like to request a recorded vote.

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

The question before the House is the report stage amendment moved by the honourable member for Fort Rouge.

Division

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

Yeas

Allum, Altemeyer, Chief, Gerrard, Kinew, Klassen, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Cullen, Curry, Eichler, Ewasko, Fielding, Fletcher, Friesen, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Mayer, Michaleski,

Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Pivniuk, Reyes, Schuler, Smith, Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Clerk (Ms. Patricia Chaychuk): Yeas 16, Nays 38.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the second amendment by the honourable member for Fort Rouge (Mr. Kinew).

Mr. Kinew: I move, seconded by the member from Flin Flon,

THAT Bill 15 be amended in Clause 2 by adding the following before the proposed subsection 2.2(5):

Collecting and reporting information about the policy

2.2(4.2) For the purpose of reporting about the institution's activities under the policy and the results of those activities, the board must, for each fiscal year,

- (a) collect information from students and others in the institution's educational community relating to the sexual violence policy, including—
[interjection]

Madam Speaker: Order, please.

Mr. Kinew: —information about

- (i) the measures and initiatives adopted and implemented to raise awareness of sexual violence, address issues related to consent, and provide training on issues of sexual violence,
 - (ii) the frequency with which students and others requested services and availed themselves of procedures in place under the policy, and the types of those services and procedures,
 - (iii) the number of sexual violence incident reports and the frequency with which the response protocols were used, and
 - (iv) the implementation and effectiveness of policy;
- (b) provide the information collected under clause (a) to the minister; and
 - (c) publish the information (other than individual student information) collected under clause (a)

in its annual report and on the institution's website.

For greater certainty, the board must ensure that any individual student information is collected, disclosed and published only in accordance with the obligations under this Act, *The Freedom of Information and Protection of Privacy Act* and *The Personal Health Information Act*.

Il est proposé—

Translation

It is moved—

Madam Speaker: It has been moved by the honourable member for Fort Rouge, seconded by the honourable member for Flin Flon (Mr. Lindsey),

THAT Bill 15 be amended in Clause 2 by—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The report stage amendment is in order. Debate can proceed.

Mr. Kinew: I am pleased to rise to speak to this amendment this afternoon, in particular because we have with us some leaders from the student movement, leaders who were present at committee in the—who are here in the gallery today, just to make it clear. And these leaders were present when this bill went to the committee stage. One of them, Mr. Barkman, actually spoke—quite eloquently, I would add—at committee. So I just want to acknowledge their presence.

* (15:40)

In particular, I wanted to acknowledge their presence while I'm speaking to this amendment because this amendment is, in fact, very much based on an amendment that they proposed at the committee stage. Of course, you know, they didn't literally propose the amendment, but they suggested to those on the committee that we consider bringing this forward. And having heard the very logical rationale and, you know, the very eloquent elucidation of the logic behind this amendment, I was persuaded to bring this amendment forward and propose it before the House today.

So, while I will be speaking to this, I do, of course, want to let everyone in the House know that all praise is due and all credit is due to the student leaders who I'm sure worked very hard on both thinking through the rationale and contemplating

some of the proposed wording for this amendment. So I want to acknowledge them here today.

Of course, you know, as legislators, we don't merely just accept things wholesale and bring them forward, so I do also have to acknowledge the drafters here in the Legislative Building who played a role in making sure that this amendment was in order and, of course, my colleagues in caucus, including the member for Minto (Mr. Swan), who, you know, we debated certain aspects of this wording with just to ensure that everything was, in fact, in order.

Really, Madam Speaker, if I could, you know, summarize this in a very direct way, this is about ensuring that the institutions under Bill 15 will report publicly in a way that advances the creation of a culture of consent on campuses here in Manitoba. It's really that simple, and that's one of the primary goals that Bill 15 is really all about.

Shortly after the election, I was pleased to speak with some student leaders, including, you know, those who are in the gallery here with us today, and it was at that time that they highlighted the need for legislation in our province that would combat sexual violence and sexual misconduct by establishing a legislative framework in that space. And so that's when I was encouraged to bring back what was then known as Bill 3 that led us to Bill 204 and, of course, that led us to Bill 15 that we're here contemplating today, the substance of which is remarkably similar; though, of course, the scope has been expanded. But even from that earliest conversation from when I was an elected official, going back even further than that, Madam Speaker, when I was working at a university and engaged with student groups on campus, this has been one of the central 'tenets' of the push for legislation and that it is that universities, colleges and now the private vocational institutions must be compelled to report publicly on the scope of their activities.

So I would highlight that both Bill 3, Bill 204 and now Bill 15 all contemplate public reporting, but they don't specify necessarily in the legislation what that reporting ought to look like. So this amendment would address that issue and it would very clearly and explicitly set out the type of reporting that a university, a college, a private vocational institution, would have to undertake under the new legislative framework established by Bill 15.

And we know this is an issue in our province. This has been a real source of controversy in our province. We have seen a situation where the non-public—where the non-reporting in public of an incident of sexual misconduct or sexual violence on a campus in our province blew up in the face of a university administration, if you will. And so it is incumbent on us to provide clarity on just what is expected. So, of course, it is good to have the public reporting spelled out in the legislation, but it's—and not just to say that such public reporting happen but to provide directive to the institutions about exactly what that reporting ought to look like.

Now, of course, one of the things that we always, you know, contemplate here this afternoon when we're talking about amendments to Bill 15 is, you know, what ought to be in regulation, what ought to be in legislation. And, apparently, when the government side wants to do something, that should be in legislation, and when the opposition side wants to do something, that should be done in regulation. But, you know, all jokes aside, I do think that this amendment does belong in the legislation itself.

Again, there are going to be lay people, non-legal experts who are charged with developing the policies, who are going to be implementing these policies. And to have a very clear checklist present in the legislation itself for these people to take and to go and implement will lead to a situation where the principles underlying Bill 15 are more easily implemented, where the distance from the goals of fighting sexual violence on campuses is more easily implemented. And, to me, that is a laudable goal, and that is an important goal.

So I could share with you that, you know, from my time at a university when the policy was being developed there with respect to sexual misconduct, the person who actually led that entire process from the administration side—of course, they did work with student leadership, the then-president and vice presidents of the University of Winnipeg Students' Association—but the person who was charged with being the champion for it on the administrative side of things was somebody who didn't have a legal background. She was certainly somebody who was very qualified in terms of understanding the issues, somebody who was certainly very sharp and very smart, and somebody who was very capable. And we see the proof of that in the very robust sexual misconduct policy which was passed at the University of Winnipeg. However, that came about

as a result of the collaboration between the students and, you know, this very talented individual.

Again, when we're talking about putting new requirements in place for educational institutions, one of the things that we have to think about is the cost of compliance. So for the University of Winnipeg which has general counsel, for the University of Manitoba which has a legal department, the cost of compliance is something which is more easily borne. But, when you have a private vocational institution that doesn't have any counsel on staff, or you have one of the smaller colleges or universities that don't have counsel on staff, they're going to have to go and retain outside legal counsel. And, you know, as anyone in the House who's had to retain legal counsel knows, this can be an expensive proposition. So this could neatly be avoided if the legislation more easily spells out the type of reporting that does need to take place.

So we all know that reporting is a necessity. This amendment would spell out that such reporting has to make clear to the public the amount of incidents that are taking place, also talk about the initiatives and the measures which are being used to combat such incidents; it would talk about the services and procedures in place under the policy and, finally, would report that information both to the minister, but also to the public on institutional websites.

Finally, or in addition to that, these provisions would have to be in compliance with the necessary freedom of information and personal health information acts, and those, of course, are important clauses to have there because again it provides clarity to both, you know, legal counsel that all those existing statutes must be respected, but again in the reality of the—a situation where nonlawyers are charged with implementing this, it would be a timely reminder for them as well.

So, for instance, we might hypothesize about a situation where somebody at a private vocational institutional would be charged with ensuring that school complies with this legislation, such a person may never have heard of FIPPA or PHIA, and then when they read through the act that they're going to be complying with they would be reminded, oh, you have to go look up this other statute and ensure that you're in compliance with that as well.

So, again, this is all an important amendment, Madam Speaker, but I would say that since it was brought forward, at least the spirit of this amendment was brought forward by somebody who represents

the majority of post-secondary students in Manitoba, and since I know my colleagues on the government side do say they want to consult with stakeholders, then respecting the majority view of the stakeholders with which this bill will be affected would be the right thing to do.

Mr. Wishart: I thank the member for his comments. And certainly I know that he believes very strongly that what we need to do is bring forward legislation that strengthens support for students in this province and prevents sexual violence, and does a really good job of informing students, making them aware. And awareness is a big part of this whole process as we all know.

* (15:50)

But there again we have different ways to reach the same goal. We believe that by putting regulation in place and working with the committees to develop really good policies, that we're working with the right—at the right approach, that the committees have the grassroots on an ongoing basis. And we believe that working with them to get the regulations in place, which we've—been an ongoing process already with most of the larger institutions, and I—is the right way to do things.

And I understand his concern about the private ones. We had a long discussion about that as well, because it can be a financial burden for them. As the member may know, they have an association, which we have reached out to and are prepared to work with, to help them put in place policies for each of their institutions that fit and—with the regulations that need to be put in place to make this work well into the future.

The issue of complying with FIPPA and PHIA, of course, is something that every government is obliged to do. And we understand that some of the private institutions will be new to that. There are special sections under FIPPA and PHIA that apply to them as well. And we want to work with them to make sure that they have policies in place to make it work properly for them.

So we're very concerned about the cost. We are prepared to work with them, and certainly have indicated such to them. In fact, have ongoing processes in place with most of the larger institutions right now. It's all about different ways to reach the same goal, I think. And I know that the member shares the goal with our government in that we want to protect students in this province, but we do not

want to create a situation that will cause us to have to bring changes to legislation back at a too frequent basis. We want legislation that will stand the test of time, Madam Speaker. And we believe that by keeping a general framework and going with regulations that can be changed in consultation with the industry—and we have, as you know, regular every four-year processes that will generate some of this consultation. We believe that this is the way to go.

Certainly, we support the need for transparency. We know that we've had—well, one incident that was reported through the media that lacked transparency. Changes have already been made that would make sure that that would never occur again. We want to make sure that, as part of our legislation here, that we put in place regulations that would encourage the right policies so that we have a public report available. And, frankly, most post-secondary universities would want to, on their own cause, to make sure that they had some type of public accounting of what is happening in terms of sexual violence on their campuses.

I know that parents are very concerned when there are students attending an institution. I think we're all so much more aware now of the frequency of sexual violence on campus in, not only here in Manitoba, but across Canada and across North America. It is now something that is publicly discussed in the press far more frequently than it was even a few years ago. And I think that we're supportive of an outcome that protects students. I think we all agree with that, and so we're certainly prepared to work with the institutions to make sure we get in regulation and in policy what is needed.

But we do not want to see written in legislation things that would tie our hands, in terms of flexibility into the future, and that will be our position going forward. So I regret that we cannot support the member's amendment. Thank you.

Ms. Klassen: I had disclosed that my group of friends went through such acts of sexual violence during our first post-secondary endeavours. One of us was brave enough to speak up and nothing came of it. In fact, she was actually blamed for the offender's actions.

If these documents are published through the reporting process, I'm positive that more people will speak up, more—it'll enable more victims to have reference materials to draw upon. We would let them

collectively learn that sexual violence is not tolerated.

This is an amendment based on input from the students up above in the galleries. They are the ones living it. Our children are living it. If we can curb any negative actions against our children, then we must do that. We fully support this amendment put forth by our colleague from Fort Richmond.

An Honourable Member: Fort Rouge.

Ms. Klassen: –Rouge.

Thank you, Madam Speaker.

Madam Speaker: Are there any further members wishing to debate this amendment?

So is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is the report stage amendment moved by the honourable member for Fort Rouge (Mr. Kinew).

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I heard a no.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

Recorded Vote

Mr. Maloway: Request a recorded vote.

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

The question before the House is the second report stage amendment moved by the honourable member for Fort Rouge.

* (16:00)

Division

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

Yeas

Allum, Altemeyer, Chief, Gerrard, Kinew, Klassen, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cullen, Curry, Eichler, Ewasko, Fielding, Fletcher, Graydon, Guillemard, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Smith, Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Deputy Clerk (Mr. Rick Yarish): Yeas 16, Nays 34.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the third amendment being proposed by the honourable member for Fort Rouge (Mr. Kinew).

Mr. Kinew: I move, seconded by the member from Flin Flon,

THAT Bill 15 be amended in Clause 7 by replacing the following after the proposed subsection 13.1(2):

Meaning of culturally sensitive policy

13.1(2.1) For the purpose of subsection (2), a culturally sensitive policy is one that

(a) reflects the perspectives of those most vulnerable to experiencing sexual violence, including those who are vulnerable because of age, disability, ethnicity, gender, gender identity, gender expression, sexual identity or sexual expression; and

(b) is in keeping with the requirements of *The Human Rights Code* and the provisions of the *Criminal Code* (Canada) relating to consent and sexual assault.

Madam Speaker: It has been moved by the honourable member for Fort Rouge, seconded by the honourable member for Flin Flon (Mr. Lindsey),

THAT Bill 15 be amended in Clause 7 by replacing the following after the proposed subsection 13.1(2):—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

The report stage amendment is in order. Debate can proceed.

Mr. Kinew: There may be a certain feeling of déjà vu that attends the following remarks, as really, the amendment that is being proposed here is in some ways a mirror of the first amendment that I moved this afternoon, and it just applies to a different section of Bill 15, Bill 15 having essentially two halves, one which applies to the public institutions, one which applies to the private vocational institutions.

So this would cover off the other half of the act in a institute that other proposal to ensure that we have a good definition for cultural sensitivity in the legislation here. Again, I would point out that this priority was one identified by all the student presenters who spoke at committee. All of them felt that it was important to ensure that this bill is implemented in a fashion that is respectful of the cultures of those who are most vulnerable to sexual exploitation, sexual violence, sexual misconduct, sexual harassment.

We know that there are certain groups in our society, either through marginalization or through certain barriers, that are disproportionately more likely to be victimized by those phenomena which I just mentioned, and so this would ensure that whoever is implementing this bill does clearly understand what is meant by somebody who is more vulnerable to sexual violence. And the presenters, you know, just to reiterate, told us that it is young people who are more vulnerable. It is newcomers and international students who are more vulnerable. It is people with disabilities who are more vulnerable. It is indigenous people who are more vulnerable.

So the first part of this amendment would just clearly define that those are the groups who are being contemplated in the accommodations that are being made that we're calling, here, cultural sensitivity. And then the second part, again, just spells out clearly that the Manitoba Human Rights Code ought to be respected and also that the Criminal Code definition of consent be one that is used.

Now, I don't ever think it's redundant to accommodate and acknowledge the Manitoba Human Rights Code. I do think it is one of the most important levers we have in the western liberal human-rights framework to exercise and ensure equality and fairness for all people in our society. And again, it is quite common in pieces of legislation to have non-derogation clauses within them.

So, for instance, we know that Aboriginal and treaty rights are respected, affirmed, recognized in the Canadian Constitution; section 35 rights are recognized. The Constitution is the supreme law of the land, however there are many statutes which have non-derogation clauses in them that say that nothing in this bill can run counter to section 35, Aboriginal and treaty rights. And the legal rationale for that is to ensure that no policy, regulation or action under that statute would run counter to a section-35 Aboriginal or treaty right.

*(16:10)

So the legal rationale behind the second part of this amendment is the same. Although there may be this overarching framework of the Manitoba Human Rights Code, which would be applicable to the bill at all times, it is important to ensure that there will not be anything that runs counter to that. So, essentially, we have a non-variegation clause in this to ensure that human rights are respected and that the Criminal Code definition of consent is respected.

And, again, you know, I've risen in the House before to talk about consent. Personally, when I speak with young people, including my own sons, about it, the standard that I like to talk about is the yes means yes definition of consent. But, of course, I am somebody who is flexible and somebody who's willing to accommodate what I hear, and one of the presenters said very clearly in the tabled document that they shared at committee that anything that we set out in legislation ought to be consistent with the criminal definition of consent. And so that's why that's the one that I proposed in this here amendment, Madam Speaker.

So, again, this is somewhat déjà vu; I've gone over this rationale in the earlier amendment. Seeing as how that amendment was voted down, I'm not overly optimistic that this amendment will be passed, but I am still rising on my feet because I do think it is an important amendment to make. We should amend the bill in this way.

But I would just put a remark on the record for the Minister of Education to consider, and that is, if they are to vote down the various amendments which are being proposed here today, that they might provide some assurance to the House and, indeed, those who are with us in the gallery today, that even if this will not be in the legal statute, that it will—these issues contemplated with the amendments will actually be implemented in the regulation. So that

would be something that I would encourage the minister to reflect on in his time.

And, with those words on the record, Madam Speaker, I thank you again for being recognized, and I thank everyone in the House today.

Mr. Wishart: I understand we're kind of repeating the same arguments here. And, certainly, we have heard the presentations that came to committee, and we talked to students and, certainly, followed up on some of the presentations we came to committee. We came to a slightly different conclusion than the member opposite where he wanted to put everything in the bill itself.

We prefer to do this by regulation, which is something that I think their government was very familiar with in the past too. I certainly seem to have been on the other side of this argument in the past where I've heard, well, we'll put it in regulation, a lot of times. And I trust that in most cases what we were promised went into regulation, and, certainly, we intend to do the same here, Madam Speaker. We don't intend to ignore the comments that have been made. I think they're excellent arguments, but we think it's more effective in terms of putting it in regulation and then working with the various institutions to make sure that their policies reflect this.

And, as I said, this one relates mostly to the private institutions, and we have certainly reached out to them. They have, fortunately, a strong association that most of them belong to. And we are going to be working with that association in the process here to make sure that we get good regulation and good policies in place that are effective in all these institutions.

There is, actually—I was, frankly, surprised how many of them there were. There's a total of 59 institutions across Manitoba, which I think most people would be surprised that there are as many private educational institutions as there are. That's, you know, not a reflection, I don't think, on our public institutions; I think it's private industry having its place where they're training for specific purposes, and many of those do include a lot of newcomers and First Nations people and minority groups, and we want to make sure that they are protected as well. I think it's absolutely essential that students, no matter where they are found in this province, have the same kind of protection against sexual violence and sexual harassment and—in their educational institutions. I

think it's absolutely essential that we have it now and into the future.

But it will evolve in terms of some of the aspects of it, and we hope that the—having the right set of regulations in place and strong committees so that policies in each of the institutions can change with time will be the best way to reflect this so that we can be timely and be appropriate both now and into the future. And transparency in reporting is another big part of that, and related to the private institutions, we actually do have quite a substantial way to relate to them. I mean, we can—every year, we certify their programs. So we are going to require that they not only have the policies in place but that they report as part of that. It is a very strong way to do that. Should they fail to do that, we—they would not be getting certified, and that would put them effectively out of business. So we certainly don't want to have that happen. We want to work with them in a very constructive manner so that we have that in place.

So I'm—I understand that the member is certainly speaking on behalf of students in Manitoba, that he believes this is the best way to achieve the goal. We're taking a little different approach to achieve the—what we think in the end is a better way to do it that'll be more flexible in the future and will be more responsive.

Now, the member made some mention of the Human Rights Code, and, of course, it does apply to every piece of legislation in this province. I don't think it's necessary to restate it in this particular document. I understand, you know, that that has been done in the past for some of them, but I don't think it's necessary in this case.

So thank you very much, Madam Speaker.

Ms. Klassen: I will state again: We actually have to specify in our legislation what we hope to accomplish by the items we legislate here in the House. Otherwise, we see at times openings for misinterpretation or what I've—what I have heard as unintended consequences of items that are passed. I believe by allowing this amendment to be included, it will alleviate the chance of this occurring.

We only have to—again, I bring up Tina Fontaine yet again. It was shocking to find out that she had been talked to by authorities, and we all know the tragic outcome of that event. Had someone gone above and beyond, had they been trained in the meeting—meaning of culturally—cultural sensitivity, that tragedy may not have occurred.

If we cause attention to the concept of cultural sensitivity, perhaps when we create that awareness, we will all get the understanding of all members in Winnipeg to the plight of all indigenous and immigrant populations in Manitoba, our most vulnerable groups.

Thank you, Madam Speaker.

Madam Speaker: Are there any further members wishing to debate the amendment?

Is the House ready for the question? [*Agreed*]

The question before the House is the report stage amendment moved by the honourable member for Fort Rouge (Mr. Kinew),

THAT Bill 15 be amended in Clause 7 by replacing the following after the proposed subsection 13.1(2):—

An Honourable Member: Dispense.

Madam Speaker: Dispense?

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

Recorded Vote

Mr. Maloway: A recorded vote.

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

* (16:20)

The question before the House is the third report stage amendment, moved by the honourable member for Fort Rouge.

Division

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

Yeas

Allum, Altemeyer, Chief, Gerrard, Kinew, Klassen, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Cullen, Curry, Eichler, Ewasko, Fielding, Goertzen, Graydon, Guillemard, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith, Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Deputy Clerk: Yeas 16, Nays 36.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the fourth report stage amendment by the honourable member for Fort Rouge (Mr. Kinew).

* (16:30)

Mr. Kinew: I move, seconded by the member from Flin Flon,

THAT Bill 15 be amended in Clause 7 by adding the following before the proposed subsection 13.1(3):

Collecting and reporting information about the policy

13.1(2.2) For the purpose of reporting about the private vocational institution's activities under the policy and the results of those activities, the registrant must, for each fiscal year,

(a) collect information from students and others in the institution's educational community relating to the sexual violence policy, including information about

(i) the measures and initiatives adopted and implemented to raise awareness of sexual violence, address issues related to consent, and provide training on issues of sexual violence,

(ii) the frequency with which students and others requested services and availed themselves of procedures in place under the policy, and the types of those services and procedures,

(iii) the number of sexual violence incident reports and the frequency with which the response protocols were used, and

(iv) their implementation and effectiveness of the policy;

(b) provide the information collected under clause (a) to the director; and

(c) publish the information (other than individual student information) collected under clause (a) in its annual report and on its website.

For greater certainty, the registrant must ensure that any individual student information is collected, disclosed and published only in accordance with the obligations under this Act, *The Freedom of Information and Protection of Privacy Act* and *The Personal Health Information Act*.

Madam Speaker: It has been moved by the honourable member for Fort Rouge, seconded by the honourable member for Flin Flon (Mr. Lindsey),

THAT Bill 15 be amended in Clause 7 by adding the following before the proposed subsection 13.1(3)–

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

The report stage amendment is in order. Debate can proceed.

Mr. Kinew: Madam Speaker, here we go again. I think this is the one. I realize that 25 per cent might not be a good success rate in many endeavours, but, you know, seeing it's—the World Series just concluded, a batting average of .250 is not bad, so, you know, I'll go that—I'll go for that.

All jokes aside, this is a very serious matter. I do want to thank the, you know, members of the Canadian Federation of Students who are here in the gallery with us today for bearing with us this afternoon as we go through the exercise of democracy here and consider these amendments.

In particular, I want to thank them with respect to this amendment because this amendment is based clearly on the recommendation that they brought forward at the committee stage. So, again, there will be some déjà vu for those listening in the House today because this is very similar to the second amendment that I brought forward this afternoon, and, again, this is covering off the other half of the act, if you will. Where the other amendment

contemplated specifying the reporting in public done by the public institutions, this amendment contemplates amending the sections that govern the private institutions and ensures that the public reporting there is an important one.

So, again, the reason why I feel so confident that this is the amendment that the government side will pass is because we've heard over and over again about the importance of openness and transparency from this government, and this amendment's all about ensuring openness and transparency.

We've also heard time and time again about consulting stakeholders, and, again, this was proposed by the group which represents the most important stakeholders with respect to this legislation, and that is, of course, the students at post-secondary institutions.

So, just to review, Madam Speaker, what's being contemplated here is a requirement, not just that the institutions report publicly but a directive given to the institutions that they must report about certain details, namely the policies that they have in place, the services under their auspices that affected students' access and also the amount of incidents of sexual violence which take place at their institutions.

Of course, it provides direction that this has to be shared with the director and also has to be shared with the public, and that all of that needs to be in compliance with the letter of the law and the Freedom of Information and Protection of Privacy Act and, of course, PHIA as well.

And so, again, these are important amendments to the law. This would create a clear directive for all the private vocational institutions, what is expected of them, and I know—you know, when I was younger and just getting started in my professional career, I worked with some private vocational institutes here in Winnipeg. And, of course, some of these are very big operations, but some of these are very small operations where there's just one or two principals involved and a few instructors and then a few dozen students. And I know for an organization like that, to have a very clear expectation set out in the statute that would define what is expected of them would be very helpful, and I think it also would show a ton of good faith to the students who, (1) identified this need, lobbied both the opposition and the government on this, advocated and, really, for years, have been advocating and organizing around this issue. It would show tremendous good faith to them were we to take seriously the very reasoned and reasonable

amendment that they had proposed at committee, bearing in mind that, of course, we did take that amendment, put it through the drafting process and also debate it in caucus before bringing it forward here in the Leg. for due consideration.

So, again, for the government which talks about openness and transparency, to vote against an amendment which guarantees open and transparent reporting and demands openness and transparency of private vocational institutions, to me, would be puzzling. And for a government that talks about consulting stakeholders to disregard the expressed and clear intent of the primary stakeholder group that Bill 15 is designed to serve, to me would also, you know, be a little puzzling, a little head-scratching. So that's why I'm very confident that this, Madam Speaker, will be the amendment that will get passed of the four that I brought forward here today.

So that in mind, you know, I would encourage the minister again, because we have the representatives from the Canadian Federation of Students here in the House today, this being an amendment that they brought forward, if he does, you know, run counter to the rationale that I've laid out here and he does want to oppose openness and transparency, does want to oppose listening to the stakeholders, that perhaps he would provide a clear assurance to them that this amendment, their amendment, will actually be implemented clearly and directly in regulation.

So, with those words on the record, Madam Speaker, I thank you for all the time this afternoon and I do want to thank all my colleagues as well.

Miigwech.

Mr. Wishart: I thank the member for his concerns, and I certainly want to thank the student association, both CFS and others that presented at committee. I assure them and Manitoba students in general that we are hearing what was said that evening. But our approach to this has been all along with Bill 15 to create a broader framework and let the regulation deal with some of the issues rather than put it into this.

One of the other presenters in the evening actually brought forward a very good question, which I have been able to follow up on and be happy to inform the House on. In that, they wondered how often during—in the K-to-12 system, that we brought these issues forward, so I asked for a bit of review on that and I can tell the members that we do this in

grade 1, grade 3, grade 5, grade 9, grade 11 and grade 12. So we bring it up virtually every year in the process with differing levels of discussion about sexual violence—age-appropriate would be the simplest way to put that—so that we want to make sure that the next generation and the generation that's in school now is very much aware of the concerns that we have and that—the risks they may face out there. And we want to make sure that they're well equipped to deal with those risks all the way through their lives as much in the educational system and beyond, Madam Speaker, because I think that lessons that we learn in school are something that we often carry through our whole lives.

So I would certainly like to reassure that the student association, the CFS, that we are hearing their concerns and we'll be dealing with it through regulations, especially with the private institutions. I actually think working this way with the regulation and then helping them develop their own policies will actually have less of a legal cost than putting in legislation and leaving each one of them on their own, have to figure out their own situation as it relates to that and having to very often probably consult a lawyer in the process. We can work through the association and do that on their behalf, and we certainly intend to do that.

So, despite the fact that I think we have end goals that are very, very similar to the opposition across the floor, we have different ways of achieving it, and I think that because of that, we will not be supporting this particular amendment.

Thank you.

* (16:40)

Ms. Klassen: This amendment aims to report information to the general public regarding sexual violence policies on campuses and in private vocational institutions. There are many communities, small communities and groups that aren't aware that sexual violence should not be tolerated. Every time I've had the misfortune to take my child to Bethesda hospital in Steinbach, I see battered women with their children surrounding them. I believe that it is through this amendment that children—these children will eventually come to post-secondary or other institutions, private institutions, and they'll learn that it's just not right. And so by sharing—by allowing for other women to share these stories, we're going to enable our women to realize that it is not right and that this should no longer be something that we have to deal with.

So, again, this is an amendment based on input from the students themselves. They're the ones that are living it today. Our children are the ones that are living it. If we could, again, curb any negative impact against our children, then it's a must. Again, we fully support this amendment.

Thank you, Madam Speaker.

Madam Speaker: There any further members wishing to debate this amendment?

So is the House ready for the question? *[Agreed]*

The question before the House is the report stage amendment moved by the honourable member for Fort Rouge (Mr. Kinew).

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed to the amendment, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

Recorded Vote

Mr. Maloway: A recorded vote, Madam Speaker.

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

* (16:50)

The question before the House is the fourth report stage amendment, moved by the honourable member for Fort Rouge.

Division

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

Yeas

Allum, Altemeyer, Chief, Gerrard, Kinew, Klassen, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Cullen, Curry, Eichler, Ewasko, Fielding, Goertzen, Graydon, Guillemard, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith, Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Deputy Clerk: Yeas 16, Nays 36.

Madam Speaker: I declare the amendment lost.

* * *

Hon. Andrew Micklefield (Government House Leader): Madam Speaker, I'd like to call for concurrence and third reading, Bill 15.

Madam Speaker: We will now move to concurrence and third reading of Bill 15.

CONCURRENCE AND THIRD READINGS

Bill 15—The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended)

Madam Speaker: The honourable member for—the honourable Minister of Education and Training (Mr. Wishart).

Hon. Ian Wishart (Minister of Education and Training): Madam Speaker, I move, seconded by the Minister of Infrastructure (Mr. Pedersen), that Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended), reported from the Standing Committee on Legislative Affairs, and subsequently amended, be concurred and be now read for a third time and passed.

Motion presented.

Mr. Wishart: I know we've had lots of discussion around this bill and amendments this afternoon but I think, though we differ on methodology, we do agree in this House that there is certainly a need to have a bill like this to protect students wherever they may study across the province, whether it be in a public post-secondary or a private post-secondary. And I think that this bill is an example of good co-operation and that we will in the future be very pleased to have worked together to pass this legislation.

Mr. Wab Kinew (Fort Rouge): I just would like to say in a very sincere way that I congratulate the Minister of Education for bringing this bill to third reading, and I look forward to it becoming law in the province of Manitoba.

I also would like to say a few words for the benefit of those students who are here in the gallery with us today. I remember speaking with some of you and your peers at a forum on the issue at Red River College a few years ago. I recall speaking with some of your peers and you at the consent culture forum at the University of Winnipeg. I think it was maybe a year or two ago. And I remember six months ago sitting on the front steps of the Legislative Building and hearing from you both that this was the top priority for students in Manitoba.

And I just do want to thank you and congratulate you on your advocacy over the years in this space. It has certainly taken a topsy-turvy road to get here through different bills, different numbers, controversies along the way, but in the end, you have succeeded in making this law in the province of Manitoba. So I encourage you to continue your advocacy and continue your engagement with the democratic process in our province.

And, finally, just another word, Madam Speaker, you know, in the debate on the previous Bill 204, I shared how Tina Fontaine was last seen; well, one of the last places she was seen was at the University of Winnipeg campus, that another young woman whose name has been splashed across the headlines in our city for a terrible case of sexual violence, she also was attacked by somebody who was known to people on the University of Winnipeg campus, and, you know that, you know, I've often wondered whether those outcomes might have been different had people at those universities had the type of policy and the type of training contemplated by what is now known as Bill 15.

And I do want to say in a very heartfelt way that it really saddens me and it really upsets me that so many of our sisters and other vulnerable people in our society have to suffer in order for this to become law. And I also want to thank my colleague from Kewatinook for her courage in sharing her own personal story in this area, and just to say to all the survivors of sexual violence and those who didn't survive, that we honour you and we—you are with us in our hearts and minds as we undertake this legislative process and we do hope that initiatives

like this will help to ensure that crimes like that are not part of the future of this province.

Miigwech.

Ms. Judy Klassen (Kewatinook): I, too, also want to thank the youth above for their voices without this bill—without their voices this bill would not be possible. And I certainly encourage you to keep coming to us with your voice; we want to support you in every way possible.

Thank you.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is concurrence and third reading of Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended).

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

Recorded Vote

Hon. Andrew Micklefield (Government House Leader): I'd like to have a recorded vote, Madam Speaker.

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

The question before the House is concurrence and third reading of Bill No. 15, The Sexual

Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended).

* (17:00)

Division

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

Yeas

Allum, Altemeyer, Bindle, Chief, Clarke, Cox, Cullen, Curry, Eichler, Ewasko, Fielding, Fontaine, Goertzen, Graydon, Guillemard, Isleifson, Johnson, Johnston, Kinew, Klassen, Lagassé, Lagimodiere, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Saran, Schuler, Selinger, Smith, Smook, Squires, Stefanson, Swan, Teitsma, Wharton, Wiebe, Wishart, Wowchuk, Yakimoski.

Nays

Deputy Clerk: Yeas 51, Nays 0.

Madam Speaker: I declare the motion carried.

And the hour being past 5 p.m., the House is now adjourned and stands adjourned until 1:30 p.m. on Monday. And I wish everybody a good weekend and congratulations on the debate this afternoon. This is an important bill that has been passed with good debate on all sides.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 3, 2016

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