



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 55

FIRST SESSION, FORTY-FIRST LEGISLATURE

PRAYER

10:00 O'CLOCK A.M.

By leave, it was agreed for the House to deal with Second Reading of Bill (No. 214).

In accordance with Rule 33(8), the Opposition House Leader announced that the Transitioning to a Green Economy Resolution will be considered on the next Thursday of Private Members' Business.

Mr. SWAN moved:

THAT Bill (No. 214) – The Family Maintenance Amendment Act/Loi modifiant la Loi sur l'obligation alimentaire, be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mr. SWAN having spoken,

And Messrs. MARTIN, MALOWAY and HELWER Ms. LAMOUREUX and Messrs. KINEW and MARCELINO (Tyndall Park) having questioned the Member,

And the debate continuing,

And Hon. Mr. FIELDING, Messrs. KINEW and LAGASSÉ and Ms. LAMOUREUX having spoken,

And Mr. MICHALESKI speaking at 11:00 a.m. The debate was allowed to remain in his name.

Ms. FONTAINE moved:

Resolution No. 12: Pharmacare Must Cover All Essential Medication for Women

WHEREAS the abortion pill Mifegymiso is listed by the World Health Organization as an “essential medicine”, was approved by Health Canada in July 2016, and will be made available November 2016; and

WHEREAS Health Canada requires doctors to complete an online training course in order to administer the drug and are required to dispense the drug themselves, rather than hand out a prescription; and

WHEREAS this requirement is beyond the scope of many family practices, particularly those in rural and remote communities who do not have experience maintaining the supply and distribution of pharmaceuticals, thereby having the potential to create additional barriers for patient access; and

WHEREAS Mifegymiso is priced at approximately \$270, and as a medication, is not covered under provincial healthcare plans; and

WHEREAS every province but Quebec has refused to add the abortion pill to their list of publicly funded drugs and Manitoba must continue to be a leader in pushing for accessible reproductive healthcare options; and

WHEREAS all Manitoba women have a right to affordable and accessible reproductive healthcare; and

WHEREAS in past years specific investments have been made to improve reproductive healthcare for women, including a new Women's Hospital, an expansion of the Women's Health Clinic as well as a Birth Centre, and the fight for universal services, like universal child care, continues.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to develop a dispensing and regulation plan for the abortion pill and include it in the provincial pharmacare plan to ensure that all Manitoba women have easy access to it.

And a debate arising,

And Ms. FONTAINE having spoken,

And Hon. Ms. SQUIRES and Messrs. MALOWAY and WIEBE having questioned the Member,

And the debate continuing,

And Hon. Ms. SQUIRES, Mr. WIEBE, Mrs. MAYER and Hon. Mr. GERRARD having spoken,

And Ms. MORLEY-LECOMTE speaking at 12:00 p.m. The debate was allowed to remain in her name.

During the debate, Hon. Mr. MICKLEFIELD rose on a point of order regarding the Member for Concordia's comments referring to the presence and absence of Members in the House.

WHEREUPON Mr. Deputy Speaker ruled that there was a point of order.

And Mr. WIEBE voluntarily apologized for his remarks.

1:30 O'CLOCK P.M.

Hon. Mrs. COX presented:

Annual Report of the Pineland Forest Nursery for the fiscal year ending March 31, 2016.
(Sessional Paper No. 87)

Hon. Ms. SQUIRES, the Minister of Sport, Culture and Heritage, made a statement regarding Manitobans for the Arts Day.

Mr. LINDSEY and, by leave, Ms. LAMOUREUX commented on the statement.

Pursuant to Rule 27(1), Messrs. YAKIMOSKI and ALLUM, Hon. Mrs. COX, Ms. LAMOUREUX and Hon. Mr. FLETCHER made Members' Statements.

In accordance with Rule 139(11) the Minister of Education and Training requested to combine debate on two Report Stage Amendments for Bill (No. 15).

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 15) – The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended)/Loi sur la sensibilisation et la prévention en matière de violence à caractère sexuel (modification de la Loi sur l'administration de l'enseignement postsecondaire et de la Loi sur les établissements d'enseignement professionnel privés), reported from the Standing Committee on Legislative Affairs:

Hon. Mr. WISHART moved:

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 that includes consultations with students.

Hon. Mr. WISHART then moved:

THAT Bill 15 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, the registrant must undertake a comprehensive review of the policy that includes consultations with students.

And a debate arising,

And Hon. Mr. WISHART, Mr. KINEW and Hon. Mr. GERRARD having spoken,

And the Question being put on the amendment [Clause 2 (2.2(5))]. It was agreed to.

And the Question being put on the amendment [Clause 7 (13.1(3))]. It was agreed to.

Mr. KINEW then moved:

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.

And a debate arising,

And Mr. KINEW, Hon. Mr. WISHART, Ms. KLASSEN and Mr. SWAN having spoken,

And the Question being put on the amendment. It was negatived, on the following division:

YEA

ALLUM
ALTEMEYER
CHIEF
GERRARD
KINEW
KLASSEN
LAMOUREUX
LATHLIN

LINDSEY
MALOWAY
MARCELINO (Logan)
MARCELINO (Tyndall Park)
SARAN
SELINGER
SWAN
WIEBE 16

NAY

BINDLE	MAYER
CLARKE	MICHALESKI
COX	MICKLEFIELD
CULLEN	MORLEY-LECOMTE
CURRY	NESBITT
EICHLER	PALLISTER
EWASKO	PEDERSEN
FIELDING	PIWNIUK
FLETCHER	REYES
FRIESEN	SCHULER
GRAYDON	SMITH
GUILLEMARD	SMOOK
HELWER	SQUIRES
ISLEIFSON	STEFANSON
JOHNSON	TEITSMAN
JOHNSTON	WHARTON
LAGASSÉ	WISHART
LAGIMODIERE	WOWCHUK
MARTIN	YAKIMOSKI..... 38

Mr. KINEW then moved:

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 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 the 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*.

And a debate arising,

And Mr. KINEW, Hon. Mr. WISHART and Ms. KLASSEN having spoken,

And the Question being put on the amendment. It was negatived, on the following division:

YEA

ALLUM	LINDSEY
ALTEMEYER	MALOWAY
CHIEF	MARCELINO (Logan)
GERRARD	MARCELINO (Tyndall Park)
KINEW	SARAN
KLASSEN	SELINGER
LAMOUREUX	SWAN
LATHLIN	WIEBE 16

NAY

BINDLE	MICHALESKI
CLARKE	MICKLEFIELD
CULLEN	MORLEY-LECOMTE
CURRY	NESBITT
EICHLER	PALLISTER
EWASKO	PEDERSEN
FIELDING	PIWNIUK
FLETCHER	REYES
GRAYDON	SMITH
GUILLEMARD	SMOOK
ISLEIFSON	SQUIRES
JOHNSON	STEFANSON
JOHNSTON	TEITSMA
LAGASSÉ	WHARTON
LAGIMODIERE	WISHART
MARTIN	WOWCHUK
MAYER	YAKIMOSKI 34

Mr. KINEW then moved:

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.

And a debate arising,

And Mr. KINEW, Hon. Mr. WISHART and Ms. KLASSEN having spoken,

And the Question being put on the amendment. It was negatived, on the following division:

YEA

ALLUM
ALTEMEYER
CHIEF
GERRARD
KINEW
KLASSEN
LAMOUREUX
LATHLIN

LINDSEY
MALOWAY
MARCELINO (Logan)
MARCELINO (Tyndall Park)
SARAN
SELINGER
SWAN
WIEBE 16

NAY

BINDLE	MICHALESKI
CLARKE	MICKLEFIELD
COX	MORLEY-LECOMTE
CULLEN	NESBITT
CURRY	PALLISTER
EICHLER	PEDERSEN
EWASKO	PIWNIUK
FIELDING	REYES
GOERTZEN	SCHULER
GRAYDON	SMITH
GUILLEMARD	SMOOK
ISLEIFSON	SQUIRES
JOHNSON	STEFANSON
JOHNSTON	TEITSMA
LAGASSÉ	WHARTON
LAGIMODIERE	WISHART
MARTIN	WOWCHUK
MAYER	YAKIMOSKI..... 36

Mr. KINEW then moved:

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) the 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*.

And a debate arising,

And Mr. KINEW, Hon. Mr. WISHART and Ms. KLASSEN having spoken,

And the Question being put on the amendment. It was negatived, on the following division:

YEA

ALLUM	LINDSEY
ALTEMEYER	MALOWAY
CHIEF	MARCELINO (Logan)
GERRARD	MARCELINO (Tyndall Park)
KINEW	SARAN
KLASSEN	SELINGER
LAMOUREUX	SWAN
LATHLIN	WIEBE 16

NAY

BINDLE	MICHALESKI
CLARKE	MICKLEFIELD
COX	MORLEY-LECOMTE
CULLEN	NESBITT
CURRY	PALLISTER
EICHLER	PEDERSEN
EWASKO	PIWNIUK
FIELDING	REYES
GOERTZEN	SCHULER
GRAYDON	SMITH
GUILLEMARD	SMOOK
ISLEIFSON	SQUIRES
JOHNSON	STEFANSON
JOHNSTON	TEITSMA
LAGASSÉ	WHARTON
LAGIMODIERE	WISHART
MARTIN	WOWCHUK
MAYER	YAKIMOSKI 36

Hon. Mr. WISHART moved:

THAT Bill (No. 15) – The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended)/Loi sur la sensibilisation et la prévention en matière de violence à caractère sexuel (modification de la Loi sur l'administration de l'enseignement postsecondaire et de la Loi sur les établissements d'enseignement professionnel privés), reported from the Standing Committee on Legislative Affairs, and subsequently amended, be concurred in and be now read a Third Time and passed.

And a debate arising,

And Hon. Mr. WISHART, Mr. KINEW and Ms. KLASSEN having spoken,

And the Question being put. It was agreed to, on the following division:

YEA

ALLUM	MARCELINO (Tyndall Park)
ALTEMEYER	MARTIN
BINDLE	MAYER
CHIEF	MICHALESKI
CLARKE	MICKLEFIELD
COX	MORLEY-LECOMTE
CULLEN	NESBITT
CURRY	PALLISTER
EICHLER	PEDERSEN
EWASKO	PIWNIUK
FIELDING	REYES
FONTAINE	SARAN
GOERTZEN	SCHULER
GRAYDON	SELINGER
GUILLEMARD	SMITH
ISLEIFSON	SMOOK
JOHNSON	SQUIRES
JOHNSTON	STEFANSON
KINEW	SWAN
KLASSEN	TEITSMA
LAGASSÉ	WHARTON
LAGIMODIERE	WIEBE
LATHLIN	WISHART
LINDSEY	WOWCHUK
MALOWAY	YAKIMOSKI.....51
MARCELINO (Logan)	

NAY

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The Bill was accordingly concurred in, read a Third Time and passed.

Thursday, November 3, 2016

The House then adjourned at 5:02 p.m. until 1:30 p.m. Monday, November 7, 2016.

Hon. Myrna DRIEDGER,
Speaker.