



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 60

FIFTH SESSION, FORTY-SECOND LEGISLATURE

PRAYER AND LAND ACKNOWLEDGEMENT

10:00 O’CLOCK A.M.

MLA MARCELINO moved:

THAT Bill (No. 223) – The Manitoba Assistance Amendment Act (Adult Education)/Loi modifiant la Loi sur les allocations d’aide du Manitoba (éducation des adultes), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And MLA MARCELINO having spoken,

And Messrs. MICHALESKI and SALA, Hon. Mr. GERRARD, Mr. MARTIN and MLA ASAGWARA having questioned the Member,

And the debate continuing,

And Mr. MICHALESKI speaking at 10:30 a.m. The debate was allowed to remain in their name.

Mrs. SMITH (Point Douglas) moved:

THAT Bill (No. 221) – The Fatality Inquiries Amendment Act (Overdose Death Reporting)/Loi modifiant la Loi sur les enquêtes médico-légales (rapport sur les décès par surdose), be now read a Second Time and be referred to a Committee of this House.

And a debate arising,

And Mrs. SMITH (Point Douglas) having spoken,

And Mr. MARTIN, MLA ASAGWARA, Hon. Mr. GERRARD and Mr. MICHALESKI having questioned the Member,

And the debate continuing,

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

In accordance with Rule 34(8), the Opposition House Leader announced that the Private Members' Resolution titled "Calling Upon the Legislative Assembly to Support the Acknowledgement of the Outstanding Achievements and Contributions of Reggie Leach" will be considered on the next Thursday of Private Members' Business.

Mrs. SMITH (Point Douglas) moved:

Resolution No. 17: Calling on the Provincial Government to Prioritize MMIWG2S* by Implementing the National Inquiry's Calls for Justice

WHEREAS for far too long violence against Indigenous women, girls, and two-spirited has been ignored and action has not been prioritized by previous governments; and

WHEREAS abuses and violations have resulted in the denial of safety, security, and human dignity to Indigenous women, girls and 2SLGBTQQIA people for decades which led to the creation of the National Inquiry into Missing and Murdered Indigenous Women and Girls; and

WHEREAS urgent action is needed now to address the crisis of MMIWG2S* but the Provincial Government is not prioritizing it as an issue; and

WHEREAS a man was recently charged with the murder of at least four Indigenous women in Manitoba: Rebecca Contois, Morgan Beatrice Harris, Mercedes Myran, and an unidentified woman who was given the name "Buffalo Woman"; and

WHEREAS these recent murders have reinforced the urgent need for immediate action to end the violence against Indigenous women, girls, and two-spirited; and

WHEREAS when asked in an interview to list a single Call for Justice that her government has implemented from the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Premier was unable to do so; and

WHEREAS the Calls for Justice includes the call for all governments, "*in partnership with Indigenous Peoples, to develop and implement a National Action Plan to address violence against Indigenous women, girls, and 2SLGBTQQIA people.*"

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to take action to end the violence against Indigenous women, girls and two-spirited by providing a clear timeline for implementing the National Inquiry into MMIWG2S* Calls for Justice.

And a debate arising,

And Mrs. SMITH (Point Douglas) having spoken,

And Messrs. ISLEIFSON and ALTOMARE, Hon. Mr. GERRARD, Mrs. COX, MLA ASAGWARA and Mr. MARTIN having questioned the Member,

And the debate continuing,

Thursday, May 25, 2023

And Mr. ISLEIFSON, MLA ASAGWARA, Mrs. COX and Hon. Mr. GERRARD having spoken,

And Mr. MARTIN speaking at 12:00 p.m. The debate was allowed to remain in their name.

1:30 O’CLOCK P.M.

Hon. Mr. KHAN, the Minister of Sport, Culture and Heritage, made a statement regarding the Gimli Glider.

Mr. BUSHIE and, by leave, Hon. Mr. GERRARD commented on the statement.

Hon. Ms. SQUIRES, the Minister responsible for Gender Equity, made a statement regarding Pride Month and Gender Equity Manitoba.

Ms. NAYLOR and, by leave, Mr. LAMONT commented on the statement.

Pursuant to Rule 28(1), Mr. LAGIMODIERE, MLA MARCELINO, Hon. Mr. JOHNSON, Mr. WASYLIW and Hon. Mr. GERRARD made Members' Statements.

The following petitions were presented and read to the Legislative Assembly of Manitoba:

Mr. MALOWAY – To urge the Premier to financially assist the City of Winnipeg on building this three-lane bridge in each direction to maintain this vital link between northeast Winnipeg, Transcona and the downtown; to urge the Provincial Government to recommend that the City of Winnipeg keep the old bridge fully open to traffic while the new bridge is under construction; and to consider the feasibility of keeping the old Louise Bridge open for active transportation in the future.

Mr. ALTOMARE – To urge the Provincial Government to take steps to implement Punjabi bilingual programs in public schools similar to existing bilingual programs and take steps to implement Punjabi language instruction in other levels of education in Manitoba.

MLA MARCELINO – To urge the Provincial Government to modify the construction industry minimum wage schedule to implement a 14% increase to the Heat and Frost Insulator trade to reflect a wage of \$34.23 in 2024.

By leave, it was agreed to allow the sponsors of the Report Stage Amendments to be considered this afternoon to make a speech up to one minute long on their own Amendments, despite the fact that our Rules do not allow for speeches on these Amendments.

Mr. ALTOMARE moved the following Opposition Day Motion:

THAT the Legislative Assembly of Manitoba condemn the Provincial Government for trying to hide its new education funding model that would severely and negatively impact the funding by millions of dollars for school divisions like Pembina Trails, Winnipeg, St. James-Assiniboia, Seven Oaks, Louis Riel, Lord Selkirk, Interlake and much more.

And a debate arising,

And Mr. ALTOMARE, Hon. Mr. EWASKO, Mrs. SMITH (Point Douglas), Messrs. MOSES and LAMONT, MLA LINDSEY and Ms. LAMOUREUX having spoken,

And Mr. BUSHIE speaking at 4:00 p.m. The debate was allowed to remain in their name.

In accordance with sub-rules 2(13) and 2(15), the proceedings were interrupted to put the Report Stage Amendment questions on the remaining Specified Bills.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 10) – The Liquor, Gaming and Cannabis Control Amendment Act (Social Responsibility Fee Repealed)/Loi modifiant la Loi sur la réglementation des alcools, des jeux et du cannabis (abrogation de la taxe de responsabilité sociale), reported from the Standing Committee on Social and Economic Development:

Hon. Mr. CULLEN moved:

THAT Bill 10 be amended, in the part of Clause 4 before clause (a), by striking out "January 1, 2023" and substituting "January 1, 2022".

And a debate arising,

And Hon. Mr. CULLEN having spoken,

And the Question being put on the amendment. It was agreed to.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 23) – The Vulnerable Persons Living with a Mental Disability Amendment Act/Loi modifiant la Loi sur les personnes vulnérables ayant une déficience mentale, reported from the Standing Committee on Legislative Affairs:

Hon. Mr. GERRARD moved:

THAT Bill 23 be amended in Clause 4(1)(j) by adding "or severely impaired adaptive behaviour despite the individual in question having an intelligence quotient score over 75," before "but" in the proposed definition "intellectual disability".

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 23 be amended in Clause 4(1)(j) by striking out "both of which manifested before the age of 18 years" in the proposed definition "intellectual disability".

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 32) – An Act respecting Child and Family Services (Indigenous Jurisdiction and Related Amendments)/Loi concernant les services à l'enfant et à la famille (champ de compétence autochtone et modifications connexes), reported from the Standing Committee on Legislative Affairs:

Hon. Mr. GERRARD moved:

THAT Bill 32 be amended in Clause 3 by adding the following after the proposed clause 2.1(4)(a):

(a.1) of having existing supports continue without interruption and all supports needed to address the child's physical and mental health and any special needs of the child be provided;

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 32 be amended in Clause 3 in the proposed clause 2.2(a), by adding "ensure that the child achieves developmental milestones and" after "in order to".

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 32 be amended in Clause 21

(a) by adding the following after the proposed clause 13.2(5)(j):

(k) the supports to address the child's mental health, health and education needs.

(b) by adding the following after the proposed clause 13.4(4)(f):

(g) the supports to address the child's mental health, health and education needs.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And the Question being put on the amendment. It was negatived.

Hon. Mr. GERRARD then moved:

THAT Bill 32 be amended in Clause 55 by adding the following after the proposed subsection 28.1(3):

Agreement may be general in application

28.1(4)For certainty, the Advocate may enter into one agreement with a person or entity in respect of all reviews or investigations under this section.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And the Question being put on the amendment. It was negatived.

The Order of the Day having been read for consideration of Report Stage Amendment of Bill (No. 35) – The Education Administration Amendment Act (Teacher Certification and Professional Conduct)/Loi modifiant la Loi sur l'administration scolaire (brevets d'enseignement et conduite professionnelle), reported from the Standing Committee on Social and Economic Development:

Ms. LAMOUREUX moved:

THAT Bill 35 be amended in Clause 8 by replacing subclause (a)(iv) of the definition "professional misconduct" in the proposed section 8.1 with the following:

(iv) psychological harm to the pupil or child, where the act

(A) discriminates unreasonably on the basis of any characteristic referred to in subsection 9(2) of *The Human Rights Code*,

(B) could reasonably be expected to have a lasting, harmful effect on the pupil or child,
or

(C) is part of repeated conduct that could reasonably be expected to cause the pupil or child to be humiliated or intimidated;

And a debate arising,

And Ms. LAMOUREUX having spoken,

And the Question being put on the amendment. It was negated, on division.

Ms. LAMOUREUX then moved:

THAT Bill 35 be amended in Clause 8 by adding the following after the proposed clause 8.12(1)(c):

(c.1) the complaint or report discriminates unreasonably on the basis of any characteristic referred to in subsection 9(2) of *The Human Rights Code*;

And a debate arising,

And Ms. LAMOUREUX having spoken,

And the Question being put on the amendment. It was negated, on division.

Ms. LAMOUREUX then moved:

THAT Bill 35 be amended in Clause 8 by adding the following after the proposed clause 8.19(1)(c):

(c.1) the complaint or report that led to the investigation discriminates unreasonably on the basis of any characteristic referred to in subsection 9(2) of *The Human Rights Code*;

And a debate arising,

And Ms. LAMOUREUX having spoken,

And the Question being put on the amendment. It was negated, on division.

Hon. Mr. GERRARD moved:

THAT Bill 35 be amended in Clause 8 by striking out ", but not limited to," in the part before clause (a) of the definition "professional misconduct" in the English version of the proposed section 8.1.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

And the Question being put on the amendment. It was negated, on division.

Hon. Mr. GERRARD then moved:

THAT Bill 35 be amended in Clause 8

(a) by adding the following at the end of the proposed section 8.11:

The commissioner must not take further action on the complaint or report if it was made anonymously and must, if reasonably practicable, notify the person who made the complaint or report that no further action will be taken.

(b) by adding "is prohibited from taking further action under section 8.11 or" before "decides" in the proposed clause 8.14(1)(a).

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

Hon. Mr. GERRARD then moved:

THAT Bill 35 be amended in Clause 8

(a) by adding the following after the proposed clause 8.29(1)(d):

(d.1) determine that the investigated teacher requires reasonable accommodation because of a physical or mental disability in order to carry out the professional responsibilities of a teacher;

(b) by replacing the proposed subsection 8.32(3) with the following:

Exception

8.32(3) In any of the following circumstances, the commissioner may decide not to make the written decision public or may direct the director of certification to make public only a summary of the decision that excludes all identifying information:

(a) if the commissioner considers that making the decision public would cause significant hardship to a person who was harmed, abused or exploited by the investigated teacher;

(b) if a finding has been made under clause 8.29(1)(d) or (d.1);

(c) if the commissioner considers that making the decision public is otherwise not in the public interest.

(c) by adding "or (d.1)" after "made under clause 8.29(1)(d)" in the proposed subsection 8.32(4), as amended at Committee.

And a debate arising,

And Hon. Mr. GERRARD having spoken,

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

The House resumed the debate on the Proposed Opposition Day Motion of Mr. ALTOMARE:

THAT the Legislative Assembly of Manitoba condemn the Provincial Government for trying to hide its new education funding model that would severely and negatively impact the funding by millions of dollars for school divisions like Pembina Trails, Winnipeg, St. James-Assiniboia, Seven Oaks, Louis Riel, Lord Selkirk, Interlake and much more.

And a debate continuing,

And Messrs. BUSHIE and SALA and Ms. NAYLOR having spoken,

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

YEA

ALTOMARE	MARCELINO
BRAR	MOSES
BUSHIE	NAYLOR
FONTAINE	REDHEAD
GERRARD	SALA
KINEW	SANDHU
LAMOUREUX	SMITH (Point Douglas)
LINDSEY	WASYLIW
MALOWAY	WIEBE 18

NAY

COX	LAGASSÉ
CULLEN	MARTIN
EICHLER	MICHALESKI
EWASKO	MORLEY-LECOMTE
GOERTZEN	NESBITT
GORDON	PEDERSEN
GUENTER	PIWNIUK
GUILLEMARD	SMITH (Lagimodière)
HELWER	SMOOK
ISLEIFSON	SQUIRES
JOHNSON	TEITSMA
JOHNSTON	WHARTON
KHAN	WISHART
KLEIN	WOWCHUK..... 28

The House then adjourned at 5:04 p.m. until 1:30 p.m. Monday, May 29, 2023.

Hon. Myrna DRIEDGER,
Speaker.