



LEGISLATIVE ASSEMBLY OF MANITOBA

VOTES AND PROCEEDINGS No. 18

FIFTH SESSION, FORTIETH LEGISLATURE

PRAYER

1:30 O'CLOCK P.M.

Mr. WIEBE, Chairperson of the Standing Committee on Legislative Affairs, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on the following occasions in the Legislative Building:

- December 16, 2014 (4th Session – 40th Legislature)
- December 14, 2015 (5th Session – 40th Legislature)

Matters under Consideration

- Annual Report of the Children's Advocate for the fiscal year ending March 31, 2014
- Annual Report of the Children's Advocate for the fiscal year ending March 31, 2015

Committee Membership

Committee membership for the December 16, 2014 meeting:

- Hon. Mr. ALLUM
- Hon. Mr. CHOMIAK
- Mr. EWASKO
- Mr. MARTIN
- Hon. Ms. IRVIN-ROSS
- Hon. Ms. MARCELINO (*Logan*)
- Mr. MARCELINO (*Tyndall Park*) (*Vice-Chairperson*)
- Mr. NEVAKSHONOFF (*Chairperson*)
- Mr. PIWNIUK
- Mr. SARAN
- Mr. WISHART

Committee membership for the December 14, 2015 meeting:

- Mrs. DRIEDGER
- Hon. Ms. IRVIN-ROSS
- Mr. JHA
- Hon. Mr. KOSTYSHYN

- Hon. Ms. MARCELINO (*Logan*)
- Mr. MARTIN
- Mrs. MITCHELSON
- Hon. Mr. SARAN
- Mr. SWAN
- Mr. WIEBE
- Mr. WISHART

Your Committee elected Mr. WIEBE as the Chairperson at the December 14, 2015 meeting

Your Committee elected Mr. JHA as the Vice-Chairperson at the December 14, 2015 meeting

Substitutions received during committee proceedings on December 14, 2015:

- Mr. PEDERSEN for Mrs. DRIEDGER

Official Speaking on Record at the December 16, 2014 meeting:

- Darlene MacDonald, Children's Advocate

Official Speaking on Record at the December 14, 2015 meeting:

- Darlene MacDonald, Children's Advocate

Report Considered and Passed

Your Committee considered and passed the following report as presented:

- Annual Report of the Children's Advocate for the fiscal year ending March 31, 2014

Report Considered but not Passed

Your Committee considered the following report but did not pass it:

- Annual Report of the Children's Advocate for the fiscal year ending March 31, 2015

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

Mr. JHA, Chairperson of the Standing Committee on Social and Economic Development, presented its First Report, which was read as follows:

Meetings:

Your Committee met on the following occasions in the Legislative Building:

- December 19, 2014 (4th Session – 40th Legislature)
- December 14, 2015 (5th Session – 40th Legislature)

Matters under Consideration

- Annual Report of the Manitoba Poverty Reduction and Social Inclusion Strategy (All Aboard) for the fiscal year ending March 31, 2014

- Annual Report of the Manitoba Poverty Reduction and Social Inclusion Strategy (All Aboard) for the fiscal year ending March 31, 2015

Committee Membership

Committee membership for the December 19, 2014 meeting:

- Ms. ALLAN (*Chairperson*)
- Mr. ALTEMEYER (*Vice-Chairperson*)
- Hon. Ms. CROTHERS
- Mrs. DRIEDGER
- Ms. HOWARD
- Hon. Ms. IRVIN-ROSS
- Mr. MARTIN
- Mrs. MITCHELSON
- Mr. SARAN
- Hon. Ms. WIGHT
- Mr. WISHART

Committee membership for the December 14, 2015 meeting:

- Mrs. DRIEDGER
- Hon. Ms. IRVIN-ROSS
- Mr. JHA
- Hon. Mr. KOSTYSHYN
- Hon. Ms. MARCELINO (*Logan*)
- Mr. MARTIN
- Mrs. MITCHELSON
- Hon. Mr. SARAN
- Mr. SWAN
- Mr. WIEBE
- Mr. WISHART

Your Committee elected Mr. JHA as the Chairperson at the December 14, 2015 meeting

Your Committee elected Mr. WIEBE as the Vice-Chairperson at the December 14, 2015 meeting

Substitutions received during committee proceedings on December 14, 2015:

- Mr. PEDERSEN for Mrs. DRIEDGER

Report Considered and Passed

Your Committee considered and passed the following report as presented:

- Annual Report of the Manitoba Poverty Reduction and Social Inclusion Strategy (All Aboard) for the fiscal year ending March 31, 2014.

Report Considered but not Passed

Your Committee considered the following report but did not pass it:

- Annual Report of the Manitoba Poverty Reduction and Social Inclusion Strategy (All Aboard) for the fiscal year ending March 31, 2015.

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

Mr. MARCELINO (Tyndall Park), Chairperson of the Standing Committee on Legislative Affairs, presented its Third Report, which was read as follows:

Meetings:

Your Committee met on the following occasions in the Legislative Building:

- June 13, 2012 (1st Session – 40th Legislature)
- June 17, 2013 (2nd Session – 40th Legislature)
- January 9, 2014 (3rd Session – 40th Legislature)
- January 14, 2015 (4th Session – 40th Legislature)
- December 16, 2015 (5th Session – 40th Legislature)

Matters under Consideration

- Annual Report of Elections Manitoba for the year ending December 31, 2011 including the conduct of the 40th Provincial General Election October 4, 2011
- Annual Report of Elections Manitoba for the year ending December 31, 2012 including the conduct of the Fort Whyte by-election September 4, 2012
- Permanent Voters List Study – Report dated June 2013
- Annual Report of Elections Manitoba for the year ending December 31, 2013
- Annual Report of Elections Manitoba for the year ending December 31, 2014 including the conduct of the 2014 Arthur-Virden and Morris by-elections

Committee Membership

Committee membership for the June 13, 2012 meeting:

- Mr. DEWAR
- Mr. EWASKO
- Mr. GAUDREAU (*Vice-Chairperson*)
- Mr. GOERTZEN
- Hon. Ms. HOWARD
- Mr. MARCELINO
- Mr. MCFADYEN
- Mr. NEVAKSHONOFF (*Chairperson*)
- Mr. SCHULER
- Hon. Mr. SELINGER
- Hon. Mr. SWAN

Committee membership for the June 17, 2013 meeting:

- Ms. BRAUN

- Mr. DEWAR
- Mr. GRAYDON
- Mr. HELWER
- Hon. Ms. HOWARD
- Hon. Ms. IRVIN-ROSS
- Mr. JHA (*Vice-Chairperson*)
- Mr. NEVAKSHONOFF (*Chairperson*)
- Mr. PALLISTER
- Mr. PEDERSEN
- Hon. Mr. SELINGER

Committee membership for the January 9, 2014 meeting:

- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. DEWAR
- Mr. GOERTZEN
- Mr. HELWER
- Mr. PEDERSEN
- Mr. SARAN (*Vice-Chairperson*)
- Hon. Mr. SELINGER
- Hon. Mr. SWAN
- Mr. WIEBE
- Ms. WIGHT (*Chairperson*)

Committee membership for the January 14, 2015 meeting:

- Hon. Ms. BRAUN
- Hon. Mr. CALDWELL
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. EWASKO
- Mr. GOERTZEN
- Mr. MALOWAY
- Mr. NEVAKSHONOFF (*Chairperson*)
- Mr. SARAN (*Vice-Chairperson*)
- Mrs. STEFANSON
- Hon. Mr. SELINGER

Committee membership for the December 16, 2015 meeting:

- Hon. Mr. ALLUM
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. EICHLER
- Mr. GOERTZEN
- Hon. Ms. IRVIN-ROSS
- Ms. LATHLIN
- Hon. Mr. LEMIEUX

- Mr. MARCELINO
- Mr. PEDERSEN
- Hon. Mr. SELINGER

Your Committee elected Mr. MARCELINO as the Chairperson at the December 16, 2015 meeting
Your Committee elected Ms. LATHLIN as the Vice-Chairperson at the December 16, 2015 meeting

Officials speaking on the record at the June 13, 2012 meeting:

- Ms. Shipra Verma, Deputy Chief Electoral Officer

Officials speaking on the record at the June 17, 2013 meeting:

- Ms. Shipra Verma, Deputy Chief Electoral Officer

Officials speaking on the record at the January 9, 2014 meeting:

- Ms. Shipra Verma, Chief Electoral Officer

Officials speaking on the record at the January 14, 2015 meeting:

- Ms. Shipra Verma, Chief Electoral Officer

Officials speaking on the record at the December 16, 2015 meeting:

- Ms. Shipra Verma, Chief Electoral Officer

Report Considered and Passed

Your Committee considered and passed the following reports as presented:

- Annual Report of Elections Manitoba for the year ending December 31, 2011 including the conduct of the 40th Provincial General Election October 4, 2011
- Annual Report of Elections Manitoba for the year ending December 31, 2012 including the conduct of the Fort Whyte by-election September 4, 2012
- Permanent Voters List Study – Report dated June 2013
- Annual Report of Elections Manitoba for the year ending December 31, 2013

Reports Considered but not Passed

Your Committee considered the following reports but did not pass them:

- Annual Report of Elections Manitoba for the year ending December 31, 2014 including the conduct of the 2014 Arthur-Virden and Morris by-elections

On motion of Mr. MARCELINO (Tyndall Park), the Report of the Committee was received.

Mr. WIEBE, Vice-Chairperson of the Standing Committee on Social and Economic Development, presented its Second Report, which was read as follows:

Meetings:

Your Committee met on February 17, 2016 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 2)** – The Public Schools Amendment Act (Small Classes for K to 3)/Loi modifiant la Loi sur les écoles publiques (faible effectif des classes)
- **Bill (No. 7)** – The Public Schools Amendment Act (Protecting Child Care Space in Schools)/Loi modifiant la Loi sur les écoles publiques (superficie réservée aux garderies dans les écoles)

Committee Membership

- Hon. Mr. ALLUM
- Hon. Ms. CROTHERS
- Mr. EWASKO
- Mr. GAUDREAU
- Mr. MARTIN
- Hon. Mr. NAVAKSHONOFF
- Mr. PEDERSEN
- Mr. RONDEAU
- Mr. SCHULER
- Mr. WIEBE (*Vice-Chairperson*)
- Hon. Ms. WIGHT

Your Committee elected Mr. GAUDREAU as the Chairperson

Public Presentations

Your Committee heard the following six presentations on **Bill (No. 2)** – The Public Schools Amendment Act (Small Classes for K to 3)/Loi modifiant la Loi sur les écoles publiques (faible effectif des classes):

| | |
|--------------------|---------------------------------|
| Norm Gould | Manitoba Teachers' Society |
| Barbara Cerilli | Private Citizen |
| Tracey Wylie | Private Citizen |
| Deenie Lefko-Halas | Private Citizen |
| Maggie Cox | Parent Council, Greenway School |
| Joe Halas | Private Citizen |

Your Committee heard the following five presentations on **Bill (No. 7)** – The Public Schools Amendment Act (Protecting Child Care Space in Schools)/Loi modifiant la Loi sur les écoles publiques (superficie réservée aux garderies dans les écoles):

| | |
|-----------|------------------------------------|
| Josh Watt | Manitoba School Boards Association |
| Pat Wege | Manitoba Childcare Association |

Kim Perring
Brienne Goertzen
Susan Prentice

On The Move Incorporated
Private Citizen
Private Citizen

Written Submissions

Your Committee received the following written submission on **Bill (No. 2)** – The Public Schools Amendment Act (Small Classes for K to 3)/Loi modifiant la Loi sur les écoles publiques (faible effectif des classes):

Rachelle Ladd Private Citizen

Your Committee received the following three written submissions on **Bill (No. 7)** – The Public Schools Amendment Act (Protecting Child Care Space in Schools)/Loi modifiant la Loi sur les écoles publiques (superficie réservée aux garderies dans les écoles):

David Hay Sugar-N-Spice Kiddie Haven, Inc.
Mihaela Mujcinovic Private Citizen
Lori Schroen CUPE Local 1543

Bills Considered and Reported

- **Bill (No. 2)** – The Public Schools Amendment Act (Small Classes for K to 3)/Loi modifiant la Loi sur les écoles publiques (faible effectif des classes)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 7)** – The Public Schools Amendment Act (Protecting Child Care Space in Schools)/Loi modifiant la Loi sur les écoles publiques (superficie réservée aux garderies dans les écoles)

Your Committee agreed to report this Bill without amendment.

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

Ms. HOWARD, Chairperson of the Standing Committee on Justice, presented its First Report, which was read as follows:

Meetings:

Your Committee met on February 18, 2016 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant)

- **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel
- **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants)
- **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »

Committee Membership

- Hon. Ms. BRAUN
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. GRAYDON
- Ms. HOWARD
- Hon. Mr. MACKINTOSH
- Hon. Ms. MARCELINO (*Logan*)
- Mr. MARCELINO (*Tyndall Park*)
- Mr. SMOOK
- Mr. SWAN
- Mr. WISHART

Your Committee elected Ms. HOWARD as the Chairperson

Your Committee elected Mr. MARCELINO (*Tyndall Park*) as the Vice-Chairperson

Motions

Your Committee agreed to the following motion:

- *That this committee recommends that the fees paid with respect to Bill (No. 300) – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic », be refunded, less the cost of printing.*

Public Presentations

Your Committee heard the following ... presentations on **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant):

Kevin Rebeck
Charlene Matheson
Barbara Byers
Michelle Gawronsky
William S. Gardner
Gloria Kelly
Dave Sauer

Manitoba Federation of Labour
Private Citizen
Canadian Labour Congress
Manitoba Government and General Employees Union
Manitoba Employers Council
The Public Service Alliance of Canada
Private Citizen

| | |
|-------------------|------------------------------------|
| Charlotte Cameron | Winnipeg Labour Council |
| Carmen Neufeld | Private Citizen |
| Gina Smoke | UNIFOR |
| Leanne Sookram, | Private Citizen |
| Carmen LeDarney | Private Citizen |
| Pamela McLeod | Willow Place |
| Beatrice Bruske | United Food and Commercial Workers |

Your Committee heard the following two presentations on **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel:

| | |
|---------------|--|
| Jane Ursel | Private Citizen |
| Kim Storeshaw | A Woman's Place NorWest Co-op Community Health |

Your Committee heard the following two presentations on **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants):

| | |
|-----------------|--------------------------|
| Lawrence Pinsky | Manitoba Bar Association |
| Trent Tait | Private Citizen |

Your Committee heard the following presentation on **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »:

| | |
|------------|---------------------|
| Chad Smith | Mount Carmel Clinic |
|------------|---------------------|

Written Submissions

Your Committee received the following two written submissions on **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel:

| | |
|-------------------|-------------------------|
| Maddie Laberge | Private Citizen |
| Trudy L. Lavallee | Ikwe Widdjiitiwin, Inc. |

Your Committee received the following written submission on **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants):

| | |
|---------------|-------------------------------------|
| Nicholas Bala | Faculty of Law – Queen's University |
|---------------|-------------------------------------|

Bills Considered and Reported

- **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants)

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 5(2) of Schedule A of the Bill be amended by striking out " , unless it is someone" and substituting "unless he or she conducted an earlier evaluation of them or is someone".

THAT Clause 6 of Schedule A of the Bill and the centred heading before the Clause be replaced with the following:

DISPUTE RESOLUTION

Dispute resolution by the parties

6 The parties to a dispute must act in a way that strives

- (a) to minimize conflict;
- (b) to promote co-operation;
- (c) to meet the best interests of any child involved in the dispute; and
- (d) to the extent the parties consider it appropriate to do so, to resolve the dispute by reaching an agreement through negotiation or another dispute resolution process.

THAT Clause 33(2) of Schedule A of the Bill be replaced with the following:

Person in loco parentis may apply

33(2) A person in loco parentis to a child may also apply for

- (a) custody of the child, if there is leave of the court; or
- (b) access to the child;

if the child's parents are notified of the application.

THAT Clause 40(4) of Schedule A of the Bill be replaced with the following:

Variation of order for access

40(4) The court may, on application, vary or terminate an order for access if the court is satisfied that the child's needs or circumstances have changed since the original order was made or last varied. The provisions of this section apply in relation to that application.

- **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »

Your Committee agreed to report this Bill without amendment.

On motion of Ms. HOWARD, the Report of the Committee was received.

Pursuant to Rule 26(1), Mr. EWASKO, Hon. Ms. BLADY, Mr. GRAYDON, Ms. ALLAN and Hon. Mr. GERRARD made Members' Statements.

The following petitions were presented and read:

Mr. SCHULER – Legislative Assembly of Manitoba to urge that the Provincial Government improve the safety at the pedestrian corridor at the intersection of PTH# 206 and Cedar Avenue in Oak Bank by considering such steps as highlighting pavement markings to better indicate the location of the shoulders and crosswalk, as well as installing a lighted crosswalk structure. (S. Welsh, G. Korell, J. Tulford and others)

Mr. EICHLER – Legislative Assembly of Manitoba to request that the Minister of Education and Advanced Learning consider making funding available to eliminate the current waiting list for ABA school age services, maintain the current successful program, and fund true ABA Services for individuals diagnosed with Autism Spectrum Disorder until they reach age 21. (G. Mercier, K. Koop, D. Roncadin and others)

Mr. PEDERSEN – Legislative Assembly of Manitoba to urge that the Provincial Government repair and reopen the Provincial Roads 415 and 416 to allow adequate east-west travel in the Interlake. (J. Mankewich, D. Johnson, J. Johnson and others)

Mr. EWASKO – Legislative Assembly of Manitoba to urge the Provincial Government to consider collaborating with other levels of government to research the economic benefits and construction costs of a marina in Lac du Bonnet. (R. St. Hilaire, B. St. Hilaire, T. Scott and others)

Mr. PIWNIUK – Legislative Assembly of Manitoba to urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all Members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba Transmission Line including whether or not this routing represented the least intrusive option to residents of Tache, Springfield, St. Anne, Stuartburn, Piney and La Broquerie. (W. Chabot, J. Schultz-Jeffery, R. Stelmack and others)

Mr. WISHART – Legislative Assembly of Manitoba to request that the Ministers of Family Services, Education and Advanced Learning, and Health consider making funding available to address the current waiting list for ABA Services. (M. Funk, S. Seibel, C. Peters and others)

Mr. CULLEN – Legislative Assembly of Manitoba to urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all Members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba Transmission Line including whether or not this routing represented the least intrusive option to residents of Tache, Springfield, St. Anne, Stuartburn, Piney and La Broquerie. (G. Giesbrecht, G. Benitez, D. Rudy and others)

Mr. SMOOK – Legislative Assembly of Manitoba to urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all Members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba Transmission Line including whether or not this routing represented the least intrusive option to residents of Tache, Springfield, St. Anne, Stuartburn, Piney and La Broquerie. (M. Tellier, F. Yelinek, F. Clichke and others)

Hon. Mr. ALLUM moved:

THAT Bill (No. 13) – The Education Administration Amendment Act (First Nations, Métis and Inuit Education Policy Framework)/Loi modifiant la Loi sur l'administration scolaire (cadre stratégique sur l'éducation et l'histoire des Premières nations, des Métis et des Inuits), be now read a Second Time and be referred to a Committee of this House.

(Recommended by Her Honour, the Lieutenant Governor)

And a debate arising,

And Hon. Mr. ALLUM having spoken,

And Mr. EWASKO and Hon. Mr. GERRARD having questioned the Minister,

And the debate continuing,

And Mr. EWASKO, Hon. Mr. GERRARD and Messrs. FRIESEN, GOERTZEN, SCHULER and HELWER having spoken,

And the Question being put. It was agreed to.

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

Hon. Mr. ALLUM presented:

Message from Her Honour, the Lieutenant Governor recommending the disposition of public revenue for Bill (No. 13).

(Sessional Paper No. 12)

Wednesday, February 24, 2016

The House then adjourned at 5:00 p.m. until 10:00 a.m. Thursday, February 25, 2016.

Hon. Daryl REID,
Speaker.