

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Colin LaVie

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The Legislature sat at 1:00 p.m.

Matters of Privilege and Recognition of  
Guests

**Speaker:** The hon. Premier.

**Premier King:** Thank you very much, Mr. Speaker.

Welcome back to my colleagues, for another week of debate in the Legislature; to all those who are joining us at home, and all those who are joining us in the public gallery today.

Allow me the privilege to be the first to recognize, in the Speaker's gallery, the new leader of the Liberal Party of Prince Edward Island, Sharon Cameron, who was officially announced Saturday. I welcome her to the Legislature.

I look forward to the contribution you'll make in the weeks and years ahead. Thank you very much and congratulations.

I also wanted to say congratulations to Corey MacPherson, who was the winning driver in the Red Shores Drivers Challenge at the race track this weekend. He won the Paul (Dinger) MacDonald Award with 62 points in this year's drivers challenge, finishing just two points ahead of Ambyr Campbell, who is the top women's driver in Atlantic Canada. Ambyr finished second in that competition. To all of those at Red Shores who participated and put on another first-class event, I say congratulations and to Corey MacPherson, it's good to see your hard work and dedication paying off.

I also wanted to say thank you and congratulations to the Queen Elizabeth Hospital Foundation who had their Yuletide Gala on Saturday at the Delta in Charlottetown. That event raised \$367,048, which will be used for a new hematology analysis system for the hospital. To all of those who organized and contributed, thank you very much for that worthwhile cause.

Finally, I wanted to say that, although it's still a few days away that on Saturday morning, I will be hosting what used to be an annual Salvation Army Kettle Campaign kickoff. We were a little – we had to pause

during the COVID times, but we're excited to kick off that campaign again this Saturday at the Hunter River Lions Club. It's by donation only and this will kick off what is a most worthy campaign for the Christmas season and the holiday season that's conducted by the Salvation Army all across PEI.

If you happen to find your way out to Hunter River on Saturday morning, we'd love to see you at the Lions Club. It's a great event for a great cause.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Thank you so much, Mr. Speaker.

I, too, would like to welcome everybody to the gallery today and a special welcome to Sharon. Congratulations, Sharon, on your victory on the weekend. I look forward to working closely with you over the years to come.

I'd also like to welcome to the gallery; I see a couple of regulars here today – Toby MacDonald and Debbie Graham are here with us. They come in frequently and, I think, enjoy the entertainment in here a lot; you keep coming back. It's lovely to see you again amongst others who are here.

Since September, Pauline Howard and Makena Tarichia and a group of other volunteers have been meeting regularly at Makena's commercial kitchen, which she has. They've been cooking, amongst other things, soups using food which is either donated or they have gleaned from somewhere. They deliver the soup and the meals that they make to the Community Fridge here in Charlottetown and elsewhere.

On their next day in the kitchen, the group are going to be baking cookies. Anybody who's interested in volunteering, it's a wonderful group. It's organized through the Food Exchange PEI. Pauline Howard is an absolute force of nature when it comes to keeping that group going. If you'd really like to help out in stocking out our Community Fridges at a time when many people are struggling to keep their own

fridges full, please get in contact with Pauline through Food Exchange PEI and they'd be happy to have volunteers there to help bake some cookies.

The Canoe Cove Community Association AGM is going to be held next week on Monday, November 28<sup>th</sup> at 7:30 p.m. It's always a lovely event. Canoe Cove is not a large community, but they are one of those places on Prince Edward Island where the one-room community school has been retained and used for other purposes. In this case, it's their community hall. They always put on a great show. It's fun to be there. New members are always welcome. It's a place I always feel there's a great, tremendous sense of community in Canoe Cove. I always enjoy visiting them, people in the community themselves, and the lovely old schoolhouse there.

The South Shore United Church next weekend is holding the annual Sorensen Family Christmas Concert. Those in this House, I am sure, will know many of the Sorensen family. Jack and Arlene have been tremendous movers in their community for a very, very long time and they're both musical, as are many of their kids. I'm thinking specifically of Dale and Jacqueline here, but there are others who will contribute. It's an annual event, which is very, very lovely. They feature original stories and personal experiences of Christmas past. It's just beautiful musically, it's beautiful esthetically in the Tryon church, United Church, there. Also, some lovely music will be played.

Finally, I was pleased to hear – and I guess we haven't had the official announcement yet – but finally, PEI will be joining many of the other provinces in getting a full carbon rebate.

**Some Hon. Members:** Hear, hear!

**Leader of the Opposition:** Finally, Islanders will be getting all of the money that they deserve through the federal backstop. It's good for Islanders, it's good for our province, it's good for our economy, it's good for our environment, and I'm really glad to see that. I look forward to debate on that in the months and years ahead.

Thank you, Mr. Speaker.

**Speaker:** The hon. Leader of the Third Party.

**Mr. Gallant:** Thank you very much, Mr. Speaker.

I want to welcome everyone back; all my colleagues and everyone watching from my district, Evangeline-Miscouche, and all Islanders. A special welcome to everyone in the gallery, and a very special welcome to Daniel Larter. I see Gary Watts is here, and although you're a Toronto Maple Leaf fan, we still talk. It's great to see you here.

Saturday was a big day for our party supporters and will in turn become an important day to remember for Islanders across the province.

I'm a bit lighter today, in terms of titles, at least. On Saturday, I passed the torch to our new leader of the Liberal Party of Prince Edward Island, Sharon Cameron, who is joining us in the gallery. Welcome, Sharon.

**Some Hon. Members:** Hear, hear!

**Mr. Gallant:** I want to congratulate and thank Sharon for her commitment to our party and to all Islanders. The energy in the room Saturday was electric and infectious as we welcomed Sharon. She has a heart of gold, a brilliant mind, and a can-do attitude, and I can't be more excited to see what she will accomplish in her new role.

Once again, congratulations, Sharon, and welcome to the gallery today.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Minister of Social Development and Housing.

**Mr. MacKay:** Thank you, Mr. Speaker.

I'd like to start off by welcoming everybody watching today, especially those in Kensington-Malpeque.

I want to take this time – I know my parents always watch. My mom's a faithful watcher and even my father started to watch, which really surprised me because he doesn't have

a very long attention span. Anyway, I want to say hello, both to mom and dad.

I also want to say thanks to my department. There's a lot of work that goes behind the scenes in my department and they don't get a lot of credit behind the scenes. I can't thank them enough for all the tremendous work that they have done and will continue to do.

Today is National Housing Day. We know that our housing situation has a profound impact on our overall well-being. I look forward to making announcements in the near future that will directly support creating greater access to housing across Prince Edward Island.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Mr. Speaker.

Hello to all my colleagues, everyone tuning in from Charlottetown-Victoria Park, around the Island, hello to everyone in the gallery; a special hello to Sharon Cameron joining us today. I look forward to working with you.

As mentioned by the minister, today is National Housing Day. The theme this year is "Everything Starts at Home." As we reflect on that – if you don't have a home, where does that leave you?

I thought I would take this opportunity to simply reiterate that housing is a human right for every person in Canada.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Minister of Finance.

**Mr. McLane:** Thank you, Mr. Speaker.

I want to rise today to congratulate Cornwall/Charlottetown KOA Holiday Campground on receiving the 2023 KOA President's Award and the KOA Founder's Award at the recent international convention in Orlando, Florida.

The KOA President's Award is given to campgrounds meeting high quality standards and receiving high customer service scores from their camping guests. In addition, KOA's Founder Award is KOA's highest service award and is given to KOA campground owners and managers who earned world-class scores in both customer service, and KOA quality review.

My daughter's first job was at KOA, for two summers. It was a fantastic experience for her to learn and the focus on customer service there was second to none.

I want to recognize Cornwall/Charlottetown KOA Holiday Campground; their owners, the Gray Group; and general manager, Donna Sentner; along with Abby Sentner, who is the manager of guest services, who worked tirelessly to provide every guest with exceptional service and the best outdoor camping experience in North America.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Tyne Valley-Sherbrooke.

**Ms. Altass:** Thank you, Mr. Speaker.

It's a pleasure to rise today and say hello to everyone here in the gallery, including Toby MacDonald and Debbie Graham, as well as new Liberal leader, Sharon Cameron. Congratulations to Sharon.

Speaking of passing the torch, today the Canada Games Torch Relay is taking place in Tyne Valley later this afternoon. So, I wanted to acknowledge the torchbearers that will be engaging in the Torch Relay this afternoon: Melanie Phillips, Erica Wagner, Barb Ramsay-DesRoches, Shelly Campbell, Ann Robinson, Rowen Colwell, Kenley Noye, Jenna Smith, Jarred Colwell, Colin Dillion, Marie Barlow and Shana Lee Wismier. It's going to be an exciting afternoon and I wish everybody well.

Thank you, Mr. Speaker.

**Speaker:** The hon. Minister of Education and Lifelong Learning.

**Ms. Jameson:** Thank you, Mr. Speaker.

It's certainly a pleasure to rise today. Welcome back to all my colleagues. Hello to everyone tuned in online and thanks to those joining us here in the gallery. A special thanks to Sharon Cameron for joining us and certainly a big congratulations to you and I look forward to working with you.

I'd also like to give a shout-out to the community legal information and the PEI Human Rights Commission for their partnership and creating valuable resources for Islanders. They created two new videos that explained how to identify workplace sexual harassment and what options are available to address it here on Prince Edward Island. They were launched today at the beautiful Charlottetown Library Learning Centre. I have to say it's always a pleasure to participate in events at the new library.

For those of you here and everyone listening today, I want to share that the RISE Program offers free legal support to victims of sexual and intimate partner violence and workplace sexual harassment. And the SHIFT Program project aims to address and prevent sexual harassment in Island workplaces, through awareness, education and free-tailored training for employers and employees, high school students and the general public.

So, if you've experienced workplace sexual harassment, if you're an employer looking for more information, please contact the RISE Program or the SHIFT Project.

Thanks, Mr. Speaker, for allowing me the opportunity to share this information around these important resources for Islanders.

Thank you very much.

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

It is a pleasure to rise here in the Legislature this afternoon. I want to welcome everybody and say hello to everybody that is watching in online; certainly those from the western part of the province, up in District 26 Alberton-Bloomfield.

And welcome everybody to the gallery here. Certainly, Sharon, great to see you. As been said by others, certainly look forward to working with you. Thank you for joining us.

This week, November 20<sup>th</sup> to 26<sup>th</sup>, is National Addictions Awareness Week. This year the week spotlight will be on how different communities across the country are helping those in their community. It's about showing how collaborating as a community of care makes change happen. On PEI we have a strong network of community services for people with substance use disorders.

I'd encourage anyone with concerns about addiction to contact the Mental Health and Addictions phone line at 1-833-553-6983 for help, or to contact the Mental Health and Addictions navigator.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Tignish-Palmer Road.

**Mr. Perry:** Thank you very much, Mr. Speaker.

I'd like to say hello to all those that are watching from District 27 Tignish-Palmer Road. All those who are visiting in the gallery today, especially to Sharon Cameron, our new leader.

I had said on Saturday and I'll say it again today, that it was 2011 when I began my political journey and it was because of a very strong intelligent woman who was able to relate to average Islanders and their needs and was able to engage with them and had integrity and I look forward to sharing the ballot, I guess, in the next coming election with a lady who has very similar qualities as the last one.

I just want to welcome her into the gallery and say how proud I am to go into 2023 with her on the ballot.

Thank you.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Charlottetown-Winsloe.

**Mr. Bell:** Thank you, Mr. Speaker.

It's always a pleasure to rise and welcome all of my colleagues, as well as everyone in the gallery and congratulations to Sharon.

I just wanted to give a quick congratulations going out to the Charlottetown Bulk Carrier Knights. They won the AAA Monctonian tournament this past weekend. As a coach of this team when they were also known as the Charlottetown Islanders, I do want to say congratulations to a good friend of mine, Luck Beck, for bringing home the title and bringing it back to PEI.

So, just congratulations to all of the Charlottetown Bulk Carrier Knights.

**Speaker:** The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** Thank you, Mr. Speaker.

It's a pleasure to rise and say hello to everybody watching from District 14 and say hello to our new leader, too, as well, Sharon Cameron.

It was interesting because I had the opportunity to introduce Sharon and the last orders that our leader gave me was; I was not allowed to dance. So, I do remember that, so I didn't dance, but Sharon really brought the energy that day.

Anyway, I want to just send a special thank you to a constituent, Vince Adams, who, on the weekend, did something special on the Hillsborough Bridge where he's done a campaign regarding walking around with a cross. It symbolized the weight that families carry about suicide and other difficult topics to talk about. He brought his cross to the Hillsborough Bridge to bring awareness to what families are going through. I was able to join him there on that cold day. I just want to thank him for all the work that he's done. That was pretty powerful and something I will never forget. Thank you, Vince.

Thank you.

**Speaker:** The hon. Member from O'Leary-Inverness.

**Mr. Henderson:** Thank you, Mr. Speaker.

I, too, want to welcome all those that are watching back in the riding of O'Leary-Inverness. I want to acknowledge a couple of people in the gallery there. Gary Watts, a good Toronto Maple Leaf fan. I might remind him that the Toronto Maple Leafs blew it last night again, but he'd be used to that; also to remind the Speaker, as the Boston Bruins are now still the top team in the NHL after 19 games in and looking still pretty good. Took down two-time Stanley Cup champs a couple of years back, the Tampa Bay Lightning. Also, Daniel Larter; want to welcome him to the gallery.

I, too, also want to congratulate Sharon Cameron in the gallery here today and certainly congratulate her on her accomplishment at the East Wiltshire School on the weekend. We certainly know all the challenges that come with the political calling. Many of us here have been bitten by that particular bug. We all know that it can have its days and moments, but I certainly admire her willingness to take on such a difficult challenge. When Islanders do get to know her, they will like what they hear and see.

Thank you, Mr. Speaker.

**Speaker:** The hon. Minister of Economic Growth, Tourism and Culture.

**Mr. Thompson:** Well, Mr. Speaker, I'll be very quick. I feel like everybody wanted to get up today and wish everybody a good week.

Also, like to congratulate Sharon Cameron. I want to recognize a guest in the gallery, Cecil MacLauchlan, a constituent in District 8 Stanhope-Marshfield.

**Speaker:** And finally, the hon. Minister of Fisheries and Communities – been waving his arms in the air for the last 10 minutes.

**Mr. Fox:** Thank you, Mr. Speaker.

I'd like to just take a minute to welcome everybody in District 19, but I want to say hello to Sharon. Sharon and I actually go back a long way. When I first came to Borden back 30-some years ago, I was a young police officer and Sharon was a guidance counsellor there at Borden School.

**An Hon. Member:** (Indistinct) a ticket.

**Mr. Fox:** No, I never gave her a ticket.

**Some Hon. Members:** [Laughter]

**Mr. Fox:** But on a sad note there, just right quick, a real good friend of mine just passed away this morning, Debbie Bernard. She's been a staple of our community in Borden-Carleton. For as long as I have ever known her, she was a big supporter of the legion. Any community event that ever went on, she was always at the arena doing something around the hockey and stuff like that and providing supports for other families.

My heart – just a big sincere – I'm sorry for the Bernard family. It's just too bad; it's a great loss.

Thank you.

**Speaker:** I definitely didn't miss anyone.

#### Statements by Members

**Speaker:** The hon. Member from Summerside-South Drive.

#### **Broken Promises**

**Mr. Howard:** Thank you, Mr. Speaker.

Those of us who know that reforming our democratic institutions is essential to a more functional and effective government are continually disappointed by the insincerity of those who profess to support it when it's politically advantageous to do so and fail to do anything when the power to change it comes to their hands.

The previous premier voted against honouring the vote of the people in a plebiscite and was handily voted out. The current Premier has indicated he has no intention of honouring the vote of this very Assembly, even though it aligns with his publicly expressed views. Mind you, that was before he was elected. It's an election year coming up and the electorate will be judging you based on your actions, not your promises.

Promises of this administration have been shown time and time again to amount to nothing more than delays when it's time for

action. That's one thing we can count on. Delayed democratic reform, delayed public housing builds, delayed financial assistance for struggling Islanders, delayed carbon rebates and the list goes on.

If we ever are to succeed at tackling the big problems we face, we need a system of governance that does not play into the four-year election cycles where policy decisions of the politicians who are elected are based on overthrowing the policy decisions of those who came before.

We need to plot a course that is in the public's best interest and stick to it, modifying as made necessary by reality and not political populism.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Summerside-Wilmot.

#### **Yuletide Village**

**Ms. Lund:** Mr. Speaker, there are so many cool things happening in Summerside this Christmas, and I wanted to bring your attention to just one of them.

Downtown Summerside is hosting the first annual Yuletide Village, which is going to be an awesome family-friendly event taking place over three weekends. It'll kick off after the Santa Claus Parade on the 2<sup>nd</sup> with Santa and Mrs. Claus visiting the village to help the city light its Christmas tree, and then it will be held on the next three Saturdays.

Veterans Memorial Square is going to be transformed into a Yuletide Village on December 2<sup>nd</sup>, 3<sup>rd</sup>, 10<sup>th</sup>, and 17<sup>th</sup>. There's going to be a lot going on, like a hot chocolate bar and smore-making kits with proceeds going to LifeHouse and the Salvation Army; cozy campfires; wagon rides; Christmas singalongs; a scavenger hunt; visit from Santa Claus, and so much more. There will even be a place that you can drop off your letter to send to the North Pole.

There will be a winter craft fair on the 10<sup>th</sup> to pick up beautiful gifts for the holidays. It's going to be a fantastic addition to the



downtown area, and I'm sure the whole community is going to love it.

Tyne Valley-Sherbrooke and I are already signed up to volunteer, so we hope to see you there.

Thank you, Mr. Speaker.

**Speaker:** I knew when she started, I was getting an invitation.

**Ms. Lund:** Yes (Indistinct)

[Laughter]

**Speaker:** The hon. Member from Charlottetown-Winsloe.

### CPR Month

**Mr. Bell:** Thank you, Mr. Speaker.

November is CPR Month. On average, every 15 minutes, someone in Canada suffers a cardiac arrest at home, at school, in the workplace, at a shopping centre or a sports arena, or any other public outing.

There's always the possibility that we may be a witness to a cardiac arrest of a stranger, a friend, a family member, or even a coworker. It's imperative that Islanders are able to recognize when someone is in cardiac arrest and make action by calling 911 and performing hands-only CPR, as well as applying an AED.

Many of us say that we would help, but when the situation arises, some are reluctant. We doubt our ability to do CPR in fear of hurting the person, or maybe we are uncomfortable doing CPR on a woman or a child.

Performing CPR and using an AED doubles the person's chance for survival. CPR is the only way to ensure that the blood, which carries oxygen and other important nutrients, continues to flow to the person's heart, brain, and other vital organs until an AED can be found and used to shock the heart into beating again.

Education and awareness can help Islanders recognize the signs of a cardiac arrest and empower them to call 911, perform that hands-only CPR, and also use an AED.

Let's add our voice to Heart and Stroke and CPR Month and amplify this message further, learn CPR, and how to use an AED. PEI Heart and Stroke Foundation is focusing their efforts on areas where they make the biggest impact, which includes fighting for prevention, saving lives, transforming recovery, and investing in life-saving research. Heart and Stroke Foundation of PEI offers a CPR and an AED learning session.

If you'd like more information, you can reach out to the Heart and Stroke Foundation of Prince Edward Island by calling them at (902) 892-7441.

Thank you, Mr. Speaker.

**Speaker:** End of statements.

Responses to Questions Taken as Notice

### Questions by Members

**Speaker:** For our first question, I'll call on the hon. Leader of the Opposition.

**Leader of the Opposition:** Thank you so much, Mr. Speaker.

I was recently approached by a daycare operator in Souris who, after over 30 years of providing child care services in their community, is faced with the prospect of having to close.

### Daycare spaces in eastern Kings

A question to the Minister of Education and Lifelong Learning: Do we currently have enough daycare spaces in eastern Kings, and therefore we're not going to miss the 32 spaces that the closure of this centre would represent?

**Speaker:** The hon. Minister of Education and Lifelong Learning.

**Ms. Jameson:** Thank you, Mr. Speaker, and thank you for raising the question.

I'm aware of the centre that is closing. I know that the department has been working with the families that are currently attending the centre to find alternative arrangements.

Certainly, within the community, anyone who is willing and wants to potentially take over that centre or start a family home centre in that area, we'd be happy to work with them. There's a number of different grants that we've been rolling out and we've been doing information sessions around this. The team is on board. I know the federal government has been very supportive, and we are excited to continue growing the system.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Thanks, Mr. Speaker.

I appreciate the response from the minister. I think she started off by saying she's aware of the centre which is closing, and of course, it doesn't have to close. This is an unwanted closure. They're only doing that because they've been unable to attract a buyer for the business. The upfront costs and the difficulty in attracting staff, particularly the latter; those have been identified as barriers to the transition to a potential new operator.

### **Support for daycare spaces**

The minister spoke of grants and federal programs, and I'm wondering, to the same minister: What help is your department going to provide to ensure that these spaces are not lost and to support a prospective new owner in taking over this critical business?

**Speaker:** The hon. Minister of Education and Lifelong Learning.

**Ms. Jameson:** Thank you, Mr. Speaker.

As I suggested, this centre, it's not currently an early learning centre, so this would be deemed a family home centre, per se. There are a number of different grants available. The capital grants to support renovations or purchase equipment, \$25,000, operational grants to support quality decrease parental fees of \$15,000, licensing incentive grants, professional support, quality programming.

Certainly, I hope the member across recognizes the advocacy that I have had with our federal counterparts, as well. I know that

the federal government is considering rolling out an infrastructure fund and that's something that I have certainly pressed.

I was recently there about a month ago and I spoke with the federal minister. I highlighted the importance of getting this fund up and running as soon as possible because this is certainly an area of concern and we want to make sure that we're there to address it.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Thanks, Mr. Speaker.

I am somewhat aware of the federal program that the minister just referred to but that's something in the future. We don't know the details. You probably know more than I do. When it comes to early years centres, that ability to be able to finance something which is as heavily regulated as child care centres is really, really critical. I look forward to seeing that program.

Many of the parents of the children at the daycare centre in Souris work in critical fields like health care. Some have experienced concerns about being able to continue working in their jobs as registered care workers, as nurse practitioners and as doctors if this centre actually closes.

### **Potential closure and quality health care**

A question to the Minister of Health and Wellness: Are you concerned about the impact a potential closure such as this would have on the ability of your department to continue providing quality health care in the Souris area?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

The closure of any daycare at any location across the province and the potential impact that it has, whether it's on the health care system, the education system, or private

business or any other industry, is certainly a concern.

I look forward to working with my counterparts here, certainly the Minister of Education and Lifelong Learning, to come up with solutions, not only with regard to Souris, but expansion right across the province.

Thank you.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Thank you.

The minister, of course, is absolutely right, that having daycare spaces available to all parents, all families who want them is critical for our communities, for our economy and for the well-being of families and children all across our province.

Finding good daycare spaces close to home is absolutely critical. In my own area on the South Shore, a large and popular daycare, Merry Pop-Ins, is having to close its infant program at the end of this week. They are licensed for 12 infants, but they've never been able to reach that full complement because they simply cannot staff it.

They also have 85 children on their waiting list for their early year centre but, again, due to staffing restraints, they have never, ever operated at their full capacity.

### **Support for daycare spaces (further)**

A question to the Minister of Education and Lifelong Learning: What is your department doing to ensure that this daycare, Merry Pop-Ins, does not end up in the same situation as the one in Souris, leaving dozens and dozens of families in the lurch?

**Speaker:** The hon. Minister of Education and Lifelong Learning.

**Ms. Jameson:** Thank you, Mr. Speaker.

I do really commend the Leader of the Opposition for bringing these questions forward. I do want to state on the record, PEI is leading the way on child care in the country. That's something that we hear loud and clear across the board.

Although there are some areas whereby, yes, we're trying to make improvements, over the last year and a half, we've increased spaces by 443. That's significant, and that's because we are investing in our staff. We're investing in our parents. We're reducing fees. We're rolling out a retirement pension plan. We've got all kinds of grants to help support staffing.

Although, again, I do appreciate the Leader of the Opposition raising these concerns, we are there to support our families in our centres and we will continue to be in the months ahead.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Thanks, Mr. Speaker.

When the minister says we're leading the country, I'd like her to go and tell that to the families who are all unable to find spaces –

**Some Hon. Members:** Hear, hear!

**Leader of the Opposition:** – for their kids.

Maybe we're leading in the percentage of unfilled spaces in our daycare centres. That's something I could believe that we are actually leading in.

The difficulty in hiring good staff is partly a result of the inflexibility of the Child Care Services Board when it comes to recognizing credentials. Not having enough staff, as I've already stated this afternoon, is one of the critical reasons why we do not have all of the spaces in our daycares filled.

At Merry Pop-Ins, for example, there's a staff member who has a master's degree in special needs and six years of experience; but because their degree doesn't conform with the requirements of the pay grid, they only qualify for minimum wage.

Six years and a master's degree; minimum wage.

**Appropriate pay for highly trained workers**

A question to the same minister: These workers are highly trained and experienced. What are you going to do to make sure that they can be paid appropriately so that daycare centres can actually provide all of the spaces that they are licensed to offer?

**Speaker:** The hon. Minister of Education and Lifelong Learning.

**Ms. Jameson:** Thank you very much, Mr. Speaker.

With regard to this specific case, I'll take that back to the department and we will work with the staff member and the centre to find some positive way forward. Certainly, this is something that is extremely important to the department. We're working with our post-secondary institutions; Holland College, Collège de l'Île.

Holland College has introduced the accelerated program, Collège de l'Île is doing the same; we've worked with ECDA to incorporate the Steps to Success Program.

Again, I recognize the importance of the concerns that are being raised, but we are working to address some of these and look forward to further discussions with the hon. member.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, health care workers have been holding this health care system together long before COVID. My caucus colleagues and I have been pushing this government to address systemic issues in health care, and this government comes up with ideas that no other politician, maybe, came up with; like we'll throw money at them, but only at some of them because, you know, some will get more than others. Some are more valuable than others.

This minister has yet to explain the logic around the retention initiative that was announced last month. So, let's hear it.

#### **Formula used for retention incentives**

Question to the Minister of Health and Wellness: What formula did you use to

determine who would get the different levels of cash retention incentives, or just no incentive at all?

**Speaker:** The hon. Minister of Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker and I do appreciate the question from the hon. member.

In her preamble, she references the importance and how health care workers do hold the system together. She is absolutely right on that.

With regard to the retention incentives that have been announced, to this point in time, it covered RCWs, it covered LPNs, paramedics, RNs, and nurse practitioners; that segment of the front line that are there day in and day out.

Not saying that they are any more or any less important, but we have major shortages in those areas and we needed to provide incentives – retention incentives – to keep them there, in our system, on the Island; also, to encourage ones that are near retirement or recently retired, to re-enter and stay in the health care system.

Thank you.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Thank you, Mr. Speaker.

Psychologists were also deliberately excluded from the retention bonus. I met with the minister regarding mental health services. When I asked about the wait list for counselling services, I was told that the wait list was only for one-on-one counselling services.

#### **Wait list for mental health counselling**

Question to the Minister of Health and Wellness: Do we have a wait list for mental health counselling because we have a policy decision to not hire enough psychologists, or because we have a retention issue and cannot retain them?

**An Hon. Member:** Good question.

**Speaker:** The hon. Minister of Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

With regard to psychologists, our government has increased the number of psychologists in the province. There has been great success in the recruitment of psychologists, and our government is the government that actually put in place a recruitment incentive of \$15,000 per psychologist.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, a paramedic, a registered nurse and a social worker work as a team as a mobile mental health unit. They all work together, and their skillset should be equally valued.

The minister uses all the right words to say how valued they are and how respected they are, but last month, those same teams walked into a press conference and the paramedic and the registered nurse were shown how valued they are – albeit, not equally – and the social worker was told to wait outside because when it really comes down to it, the government’s model is “It’s about some people.”

### Value of health care workers

To the same minister: How do you justify that?

**Speaker:** The hon. Minister of Minister of Health and Wellness.

**Mr. Hudson:** Thank you, Mr. Speaker.

As I’ve said previously; that all of our health care workers play a pivotal role. The retention incentives that were announced here, three, four weeks ago, thereabouts; I already alluded to the rationale for that first wave, if you like, of retention incentives.

Mr. Speaker, we will continue to have discussions, to work with our unions, with regard to the potential of other incentives.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, senior leadership at Health PEI shared that Health PEI was asked by this government to cut \$2 million from their proposed operating budget, which meant that some retention initiatives were actually cut.

Government spent a measly \$50,000 on retention efforts for almost 7,000 employees.

**An Hon. Member:** Wow.

**Ms. Beaton:** This equates to less than \$10 each. Remember, this is the only retention bonus that many of them have gotten so far.

### Cuts to retention incentives

Question to the minister: Do you agree that some of our frontline health care workers only deserve a \$10 thank you?

**Ms. Bernard:** Wow.

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

I think the hon. member alludes to, if I recall, if I heard her correctly, budget cut.

Our government has increased funding for health care in this great province of ours by 200 million since coming to power.

**An Hon. Member:** (Indistinct)

**Mr. Hudson:** To me, Mr. Speaker, that’s not in any way, shape, or form, any type of a cut.

Thank you.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** It’s really convenient when the pre-budget consultation numbers that come out from the departments are actually not shared publicly because then the government doesn’t actually have to admit to anything.

On this side of the House –

**An Hon. Member:** (Indistinct) budget (Indistinct)

**Ms. Beaton:** – we believe that all frontline health care workers are important. Let's say the Premier invites the mobile mental health team to come into the Legislature. An RN, a paramedic, and a social worker walk into the Legislature. The Premier says to the RN: You're a health care hero, here's \$3,500. He then says to the paramedic: You're a health care hero, here's \$2,500. Then the Premier turns to the social worker and says: You're a health hero, here's a tiny flashlight.

**Some Hon. Members:** [Laughter]

**Ms. Beaton:** Not very funny, actually.

**Mr. Henderson:** I like the line.

#### **Value of health care workers (further)**

**Ms. Beaton:** To the Premier: I get the different recruitment amounts based on education, but how do you justify belittling our health care frontline workers by valuing the work they've done differently, or for some, not valuing it at all?

**Speaker:** The hon. Premier.

**Premier King:** Thank you, Mr. Speaker.

I believe the minister was doing a great job of actually explaining the process and responding to the requests from the head of the Nurses Union, for example, to try to put in place a retention incentive to keep those individuals that are in the system here a little bit longer.

We made the first initial stages with the RCWs, with the paramedics, with the RNs, with the nurse practitioners, and as the minister said, we'll continue to look at that. Anything we can do to solidify the services of the professionals who look after us every day, Mr. Speaker, we'll try to do, and that's what our process will be heading forward.

**Speaker:** The hon. Member from Summerside-Wilmot.

**Ms. Lund:** Mr. Speaker, UPEI promised that people would be released from their

NDA's in order to allow for a proper investigation into how sexual harassment complaints were handled, and so far, they've followed through on that.

But yesterday, we learned that the person who is accused of harassing those people is also a signatory to the NDAs and is refusing to allow them to participate.

#### **Negative impacts on UPEI investigation**

A question to the minister of justice: Do you feel that silencing some of the people who are most severely impacted is going to have a negative impact on the investigation at UPEI?

**Speaker:** The hon. Minister of Justice and Public Safety.

**Ms. Compton:** Thank you very much, Mr. Speaker.

Hon. member, you brought a bill to the floor, a very important bill, and I know that UPEI is in the throes of dealing with the situation they've got, and I do not support that. I feel they should be, but it's not up to me, it's up to UPEI.

**Speaker:** The hon. Member from Summerside-Wilmot.

**Ms. Lund:** Mr. Speaker, this is such a great example of why NDAs are a problem. We know that there were concerns about how sexual misconduct complaints were handled at the university, and now, as they're trying to address the root of that problem, there's information that the investigation is just not going to hear about. Recommendations can only be made based on what the investigators hear.

It's pretty clear that the public loses when abusers are allowed to silence their targets.

#### **Action from minister re: UPEI**

To the same minister: What are you doing to ensure these important voices are free to be heard during the review?

**Speaker:** The hon. Minister of Justice and Public Safety.

**Ms. Compton:** Thank you very much, Mr. Speaker.

Hon. member, that would be something that we would have a conversation with UPEI about, but it's through UPEI that we'll be dealing with the NDAs, and whether they have them or not.

**Speaker:** The hon. Member from Summerside-Wilmot.

**Ms. Lund:** Mr. Speaker, have I got a surprise for you. When I drafted the legislation on the NDA act, I included a section that spells out a list of exemptions that are true even for old NDAs and the last one on that list is a person or class of persons as prescribed in the regulations.

Actually, you have the power to change it so that workplace investigations are exempt and these voices are free to be heard and these people can be empowered like UPEI is saying they want in the first place.

**Some Hon. Members:** Hear, hear!

#### **Add workplace investigations to NDA act**

**Ms. Lund:** To the same minister: Will you immediately add workplace investigations as a class of persons that people are free to talk to about their NDAs, or will you side with their abuser?

**An Hon. Member:** A great question.

**Speaker:** The hon. Minister of Justice and Public Safety.

**Ms. Compton:** Thank you, Mr. Speaker.

Hon. member, we're willing to work through the department. I'll talk to my deputy to see what work can be done and I'll bring that back to you.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Mr. Speaker.

Earlier this year in the spring sitting, this House passed Motion 96 urging government to recognize long COVID. Long COVID isn't mysterious. It isn't benign and it is not a figment of anyone's imagination.

The post-viral syndrome called long COVID is real and it is a serious health and social issue. But since we debated that motion in the House, we've heard nothing from Public Health or this government.

#### **Best practices related to long COVID**

Question for the minister of health: In March, you committed to working with your colleagues from across the country to rapidly understand long COVID and bring best practices back to PEI. It's more than six months later, so what do you have to report?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

As the hon. member would know, you look at the record of the great work that has been done by ones in CPHO, Dr. Morrison, I have complete faith. I do not have a finger on them every day asking: Okay, what are you doing today?

I have great faith that they are and will continue to provide the best guidance, the best advice to Islanders and to work with their counterparts right across the country in doing this.

Thank you.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Ongoing research shows that up to one in five with COVID develop longer term symptoms regardless of the severity of their original infection. In the UK, the NHS has established over 60 specialty clinics starting in 2020 to offer diagnosis and support for patients suffering with the ongoing and complex health issues as a result of COVID.

Without this targeted support, sufferers risk being misdiagnosed or not treated at all for what can be debilitating symptoms, including chronic fatigue, heart disease, diabetes, and kidney failure.

#### **Dedicated long COVID clinic**

Question for the minister of health: Motion 96 called for a dedicated long COVID clinic to diagnose, treat, and support those experiencing longer term symptoms. What have you done to make this a priority?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

I do want to thank the hon. member for this line of questioning. It is extremely important.

What I will do is go back to the department, go back to CPHO, bring back information with regard to the discussions that have taken place and that will be taking place and that are ongoing, and make that available to my colleagues here in the Legislature.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from O'Leary-Inverness.

**Mr. Henderson:** Thank you, Mr. Speaker.

Today, we hear the announcement from the federal government that they will be implementing the federal backstop carbon pricing plan on Prince Edward Island in July 2023.

This is another example to add to the ever-growing list of failures by this government. They have lost their ability to distribute and reinvest in their own provincial carbon tax revenue and create programs and initiatives that are responsible for both an ever-changing environment for Islanders who this tax will affect the most.

### **Transfer of gas tax funds to Islanders**

Question to the Premier: Was there a part of your plan that the federal government did not accept or that you didn't qualify for, or did they lose confidence in your ability to transfer funds to Islanders?

**Speaker:** The hon. Premier.

**Premier King:** Well, Mr. Speaker, as I have told this Legislature many times, we have tried in good faith to negotiate with the

federal government to reach an agreement that Islanders and Canadians could live with.

We have had our carbon pricing system in place since 2015, I believe. We had been able to, through two successful negotiations been able to negotiate some exemptions to help make life a little bit easier for the consumers in PEI at a time when they don't have any other alternative sources other than those fossil fuel, carbon-emitting sources.

In our deliberations with the federal government this time, we were hoping to maintain an exemption for home heating fuel and also the little bit that we have negotiated for gas and diesel, knowing very well that they were going to implement a price on propane for the first time. We were surprised to turn on the radio this morning and hear that a decision was made.

So, I guess, yes, we tried to keep home heating fuel 17.4 cents cheaper, we tried to keep gas 3.4 cents cheaper, we tried to keep propane 10 cents cheaper, and we tried to keep diesel 4 cents cheaper. I guess in your mind, if that's a failure, Mr. Speaker, then we failed.

**Speaker:** The hon. Member from O'Leary-Inverness.

**Mr. Henderson:** I'd add, Mr. Speaker, that just on the increases of some of the fuel prices in recent weeks, the Province would take in an extra two cents a litre just on a 20 cent litre increase. So, they'd be taking in money.

The Premier stated last week that they were negotiating a plan for the carbon levy eligibility, but we hear they submitted their plan in the final hour after co-signing a letter asking for an extension the day before the deadline.

### **Plan for carbon levy eligibility**

Question to the Premier: Did PEI submit a plan that they knew would be rejected, just like Nova Scotia did, so we can turn and blame the federal government after having its hand out for wanting more funds for the federal government?

**Speaker:** The hon. Premier.



**Premier King:** Mr. Speaker, we've been negotiating with the federal government for months and months. I'm not being critical of the federal government. As Islanders, we're supportive of carbon reduction. We used to be ninth worst in the Canadian provinces in terms of emissions; now we're fourth. I think that speaks for itself.

We've been trying to utilize the funds to invest in Islanders and to incentivize them to actually reduce their carbon footprint, which all Islanders seem to be very interested in doing. That's what we were continuing to try to negotiate with. As I say, we've reached fourth from ninth with having some exemptions in place.

Islanders want to get to a better, cleaner future. We think there's a way to do that without adding to the cost at the pump, but I guess the Member from O'Leary-Inverness thinks the price of fuel should be 17.4 cents higher for those buying home heating fuel in his district. I'd be interested to see what the people in O'Leary-Inverness think of that, Mr. Speaker.

**Speaker:** The hon. Member from O'Leary-Inverness, your second supplementary.

**Mr. Henderson:** I'd add, Mr. Speaker, the government is still taking in lots of revenue in other forms of taxation through our fuel system. They could easily have negotiated something better.

Last week, the Premier was bragging about his plan; was the envy of other provinces. But today, we now hear it didn't work out.

### **Continuation of efficiency programs**

Will your government continue to be offering programs for heat pumps, electric hot water heaters, toonie transit, if you don't have the federal moneys to distribute?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, pretty ironic since it's his party that's taking it away from us that he'd be asking these questions, but –

**Some Hon. Members:** Hear, hear!

**Premier King:** I guess I'd say to the new leader, who's here for the first time: Good luck. This is what you're dealing with.

**Some Hon. Members:** [Laughter]

**Premier King:** This is what you're dealing with.

**Some Hon. Members:** (Indistinct)

**Premier King:** Not only are we the envy of every other province, not only has every other minister called this minister and asked, tell me about what you've done, the federal government themselves stole our heat pump program in an announcement yesterday.

**Some Hon. Members:** Hear, hear!

**Premier King:** So, this is what the federal government did. They said, "Guess what we're going to do for you, PEI? We're going to give you a heat pump program for people under \$55,000." And we said, "Well, isn't that great? We did that two years ago, but thank you very much."

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Charlottetown-West Royalty.

**Some Hon. Members:** (Indistinct)

**Mr. McNeilly:** Thank you very much, Mr. Speaker.

The inability to negotiate a made-in-Prince Edward Island approach to carbon pricing is going to have noticeable effects across many individuals and sectors across the province. It's clear to see why the Premier was so upset about being questioned about this in Question Period last week. He must have known this was coming. We all knew that (Indistinct) continue to make measure – we all have to make measures to control carbon.

The federal backstop is not the only answer to the province's climate response, as the Green Party would make you think that. The Liberal plan we had provided, provided balance, vision and something government lacks.

**Mr. Myers:** (Indistinct)

### Supporting Islanders re: carbon price

**Mr. McNeilly:** Question to the Premier: How are we going to support and protect the people the price of carbon will affect the most, our working poor – which is growing under your watch – if we no longer have full control of our revenue distribution?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, this is what I hear from the hon. Member from Charlottetown-West Royalty: Put up the price 17.4 cents for furnace oil. Put on 10 cents for propane. Put another 3.4 cents on gas. Put another 4 cents on diesel. Oh, and by the way, what are you going to do to help people who have to pay more?

Well, that's exactly what we've been trying to negotiate, is to try not to make them pay any more than they need to at a time when inflation is at the highest level in a century, when the volatility in the gas market and the oil market in the world is just going berserk and causing so much challenge for those.

What have we done? Toonie transit, active transportation, EV rebates, free hot water heaters, free heat pumps, solar; I've got a bigger list over here. I could go on and on and on. Will we continue to help? We're certainly going to help. We're asking the federal government: Could you help us just a little bit? Because we're there.

**Speaker:** The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** You blame everybody else sometimes for different things. I'm talking to you, Mr. Premier. Islanders need to know this.

Before you start going on about I don't know what, answer the questions.

We saw another announcement from the federal government yesterday regarding a \$5,000 grant for heat pump installations for low-income families, but again, we neglected individuals who rent, and need to be the primary owners of that residence. This is an important question because this is coming to me.

### Including tenants in heat pump program

Question to the Premier: Will you modify your not-so-free heat pump program to include tenants, and will you use your government's inflation profits to do so?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, my late father would say, "If the man's gall fell out, you'd need the shipyard crane to lift it."

**Some Hon. Members:** [Laughter]

**Premier King:** You know what? I've got to agree with him. Can you imagine? The audacity to ask this question.

We've been fighting with the federal government for two years not to put the costs up. We've been taking the money from the carbon tax that the federal government has put in place, and we've been investing in Islanders; thousands and thousands of heat pumps for free.

What he did yesterday, the minister – God love him, Mr. Wilkinson, a great minister, a great guy – I told him about the idea when we were in Stephenville, and I'm glad he was listening, but guess what? We've already done it. You're throwing money and we can't give them heat pumps. They already have one. So, can you give us some money so we can help the next people who need them?

Fifty-six percent of Islanders heat their house with home heating fuel, Mr. Speaker, and his government in Ottawa put it up 17.4 cents today, and he's mad at me.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** Four score and seven years ago, there was a Premier who was good at storytelling. That was a pretty good one, right there.

**An Hon. Member:** (Indistinct)

**Mr. McNeilly:** Mr. Speaker, revenues have been (Indistinct) out to support EV and heat pumps, but we see that the minister wasn't even able to spend all that money.

**Rejection of carbon plan**

Question to the Premier: Why has the federal government rejected your plan, and what happens now for Islanders to take advantage of rebates in order to afford transitioning to cleaner energy, something we want to do? Where will those funds go, and would the Province incentives be cut?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, this is the question we've been asking the federal minister of the environment for six months. What are we going to do when we have to displace the funds? We're not sure, but I tell you what, it seems Minister Wilkinson seems to be interested to work with us, even though they're going to try –

**Mr. McNeilly:** (Indistinct)

**Premier King:** – they want to pay for all the heat pumps that we've already installed, but listen, he's got some money there that he wants to help.

He's a good man. He's genuinely interested in trying to help. So, we're going to meet with him, the minister and I, and chat to him, and see if there's a way that we can take the program we have and expand it. But I'll tell you what, from day one –

**Mr. McNeilly:** (Indistinct)

**Premier King:** – from day one, when the former government wanted to give people drivers' licenses and registrations, we said, "I don't think that's going to do much to save the environment."

So, we changed that faulty program. We've invested in heat pumps. We've invested in EV rebates, toonie transit, active transportation, solar, hot water heaters, insulation; it goes on and on again.

We collected \$32 million from the carbon tax, and last year we spent 70, Mr. Speaker.

Thank you very much.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Thanks, Mr. Speaker.

**Some Hon. Members:** (Indistinct)

**Mr. Trivers:** Three weeks ago, I stood in this House and talked about the significant shoreline debris on the North Shore as a result of Hurricane Fiona, and the need to clean it up as soon as possible.

The minister responsible said that surveying was underway, a crew was in place, areas were being identified, and the program details were being finalized. However, I'm getting reports from my constituents that places like New London Bay and Rustico Bay, other than the amazing efforts of our fishers, cleanup has not even started.

**Post-Fiona cleanup on North Shore**

Question to the Minister of Fisheries and Communities: What is the status of shoreline cleanup efforts across the province, especially on the North Shore?

**Speaker:** The hon. Minister of Fisheries and Communities.

**Mr. Fox:** Thank you, Mr. Speaker.

Cleanup has started. We have crews out there on the ground. We have contractors that are on call –

**Mr. Trivers:** Just not on the North Shore.

**An Hon. Member:** (Indistinct)

**Mr. Fox:** The contractors are identifying the areas –

**An Hon. Member:** (Indistinct)

**Mr. Fox:** – they have identified the areas, and they're working along to get each area taken care of as they're prioritized. There was supposed to be, actually, an airplane go up yesterday and do a further in-depth survey; however, it was grounded due to the winds.

The work is ongoing, hon. member.

**An Hon. Member:** (Indistinct) clean up the water (Indistinct)

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Thank you, Mr. Speaker.

It's great. I'm glad he's doing more surveys, getting planes in the air, but we need action on the ground, on the North Shore, and we're not seeing it.

**Some Hon. Members:** (Indistinct)

**An Hon. Member:** (Indistinct) over here.

**Mr. Trivers:** The PEI Coastal Property Guide released in 2016 and the new PEI Climate Adaptation Plan both offer advice to property owners regarding shoreline protection. With regards to helping repair damage to uninsured property, the former tells property owners: You shouldn't count on it. However, it also acknowledges that most Island beaches are public property, and the new Climate Adaptation Plan states: it does not recommend, as a first alternative, the use of shoreline stabilization along PEI's perimeter coastline.

So, it's my understanding that there is funding set aside for shoreline property damage.

### **Funding to protect public beaches**

A question to the minister of environment, energy, and climate change: How much funding is available to restore and protect our public beaches, and what can it be used for?

**Speaker:** The hon. Minister of Environment, Energy and Climate Action.

**Mr. Myers:** Thank you, Mr. Speaker.

I think with our Climate Adaptation Plan, what we're trying to do is look for and say what are the things that we can do as we move forward, and what should be allowed along the shoreline. The Member from Morell-Donagh and I had this debate in Question Period here last week, where I said maybe in some cases, you won't be allowed to build as close as you did before.

As far as what money is available, at this point, there's no money available from my department to do shoreline restoration. What

we're looking at is whether or not there should be, and if it does, should it be natural, how it should be done in the future, and where it should be done in the future.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Rustico-Emerald, your second supplementary.

**Mr. Trivers:** Mr. Speaker, what I'm hearing is a lot of talk about climate adaptation, but we actually need action to happen on the shorelines to protect our shorelines. We've got private owners that are adjacent to public beaches. Their land has been devastated in Fiona. They're worrying about storm surges this winter.

### **Actions to protect beaches, private land**

Another question to the minister of environment, energy and climate change: What are you going to do to help protect our public beaches and the private lands that are adjacent to them?

**Speaker:** The hon. Minister of Environment, Energy and Climate Action.

**Mr. Myers:** Thank you, Mr. Speaker.

I think it's common knowledge in the climate change file that beaches will be lost or forever changed. We saw that on the North Shore under Fiona, that some of the beaches were devastated and they may never come back, or they may never, at least, come back in our lifetime. Who really knows?

As far as the people who have built along the shoreline, as I said to the Leader of the Opposition here last week, the recommendation has always been, in some of those areas, not to build there. Obviously, there's people who ignored us. I think it's one of the single biggest risks we have in climate change in the world, is that people have built in places that they shouldn't have, either in floodplains and major cities have turned into huge developments that will become floodplains again, and here in Prince Edward Island, along our coastal shoreline where it has been long recognized that the shoreline will change, the floodplains will grow, and maybe you shouldn't necessarily build in that spot.

Long answer short, our plans are going to be to put definitive action on paper to say here's what you can do, here's what you can't do, because people aren't listening.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Thank you, Mr. Speaker.

This is no time to give up, minister. You're the minister of action. We expect things to happen.

**Some Hon. Members:** (Indistinct)

**Mr. Trivers:** Action No. 22 of the new Climate Adaptation Plan includes, I quote, "Develop a program to support nature-based solutions to erosion and flooding for lower-income individuals".

### Use of shoreline armouring

Question to the minister of environment, energy and climate change: Is it your position that shoreline armouring should no longer be allowed?

**An Hon. Member:** Oh, good question.

**Speaker:** The hon. Minister of Environment, Energy and Climate Action.

**Mr. Myers:** Thank you, Mr. Speaker.

I'm not sure if that's my position. I think what my position is, is that we need to get the expert advice, whether it's from both our own department, the climate adaptation school at UPEI, and whatever other experts we have around shoreline protection on Prince Edward Island, come up with a policy that's a suitable policy.

What I said last week was that we protect our own assets with armour stone, so it would be a little bit rich for us to say, hey, we're going to protect the Hillsborough Bridge like this, but you can't protect.

So, I think we have the plan that's right, but I think anybody in my position would say, where possible, protecting with a natural barrier is much better.

I think the Stratford watershed group had a living shoreline that they've worked on that was quite successful over there. I think we have a lot of lessons to draw from what they've done and what might work in other parts of Prince Edward Island.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Mr. Speaker, your action plan says you're doing living shorelines. You're saying you are supporting shoreline armouring. I'm a little confused, but let me ask you another question.

In the wake of Hurricane Fiona, many property owners are acting now, they're acting right now to protect their shoreline with the goal of protection from further erosion of weakened shores from winter storm surges.

Another issue that I have been hearing of, and it's been alluded to in this House before, is some landowners may become even more vulnerable because their neighbours have the financial resources to use shoreline armouring for their property, which may cause even more damage to their neighbours in a future weather event.

### Negative impacts from shoreline armour

A question to the minister of environment, energy and climate change: What legislation and regulations exist to prevent shoreline armouring in one spot that negatively impacts neighbouring properties?

**Speaker:** The hon. Minister of Environment, Energy and Climate Action.

**Mr. Myers:** Thank you, Mr. Speaker.

There's nothing that would protect the adjacent shoreline. I think it's part of the crux of the Point Deroche argument, is if you look at the pictures post-Fiona, it's really accelerated the erosion next to it. That's what armouring will do in places that have it that the neighbours don't.

It's a policy that we have to get right. This is the policy that I talked about last week that we have to determine what happens if only

one person wants to do it and the others can't afford to do it. Should we allow it all? Should we force people to pull back? What are we going to do to best protect Prince Edward Island from climate change? I don't know the answer –

**Mr. McNeilly:** (Indistinct)

**Mr. Myers:** – because I'm not the expert in it. But I, unlike the Liberal government when you were here, I'm going to rely on experts.

Thank you.

**Speaker:** The hon. Member from Rustico-Emerald, your second supplementary.

**Mr. Trivers:** Thank you, Mr. Speaker.

My constituents are looking for solutions. They want to do the right thing, whether they're seasonal residents, cottage owners, or live right there year-round.

Last week, the Trout River Environment Committee, TREC, it's a watershed group, in conjunction with the Stanley Bridge Sterling Women's Institute, they held a really great meeting on coastal erosion and Fiona. The Climate Lab was there; did a great presentation. Over 50 people attended to hear excellent, excellent information, but most seemed to leave with more questions than answers, answers I think the Province can provide regarding climate change adaptation, especially with respect to shoreline restoration and protection.

### **Commitment to hold workshop**

Question to the minister of environment, energy and climate change: I want to work together with you. I want to educate the people in my district. I want to make progress. Will you commit to holding an information session and workshop on the North Shore as soon as possible led by the climate change experts from your department?

**Speaker:** The hon. Minister of Environment, Energy and Climate Action.

**Mr. McNeilly:** (Indistinct)

**Mr. Myers:** Yeah, Mr. Speaker, I think that's a great idea. Yeah, I will commit to that. I will commit to sending our experts out to meet with the people that are concerned in your community. I think it's great that so many people would show up to a meeting that were so concerned and wanted to do something to make PEI better; more, as a matter of fact, than showed up at the Liberal leadership this weekend.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Mr. Speaker.

### **Reason and importance of inspections**

A question to the Minister of Health and Wellness: Just in general, why do we have inspections, and why are they important?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

The hon. member, it's a very broad question, certainly. Why do we have inspections and why are they important? Maybe the hon. member could give some more specifics to that question, Mr. Speaker.

Thank you.

**Speaker:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Mr. Speaker.

McDonald's, Wendy's, or any other food establishment offer similar services. As a consumer, I would assume that they undergo similar inspection processes which are carried out by similar inspectors.

### **Inspection processes and inspectors**

Question to the minister: Would you agree with that? Why or why not?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

I'm not an expert on inspections, food inspections, or any other type of inspections

**Ms. Bernard:** But you're a consumer.

**Mr. Hudson:** I am a consumer, absolutely. Mr. Speaker, though, if the hon. member – and I do appreciate, I think, where the hon. member is coming from, but if the member could provide some exact parameters, if you like, to the question that she is asking, I would certainly be happy to go back to the experts and get the answers.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you.

Let me get a little more specific.

Right now, private long-term care in community care homes are inspected every year by independent inspectors, and they are subject to surprise inspections. They are legally required to make the changes within a designated amount of time.

Meanwhile, our government-owned long-term care homes are peer accredited once every six months. They know it's coming.

This boils down very simply. Private is held accountable; government is not.

### **Differing inspection process in LTC**

Question to the minister: Why do public care homes have much looser inspection requirements than private homes?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

I'm glad that, at last, we've got to the crux of the question, of the issue here, after four questions.

She's absolutely right that private long-term care homes are inspected by an independent board. As well, though, our publicly-owned long-term care facilities, they go through a vigorous – as she had referenced – a vigorous accreditation process as well. There are criteria there with regard to staffing levels; a number of other things as well.

Yes, we need to have those inspections at the private long-term care homes, but also, certainly, through the accreditation process.

Thank you.

**Speaker:** The hon. Member from Charlottetown-Victoria Park, final question.

**Ms. Bernard:** Thank you, Mr. Speaker.

I'd like to correct myself. It's not every six months, it's every six years. You are only inspected once every six years. So, why is it – what's not good for the goose is not good for the gander? I didn't get that right, but you know my point.

**Some Hon. Members:** [Laughter]

**Ms. Bernard:** We found out in committee meetings that government-owned homes were meeting, quote, “standard levels of care”. What this apparently means is seniors are not bathed for days; eating every meal on their own; not getting taken to the washroom, et cetera.

We're calling this “standard level of care”? Not in my world, we're not.

### **Improve public LTC inspection**

Question to the minister: Seniors deserve an appropriate level of care, whether they're in private or public homes. Will you commit to inspecting public homes just as rigorously as you do private homes?

**Speaker:** The hon. Minister of Health and Wellness.

**Mr. Hudson:** Thank you very much, Mr. Speaker.

I absolutely agree with the hon. member, that our seniors that have provided so much to this Island, provided so much to each and

every one of us, deserve the very best level of care that can be provided to them.

Again, I do appreciate the member bringing these points, these comments forward, and I pledge that I will go back to the department. I'm not going to give an absolute commitment right here today, but I will go back to the department, have that discussion with departmental officials, and I would be happy then to have a meeting with the hon. member as a follow-up on this.

Thank you.

**Speaker:** End of Question Period.

**Some Hon. Members:** Hear, hear!

Statements by Ministers

Presenting and Receiving Petitions

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Orders of the Day (Government)

**Speaker:** The hon. Minister of Justice and Public Safety.

**Ms. Compton:** Thank you, Mr. Speaker.

I move, seconded by the hon. Minister of Environment, Energy and Climate Action, that the 29<sup>th</sup> order of the day be now read.

**Speaker:** Shall it carry? Carried.

**Clerk:** Order No. 29, *Residential Tenancy Act*, Bill No. 87, in Committee.

**Speaker:** The hon. Minister of Justice and Public Safety.

**Ms. Compton:** Thank you, Mr. Speaker.

I move, seconded by the Honourable Minister of Environment, Energy and Climate Action, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

**Speaker:** Shall it carry? Carried.

The hon. Member from Tignish-Palmer Road to chair the Committee of the Whole House, please.

**Chair (Perry):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Residential Tenancy Act*.

A request has been made to bring a stranger onto the floor.

Shall it be granted? Granted.

Hon. members, we left off on page 11, Section 16, and it is currently under debate.

Please state your name and position for Hansard.

**Vernon MacIntyre:** Certainly. Vernon MacIntyre, Legislative Coordinator for the Department of Social Development and Housing.

**Chair:** Thank you very much and welcome back.

Are there any further questions on this section?

Shall it carry? Carried.

Hon. members, we had put Section 11 on hold. There was an amendment that was going to be coming to the floor. Apparently, the amendment is not coming now.

Shall Section 11 carry? Carried.

Section 17, "Acceleration term prohibited".

Questions?

Shall the section carry? Carried.

Section 18, "Inspection at start of tenancy".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair, and welcome back, Vernon.



I'm just wondering if you could elaborate on what is meant by the term "approved form" and what instructions that will include?

**Vernon MacIntyre:** Sure. An "approved form" would be a form put together by the director's office or the director. It will be work done after the act is passed. It would outline what has to be included in the inspection itself. That form hasn't been created yet. It will be created before the act is proclaimed.

**Ms. Bernard:** I'm just trying to get a sense of what specific issues are being raised at IRAC that we're hoping this addresses. But I'm wondering if you've spoken to IRAC about post-tenancy disputes as it comes to conditions of units.

**Vernon MacIntyre:** This section wasn't brought to us by the director's office. I'll be very clear, IRAC would be more of the appeal, the director's office. This was brought forward as part of the original draft and probably came from, as the drafter – and I wasn't the original drafter – as they created the act probably took it from another province who had found it successful and part of their – in their research.

But I do think this is an important piece to the act in terms of when the tenancy starts. Right now, you do not have to do an inspection. It's certainly encouraged but you don't have to do one. Now it'll have to be done. There has to be a report provided to the tenant. That provides a piece of evidence if there is, at the end of the tenancy, a dispute on the condition of the unit. This report will provide a piece that the director can look at to say, okay, well, we've got a report here that was done with the tenant and the landlord together. They both sign it, say, yes, here is what the condition of the apartment was and now it appears to be the same or different.

**Ms. Bernard:** Yeah, thank you for that. I think that that's a really good addition. We've heard a lot of stories of people who, the damage in their apartments were put on them and dispute on whose fault it was and that sort of thing.

I'm wondering how these inspections account for reasonable wear and tear.

**Vernon MacIntyre:** Again, to get into a specific on reasonable wear and tear, the director's office, when they hear the evidence, if there is an application based on that, the director would look at the evidence and based on past decisions they've made, they would make that decision.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm good for that section.

**Chair:** Shall the section carry? Carried.

Section 19, "Tenant shall pay rent when due".

The hon. Charlottetown-Victoria Park

**Ms. Bernard:** Thank you, Chair.

Subsection (1), "A tenant shall pay rent when it is due under the tenancy agreement, whether or not the landlord complies with this act, the regulations or the tenancy agreement, unless the tenant has an express right under this Act to deduct or withhold all or a portion of the rent."

This was a big issue after Fiona. A lot of tenants who, especially those who couldn't live in their units any more due to the destruction there, they weren't sure whether they should pay their rent or not.

How is the Province intending to communicate this requirement to the public?

**Vernon MacIntyre:** I wouldn't be able to speak on specifics of Fiona. I haven't spoken to the director's office in terms of that.

In terms of how this would be, the thought is that we don't want tenants and landlords getting into a direct confrontation. We want them to work through the director's office to file an application for a decision from the director on how this should proceed. That's one of the basic concepts of this act is the director's office provides that rental court.

We don't want people trying to take the law into their own hands and say, I'm going to do this or I'm not going to do this. It's better

to go to the director, provide the information and let the director's office provide a decision.

**Ms. Bernard:** Thank you for that.

I'm just looking at Subsection (2) where it says, "a landlord shall provide the tenant with a receipt for rent paid in cash."

I am just clarifying that "in cash" means physical money?

**Vernon MacIntyre:** Yes.

**Ms. Bernard:** What kind of receipt does this subsection mean? Is it a paper document or can it be sent as a simple text message?

**Vernon MacIntyre:** I don't think it clarifies what that is. I'd have to get back to you for more information.

**Ms. Bernard:** Okay. I just have a couple of more questions here on this and then I'm good.

I'm looking at clause 4 (b). In what sorts of situations would a landlord be given permission to seize a tenant's property?

**Vernon MacIntyre:** It wouldn't be under this act. I don't think there's anything in this act that talks about a landlord seizing a person's property. There is the idea that if a unit is abandoned, the landlord has the right to remove the property and put it into storage and then dispose of it based on section, I believe it's 40, and it's quite detailed on how that works.

**Ms. Bernard:** My last question, I think.

Could you provide examples of other enactments that would allow a landlord to seize the property of a tenant?

**Vernon MacIntyre:** No, not myself. Again, I'm not a lawyer and I've never been to a court case where that would have happened.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Good. Thank you, Chair.

**Chair:** The hon. Member from Summerside-South Drive.

**Mr. Howard:** When it comes to things being left behind when a tenant leaves, I heard you just say that the landlord has the right to store the property, but is it a right or an expectation of the landlord?

**Vernon MacIntyre:** I think when we get to section, again, I believe it's 39 or 40, it goes through it in quite a bit of detail. Perhaps we should leave that question for that area.

**Mr. Howard:** Okay.

**Chair:** The hon. Member from Summerside-South Drive.

**Mr. Howard:** I'm good.

**Chair:** Shall the section carry? Carried.

Section 20, "Prohibited fees during tenancy".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

In subsection (1), a landlord cannot charge a guest fee. We've heard of some landlords who try to restrict the tenants' ability to have guests over to stay the night. We know that landlords can't charge an additional fee for that, but are landlords permitted to ban guests in the first place?

**Vernon MacIntyre:** I don't believe so, but I would have to go back to the director's office to see if there are situations where it is allowed.

**Ms. Bernard:** I would really appreciate that bring-back, because we've heard quite a few cases recently where that is the case and would love some – the clarity around that. Thank you.

I'm wondering, for subsection 2, can you explain how (c) and (d) are different?

**Vernon MacIntyre:** So, (c) and (d) are different in that the service fee charged by the financial institution. So, if the financial institution charged a service fee to the landlord of \$25, that's the fee charged by the service; by the bank itself or the financial institution. The administration fee would be to pay for the landlord's staff time to re-

process the payment from the tenant. That can be up to \$25 as well.

**Ms. Bernard:** Clause 2(e): a fee for services or facilities requested by the tenant, if those services or facilities are not required to be provided under the tenancy agreement. Is there any requirement that the fee for providing these services or facilities be proportionate to the cost to deliver them?

**Vernon MacIntyre:** This is a pretty rare – I mean, again, this act is very long and deliberate in terms of laying out things that used to be based in common law or contract law.

When you look at: a fee for services or facilities requested by the tenant, if those services or facilities are not required to be provided under the tenancy agreement; I mean, again, I can't think of a situation that I've heard in any of the discussions where that would come up, so I'm really not sure how that would be done in terms of – I'm really not sure how that would actually apply.

**Ms. Bernard:** Just my last question that I was going to ask, about what kind of services might be included in the regulations, but it kind of –

**Vernon MacIntyre:** There's nothing in consideration right now. Again, that's to cover off a situation that may come up down the road on this piece of legislation. If a fee to be charged by a landlord was to come forward for consideration, that would allow the powers to make a regulation in regard to that, but there's nothing in consideration right now.

**Chair:** Shall the section carry? Carried.

Section 21, "Terminating or restricting services or facilities".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** One question here; subsection 2. Who makes a determination that the reduction in rent is equivalent to the reduction in the value of the tenancy agreement?

**Vernon MacIntyre:** The director would.

**Chair:** Shall the section carry? Carried.

Section 22, "Tenant's right to quiet enjoyment".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm just wondering, what does reasonable privacy mean?

**Vernon MacIntyre:** Again, that would be based on the director's decision. The director would have years of experience listening and going through hearings based on disputes between landlords and tenants, and they would be the person who makes the decision on whether it's reasonable privacy or not.

**Ms. Bernard:** Would this extend to things like the creation of bad tenant lists?

**Vernon MacIntyre:** I wouldn't be able to say that, member. I'd have to ask the director if that was something that he would consider.

**Ms. Bernard:** We've heard from stakeholders in different organizations who are looking for stronger language around freedom from harassment and discrimination. Can you explain why that language isn't in here?

**Vernon MacIntyre:** Certainly. To start with, it comes down to, when I draft, I receive legal opinions as part of the drafting process. The opinion that I received on this request – and we certainly took it to legal to discuss that it was that this – the idea of, I believe they wish to add harassment and discrimination.

From what we heard, that if a prospective tenant feels they've been discriminated against, that Human Rights would be the correct remedy, and if they're being harassed, that that would fall under unreasonable disturbance.

**Ms. Bernard:** Just on that, it often doesn't make sense to send those cases of harassment and discrimination issues to the Human Rights Commission due to the long wait times, and between the opening and

closing of files. The Landlord and Tenant Board in Ontario has guidelines for complaints that touch on human rights.

I'm wondering, under this act, would complaints that have a human rights element still be heard by IRAC?

**Vernon MacIntyre:** I would have to go back and ask them. My understanding is that this section is fairly clear, that harassment and discrimination would fall under human rights. That's why it's not specifically mentioned.

**Ms. Bernard:** Yeah, and that was kind of one of the reasons that we had talked about that earlier, in discussions on drafts of the *Residential Tenancy Act*, that this be included.

I'm good for this section.

Thank you, Chair.

**Chair:** The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** Thank you, Chair.

You said that harassment and discrimination would fall under human rights. Did you get an opinion from Human Rights on that?

**Vernon MacIntyre:** No. We had an opinion from our legal team.

**Mr. McNeilly:** Don't you think it would have been better to go to Human Rights to figure out what their opinion on that was?

**Vernon MacIntyre:** Well, again, my position has me ask our legal team questions. The question came to us; should this be added? We certainly took it to our legal team for consideration. The answer back from our lawyers was that, really, the unreasonable disturbance would cover off harassment and that anything to do with the term discrimination, really, would fall more under human rights.

Again, I'm not a lawyer. I don't have the ability to really sit down and think on – it's more of a, "This is our legal opinion on how you should draft."

**Mr. McNeilly:** Which section of the *Human Rights Act* – because, obviously, you would have had to look at that to make sure; the legal would have had to look at that. Which section of the *Human Rights Act* would he be referring to that that is in the *Human Rights Act*?

**Vernon MacIntyre:** I'm not positive. Again, I don't typically question our legal folks. They're lawyers with years and years of experience in this area. I don't typically question them as somebody who is a non-lawyer.

**Mr. McNeilly:** In section 3 of the *Human Rights Act*, it protects tenants from not being discriminated against upon entry of the unit; when you're renting the renting the unit. That's it. That's it.

So, not to the able to protect a tenant in this legislation here, is an oversight. Have you heard about any – does anybody else talk to you about discrimination, or given you advice about discrimination in this act during your consultation?

**Vernon MacIntyre:** Certainly, we received requests from members of the public; from stakeholder groups to have this terminology placed into the act. But again, when it comes to my role, my role is to take these requests and put them through our legal process.

That legal process came back and said we certainly understand the intent, but the more appropriate it is to follow – process as a *Human Rights Act*. So, that's the decision that I followed.

**Mr. McNeilly:** Yeah, and this is a problem, for me, anyway. Just bringing it forward. This is a problem. I'm going to have a debate with you, I think, in the next little while so, I just – I think that if there's two tenants and somebody's discriminated against, they have nowhere to take this.

What you're saying is they have to go to the Human Rights process, but that process is basically for public avenues. It's not for things that happen in your private areas. So, I think that we're missing some very important keys here, and in a couple other sections.

**Mr. MacKay:** I certainly don't mind going back and checking that a little further, just to make sure that there is not an oversight. We can certainly do that; go back to legal and check into that, just to make sure. I've got not problem bringing that back.

**Mr. McNeilly:** Can we get the legal opinion? Can we get a copy of the legal opinion that you used to come to this conclusion?

**Vernon MacIntyre:** I don't believe I'm able to share that, no.

**Mr. McNeilly:** Why?

**Vernon MacIntyre:** I believe that would be covered under solicitor-client privilege. But again, I'm not an expert in that area, either.

**Mr. McNeilly:** Outside of the legal opinion; so, you've got – how many legal opinions do you get?

**Vernon MacIntyre:** It's one opinion. There may have been more pre-people involved in it.

**Mr. McNeilly:** Was it a government lawyer?

**Vernon MacIntyre:** Yes.

**Mr. McNeilly:** So, outside of the government lawyer, you did not seek any –

Oh, here's a better question: Was that lawyer versed in human rights?

**Vernon MacIntyre:** I don't know their qualification, member.

**Mr. McNeilly:** Did you think at that time to get a legal opinion outside of government?

**Vernon MacIntyre:** That wouldn't be my normal process.

**Mr. McNeilly:** I guess talking about discrimination, did you consult with the Black Cultural Society or BIPOC USHR?

**Vernon MacIntyre:** BIPOC USHR provided a submission, yes.

**Mr. McNeilly:** Can we get that submission?

**Vernon MacIntyre:** I believe you could ask them for it. I don't think they'd withhold it. I don't know that there's anything on our side that would ask us to withhold it, if they were wishing to provide it.

**Mr. McNeilly:** There's an anti-racism policy person within the Premier's Office that is – number one duty is to look at legislation. That's the role, look at new legislation that came down.

Did you get a – not a legal opinion, but did you get an opinion from that position?

**Vernon MacIntyre:** We did, yes.

**Mr. McNeilly:** Can you share that?

**Vernon MacIntyre:** His opinion was similar to BIPOC USHR in that he felt he wished that this would be in the legislation; the request from BIPOC USHR. He was aware of it, I believe.

**Mr. McNeilly:** When you get that opinion and it's strong, and that's his role and duty, should I expect that to be in here?

**Vernon MacIntyre:** Well, again, member, I'm not an expert on human rights. I've made that extremely clear, I think. But I do think that – and again, I use the term "opinion". This may not have been a legal opinion, like in paper, this is a legal opinion, but in the discussions that we had with our legal team, they were quite clear that, when we spoke of discrimination, we were starting to cross from an agreement between landlords and tenants into an area that is covered by the *Human Rights Act*, and that legislation should not bleed into other legislation; that if it's covered somewhere else – so, that's what I'm working from, is this basic tenet that (Indistinct) basic concept that when you have an agreement between landlord and tenant, that's contract law. This provides greater clarity, this act, on that contract law.

But when you speak to something along the lines of discrimination – I certainly understand how important this is, but when you get into that, that we try and keep legislation from bleeding over. That's the process and the concept that I'm following, drafting the legislation, is that – now, as the minister said, if there's a position that we

can seek from another person or another group to ensure that that is true, that this does bleed over, and that there is a process in that act or there is not, that's something we can certainly discuss and look at.

**Mr. McNeilly:** I think it does bleed over because I'm looking at an example in this own legislation. In Section 56, "family violence" has the same meaning as *Victims of Family Violence Act*. So, I mean, that's not a bleed-over, that's a pull-over.

**Vernon MacIntyre:** That's a very different – look at that – that section is very different than this section, member. That's just providing a definition to say if you want the definition of family violence, look to this one. It's not saying that the director of rental office will hear a hearing based on a person coming and saying, "I'm being discriminated against," which, under the current rules or the current laws, would be heard under – if there was no rental tenancy act, that would be heard under the *Human Rights Act* now.

So, there's a very different way of looking at that. This is pointing to that and saying, if you need a definition, it's already in law and here's the definition of it.

**Mr. McNeilly:** So, my question is: Why didn't you use the definition of discrimination, the human rights definition of discrimination?

**Vernon MacIntyre:** We have a definition there. Oh, perhaps we don't. No, I'm sorry; we do not.

**Mr. McNeilly:** No, you don't.

So, I guess my question is the same.

**Vernon MacIntyre:** But again, well, okay, so to answer that a separate way though is we don't have the term "discrimination" in this act.

**Mr. McNeilly:** I can't sit here as a legislator and say that we're bringing a new tenancy act and we don't have the word "discrimination" in the entire act. That's my point, I guess. Even this section and some other sections; when you said we take, we try not to bleed into other legislation, we have. I'm wondering why, if we use a

definition to start off the document about housing is a human right, that we do not define it or do not define what exactly a human right is, or do not define discrimination in the new tenancy act.

Do you think that was an oversight?

**Vernon MacIntyre:** Again, maybe it's something we should look into – something we'll look into, member, and come back.

**Mr. McNeilly:** Perfect. I'll be asking further questions. I appreciate the – I think this is a very, very, very good debate and discussion, so I appreciate your time.

Thank you, Chair.

**Chair:** You're welcome.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Chair.

It's just a bit of a follow-on from one of my – I appreciate, minister, you mentioning that you would be open to it.

In previous consultations, we had a number of organizations from the community provide letters that were very clearly outlined the need for recognizing that discrimination actually could, can, and does impair somebody's right to quiet enjoyment, and it's from two aspects. It's from discrimination potentially with the landlord and tenant, and then also discrimination happening tenant to tenant.

While, absolutely, the *Human Rights Act* does prevail over tenancy legislation, as per Vernon's point that we have an overarching piece, the specific application here is about the right to quiet enjoyment and the fact that when we have a four-year process to go through a human rights complaint, there needs to be something in that space that says what do you do to ensure that issues are dealt with in a timely manner, because otherwise, it's adversely affecting the agreement that we have that says the tenant has a right to quiet enjoyment.

It's that complexity that I think is the focus, absolutely recognizing my colleague's points, but that we know that the *Human*

*Rights Act* prevails, discrimination is a real thing, and that we have a very specific commitment to the right to quiet enjoyment.

So, perhaps we could provide you with those letters. They were provided in a previous consultation, but we can give those to you again. But it would really be good if we could come back and look at this from that perspective, that a four-year turnaround for a complaint means that you are denying somebody their housing rights, which we've said was a priority.

Chair, I guess my question would be: Do we need to leave this section, Chair, if we're waiting on something to come back, or can we just sort of say that we're open to maybe looking at that after the fact as an outstanding item? I'm not quite sure what the procedure would be there.

**Chair:** Okay.

**Mr. MacKay:** Thank you, Chair.

Certainly, I want to make sure this is a strong piece of legislation, so I've got no problem if we wanted to put this section on hold and move on, which would give us 24 hours to go back and check with the department, as well as I'd like to get a second legal opinion, as well, and bring it back.

**Chair:** Okay. So, basically, we could do the same as we did with Section 11. We'll ask if it's the wish of the committee that we put this section on hold until that information comes back, and then we'll go back to the section.

Is it the pleasure of this committee that we hold Section 22 until information is brought back for further debate?

**Some Hon. Members:** No.

**Some Hon. Members:** Yes.

**Chair:** Okay, so, we will go ahead with that.

**Ms. Bell:** Okay, thank you.

**Chair:** Section 22 is now on hold.

Section 23, "Landlord's right to enter rental unit restricted".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

In clauses (b) and (c), landlords need to provide written notice 24 hours before entering.

I'm wondering, how would this written notice be given?

**Vernon MacIntyre:** Typically, it would be placed on a door, I believe, if the landlord couldn't contact the tenant.

**Ms. Bernard:** Do you have any concerns that a tenant might not actually receive said notice?

**Vernon MacIntyre:** I'd have to talk to the director if that's been a concern in the past. We didn't hear that in consultation.

**Ms. Bernard:** I'm just wondering about recourse; if a tenant doesn't receive notice and the landlord shows up at their door, what options they might have there.

**Vernon MacIntyre:** Well, again, I'd have to speak to the director on it as to whether this is something that happens commonly, and if it does, what is the recourse for the tenant?

**Ms. Bernard:** In clause (f), it talks about: "the tenant has abandoned the rental unit".

From a legal perspective, how is that determined, that a tenant has abandoned a unit?

**Vernon MacIntyre:** We have that – it's given out very specifically in a further section of the act, talking about abandonment of a unit. It's quite a detailed section on what is involved there.

**Ms. Bernard:** In clause (h), the third one, the entries between the hours of 9:00 a.m. and 9:00 p.m. Wondering for a tenant who works nights might sleep during the day, are there any provisions made here for accommodations in cases like that?

**Vernon MacIntyre:** No, this is quite clear that the entry would be between 9:00 a.m. and 9:00 p.m. and that would be, certainly,

what would be most appropriate for the great majority of tenants. Would certainly hope a landlord would take into account the situation of the tenant but this really is to protect the tenants, by and large, to make sure a landlord who may be a night owl isn't coming in later than that.

**Ms. Bernard:** I'm good for this section.

**Chair:** Shall the section carry? Carried.

Section 24, "Tenant's right of access protected".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

It says, "a landlord shall not unreasonably restrict access to a rental unit and common areas of the residential property."

What would be considered a reasonable reason to restrict a tenant's access to a unit?

**Vernon MacIntyre:** That would totally vary and be based on what the director is hearing in the case. The director would decide whether it's reasonable or not reasonable.

**Ms. Bernard:** That was my next question: If there was a dispute, would it be the director –

**Vernon MacIntyre:** Yes, it would be.

**Ms. Bernard:** – who would be responsible for that? Okay.

Would this mean, for example, that landlords couldn't restrict parties?

**Vernon MacIntyre:** Again, member, you're asking me something that, you're getting into a hypothetical on what would the director say in this particular case? I couldn't answer what the director would say in a particular case. When you use the term "party," that could be two friends over for lunch or it could 40 people over with loud music. I don't know what the answer would be there. It would have to be a little more directed as what a party is in your question and then I could certainly ask the director: Is that what's envisioned by this or what is the

current process in that situation? Is that what the act speaks to?

**Ms. Bernard:** If the director is the authority on this – I'm good for now, Chair.

**Chair:** Shall the section carry? Carried.

Section 25, "Tenant shall not interfere with quiet enjoyment of other tenants".

Shall the section carry? Carried.

Section 26, "Prohibition – changes to locks and other access".

Shall the section carry? Carried.

Section 27, "Security devices".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

Can you specify what devices are being contemplated in this section?

**Vernon MacIntyre:** Well, again, it's quite clear what it says in terms of – the device has to be necessary to make the residential property reasonably secure – and then the director would decide whether that device is reasonably secure. If a tenant felt this lock, this device doesn't leave my unit reasonably secure, they could seek the decision of the director that something better has to be provided to make it more reasonably secure.

**Ms. Bernard:** Is this more access devices or is it also surveillance devices? Would that also be included under here?

**Vernon MacIntyre:** Again, it just says exactly what it says: The devices are necessary to make the residential property reasonably secure from unauthorized entry, are installed.

If a tenant felt that something more was needed, they could apply to the director to say I feel that this section of the act is being contravened, that my unit is not reasonably secured based on the security that's provided and could provide that information to the director.



**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good for there, Chair.

Thank you.

**Chair:** Shall the section carry? Carried.

Section 28, "Obligation to repair and maintain".

The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** This is similar to what's in the other act. I just wanted to have a discussion, too, because in my area I get stuck between this and the next couple of sections about what Fiona did. Have we looked at the impacts of Fiona on tenants and landlords when you're involving insurance companies and timely – I'm working with a couple that – there's so many people to blame for not having it repaired? Have we done enough here with this section given what we know now what Fiona did?

**Vernon MacIntyre:** You're sort of asking for an opinion and I don't have the conversations that you've had with your constituents. Is there enough? The act was written pre-Fiona. We have looked at it again, but it talks about, that the landlord has the obligation to maintain the residence property in a state of repair.

Now, that this complies with health and safety housing standards required by law and having regards to the age, character, that wouldn't really apply to Fiona, (b).

So, really, we're talking about does a tenant feel the landlord is not doing enough and if they do, would they go to the director? I wouldn't be aware one way or the other. I guess I can make a presumption that some folks have and said this needs to happen faster, but you may be aware of more cases than I do.

**Mr. McNeilly:** I mean (1) (a) is definitely not – it's not necessarily the landlord's fault in this situation. It's just that they're dealing with insurance companies. It's three degrees upstairs. ServiceMaster has come in and remediated everything and here we are

where tenants are living in a situation that's not acceptable. If they go to the director, we're looking at decisions three or four months down the road which is –

**Vernon MacIntyre:** The director's decisions don't take that long, member.

**Mr. McNeilly:** Yeah, okay. But down the road, they're looking for compensation but there's nothing the director can do in that situation. Can we – and maybe if people are watching – can we look at a clause because if Fiona happens again, it just – here we are, six, seven, eight weeks later and, yeah, it's not suitable. She would win on (a) but I'm just trying to keep something, making sure that we have enough in here that's going to deal with emergencies like that in the future.

**Chair:** The hon. Member from Charlottetown-West Royalty.

**Mr. McNeilly:** That's it. Just more of a statement.

Thank you.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

Subsection (1), where it talks about standards required by law. I'm wondering what standards are required by law in this act.

**Vernon MacIntyre:** Standards required by law – it doesn't specifically say here but – let me just pull it out, I have a copy of it. The *Public Health Act* rental accommodation regulations would be one that certainly applies.

**Ms. Bernard:** The property must be kept in a state of repair having regard to the age, character and location of the rental unit makes it suitable for occupation by a tenant.

Does this lower the property standards for some tenants?

**Vernon MacIntyre:** I wouldn't know, I'd have to ask the director. I think, again, this is a question that, if a tenant believed that a building was not up to these standards, they could apply to the director to say, I would

like to see these changes made, or I would like to see this remedy happen.

My understanding is, quite often when tenants are coming on to this situation, not this particular (b), but just in terms of prepare and maintain, sometimes the request is, can we break our lease and move somewhere else because we don't feel that this is being met? Then it would be up to the director to decide, do I feel that these aren't being met and is it reasonable to say that this tenant, or landlord agreement can be broken; the tenant can leave.

But that's really the extent of the conversation I had as part of my talk with the director's office in terms of how this sort of operates.

**Ms. Bernard:** Thank you for that. Clause (a), we know that cleanliness was one of the motivators to try to evict tenants at the Causeway Bay Hotel. I'm wondering if you can explain what ordinary cleanliness means for the purpose of this act and are there plans to elaborate more on that in the regulations?

**Vernon MacIntyre:** Right now in the act, it is exactly what it says. Again, it would come down to the director's decision on providing evidence on either side. It would be the tenant is responsible for ordinary cleanliness of a rental unit in all areas of the residential property used exclusively by the tenant.

This would be a situation where the landlord would feel that they are not doing this and have asked for a decision from the director. There would be evidence provided and then the director would decide, does that meet the standard, based on their experience, based on their knowledge of ordinary cleanliness.

**Ms. Bernard:** For clause (b), where it says, tenants are responsible for "proper sorting and disposition of garbage," but some tenants report that other tenants that are – we hear it all the time, that people aren't sorting their garbage's properly, and as a result – I was at Champion Court the other day, and they were telling me that this happens – the garbage truck drives in, and then it looks and backs up.

While I was sitting there, that's exactly what happened. How are those sorts of issues

dealt with under this act? That's not the only example that I've heard happening around garbage disposal and no pickup.

**Vernon MacIntyre:** We clearly heard that too, from both tenants and landlords, that this is a major issue. That there are tenants who don't properly dispose of waste; some cases they use other tenants' garbage cans and some cases they use their own.

It is very difficult, and it's very difficult for an act to get into a specific, in terms of what has to happen. It really would come down to – in this case – again, what we're discussing is, does a landlord or another tenant feel a second tenant or – is it a tenant feeling another tenant or is it a landlord feeling a tenant is not properly sorting waste and impacting their enjoyment of the unit or their ownership of the building? And then, do they want to seek some sort of a remedy from the director?

And again, there would be administrative penalties available. I think that would be quite extreme, but again, that's what this envisions.

It's very difficult when we get into a large building with a number of units to try and police that. I certainly understand that. In terms of this piece, it really is difficult to write a piece a legislation that envisions policing garbage disposal amongst 24 different tenants in a parking lot where the garbage cans are.

It really just states that you are responsible for the proper sorting and disposition. It would be up to someone to say, "I believe this person is not, and here is my evidence."

**Ms. Bernard:** So, in subsection (4), a tenant has to make repairs in a professional manner. Does that mean that people have to hire a professional, or does it preclude people from making repairs themselves? I'm just wondering what professional manner.

**Vernon MacIntyre:** So, good and professional is a term – we had this discussion, thank you, when we were working through this. Good and professional really talks to the fact that the tenant has created undue damage of a landlord's property.

If they can repair it themselves professionally, that's appropriate, and that would be at the discretion of the director. I've repaired my own walls – gyprocked my own walls – I wouldn't say that I would be qualified to do so in a landlord's building. It's fine for me, but it's not a good and professional manner.

Really, though, it would come back to the director to see evidence of what was provided and what was done, and to say, "I don't believe that is a good and professional manner."

**Ms. Bernard:** Just a clarity point on that.

If, let's say we're in a building and we had to do some painting or repair of a hole in the floor or whatever. Is there anything in place – is there something that I can do proactively, or does it take me trying to fix the floor and then the director saying yay or nay? Is there something that I can do beforehand that says, "I actually have expertise in this area." How does that work?

**Vernon MacIntyre:** Anecdotally, I've heard discussions where tenants have come to their landlord and said, "I believe – here's my qualifications. I believe I can fix this." That said, I believe, it really would come down to after the work is done – that's what the act envisions, is that it has to be done in a good and professional manner, and it would be to the landlord to say, "I don't believe it was, and I would like to seek compensation. I would like to seek a professional person to do it."

Those types of things – and again, I don't know the specifics on it, but I don't believe – I think it really would come down to the very end of, what work was done, and does the landlord feel it was good and professional? If they didn't, they would take that to the director.

**Ms. Bernard:** My last question on this section: I'm wondering what is considered "reasonable wear and tear" in subsection 5?

**Vernon MacIntyre:** That's a common question. There is no specific answer on what is reasonable. It would be based on a number of factors in terms of time in the unit. Years in the unit I think is a major factor. But again, this is totally at the

discretion of the director in terms of hearing the evidence of – I heard worn carpets on both sides during the consultations.

Really, in terms of how this works is, if you've been there in our unit for 10 years with wear and tear on carpet, the director may take that into account and say, "No, reasonable is this amount of wear." If you've been there one year, and you've been wearing heavy boots or something across the carpet and have damaged it, that may not.

But again, that's totally – that's at the discretion of the director to see the evidence and then move forward with, "I believe this is reasonable" or not.

You could never come up with a guide to say, these are reasonable, and these are not. You may come up with examples.

**Chair (Z. Bell):** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good, Chair, for this section.

**Chair:** Okay, thank you.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Chair.

I just wanted to circle back to a couple of the different points that have been raised here around repair and maintain the ordinary cleanliness, wear and tear. I know that you have a process that comes up later on in Section 75 that allows for the resolving disputes piece.

Both the capacity to decide how to interpret what those things are, like wear and tear and ordinary cleanliness, and the capacity to decide whether something can go to a dispute sits with the same person – with the director.

Having spoken to many tenants, their knowledge about what is constituted in terms of health and safety and housing standards in law, or ordinary cleanliness, or any of those things. I just don't know how you're empowering tenants to know what their basic rights would be, to even know that they could dispute any of this.

I've had tenants contact me saying that the heat's been turned off in their apartment, and they didn't know that it was a legal requirement, under health and safety, to provide heat, if that's the agreement with the landlord, or that the water's been turned off.

We can't assume that everybody knows these things. If it's not clearly laid out in here, I'm really concerned about all the authority sitting with somebody who's not necessarily accessible. There's nothing in writing anywhere here or in legislation that says, as a tenant, here are the basic things, the basic guidelines, that you can expect as a tenant that your landlord should provide you.

Do you see what I'm saying? There's a lot of things left –

**Vernon MacIntyre:** I do, I'm not sure I heard a question, member.

**Ms. Bell:** Yeah, okay. As clear as I can.

You have, complied with health, safety, and housing standards required by law. What are the health, safety, and housing standards required by law? What are the five main things that a tenant should expect that the landlord provides under that piece?

**Vernon MacIntyre:** Certainly.

**Ms. Bell:** What is the benchmark for ordinary cleanliness? What is the benchmark for wear and tear? How does a tenant know that they even have the right to go and make a complaint if we don't know what those things are?

**Vernon MacIntyre:** So, in this – I've opened up the *Public Health Act*, Rental Accommodation Regulations and they're not the most extensive in terms of distance, but they are very clear in certain areas on what has to be provided. Again, this is in certain areas.

Just as an example.

Light. "Every habitable room shall be provided with one or more windows opening directly to the external air..."

Ventilation. "Every bathroom or room containing a toilet or urinal shall be provided with ventilation."

Space requirements, sleeping area. "No person shall rent or allow to be rented or occupied as a sleeping unit or for purposes for sleeping any accommodation unless there is available not less than fifty square feet of floor area for each and every occupant..."

So, these are some of the examples of what is provided for in the act.

Again, when you get to a dispute – and that's what we're discussing, is a dispute –

**Ms. Bell:** Chair, can I just qualify, please?

**Chair:** The stranger still has the floor. I don't know if he's finished.

**Vernon MacIntyre:** Potable water. "The owner of a dwelling unit, housekeeping unit, apartment or other rental accommodation to which these regulations apply" – which would be apartments – "shall provide hot and cold running potable water under adequate pressure in all kitchen and bathroom facilities..."

These are heating. "All buildings and dwelling units shall be weather-proof and capable of being adequately heated with a reasonable consumption of fuel and the heating equipment in any building or dwelling shall be in working order and in good repair."

Clearly, right there, if a tenant has had their power shut off or their water shut off, that landlord would be – the tenant would have the ability to go to the director or to the director's office and file an application to say, "This landlord has shut off my water. This is in violation."

To your point, we could certainly discuss better ways to notify the public of some of these things. You can always do a better job of notifying the public.

**Ms. Bell:** Yeah, and I think that's a big piece of this because you refer to the law, but you don't say which law it is. I know from our work in here, we've been working on these files long enough that we know; we

have all the things bookmarked of what we need to go and look up when we have to help a tenant.

But as a tenant, there's a big jump from, "My landlord did this to me," oh, here's the nine steps I need to do. Some of that, to us, it makes sense because we deal with the law and we're used to looking these things up. We're used to reading these things. But as somebody who is an ordinary Islander – it's very hard to put ourselves out of that position when you've gotten used to reading legislation, but let's be really clear, none of this is easy or accessible, especially if you don't have a computer or you have a low literacy level or you just don't know even what it is you're searching for.

So, there's a big jump from, "it shall comply with health and safety standards," to, "here's the act, here's what it says, and by the way, here's the list of stuff that you should check."

That's the reality. This is the reality of actual calls that we get. There is a really big gap there.

The other challenge that we have in here that I'll raise again, and I'm not sure how you address it, but if the director has the authority, what guides them in making their decisions does really matter. You continually refer to the director gets to decide, but that, more and more, sounds subjective. When you're talking about ordinary cleanliness, that's a really big scope.

I'll be really clear, I don't have to ask a question, Chair, I am just allowed to make a statement.

**Chair:** You are making a statement now, yes.

**Ms. Bell:** Yeah, I am. Absolutely. But there is a very large subjective piece happening in here with the director, who also has the authority to hear those disputes. I think that is a power imbalance that we haven't talked about enough, and I would really like to know, minister, what are you going to think about in terms of further action that you can take to better protect and support tenants when they need to bring a dispute against a

landlord that they have a disagreement with? How will you support them?

**Chair:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** I just asked a question of the minister.

**Chair:** Yeah, and the minister –

**Ms. Bell:** He's thinking.

**Chair:** – didn't respond.

**Ms. Bell:** Okay.

**Mr. MacKay:** Hon. member, this obviously has been in the works for three and a half years. Is it perfect? Absolutely not, and there's much more to do, but I know it's a better piece of legislation than the current one now.

Obviously, I'm not opposed to looking at absolutely anything that's going to strengthen and improve the legislation. Any issue, I don't mind going back to the department, sitting down, and going through it.

**Ms. Bell:** Thank you and I agree, it is better, absolutely. It is better.

What we're doing though is, with the opportunity to debate it here, is we're pointing out some spaces so that we don't put this aside and say we're done, because we're not. I recognize that there is not interest right now in making further major changes, though it doesn't mean we're not going to try.

And some of these things aren't legislative, minister. Some of these things are about better communications and having people be better informed about their rights and being less afraid, because right now, the system is not one that makes people feel comfortable. It's really scary to go to the director and file a dispute and do paperwork. It's really frightening.

So, I'm hoping that that means that as we have this dialogue, that it can open up further places that we can continue to discuss how we can strengthen this after we're finished here in the House.

I'll save my other questions on this when we get to Section 75 around the dispute process because I think they're more relevant there.

Thank you for the time.

**Chair:** Okay, thank you, hon. Member from Charlottetown-Belvedere.

The hon. Member from Charlottetown-West  
Royalty.

**Mr. McNeilly:** Thank you.

I just want to – there was something I missed, so with the indulgence as Chair, I just want to ask a couple on 25 before it goes too far (Indistinct) –

**Chair:** I'll ask our promoter.

**Mr. McNeilly:** Is that okay?

**Chair:** That's fine?

**Mr. MacKay:** (Indistinct) yeah.

**Chair:** Okay.

**Mr. McNeilly:** So, the tenant shall not interfere with quiet enjoyment of other tenants, and it says: "The tenant and any person admitted to the residential property by the tenant shall not unreasonably interfere with the rights..."

That word, "rights"; how did we define that word?

**Vernon MacIntyre:** In terms of this, this is part of the original draft that's been with me for a number of years, and it was drafted a number of years before that. I haven't gone into the actual specifics of that word in that section of this act.

**Mr. McNeilly:** Yeah. I noticed, I went back and tried to find it in definitions, and that's what I'm saying. If we were to even look at that and – I might make – to even add human rights right there. If we were doing – you cannot reasonably interfere with the human rights of what – I just don't understand how we define "rights". Are these types of things that – if we don't define "rights", I don't know what that definition is for people.

Do you think that – is that a gap?

**Chair:** Again, hon. member, I do see your line of questioning, but the definitions have been passed. I do see what your question is. I'll pass it, if the stranger wants to answer that.

**Mr. McNeilly:** Chair?

**Chair:** I'm going to give it to the stranger first, if they would like to.

**Mr. McNeilly:** The definitions are passed, but "rights" isn't there.

**Chair:** I understand that, but what I'm saying to you is the definitions have passed. I'm giving the stranger the opportunity if he does want to answer your question based on what you had said, but again, about not being in the definitions, but the definitions section, we have passed.

**Mr. MacKay:** Chair?

It's a valid question, hon. member. I have no problem going back and asking the department and legal on your behalf with that. I don't think we have the answer here, but I've got no problem going back and checking into that.

**Mr. McNeilly:** Yeah, I appreciate it. That's all I have. I'm just looking at opportunities that we can strengthen this.

Great, thank you.

**Chair:** Thank you. And you don't have any questions on Section 28 specifically, hon. member?

**Mr. McNeilly:** No, no.

**Chair:** Okay, perfect, thank you.

The hon. Leader of the Third Party.

**Mr. Gallant:** Thank you.

With your indulgence, I'd like to go back to Section 4 of 28, Section 28, if that's okay.

**Chair:** Again, I will ask the promoter if that's all right.

**Vernon MacIntyre:** I don't think we've passed 28, have we?

**Chair:** You're going to Section 4, did you say?

**Vernon MacIntyre:** Of 28?

**Mr. Gallant:** Of 28, yeah.

**Vernon MacIntyre:** We're on 28 now, member.

**Mr. Gallant:** Yeah, but where are you at on (Indistinct) –

**Chair:** Sorry, we're on Section 28 right now, hon. member.

**Mr. MacKay:** Haven't quite gotten there; we're almost there though.

**Mr. Gallant:** So, are you at four yet?

**Chair:** Yeah, the whole section is open.

**Vernon MacIntyre:** The whole section is open.

**Chair:** So, you can ask questions on any part of Section 28.

**Mr. Gallant:** Sorry, I had to step out just to see if I could get this written up. I'd just like to make a minor amendment, adjustment.

“A tenant of a rental unit shall repair”, and it states now, “in a good and professional manner...”

What I'd like to add in there is: A tenant of a rental unit shall repair, and have done the repairs by a professional tradesperson, and then, which would be done in a good and professional manner.

I mean, there are lots of tenants that can fix things, but it's not done as good as it would be done. So, I'd like to make an amendment to that, but I just spoke to our – Chair –

**Chair:** Sorry, I'm going to give the floor to the promoter.

**Mr. MacKay:** We can certainly look at the amendment, but the first thing I think of, I understand what you're saying, but there would be a retired carpenter that is quite

capable of doing that, even though he does not work, that still has the knowledge and ability to do that. So, I understand what you're saying, but there would still be people, even though they're not in the trades, they might have been in the trades previously or so forth.

We'll certainly look at it once we get it here, but that's the first thing that comes to mind with me.

**Chair:** Hon. Leader of the Third Party, you do have an amendment that you –

**Mr. Gallant:** It's coming, so I ask could we wait to pass that section until I get it?

**Mr. MacKay:** Yeah.

**Chair:** Okay, so, we will – so, there are no other questions on Section 28, so we will go back to Section 28 once the amendment is here, if that's all right with the Assembly. Perfect.

We're now going to go on to Section 29, “Emergency repairs”.

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

In clause (4)(c), it says, “following those attempts, the tenant has given the landlord reasonable time to make the repairs.”

Does the department have any expectation of what would constitute a reasonable time to make repairs?

**Vernon MacIntyre:** Not at this time, no, member.

**Ms. Bernard:** So, this is relevant because a tenant can't claim reimbursement for any emergency repairs if they haven't given the landlord this reasonable time to make the repairs. But in cases where they're not able to get in touch with their landlord or if the landlord is not – I'm dealing with someone right now whose landlord has turned the heat off and the roof is still exposed, and they're really, really worried about winter coming. They feel there's been a reasonable amount of time, but – you know, I just think

that we have to really consider that as we're considering emergencies.

**Vernon MacIntyre:** Was there a question, member?

**Ms. Bernard:** No, just a comment. I think that that could be stronger.

**Chair:** Thank you, hon. member.

Are there any other questions?

Shall the section carry? Carried.

Section 30, "Tenant may sublet or assign rental unit with landlord's consent".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

It says a tenant can sublet a unit with consent of the landlord, but the landlord can't unreasonably withhold consent. What would be a reasonable reason to withhold consent?

**Vernon MacIntyre:** It speaks to one in subsection 3, if it appears that the proposed sublet would result in an unreasonable number of persons. Again, it would be up to the director to decide unreasonable, but if you look at some of the *Public Health Act* and some other different concepts about CMHC and some housing requirements and things.

If you had an example of a couple who had a two-bedroom apartment and they can quite easily say, "We're in one bedroom; we can sublet the other to another person." I wouldn't expect the director to find that unreasonable. To another couple, it would probably depend on the size of the unit; to four college students who say they're going to get two bunk beds?

Again, that may be something that the landlord would say, "I feel that's unreasonable, and I would like to bring this to the director to say I'm going to turn that sublet down," or, "I feel this is unreasonable, do you agree? If so, then I will turn this sublet down."

**Ms. Bernard:** Is that the only good reason to say no to that, the number of persons?

**Vernon MacIntyre:** I don't have the experience the director would have in years and years of hearing cases to know what a reasonable and unreasonable reason to withhold consent for a sublet would be, member.

**Ms. Bernard:** That's quite subjective. Would there be any other laws or regulations we'd be drawing from to determine what would be a reasonable amount of people, or is that just up to the director to decide?

**Vernon MacIntyre:** Not to my knowledge. Sublet law, again, when we look at this piece here; it's always been allowed, that a landlord has to allow a sublet if it's reasonable. Then that gets into contract law which the director is very familiar with; tenant law which the director's familiar with.

So, it gets into those areas, but to say, "Can you provide me with some examples of what is and what is not reasonable," all I can say is that's the director's experience to come into play to take a look at the situation and make a decision.

**Ms. Bernard:** That's a whole lot left up to the discretion of the director and I really hope that we work on making every single decision transparent, because that just is a lot of – it's a lot on one person's shoulders and it's a lot of authority with one person. Just a comment, there.

In subsection 6, to clarify, does the tenant have any responsibility or anything to do with the subtenant, or is the subtenant accountable to the landlord directly?

**Vernon MacIntyre:** There are two things that are commonly called sublets. One is an assignment, which we talk about in subsection 5, which is where one tenant would typically leave, another tenant would take over. So, the lease agreement would stay the same and it would be assigned to a new person.

The other one would be what's a true sublet, where the tenant might go away for the summer, a new person would sublet for the



summer, but anything that happens in the unit at that point would still be the responsibility of the tenant who's planning on coming back in the fall.

Their obligations remain, and it's really their duty to ensure that the person they sublet to, in a true sublet, follows the obligations that they have under them. It's really up to them to ensure that they are getting the right person in to sublet.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I think this is my last question, in subsection 10.

How does a landlord determine if the tenant's charging too much rent to the subtenant? I'm wondering if there's a sub tenancy agreement with the landlord, or what –

**Vernon MacIntyre:** Well again, so there wouldn't be a sub tenancy agreement. It would be the landlord hearing – again, complaints-based; the landlord hearing from the subtenant, "I'm paying this amount," and the landlord saying, "Okay, I feel I have to file something with the director here. They're in violation of the act. That's a greater amount than what's being provided for in my agreement."

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good, Chair.

Thank you.

**Chair:** You're good.

Thank you.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you.

My first question is: Is there any guideline in the legislation around the landlord subletting the unit or changing the number of tenants in the unit?

**Vernon MacIntyre:** I'm not sure I understand your question, member.

**Chair:** Could you repeat the question?

**Vernon MacIntyre:** Are you suggesting the landlord would – no, you go ahead. Sorry.

**Ms. Bell:** Thank you.

I have a landlord in my district who has a multi-bedroom, multi-bathroom unit, and he has taken two of the bigger bedrooms and installed bunk beds. So, the existing tenants who are in there have the tenancy agreement on their own rooms, but the other rooms now have bunk beds, which is not what they signed up for.

So, I was just wondering what the protection is for tenants when a landlord chooses to bring changes into – because, I mean, that's a sublet as well, but it's the landlord that's doing it, not the tenant. I'm just wondering how we protect – because one of the things that's been raised by these tenants is, they're concerned about whether it's a breach of fire code, having that many people in the building.

**Vernon MacIntyre:** I don't believe that's a situation of a sublet. The sublet is looking at the situations where a tenant brings in a new tenant. What you seem to be describing in that situation is a landlord changing what's in the agreement. That would be a change to the agreement, which the tenant would then have the right to file with the director to say, "This is a change to our agreement. We agreed on this situation and now we're changing it to this situation."

I don't know if that gets into a change of service, if it's changed, but it's certainly a major change to an agreement; but the tenant would be able to file with the director.

**Ms. Bell:** So, change of use, change of service; it would be more under that kind of basis?

**Vernon MacIntyre:** Again, I can't say for certain, and I don't want to provide a whole lot of conjecture, but a landlord changing what's going on in the building or in the unit is not a sublet.

**Ms. Bell:** The other piece around that is, you had mentioned this earlier, where we come back to the sublet with a tenant and the tenant is subletting their space, the agreement still remains with the original tenant. Is it the tenant's obligation to inform the subletting tenant of any rights and obligations that they may have while they're subletting that unit?

**Vernon MacIntyre:** I believe so, yes. Yeah.

**Ms. Bell:** There's no requirement for that to be any written contract on file, like a secondary sublet contract, or can that be a verbal agreement?

**Vernon MacIntyre:** You know what, I don't know that answer, member. I'll have to find it out and bring it back.

**Ms. Bell:** Thank you.

**Vernon MacIntyre:** I'm not sure, if it's a true sublet, if it becomes a secondary agreement that has to be provided. I'll have to find out and bring that back.

**Ms. Bell:** The reason for asking that is – I have a lot of rentals in my district, just to be clear, 56% of my district is rentals, so I have all the stories. Everything that could happen with a rental probably has happened.

What I have in my district is someone where they sublet the space with a verbal agreement, and then when they came back at the end of the summer, the sublet tenant refused to leave. So, then it's, who is in breach of contract? Is it the set tenant or the subtenant, or is the tenant and the landlord?

The landlord refused to have anything to do with it. "Not my problem." But it's how do you then bring that forward as a dispute, because the dispute wasn't with the landlord? The dispute was between the tenant and the subtenant.

So, it is a contractual issue, but somebody's going to wear it because what happened in the end was nobody paid rent, and the landlord then had the problem. I recognize it's a very specific thing, but it is a very specific thing that could happen in this case, particularly when we have summer sublets or winter sublets with students, for example,

which is what I see quite a bit of in my district.

Perhaps if you could bring that back just as an asterisk; it's not a reason to stop this section, Chair but it is, I think, something that's worth looking at as a real thing that has actually happened and more than once.

**Chair:** I appreciate that comment and our stranger had said he will look into that and bring back what he can.

Thank you, Charlottetown-Belvedere.

**Ms. Bell:** Thank you very much, Chair.

**Chair:** Excellent, thank you.

The hon. Leader of the Third Party.

**Mr. Gallant:** Thanks, Chair.

On this one, you're basically saying that you can sublet if the landlord consents, right?

**Vernon MacIntyre:** Pardon me?

**Mr. Gallant:** You're saying that it can be subletted if the landlord gives consent?

**Vernon MacIntyre:** Yes. Subletting has always been allowed in a rental agreement.

**Mr. Gallant:** So, he can only not do it if he's got good reason for not doing it.

**Vernon MacIntyre:** Absolutely.

**Mr. Gallant:** Okay. What happens when a tenant does it and the landlord's unaware?

**Vernon MacIntyre:** When we get to subsection 10, the landlord may make an application to the director under Section 75, which starts the process of an application to say the tenant has sublet or signed the rental unit without the landlord's written consent, the landlord would then have to speak to the director on what I would like to see happen. Would it be I'd like to see this stopped, which is typically what I hear, is that the tenant didn't come to me for consent so I would like to see this process stopped.

**Mr. Gallant:** That's what you're typically hearing. What's typically happening, are they being put out?

**Vernon MacIntyre:** I'm not aware of that, member. I'd have to go back and check.

**Mr. Gallant:** It creates quite a safety problem if you have someone subletting and the landlord is not aware. If there ever was a fire or anything like –

**Vernon MacIntyre:** That's why the act makes it clear that you need the landlord's consent. But, again, if someone decides to contravene the act, the landlord has to have the ability to go to the director. I don't know what the landlord would ask. I mean, again, we're presuming what would the landlord be asking for from the director. They may be asking for a number of things that would be reasonable, so it would be up to the landlord to go to the director and say here's what's happening.

Again, if you had a specific question on, and you did, does this mean the subtenants are evicted, I believe, was your question, then I can find out and bring that back.

**Mr. Gallant:** Thank you.

**Chair:** The hon. Leader of the Third Party.

**Mr. Gallant:** That's it for now, thanks.

**Chair:** The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I have a question in subsection 8 (a) where you're not allowed to charge a subtenant more in rent than you pay yourself. That seems like questionable. For instance, if what you are renting from the landlord is an unfurnished unit, which is typical, then you are renting, sub-letting a totally furnished units, might include, for instance, a personal car or dog or whatever. Why shouldn't you be able to charge more?

The same thing applies if, for instance, you are renting it out in the summertime when rental properties is, as we know, worth a lot more than it is during the wintertime.

**Vernon MacIntyre:** Again, member, in this particular case – it's an excellent point – but in this case, what the act is trying to make very, very clear and what the concern that has been brought forward was that there are situations where tenants are renting apartments, moving out and applying for

more rent or asking the subtenant to pay more rent and actually profiting off of the unit in an illegal manner in terms of, they've raised the rent beyond what's legally allowed.

What this act is trying to ensure is that that doesn't happen. That's what the intent of this piece is, is to ensure that.

**Mr. Hammarlund:** I can kind of see the fairness in that. It's more like an aside: What happens if, as we sometimes do, in exchange for apartments are more informal – like if you have somebody cat-sit for the winter when you go to Florida, type of thing? How are those arrangements covered by this?

**Vernon MacIntyre:** Okay. An exchange of apartments –

**Mr. Hammarlund:** Like, I'd go to Paris and they come to Charlottetown, for instance.

**Vernon MacIntyre:** Again, I think that would fall as a sublet and you'd have to let the landlord know this is happening.

**Mr. Hammarlund:** Yeah, okay.

**Vernon MacIntyre:** They couldn't unreasonably allow it. In terms of cat-sitting, I'm not sure cat-sitting would fall as a sublet.

**Mr. Hammarlund:** I'm good, Chair.

**Chair:** Thank you. Any other questions?

Shall the section carry? Carried.

Section 31, "Interpretation".

Shall the section carry? Carried.

Section 32, "Fees to cover expenses".

Shall it carry? Carried.

Section 33, "Tenant's right to sell, lease, etc."

Shall it carry? Carried.

Section 34, "No right of first refusal".

Shall it carry? Carried.

Section 35, “Restraint of trade prohibited”.

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I was wondering if you could talk to us in practical terms what this section is trying to achieve.

**Vernon MacIntyre:** Practical terms is that, so, we’re speaking to a mobile home site here now in this section. In practical terms, the landlord would provide snow-clearing for the streets of the mobile home park. The tenant may have their own snowblower, somebody providing snow-blowing services. A landlord can’t restrict that. The tenant can hire their own person to snow blow. That would be a practical example of that. The landlord can’t say I don’t like Company A, you must use Company B.

**Ms. Bernard:** That’s good. Thank you, Chair.

**Chair:** Shall the section carry? Carried.

Section 36, “Landlord’s responsibilities”.

This is still under the same subsection of “Additional provisions respecting mobile homes”.

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Along the lines of Section 35, I’m wondering, does Section 36 impose an obligation on landlords to share or communicate the reasonable standards to the tenant?

**Vernon MacIntyre:** If you look at (g), and I think that’s probably what you’re alluding to, the mobile park has rules that the landlord has written. They would have to provide a copy of that to the tenant.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I’m good, Chair.

**Chair:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Chair.

One of the pieces around the levels of responsibilities – and you said about the written rules and any other requirements – is there a requirement for insurance or insurance protection on behalf of the landlord or the tenants?

**Vernon MacIntyre:** I’d have to get back to you, member.

**Ms. Bell:** Okay. I have a similar question on Section 37, so I’m good for 36.

**Chair:** Okay.

Section 36, shall it carry? Carried.

Section 37, “Tenant’s responsibilities”.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Chair.

Yes, this one is about the tenant is responsible for ensuring that it complies with municipal bylaws or other enactment that applies to mobile homes and mobile home sites.

I guess my same question here: Can the landlord require, like in this case, can the landlord require, for instance, insurance or a level of insurance for the tenants, for them to be allowed to continue residency in the park or to take residency in the mobile home park? Is that within their allowance (Indistinct) –

**Vernon MacIntyre:** Not under this section, member, no. This section is very clear as it reads that a tenant is responsible to know the laws in their municipality. I mean, if the law in a municipality was that you required it, then I suppose, but I mean, I’ve never heard that, but I mean, it could be a bylaw somewhere to say this is required. But it would be up to the tenant to know their bylaws and to follow them.

**Ms. Bell:** We don’t have many mobile home parks, as many as we used to, but they are located primarily in municipalities. So, you’re saying that different municipalities are going to have different laws depending on where it’s located and that each, more or

less, are going to apply differently, depending on the location? There's not a consistent application for mobile home parks?

**Vernon MacIntyre:** I don't believe that's what I said, member. I think what I said is that it's a tenant's responsibility under this act to know the bylaws in your area and to follow those bylaws.

**Ms. Bell:** Are there any bylaws that apply to mobile units that you're aware of?

**Vernon MacIntyre:** Not that I'm aware of, no.

**Ms. Bell:** Oh. Okay, that's really interesting.

Thank you. I'm good.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good, Chair.

**Chair:** Thank you.

Shall the section carry? Carried.

Section 38, "Inspection at end of tenancy".

Shall the section carry?

The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I'm just wondering why there's no reference to the initial inspection. Does that not come up for comparisons with that, that either party should produce at least one copy of that?

**Vernon MacIntyre:** This is a separate inspection, member, so it doesn't come up here. There are some sections later in the act that talk about that the director shall take into consideration whether both were done, but this section is separate on its own. It talks about what must happen when you leave. This is what must happen when you leave. It doesn't say back to, like this be a separate form, it's a separate inspection and it's to be done when you leave.

**Mr. Hammarlund:** I just mean if the initial inspection report says that one of the faucets is missing or whatever it is, why is that not

relevant if the faucet is still missing on the final report?

**Ms. Bernard:** (Indistinct)

**Vernon MacIntyre:** Well, again, member, this would get into a dispute where one party would say that that was missing, another party would not, and the reports would show clearly to the director whether it was or wasn't.

Again, it's a separate section. It's its own section; stands on its own. It talks about what happens when you leave. It doesn't get into what situations occur between the two reports. It envisions that you have report (a) and you have report (b) and they're both available to assist in the resolution of a dispute.

**Chair:** The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I'm good, thank you.

**Chair:** Shall this section carry? Carried.

Section 39, "Time to vacate".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm just wondering what led to the 5 p.m. default time for people having to be out of their units on the day tenancy ends.

**Vernon MacIntyre:** It was there when I received the draft, member, and I believe it's sort of a standard. I don't have any information on where 5:00 p.m. came from.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

One more question on this.

One of the things that we hear quite frequently is the disagreement between tenant and landlord at the end of a tenancy when they're moving out in terms of clarity about what cleanliness should look like.

This is probably one of the biggest things that I hear.

I'm wondering, does the department plan to provide a little more clarity on what this cleanliness, when a tenant leaves, should involve?

**Vernon MacIntyre:** As of right now, again, member, I feel pretty comfortable that – I do hear – we've heard from both landlords and tenants that this is a frequent issue. I really think that this act talks about providing the legal framework that allows the director to hear both sides and resolve a dispute.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I think that this is another example in here, that where a little clarity would go a long way to actually stop disputes before they come. I think that this is really huge missed opportunity for the department.

I recognize this has been a huge piece of work, and it's been all hands on deck. I just think that we need to do a little bit more in terms of putting things in here as a preventative measure, because it seems like almost everything I've asked questions on so far: Go to the director, go to the director, go to the director. The poor director.

**Ms. Bell:** [Laughter]

**Ms. Bernard:** If we put some pretty – I mean, these are not difficult. Some of them are more challenging, but not all of them are really difficult to figure out. So, I just think that we could be really proactive in this, rather than waiting – than relying on the director to do all of these things.

I'm good for now, Chair.

**Chair:** Thank you, Member from Charlottetown-Victoria Park.

Shall this section carry? Carried.

Okay, hon. members, I believe that the Leader of the Third Party has his amendment, so we're going to go back to Section 28.

Can we get the amendment passed out?

While the amendment is being passed out, hon. Leader of the Third Party, maybe I could get you to read in your amendment into the record, please.

**Mr. Gallant:** The purpose of it, first? Okay.

**Chair:** Sorry, go ahead, Leader of the Third Party. I'll get you to read the amendment in first, and then I'll let you give a comment to it.

**Mr. Gallant:** Subsection 28(4) of Bill 87 is amended by the addition of the words "or have repaired by a professional trades person," after the words "shall repair".

**Chair:** So, hon. members, while the amendment is being passed out, what I might do is open the floor to the Leader of the Third Party, just give a brief statement for the amendment.

**Mr. Gallant:** Thank you, Chair.

As we all know, we all have friends that could do carpentry work or electrical or mechanic work. But, let's say, unfortunately, a chesterfield hit the wall where there's an electrical outlet, and the person that came in was just a carpenter, and they did the drywall and they fixed it, but they're not an electrician.

The purpose of this is, I felt that this should be done by a professional tradesperson. Now, if it's somebody that's retired, well, that's fine. If they were a carpenter or an electrician.

If you fix a wall with drywall and you don't fix it right, it's very visible that it's not a very good job, right. If you don't sand it right, or you put too much drywall, or too much putty.

I felt that maybe this should be done by a professional tradesperson.

**Chair:** Thank you, hon. member.

I'm not sure that everybody has gotten a copy of the amendment yet, so we're just going to leave it for just one second here.

Do you have a copy of the amendment yet?

**An Hon. Member:** (Indistinct)

**Chair:** Okay.

All right, so I believe that everyone has a copy of the amendment. I'm now going to open the floor to questions.

The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I'm not so sure that I agree with the amendment, I think it's actually clearer the way it was. I think, to finish it professionally is really a higher standard than having a trade-man in that may or may not finish it professionally. That's just my opinion.

**Chair:** Thank you for your comment.

I'm going to pass it to the Leader of the Third Party.

**Mr. Gallant:** We're talking about safety here, plus we're also talking about, now adopted, the National Building Code. So, if things aren't repaired properly, it could be a safety issue.

That's another reason for my amendment.

Thank you, Chair.

**Chair:** Thank you, hon. member.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you, Chair.

I recognize this is an amendment on 28(4), which is regarding the tenant's responsibility for undue damage. Concerns regarding health and safety and electrical systems, they're actually in Section 29.

I don't know if perhaps the member has amended the wrong section. But heating systems, electrical systems, things that are actually necessary for the health and safety of anyone are under emergency repairs, that are a completely different section.

This one was specifically around damage to the unit or common areas that the tenant causes. I think – you just need to be clear if we're using examples, that the examples are

actually relevant. I would suggest that perhaps that a more – the amendment is not appropriate for this section, given that we're talking about damage caused by a tenant that does not include things that bring our health and safety issue.

**Chair:** The hon. Leader of the Third Party.

**Mr. Gallant:** I beg to differ, it certainly causes issues, and repairs should be done by professionals. Whether in the common room or if they're in an apartment. They're the ones professionally built.

**Chair:** Thank you, Leader of the Third Party.

Are there any other questions?

Shall the amendment carry?

**Some Hon. Members:** No.

**Chair:** I think I heard a "no", but I'll ask one more time.

Shall the amendment carry?

**Some Hon. Members:** No.

**Chair:** I heard no.

I'm sorry, unfortunately, Leader of the Third Party, your amendment does not carry.

We will move back to Section 40 –

Carry Section 28? Carried.

Section 40, "Return of security deposit".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

We know that when some tenants move out, they require their security deposit quite soon, because they need the access to that cash to apply it to the next rental unit.

I'm wondering why the department settled on 15 days for the return of the deposit.

**Vernon MacIntyre:** This is an important change from the current act. In terms of the current act, the tenant has to file an

application with the director to have their security deposit returned. In the new act, the onus is on the landlord to file with the director to say, "I'd like to keep it."

But in terms of 15 days, it's a number that was chosen based on some of the other language in the act around appeals and around timelines and what seemed appropriate based on discussions with the director's office or as we're creating it. There was no scientific study done to say 15 days is the correct number.

**Ms. Bernard:** I'm looking at subsection 5. Going back to the definition of security deposit, it's any money or property paid by the tenant to the landlord. How do these provisions deal with the property part of the security deposit if that's the case?

**Vernon MacIntyre:** Good point, member, in terms of – to go back, I mean, the act had a clause in the section that talked about property. I've never heard of that being done. Security deposits are there. It was written to put that possibility in. It's never been done and perhaps it shouldn't have been written in there but, in terms of that, in reality, when there is a deposit done, it's cash; it's a monetary deposit. This section speaks to that.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good, Chair.

**Chair:** Shall the section carry?

Sorry, the hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I just had a concern. Tenants moving from one apartment to another are really hard up for cash with all the expenses of moving and they have to put a deposit down for the next apartment. I don't quite understand the 15 days. Do the tenants, for instance, when they move into the new apartment, do they get a 15-day respite before they have to provide it for the landlord, 15 days after they move in?

**Vernon MacIntyre:** No, member. This is part of the agreement between the tenant and the landlord. The landlord and the tenant

would agree on when the deposit is to be paid.

**Mr. Hammarlund:** Does it specify that anywhere (Indistinct) –

**Vernon MacIntyre:** I believe in a later section of the act, it speaks to 10 days as the timeframe that the landlord can feel that they're not going to have it paid and get started to take action, to ask the director to take action.

**Mr. Hammarlund:** It seems to me those two days should be coordinated somehow. It makes a big difference to some tenants, I'm sure.

**Chair:** Is there a question, sorry, hon. member?

**Mr. Hammarlund:** No. No new question.

**Chair:** Okay. Thank you.

Shall the section carry? Carried.

Section 41, "Landlord may retain security deposit".

Shall the section carry? Carried.

Section 42, "Abandonment of rental unit by tenant".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm just wondering if the department plans on coming up with a standardized form for providing notice under this section.

**Vernon MacIntyre:** It isn't envisioned in the act but there's nothing, I would think, that would stop the director's office, if they felt it was necessary, from creating one.

**Ms. Bernard:** In clause 3 (c), this is talking about what information should be posted on – in a conspicuous place, an obvious place – on the residential property for landlords providing notice that they will be entering a unit that has been abandoned. Would the same 9:00 a.m. to 9:00 p.m. hours apply in this case, as well?



**Vernon MacIntyre:** Not as this section is written, no.

**Ms. Bernard:** Help me understand here. Let's say it's been abandoned and there's been that notice put on the door for the reason to let the tenant know if they are to return that this is happening. If they were to return, would that 9:00 a.m. to 9:00 p.m. then apply or in this case, no?

**Vernon MacIntyre:** Not specifically, no. It would have to say in this section that that applies.

To be clear, there is a very clear set of rules in sub (2) that this is what has to happen for the unit to be considered abandoned in the first place. The tenant has to – to be considered abandoned – the tenant has to have vacated the rental unit, the tenancy agreement is not terminated in accordance with this act or the tenancy agreement, and rent is overdue, which is extremely important.

Typically, it's quite clear. I say typically, it's quite clear that the rent is overdue, the tenant hasn't been seen in quite some time, so the landlord begins to believe that it's been abandoned. Then they start this process of filing a notice to say, "I believe it's abandoned, and I'd like to inspect to insure that."

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Good, Chair. Thank you.

Shall the section carry? Carried.

Section 43, "Tenant's personal property".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

In subsection 2, there is a reference to a "safe storage." Could you elaborate on what that means?

**Vernon MacIntyre:** I don't believe "safe storage" is defined. Again, it would be up to the director to agree. It talks about the use of the term "safe storage" or "stored in the property in a safe manner". That's what it

would land on would be something that the director would agree is safe.

**Ms. Bernard:** In subsection (3), the subsection says that the section does not apply where a landlord and tenant have made an agreement in writing with respect to the storage of the tenant's personal property. We know that some tenants up and leave without the intent to recover their property. Perhaps they're leaving the province or whatever. Does this side agreement cover the disposal of the tenant's personal property, if agreed to by both the tenant and the landlord?

**Vernon MacIntyre:** This would be a clause that allows a landlord to agree to store. It really, it's in this section because it's talking about tenant's personal property but it is an exception that talks about – it's more of a clause that allows the landlord to agree to store more than what would normally be allowed as part of an agreement. Again, it's for greater clarity.

Say a tenant had a three-bedroom unit previously. They had enough property for three bedrooms. They're moving into a one. They can come to an agreement with the landlord to say, I'd like to take some space in your unit or in your building or in another building to store these other two bedroom's worth of furniture. That would be the side agreement; so that would be the exception.

**Ms. Bernard:** In subsection 6, application by landlord, they can make an application to dispose of the tenant's personal property without notice to the tenant. In what circumstances would notice not be given?

**Vernon MacIntyre:** If you go through the entire process in terms of what happens, it talks about an authorization to dispose of below. It talks about the entire process walking through it and it talks about the landlord, for example, being able to sell the property after the storage period. If the storage period of 30 days is done and the tenant has not come back and recovered the property, the landlord can sell it but, again, not at a profit. They have to then provide the funds to the director to hold on behalf of the tenant.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm good for now.

**Chair:** The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I've gotten a few emails from landlords that can't quite understand why they should be responsible for storing tenant's abandoned property. Could you clarify a little bit more how you arrived at the current setup?

**Vernon MacIntyre:** Well again, this is applying in writing what the current process is. I did find that knowledge of this was not necessarily – not all landlords fully understood what their obligations were under this portion of the current act. The current act is somewhat silent in some areas of this, but it is something that was important to go through. By having both landlords and tenants come forward and say what does this mean, it shows that that's working in terms of, you know, there seems to be a lot more knowledge now on what the current obligations were under the current act.

It really hasn't changed. If your question was, what's changed? Nothing has changed, other than the 30 days. Previously, the director, the landlord would hold the property until they've gotten permission from the director to dispose of it.

**Chair:** The hon. Member from Charlottetown-Brighton.

**Mr. Hammarlund:** I'm good. Thanks.

**Chair:** Shall the section carry? Carried.

Section 44, "Abandoned mobile home".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

On subsection 4, there's a reference to the *Personal Property Security Act*. Can you explain what the implications of that act are with respect to the disposal of mobile homes?

**Vernon MacIntyre:** Sure. *Personal Property Security Act* speaks to the assignment of, say, a loan on a piece of property. So, the tenant may have had a loan on the mobile home; the tenant has abandoned the mobile home.

The landlord has to – and there are steps in the act to follow, to say this is what the landlord has to do to ensure that there is no outstanding lien or outstanding mortgage on that property before they dispose of it.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** I'm good, Chair. Thank you.

**Chair:** Shall the section carry? Carried.

Section 45, "Seizure of personal property prohibited".

Shall it carry?

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you.

It connects to the previous one around the mobile home thing. If you have a mobile home that you own but it's on a property that is being – you're leasing a space in a mobile home park and you're in breach of your lease agreement with the landlord, does that landlord have the right to seize your personal property?

**Vernon MacIntyre:** Not the personal property. We've had a section that spoke specifically to abandoned mobile homes and what the process is there. Now we've moved back into seizure of personal property.

So, in general, again, a landlord can't enter a unit and take property, say, "You owe me last month's rent. I'm taking your couch." That is a dispute. Nonpayment of rent is a dispute that has to go to the director for resolution.

This is just for greater clarity, again, to ensure that it's extremely clear that if there's a belief that an obligation hasn't been met, that, for greater clarity, no one can take the other person's property as payment for that obligation.

**Chair:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Thank you for the clarification. I'm good.

**Chair:** Thank you.

Shall the section carry? Carried.

Section 46, "Mitigation of damages".

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

I'm just wondering if you could briefly explain what this section means; what it does.

**Vernon MacIntyre:** Sure. Mitigation of damages is – again, it goes back to basic contract law. If you breach a contract and there are – for example, rent.

A landlord-tenant agreement says it will be for one year. The tenant leaves at the six-month mark. The landlord has a duty to try and refill the apartment or have a new tenant come into the unit as fast as possible.

They can't leave it empty for six months and say, "I want to now seek from the director, six months additional rent from the tenant as part of the process." That's the basics of the idea of mitigation of damages.

It falls in a lot of different contract law where if you feel that there's damage being done, you can't just let it sit until the court case is finalized, and then say, "You owe me everything in the court case." You have to try and take some steps to say – if I can make steps to make the amount lower, you have to take those steps.

**Chair:** The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Good. Thank you, Chair.

**Chair:** Shall the section carry? Carried.

47, "Rent increases."

Shall it carry? Carried.

48, "Timing of rent increases."

The hon. Member from Charlottetown-Victoria Park.

**Ms. Bernard:** Thank you, Chair.

In subsection 3, this says, exception. A landlord is not required to give notice under this section where the landlord makes an application to the Director in accordance with section 50 for an additional rent increase.

When rent increase orders are made under that section, is the intent that the director will not apply those rent increases right away?

**Vernon MacIntyre:** No. What this section applies to is that if you're making a rent increase under, say, the maximum allowable, you must provide the notice. If you're providing notice under Section 50, which then speaks to a different process for providing notice, you don't have to provide two notices.

**Ms. Bernard:** In subsection 6, the obligation of the landlord, it says where a landlord has given a tenant notice of rent increase and the tenant ends the tenancy agreement in accordance with subsection 5, the landlord shall give a prospective tenant a copy of the notice with the name of the tenant removed before the parties agree to a tenancy agreement, and (b) rent the rental unit at the rent stated in the notice.

How do we know that this will not be abused in the absence of a rental registry, and with a tenant not having the ability to determine what the previous rent was and whether it's a reasonable increase or not?

**Vernon MacIntyre:** So, member, again, we're getting into that question that's been asked in terms of how do we know if someone's going to break the law or not?

I'm not sure I can answer how we know any one person will break the law.

**Chair:** The hon. Member from Charlottetown-Victoria Park, you have, maybe, one last question.

**Ms. Bernard:** I was just going to say, we create a rental registry. That's what we do.

I'm done.

Thank you, Chair.

**Chair:** Okay.

Shall the section carry? Carried.

Hon. members, we have come to the end of government time. We will now be switching over to the opposition's time.

**Mr. MacKay:** Mr. Chair, I move that the Speaker take the chair, and the Chair report progress and beg leave to sit again.

**Chair:** Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having under consideration a bill to be intituled *Residential Tenancy Act*, I beg leave to report that the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

**Speaker:** Shall it carry? Carried.

#### Motions Other Than Government

**Speaker:** The hon. Member from Member from Summerside-Wilmot.

**Ms. Lund:** Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Early Learning and Child Care Act (No. 2)*, and I move, seconded by the Honourable Member from Charlottetown-Victoria Park, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** *An Act to Amend the Early Learning and Child Care Act (No. 2)*, Bill No. 129, read a first time.

**Speaker:** Overview, member?

**Ms. Lund:** Thank you, Mr. Speaker.

This bill ensures that all staff working in childcare centres will be required to have a vulnerable sector check, and it also clarifies that people who do not work in childcare

centres while children are present are not expected to get that same check. This moves provisions currently in regulations into the legislation.

The intent of this bill is to ensure that youngest Islanders are protected, in consultation with the Child and Youth Advocate.

**Some Hon. Members:** Hear, hear!

#### Orders Other Than Government

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, I move, seconded by the hon. Member from Member from Tyne Valley-Sherbrooke, that the 38<sup>th</sup> order of the day be now read.

**Speaker:** Shall it carry? Carried.

**Clerk:** Order No. 38, *An Act to Amend the Employment Standards Act (No.4)*, Bill No. 128, in Committee.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, I move, seconded by the Honourable Member from Member from Tyne Valley-Sherbrooke, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

**Speaker:** Shall it carry? Carried.

The hon. Member from Charlottetown-Winsloe; the hon. Member from Tignish-Palmer Road to chair the Committee of the Whole House, please.

**Chair (Perry):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Employment Standards Act (No. 4)*.

A request has been made to bring a stranger onto the floor.

Shall it be granted? Granted.

Could you please state your name and position for Hansard?

**Nathan Hood:** I'm Nathan Hood, senior policy advisor to the official opposition.

**Chair:** Thank you very much, Nathan, and welcome.

Hon. members, the bill is currently under debate. It has been amended, and it's opened up to questions as a whole as amended.

**Ms. Altass:** Chair?

**Chair:** Promoter, sure.

**Ms. Altass:** I'd like to, with your indulgence, recognize a few people in the gallery, if I might.

**Chair:** Sure, yeah.

**Ms. Altass:** I want to recognize, from the PEI Working Group for a Livable Income, we have – Dr. Susan Hartley is here, as well as Michelle Jay, who is also with the PEI Advisory Council on the Status of Women, and Marie Burge, who is with the Cooper Institute. We have Ains Kendrick from Women's Network PEI, who is here in the gallery with us today. We have Jane Affleck from the Native Council of Prince Edward Island; Julia Hartley from the Lung Association; and we have Larry Hale from the UPEI Faculty Association, and Leo Cheverie, who is from CUPE as well as PEI Federation of Labour.

I do want to acknowledge that these are all representatives from organizations who have, in our consultation, provided support for legislated paid sick leave.

As well, we have Bethany Collicutt-McNab and Karen Lips, who have also joined us.

**Chair:** Okay, welcome.

Now taking questions. Any questions?

**Ms. Altass:** Chair, I do have some response to some things (Indistinct) –

**Chair:** Sure, promoter.

**Ms. Altass:** Chair, first off, you had a question about fishers in particular –

**Chair:** Yes.

**Ms. Altass:** – and lobster fishers. We dug into that a little bit.

The language in the *Employment Standards Act* around layoffs is, to be honest, somewhat vague. So, it would really depend on the individual employment contracts, as far as we can tell, whether the cumulation of sick days would continue for workers between the spring and fall seasons. Disputes regarding those numbers of days in this context would be determined by the Employment Standards Board as needed.

What we do know for certain is that that accumulation of days would end at the end of the fall season, and very likely could break in the middle, or pause. Again, the layoff language is a little tricky and it would depend on those individual contracts.

Is there anything else, Nate, that we can add to that?

**Nathan Hood:** No, I think that's –

**Ms. Altass:** Okay. I do also have some responses to a few other things that came up in debate, just to clarify.

I want to just comment on the use of the Special Leave Fund, as the minister has tied it to this legislation or connected it to this legislation.

I want to stress that the Special Leave Fund is in no way a replacement for legislated paid sick days. The Special Leave Fund provides all businesses, regardless of size or profitability, funding for paid sick days paid by government. Without legislating paid sick days, businesses have the choice of whether or not to access it. This is businesses being allowed to choose what is best for Islanders' health, not Islanders themselves.

Additionally, there is no job protection for workers who need to take leave time due to illness in the *Employment Standards Act*. Workers could lose their jobs for following public health advice and staying home when they are sick.

All of this is potentially very harmful to workers who are in the very best position to know their own health needs.

I want to also comment on something that the minister has said, that this extension of the Special Leave Fund will be only until March.

According to the department's own website, the review of the *Employment Standards Act* will not be completed until at least July, and even then, it will be November at the earliest, and that's being extremely generous because the *Employment Standards Act* likely needs to be completely rewritten, and then at least another six months after that, extremely generous, before regulations are ready and the act would be enforced.

The PEI Advisory Council on the Status of Women has specifically said government must not wait until the *Employment Standards Act* review is completed, and I tabled that last week – or, sorry, earlier; no, it would've been last week; advice that this government seems to be ignoring.

It's clear that the March timeline for completion of the review makes no sense. I can't understand why we're being suggested otherwise.

We keep hearing the number of days is an issue as well. I've heard that from several members of this House. But no one has suggested a different number of days. I've provided evidence why 10, but if others feel it should be less, put a number forward.

**An Hon. Member:** Exactly.

**Some Hon. Members:** Hear, hear!

**Ms. Altass:** I have shown a willingness to engage in this debate in good faith and make changes and compromises to get the strongest protections for workers that I can, and I think we can all agree that the number of days is not zero.

The only groups pushing for zero days right now are business lobby groups. That's it.

Will this government and third party members ignore all of the evidence I have brought forward to show the benefits of paid sick days for workers, businesses, the economy, our health care system? Will they choose to listen only to these business lobby groups and ignore everyone else, every other group who has spoken in support and

stressed the urgency of legislating paid sick days now?

When considering their vote on this bill, I ask that Members of the Legislative Assembly consider all Islanders when making your decision. I ask you to think of the constituents you were elected to represent. I ask that you keep supporting (Indistinct) – support workers and our economy and the health of our economy by supporting legislated paid sick days.

**Some Hon. Members:** Hear, hear!

**Ms. Altass:** Thank you, Chair.

**Chair:** You're welcome.

The hon. Member from Charlottetown-Brighton, did you have a question?

**Mr. Hammarlund:** No, I was just waving to my wife.

**Chair:** Oh, okay.

**Some Hon. Members:** [Laughter]

**Some Hon. Members:** Hear, hear!

**Chair:** Okay, are there any questions?

Okay, shall the bill, as amended, carry?

**An Hon. Member:** (Indistinct)

**Chair:** Sorry?

**An Hon. Member:** (Indistinct)

**Chair:** Did you point?

**Some Hon. Members:** [Laughter]

**Chair:** I'm hearing things. I'm seeing gesturing. Is there somebody over on this side that has a question?

Okay, the hon. Minister of Economic Growth, Tourism and Culture.

**Mr. Thompson:** Thank you, Chair.

Thank you, members, and thank you, member, for bringing this forward.

As I said, I don't think there's anybody in this House that's against paid sick leave. I have signed an application to go to Treasury Board to extend the Special Leave Fund –

**An Hon. Member:** Not enough.

**Mr. Thompson:** – and I know it's not perfect, but I think until the final report, which I am told will be done in March and I will hold them to that – and so, we can have what the comprehensive review says about this.

I think with what they say, we can have legislation here next fall for paid sick leave, off their recommendations.

**An Hon. Member:** Come on.

**Some Hon. Members:** (Indistinct)

**Leader of the Opposition:** Too little, too late. Not a chance.

**An Hon. Member:** You know better than that.

**Chair:** The hon. member has the floor.

**Mr. Thompson:** Thank you, member.

It's always important to have debates. We don't always agree on how things are written, and as minister of justice, when we brought the NDA bill to the floor, there was debate on that as well. Timing was important for that, and it was important to have that debate. The only thing I heard about that from the law community, that there wasn't enough debate on the floor because there was grey area in the legislation that the courts use to review.

**Ms. Lund:** I (Indistinct) but no one spoke.

**Mr. Thompson:** So, debate is important, and I will ensure that the Special Leave Fund – it's not perfect, but I will ensure that it covers – you know, it does care for the children and the family members requiring special leave, that cannot attend school and stuff. It does cover that. So, it's not perfect, and I'll make sure it lasts until we get a review in place.

Thank you, Chair.

**Chair:** Thank you.

**Ms. Altass:** May I respond to that?

**Chair:** Sure.

**Ms. Altass:** Respectfully, businesses having the power to make decisions about the health and wellbeing of their workers is far – it's not just not perfect, it's completely unacceptable. It really is.

**Some Hon. Members:** Hear, hear!

**Ms. Altass:** I appreciate that this government wants to support businesses in this transition. I think that's very important, and I've stated that for small local businesses in particular, they will need some support.

The Special Leave Fund is extended to all businesses, including those who really could afford it, and it empowers those businesses to decide when a worker is worthy of taking a sick day. That is completely just unacceptable. Workers need to be empowered to make those health care decisions for themselves and their wellbeing. No business owner should ever be able to tell a person that they're not sick enough; they have to come to work.

Minister, I can't tell you how serious that is for many of our vulnerable, more precarious workers, those who are lower income, who cannot afford to lose a day's pay.

Minister, this is incredibly serious and, no, the Special Leave Fund does not go far enough, not at all.

**Chair:** I have a question. It's just, again, about – you mentioned about the numbers. I guess, not to say you challenged everybody, but to come back with another number.

I have to say I don't believe zero is a number either, but I don't know what the magic number is. This is not my bill. I didn't go do any public consultation from tip to tip, but I did ask businesses and individuals, constituents in District 27, about it.

Again, I had a mix, but the majority of businesses were like, well, what's being proposed. Ten is just – they thought 10 was unreasonable. To find that magic number, I

can't come up with it without some more consultation, you know what I mean. Really, I know you could say, oh, we had a week or two to prepare for this to do that. I tried to do that, but I still don't know what that number is. I wish I did.

I just wanted to put that on record for saying that, when you were challenging us to make an amendment, I don't think it's fair – I can only speak for myself – to put a number forward. I don't really know what that number is to make that balance between employer and employee.

**Ms. Altass:** Chair, I do appreciate the challenge of choosing a number for me. The number 10 was chosen based on evidence, based on other jurisdictions around the world, and what we're seeing here on PEI in terms of the actual number of days that workers need in a year to maintain their health, that they need to take. It is 10, that is the number.

If we do not feel here today, as a Legislative Assembly, that we can go as far as 10, I think it would completely just disappointing and heart-breaking for those workers to have absolutely no protection when no one is brave enough to say what number they think it should be to start.

I think we've seen B.C. has legislated five days; Ontario, as I understand it, has three. I think five is something that, as I said, we've seen in B.C. Federally, it's 10 for workers, so there are precedents. There are places to look to for what other numbers could be but to simply say, well, I don't like 10, so we'll just throw this all away, disregards the position that puts workers in because, as well as all of the benefits that I tabled. So much research, so much evidence to show why paid sick days actually results in a more productive economy.

It makes businesses more resilient and productive, less sick days overall because workers are not going in to work sick making other people sick. To disregard all of that, I think, would be just absolutely tragic. I know we can do better than that. I would love to see someone be brave enough to say, "okay, here's where we should start then. If not 10, where?"

**Chair:** I will add to that, the word "brave" is kind of challenging. It's a bit, putting it back on us. This is not my bill that I put forward, right? You brought the number 10. You are now saying the reasons why you put number 10. You are asking us, challenging us, to put a number forward to open that debate on that.

I state, I don't know what that number is. I really don't without proper public consultation to find that balance of what would work on Prince Edward Island. I can't just throw a number out and think that that's going to work. That would be very unfair for me to do so. I just want to make sure that that is on the record that I will not be brave enough to just throw a number out there for the collaboration of a bill passing without having that proper balance, employer, employee across Prince Edward Island.

**Ms. Altass:** I will just say that I have provided strong evidence for why 10 is actually the number that's needed. What I would love to see is us pass 10 because I do think that's what's needed. But if we can't get to 10, I do think we can make some progress.

I appreciate what you're saying but I also recognize that the easy way out is to simply ignore all of the evidence, all of the groups who have spoken in support of this and stressed the need to legislate paid sick days to protect workers. I think what we do here in this Legislative Assembly is debate legislation. If a discussion on the number of days is what the House wishes to have, if you say 10 is too much but we do need paid sick days, we need to engage in that discussion.

**Some Hon. Members:** Hear, hear!

**Chair:** I was just going to reply. If you were brave and confident to use 10, then there should be no openness to go with another number.

**Some Hon. Members:** (Indistinct)

**Chair:** That's what I'm saying. You're challenging me to say I'm not brave enough to put a number out there but you're saying you're brave enough to put 10 out there as a number but yet you're willing to –



**Ms. Altass:** I am.

**Chair:** – to negotiate that number.

I need to have confidence in anything, any legislation that goes through this House that is going to benefit, not only my district but even as the economic development critic for the Island, that it's there to protect and in the best interest of all. That includes employers and employees.

I need to have the confidence that this bill, if it was 10 sick days, is going to – I keep using the word “balance” – there needs to be balance here. Whenever you say that, I guess it is, it's that challenge that you're putting out here that I'm a little bit offended by because it's not my bill and I didn't do the consultation to change that number yet. I did ask in my district. I can't use asking 10 people or 10 businesses as a fair number to be accurate across Prince Edward Island. I just wish I knew what that number is. I'm not saying zero. I'm definitely not saying zero, but I cannot comfortably say a number between zero and 10 without having that confidence in doing so.

**Ms. Altass:** Okay. I think I'm at 10 because it's evidence-based and that is what has come out of my consultation. I'm confident to stand by it. If others feel differently, you should speak. Let us know what you think.

**Chair:** Okay. You waving again, the hon. Member from Charlottetown-Brighton?

The hon. Member from Charlottetown-Brighton, you have the floor.

**Mr. Hammarlund:** I wasn't going to put in a suggestion for a different number. I was going to put a suggestion in for 10 because I've been observing. I've been on PEI a long time and there seemed to be like a – the Island seems to be divided in half. There's those that have the good jobs – government, Crown corporations, Maritime Electric, big contractors, and I would say 10 or more is standard in all of those things.

It is kind of a standard that the other half simply should be brought up to being people working in the service industry or grocery stores which don't have any benefits at all. Let us not forget that sick days are just one of the many benefits that the other half

receive. We're not talking about everything, like longer vacations or Blue Cross, Blue Shield, or whatever, we're just talking about sick days. I think 10 is a good standard.

**Chair:** Okay. Thank you for that.

No further questions.

I'm going to ask the question: Shall the amended bill carry?

**Some Hon. Members:** Yes.

**Some Hon. Members:** No.

**Chair:** Okay, I'm going to ask for a show of hands.

**An Hon. Member:** Standing vote, please

**Chair:** Can't do that until the Speaker comes back in.

**An Hon. Member:** (Indistinct)

**Chair:** I'm going to ask all those in favour of the amended bill carrying, all those in favour of it, please signify by raising your hand.

All those not in favour or against the amended bill going forward, please raise your hand.

The bill as amended will not carry.

**Ms. Altass:** Mr. Chair, I move the Speaker take the Chair and that the Chair report the bill not recommended.

**Chair:** Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intitled *An Act to Amend the Employment Standards Act (No. 4)*, I beg leave to report that the committee has gone through the said bill and does not recommend the same to the Legislative Assembly. I move that the report of the committee be adopted.

**Speaker:** Shall it carry? Carried.

**An Hon. Member:** I'd like a recorded division, please.

**Speaker:** Hon. members, there was a recorded division requested.

Sergeant-at-Arms, you may ring the bell.

[The bells were rung]

**Mr. Bell:** Government is ready for the vote, Mr. Speaker.

**Ms. Altass:** The opposition is ready for the vote.

**Mr. Henderson:** The third party is ready for the vote, Mr. Speaker.

**Speaker:** All those voting against the bill, please –

**An Hon. Member:** Against the bill or against the report?

**An Hon. Member:** The report or the bill?

**Some Hon. Members:** (Indistinct)

**Speaker:** Against the report, sorry. Thanks for the clarification.

Please stand.

**Clerk:** The hon. Leader of the Opposition, the hon. Member from Summerside-Wilmot, the hon. Member from Mermaid-Stratford, the hon. Member from Charlottetown-Victoria Park, the hon. Member from Charlottetown-Belvedere, the hon. Member from Charlottetown-Brighton, the hon. Member from Tyne Valley-Sherbrooke, the hon. Member from Summerside-South Drive.

**Speaker:** All those voting for the report, please stand.

**Clerk:** The hon. Minister of Finance, the hon. Minister of Fisheries and Communities, the hon. Member from Morell-Donagh, the hon. Deputy Premier, the hon. Minister of Environment, Energy and Climate Action, the hon. Member from Charlottetown-Winsloe, the hon. Minister of Transportation and Infrastructure, the hon. Minister of Education and Lifelong Learning, the hon. Minister of Economic Growth, Tourism and Culture, the hon. Minister of Social Development and Housing, the hon. Minister of Health and Wellness, the hon.

Member from Rustico-Emerald, the hon. Member from Charlottetown-West Royalty, the hon. Leader of the Third Party, the hon. Member from O’Leary-Inverness, and the hon. Member from Tignish-Palmer Road.

#### Motions Other Than Government

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, I ask that Motion 128 be now read.

**Speaker:** Shall it carry? Carried.

**Clerk:** Motion 128.

The hon. Leader of the Opposition moves, seconded by the hon. Member from Summerside-South Drive, the following motion.

**WHEREAS** the population of Prince Edward Island has been rapidly growing primarily through immigration, with a rich diversity of new Islanders living in every corner of the province;

**AND WHEREAS** it is critical that we act to recognize and value the contributions of this increasingly diverse population, their lived experiences, and their hopes and dreams for the future;

**AND WHEREAS** many immigrants cannot participate in our democracy through voting, as they are not yet Canadian citizens;

**AND WHEREAS** immigrants pay taxes, are subject to our laws, and contribute substantially in many meaningful ways to our society and our economy;

**AND WHEREAS** providing an opportunity to better understand and be able to participate in civics will help with retention of immigrants to the province by ensuring that their voices are heard;

**AND WHEREAS** municipal and school board representation is often the first step to political engagement;

**AND WHEREAS** the Municipal Government Act and the Education Act are within provincial legislative jurisdiction;

**THEREFORE BE IT RESOLVED** that this Legislature supports extending voting rights to all permanent residents for municipal elections and school board elections in Prince Edward Island;

**AND THEREFORE BE IT FURTHER RESOLVED** that the legislature urge government to consult with affected communities and stakeholders and bring forward the legislative changes required to expand voting rights to permanent residents of Prince Edward Island.

**Speaker:** The hon. Leader of the Opposition to start Debate.

**Leader of the Opposition:** Thank you, Mr. Speaker.

Recognizing that we only literally have a minute or two to talk to this debate, I think I will use my time to recognize a couple of people in the gallery, with your indulgence, and one in particular, because this motion actually came through the policy development process of the Island Green Party, and it was originated by Bethany Collicutt-McNab, who is sitting in the gallery today.

Bethany is a teacher who teaches English as a second language to new Islanders, and she was struck by how many of those new Islanders were extremely engaged and extremely knowledgeable about our democratic system and the way that politics works here on Prince Edward Island. But she was also struck by the fact that none of these students were able to vote. They were permanent residents here on Prince Edward Island, but could not vote. That's where the origins of this motion came from.

Again, I recognize we're not going to be able to carry this any further in debate, but I really appreciate the work that Bethany did.

I see also Susan Hartley here, who's the president of the Island Green Party, who was instrumental in developing the policy development process we now have.

This is a good example of how grassroots democracy can bring an issue in the public, here into the House of the people and have it debated.

I now adjourn debate, seconded by the hon. Member from Summerside-South Drive.

Thank you.

**Speaker:** Shall it carry? Carried.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Morell-Donagh.

**Mr. MacEwen:** Thank you, Mr. Speaker.

Well done. That was a good minute spent to get that in there. I look forward to that debate when the time comes.

Mr. Speaker, I move that Motion 126 be read.

**Speaker:** Shall it carry? Carried.

**Clerk:** Mr. Speaker, Motion 126, Thanking our first responders, is currently under debate, and debate was adjourned by the hon. Member from Charlottetown-Winsloe.

**Speaker:** The hon. Member from Charlottetown-Winsloe to resume debate.

**Mr. Bell:** Thank you, Mr. Speaker.

Of course, I think I just barely started this last time, so it is an absolute pleasure to rise and move this motion, Motion 126, thanking our first responders.

They always deserve thanks and appreciation, and I think that was highlighted a little bit more, of course, after Hurricane Fiona.

The number that I had mentioned previously, and just really want to emphasize that, in communities right across out Island, we do rely on the network of our approximately 1,300 volunteer firefighters, not to mention the number of professional firefighters, especially here in the Charlottetown area.

Men and women in communities right across the province, they sacrifice both their time and effort, and they often court the physical risks in exercising their duties. I know, Mr. Speaker, you're very familiar with this.

Our first responders deal with the things that most people wouldn't want to deal with. They deal with house fires, accidents, vehicular accidents, responding to water incidents. Those are just some of the run-of-the-mill calls that our firefighters would regularly field on a daily basis.

What they were encountering during Hurricane Fiona was a different level, I think, for a lot of people. As I mentioned last week, where this motion came from was when we were in standing committee over the last couple of weeks, and we heard from EMO and the Fire Marshal's office and Maritime Electric, all about the extraordinary things that they faced during the storm.

The health and social development committee was – the way that the Chamber was set up, I had the pleasure of sitting where the hon. Member from Morell-Donagh is sitting right now, and to my left was Dave Rossiter.

When he talked about – he's the provincial Fire Marshal, as you know – and when he talked about some of the challenges that they were faced, and just the respect, and I could hear his passion. You talk to any first responder, and that is their passion, is to be the first responders on the scene. Some of the things that they have to see, and they have to deal with, you wouldn't really wish upon anyone.

Some of the things specifically to Hurricane Fiona that we heard the first responders answering calls for were full structure fires; I know that a lot of people had seen pictures on Facebook, when it was loading during Hurricane Fiona, about the Stanhope Golf and Country Club.

Again, not to put words in Fire Marshal Rossiter's words, but he said it was so frustrating showing up at a scene and not being able to actually get there because of the amount of storm surge that was coming in off Stanhope Bay.

The kitchen fires; sometimes they would deal with carbon monoxide incidents; removal of the downed trees, of course, and the other debris that was hindering their progress; any of the calls that would be challenging on their own, but dozens of

these calls were coming in at the same time and the challenge rises, so those first responders, again, they did such great work during Fiona, but they do this on a regular, everyday basis.

It does take a lot of toll on our first responders, being out in the miserable and the dangerous conditions to all hours of the day and night. They are away from their family at the time when they do go out. You talk to people who say, "I can't get over the winds. The winds were so strong, and the rain was just pelting down." A lot of people we were talking to were inside their homes when Hurricane Fiona was passing through, but as mentioned, the first responders were out in the elements doing their job.

I've never been a first responder myself, so, like I said, I feel bad talking about this issue because I'm really trying to talk from other people's perspectives. That, a lot of times, doesn't do it any justice whatsoever because, again, they are the first responders. They're the first people on the scene. They're the ones that have those images in their minds, and again, like I said, maybe not being able to do and help out to their full extent.

I can't imagine the courage because I know, again, from experience – from your experience, Mr. Speaker, when that call comes in and there's not a second thought given. It's just, you know what, someone needs help. Someone's in need. I'm going to do my job here, and I'm going to jump out the door. You say goodbye, and say goodbye to your family members, and you do that.

So, again, this is a very important motion. I love, in the debate, when we get to hear from some different members. I know the seconder of the motion, he's been bringing this up in the Legislature a lot of times; some of the devastation that happened out on the North Shore, specifically. I know he's probably talked with a lot of the first responders in his district and will want to share some of those stories.

I just want to say that the gratitude for the efforts of our first responders is what inspired me to move this today, and I'm hopeful that some of the other members of the House will also be very supportive of it.

Just in closing, I do want to just say, again, a big, giant thank you that I know many Islanders have for all the efforts, not only during Hurricane Fiona but on an everyday basis for all of our first responders.

With that, Mr. Speaker, I say thank you very much.

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Podium, please.

**Speaker:** Podium.

**Mr. Trivers:** Thank you, Mr. Speaker.

I think it's really so important that we have a motion like this on the floor to recognize our first responders, our volunteer firefighters, and the work they do across this province, especially in the light of disasters like Fiona. So, of course, it really is my pleasure to second this motion.

It's hard to imagine that such a critical role in our province is held by volunteers. Often, I am invited to attend various events at the different fire departments around my district. Every time, when I'm speaking, I call them the ultimate volunteer because this is not doing the important work that other volunteer organizations do, where they go out and they give to their community, but they don't necessarily put their safety at risk. When it comes to our first responders, our volunteer firefighters, when they respond to events, they are putting their safety at risk every single time.

I don't mean just their physical safety from the events that you would expect, whether they're going out, speeding down the road with the sirens flashing and going in to fight fires, or going into a place and a situation where they don't know what's going to happen, but of course, there's the physical side, and there's the mental side.

It's so, so important to recognize these people that volunteer and do this. I want to commend the Member from Charlottetown-Winsloe for bringing this motion to the floor.

I wanted to talk about the different fire departments that do serve District 18

Rustico-Emerald. There's the New London Rural Community Fire Company, the New Glasgow Fire Department, and the North Rustico Fire Department.

Before I get into their Fiona response, I just want to talk about how humble, really, our volunteer firefighters are and first responders that work in these areas. These are people that go out and they work very hard at their day jobs, and then they dedicate hours and hours and hours.

In fact, Mr. Speaker, in order for them to get any sort of compensation for the work they do – and I know I don't have to tell you because you are, of course, a long, long-time volunteer firefighter – but these volunteer hours are required in order to get the small – I mean, I don't even think compensation is the right word for it; things like free license registration for their vehicles, and things like this.

If there's anything that we can do to support firefighters more, I think we should do it. I'm going to talk a little bit later on about a couple of volunteer firefighters and first responders that actually travelled to an international conference.

Along those lines, I wanted to read a post that was on the New Glasgow Fire Department Facebook page from September 24<sup>th</sup>, 2022. It was posted at 11:48 p.m. As you can imagine, September 24<sup>th</sup>; this is right in the – just after the heart of Fiona has passed.

I mentioned that they're a very humble group, first responders and firefighters. This was posted – I believe it was by the fire chief, although I'm not 100% certain because it was the administrator of the page. I'm just going to read it verbatim:

*Don't normally post about our emergency calls we attend... but I want to put a big thank you out to all firefighters across the Island along with EMS and 911 call takers and police and indeed to my department members who attended 11 calls since midnight last night! The dispatch radios have been going steady all night and day island wide.*

*The craziest winds and rain yet we still jump and run out the door when the pagers*

*beeps... Just to give you an idea how we spent the last 23 hours... We rescued a farmer off a barn roof with our aerial ladder, helped evacuate families whose roof was ripped off and houses flooded, cardiac arrest call, two major structure fires, water rescue call of a stranded vehicle on washed over road, trees fallen over a camper at a campground.*

*Besides all that there were members who spend hours cutting trees and moving them off the road so we could have access around our fire district in case of other incoming calls. If you want to be a part of a team that never stops helping others in need join a fire dept. near you!!! Busiest day I had in 30 years at the hall and looking forward to a good night sleep.*

So, like I said, volunteer firefighters – except, I think, amongst themselves – they respect privacy. They don't go around the community talking about all the things they do. I know you know that, Mr. Speaker, but this was such an extraordinary event and the effort that was put forward during Hurricane Fiona and the resulting devastation was just so far above and beyond anything that our volunteer firefighters and all our fire departments and first responders had responded to before.

This person – and I believe it was the chief of the New Glasgow Fire Department – felt they had to comment and say – and you'll notice they didn't talk about just their fire district or just the fire districts in the area, like New London and North Rustico. They were saying across the Island. That's why this motion is so important.

These volunteers are going out and they are helping and standing side by side the professionals, often arriving before them. You'll notice, in the post, he talks about EMS and 911. Although they're volunteers and they're unpaid for the work they do, in many ways, they are professionals, and in many ways, they are the backbone of our emergency response service. I just wanted to highlight that. I think it was really important to get that into the record here today.

I just also want to also highlight that anything that we can do as government to ramp up supports for our fire departments is something we should do.

I know that many others in this Assembly are also passionate. I know the Minister of Fisheries and Communities has done a lot of work. I know that the minister of agriculture and land and justice and public safety and attorney general, the former one, did amazing work there. I know the new minister there will do it. I know that everyone in our caucus definitely, and in Cabinet, was passionate about that.

But I want us continually to look for ways that we can help them.

One comment on that post on Facebook that I also wanted to read out is something that's really important to acknowledge, and I think it has been acknowledged at every fire department gathering I've been at, but it is extremely important because you have the people that are going out and they're risking their lives, in many cases, and their mental health to provide emergency response, but there's always someone at home. Those people at home are as much a part of that team as the people who are out in the field.

This was the quote: It was also very difficult for our spouses to watch us go out the door in the dark and wind. Thanks for understanding what we do and why we do it.

That's another reason why this motion is so important. It's important, as they say here, to understand what we do and why we do it.

It's just important to recognize the fact that it's being done. Without that post on Facebook, how would all of us that benefitted from the work of these people even know all of the different things that they had to do? You'll notice, this is not – there's one specific thing – we're a volunteer firefighter. What we do is we get in a truck, we drive to a fire, we pull out our hose, we put out the fire. They were cutting trees off roads. They were rescuing a stranded vehicle from a washout on a road. There were cardiac arrest calls. They were doing a myriad of emergency response items.

I salute every single volunteer firefighter and first responder that we have across this province for the work that they did.

Now, I wanted to talk a little bit about the New London Rural Fire Company. I would

assume that their experience was much like that post on Facebook from New Glasgow, but I know they were one of the ones that really advocated for supports that are going to help in the aftermath of Fiona and for any future disasters, God forbid.

One thing that they did was, the Irving company, they did a number of fuel giveaways. They said we want to provide fuel to people for free who are dealing with the aftermath of Hurricane Fiona. As we know, that was one of the major, major expenses that people had to face in Fiona, was the price of fuel is high and if you were running a generator, that's what you had to run it on, whether that was propane or gas.

The New London Rural Fire Company stepped up and they provided their location at the New London Fire Department to do the fuel giveaway. They did it extremely well on very short notice. They have an excellent location at the corner of Graham's Road and Route 6. From all accounts that I've heard, it was a seamless, seamless operation, extremely well organized. I wouldn't expect anything less from that fantastic fire company.

I was talking to the chief and I said, "Chief, is there anything that you need at your fire department that's missing?" He's always advocating, as all fire chiefs are; they're always looking to improve things for their whole team. He said, "Well, the one thing I would really like is a streetlight at the entrance to the fire department driveway. There's one at the corner but we need a streetlight there." I might glance over here at the Minister of Transportation and Infrastructure, but if you can get them that streetlight, that would be fantastic. I had some conversations with your department earlier. I think they're waiting for a call at the New London Fire Company, but if you can expediate that –

**Mr. Deagle:** (Indistinct)

**Mr. Trivers:** Thank you, minister. That would be great.

It's a simple request, but sometimes it's the simple things that add just a massive amount of value.

The other thing, and I believe the New London Fire Department was one of the key instigators in this, was they lobbied for generators that they could have at the fire department to help out people in need during future events, or at any time, really. I want to commend Cabinet and the minister responsible for coming up with up to 15 generators per fire department on the Island.

**Ms. Compton:** They've all been picked up.

**Mr. Trivers:** They've all been picked up? Well, thank you, minister. Allen Cole, that's the chief of the New London Fire Department, was quoted as saying the generators will come in handy during events like post-tropical storm Fiona, which knocked out power to virtually all of PEI. This is an example of an action request that was asked for by the fire department, and kudos for the minister and Cabinet who came through and made this happen. Here we are, eight weeks since Fiona, and it's already been done, and all the generators are out there. Well done. Well done. Those are the sort of things we need to look for.

It was interesting because there was an international Women in Fire conference that was being held this fall. A lot of people, when they think firefighter, forget that it's not just men, it's women. There's a lot of fantastic women firefighters. In fact, the North Rustico Fire Department had the first female fire chief on PEI, Alison Larkin; I want to recognize her again for that. And then there's several women firefighters in my area. In fact, I'm probably going to miss some of them, but I know in North Rustico Fire Department, Aubry MacDonald and Laurie Dempster are a couple. Apologies for those I might be missing.

There were two firefighters from New Glasgow that wanted to attend this international Women in Fire conference. I believe it was down – believe it was in Florida or somewhere in the southern U.S. That was Julia Somers and Megan Court. They took it upon themselves to raise the money that was needed to get the flights down there and pay for the conference itself.

I have to point out that they were the only volunteer firefighters that attended the international Women in Fire conference. Everybody else there did that for a living

and they were paid firefighters. I want to give kudos to them. I want to recognize them for making that happen.

In the future, when those sorts of things come up, I'm hoping that our government can step forward and maybe provide a few more supports for them. I'm not sure if they really got that much help from government. I'm going to lobby for, in advance, that we support those things in the future. I think it's important.

It was really interesting to see two things. First of all, the community support to support these ladies going to that conference was incredible. They actually singled out – they said it was our fellow firefighters who are the ones who provided them the most supports.

They bought tickets on their draws, bought our leftover stock, and those sorts of things. The other interesting thing, is guess when the conference was? It was actually during Hurricane Fiona. They were down at the conference – on September 23<sup>rd</sup>, was the day three of that conference.

Their Facebook post was, they said, first of all, a little bit about the conference, and the experience they were having; talking about leadership, mindset, and the history of women in fire courses, and how lucky they were to be there. They also said, of course, “We are thinking of our fellow firefighters at home gearing up for the weather. Stay home.” This is before Fiona hit.

That's what firefighters are. They're always thinking about others, they're always doing for others, and they're always trying to make themselves better, so they can help others.

It was in Florida. Even though they weren't here for Hurricane Fiona, the Florida heat was 90-plus degrees. They started at 6:15 a.m. and they did a whole number of activities.

It was very useful, and once again, I want to put a plea out here to support those sorts of endeavors from our firefighters in the future. More support.

I should mention, as well, they actually had to bring their uniforms, their bunker gear with them when they flew down to the

firefighter conference. That was really something; 200 pounds of luggage that they took with them to be prepared.

I've talked a lot today about how important it is to provide support to our firefighters. One thing I wanted to talk about was a time when we collaborated in this Legislative Assembly under the last administration, the Leader of the Third Party was minister I believe at the time, responsible for the Workers Compensation Board.

The Minister of Fisheries and Communities brought a private members bill to the floor, and that was to really make it so that Island workers who are suffering from post-traumatic stress disorder could actually qualify for Workers Compensation.

I want to give kudos to the Minister of Fisheries and Communities, the Leader of the Third Party, and –

**Mr. Fox:** Everybody. Everybody.

**Mr. Trivers:** – all those who worked together to make that happen.

Unlike this administration and this sitting, it was extremely rare for a private members bill to be brought to the floor and passed. That was something.

We put our volunteer firefighters and others that served and experienced post-traumatic stress disorder, we put them at the forefront, we overcame any differences, and we worked together to make that happen.

That, of course, is the way the Legislative Assembly should work.

**Ms. Lund:** We should work like that for workers.

**Mr. Trivers:** I just want to say, again, as the mover noted, and I'm hoping other speakers will get to attest to, at some point, our first responders really are some of the finest members of our communities –

**Speaker:** Hon. members (Indistinct)

**Some Hon. Members:** [Laughter]

**Speaker:** Keep going, hon. member.



**Some Hon. Members:** Hear, hear!

**Mr. Trivers:** Thank you, Mr. Speaker.

**An Hon. Member:** Just get him rolling.

**Speaker:** It's a great motion.

**Mr. Trivers:** We can never fully thank them for what they do for us every day, but I am so extremely pleased to support this motion, to support our firefighters, and our volunteer fire departments, and everyone that helps out. I really encourage all members to do the same.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**An Hon. Member:** Call the hour.

**Speaker:** Hon. members, the hour has been called.

Do you want to adjourn debate?

Hon. member, adjourn debate with a seconder.

Hon. member.

Rustico.

**Some Hon. Members:** [Laughter]

**Mr. Trivers:** I would like to move that debate be adjourned, seconded by the Minister of Economic Growth, Tourism and Culture.

**Speaker:** Shall it carry? Carried.

The hon. Member from Morell-Donagh.

**Mr. Fox:** Thank you, Mr. Speaker.

I move, seconded by the hon. Member from Charlottetown-West Royalty, that this House adjourn until Wednesday, November 23<sup>rd</sup>, at 1:00 p.m.

**Speaker:** Shall it carry? Carried.

The Legislative Assembly adjourned until Wednesday, November 23<sup>rd</sup> at 1:00 p.m.