

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Darlene Compton

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The Legislature sat at 10:02 a.m.

[Hon. D. Compton in the chair]

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Deputy Premier.

Hon. B. Thompson: Good morning everyone, and Madam Speaker, good morning. Happy Friday to everyone.

Firstly, I wanted to say, this week we saw a lot of very keen young men and women following some of us around the halls of the Legislature and our offices, those young people who are interested in politics. It's very fulfilling to see so many, and I want to thank so many of my colleagues who participated in that. I know there's more to come in the next little while. That's awesome, and I hope we continue to do that.

I also want to highlight some important events coming up this weekend. As you know, craft fair season is upon us and also, the holiday celebrations are starting to rev up. So, everybody take advantage, and if you're looking for a gift for me, a craft fair is a lovely spot to shop.

We also have some pancake breakfasts happening. I believe the Member from Kensington-Malpeque is hosting one as well as the Member from Summerside-South Drive I believe, the Minister of Social Development and Seniors. So, get out; that will be very festive breakfast, I can only imagine.

Lastly, I want to highlight tonight's United Way games at UPEI. Both the women's and men's basketball teams are supporting the United Way with their home games tonight, and they're hosting the Saint Mary's Huskies. So, let's go UPEI Panthers, and have a great weekend.

Thank you, Madam Speaker.

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

G. McNeilly: Thank you, Madam Speaker.

I just wanted to stand and echo the sentiments of the Deputy Premier and just wish everybody a special weekend. After Remembrance Day, this is kind of the weekend where a lot of people get ready for Christmas. It's such a great season and a feeling around Prince Edward Island. We do such a good job with the craft festivals and just the feeling in the air, and we need that right now.

I mentioned yesterday about the United Way games tonight. It's funny because I'm announcing those basketball games, and I thought it was another team. I better check my facts here. [Laughter] If it's Saint Mary's –

[Interjections]

G. McNeilly: They don't. Did I walk right into that? Yeah. [Laughter]

Anyway, we wish all the student athletes – again, it's what they're doing and what they're doing for the community that's very important.

[10:05 a.m.]

The Voluntary Resource Centre has a special event on this weekend, so make sure you get out to that. It's happening.

All the best to everybody watching in District 14.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Third Party.

K. Bernard: Thank you, Madam Speaker.

Good morning to my colleagues and to everyone tuning in from around the Island and Charlottetown-Victoria Park. Welcome to the person in our gallery; it's nice to see you here today.

As was mentioned, craft fair season is upon us. Bluefield High School will be hosting their craft fair this weekend. The doors open this evening at 5:30 and they go until nine, and then again tomorrow from 10 until five with all kinds of goodies.

Also, as was mentioned, the Voluntary Resource Centre is hosting its much-anticipated annual breakfast fundraiser and Outstanding Volunteer Awards. That will be happening tomorrow morning at the Carrefour here in Charlottetown and it will be a morning filled with great food, company, and a unique opportunity to honour the contributions that volunteers have made to the community and the sector. It happens from 9 a.m. to 12 p.m.

Also happening tomorrow is the annual International Children's Memorial Place Christmas Fundraising Dinner. This is happening at the Credit Union Place in Summerside. The doors open at 4:15 to view the silent auction items. Dinner will be served at five and consists of turkey and all the trimmings. There will be a live auction as well, and guest speakers are Tammy and Glen Gillis, who will be sharing the story of and experience of hope following the death of their 17-year-old daughter Emma.

Finally, I was on Facebook this morning, and a post popped up, and I thought it was really sweet and very important, and so I thought I would share. The national park found a teddy bear and they're trying to get the teddy bear home. The teddy bear right now is enjoying the offseason in the national park. They've had various pictures taken in front of some of our most favourite and heartwarming places on the Island. They're hoping to get that stuffie home. I did share it on my Facebook page, so go on there and give it a share. You can go on the national parks page, give that a share. We'd like to get that stuffie home.

Thank you, Madam Speaker.

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

I want to rise today to recognize three Cornwall residents, Levi Barnes, and Bill and Pat Moore, who have been recently presented with a Quilt of Valour. The Quilts of Valour - Canada Society is to ensure that all Canadian military members, past and present, who are ill or injured as a result of their service and sacrifice to our country, are recognized and honoured with a Quilt of

Valour. Each one is a handmade rug, stitched with love and gratitude by grateful Canadians.

Levi is the father of Cornwall town councillor Elaine Barnes. I was present at the ceremony at the Kingston Legion, and it was a very emotional presentation.

Bill and Pat Moore live just up the street from me. I'm not that handy around the house, and Bill is always my first call when I need help to fix something. He can literally build, fix, or repair anything. Bill and Pat have also opened their home to players of the Charlottetown Islanders over the years.

I want to recognize these great members of our community, and I, too, want to thank them for their service.

Thank you, Madam Speaker.

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

R. Henderson: Thank you, Madam Speaker.

I, too, want to welcome all those in the gallery, as well as those that are watching back home in O'Leary-Inverness. Usually, there's a few people that watch. We try to keep the ratings up as best we can for the Legislative Assembly here.

I also want to mention a couple of craft fairs that are in my district, as well. I mentioned to the Minister of Finance earlier that I have two basically at the same time. The Lennox Island craft fair at the John J. Sark Memorial School will be held tomorrow morning until, I think two o'clock. The O'Leary Legion will also be having a craft fair as well at the similar time. Anybody that wants to come to O'Leary and check that out, I'd appreciate it.

Also, I did want to acknowledge a little bit of bad news, or sad news that happened in my district. A good friend of mine, Sam Dawson, passed away yesterday from a long and lengthy battle of cancer. He was from Poplar Grove; he was a lobster fisher. He did a little bit of farming with his son-in-law, farm boys, and also did some aquaculture work.

I guess personally, I played hockey with Sam for probably 25 years. We were teammates. Both daughters, his daughters and mine, played minor hockey together too, as well as the Member from Tyne Valley-Sherbrooke's daughter was on that team.

Anyway, I certainly pass on my condolences to the family. I guess a special day I did have was about a month ago. Sam and I, and a friend of ours, Charlie MacKay, we went out golfing. We spent a day together and had a great day.

[10:10 a.m.]

It's a bit emotional, I guess, in that regard. I certainly want to send my condolences and sympathies to Lorna, his daughters Ashley and Samantha, and son J.C. I'm sure his grandchildren and extended family will miss him dearly, as well as I will.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Belvedere.

S. Dillon: Good morning, Madam Speaker.

I rise today to bring greetings to District 11, with a special good morning to Valerie Bowlan and Eileen Stewart, who are faithful watchers of the Legislature. Good morning ladies. As well, I would also like to wish a full day of learning with some fun mixed in too, to all those working in education who are participating in the annual convention today and yesterday.

Thank you, Madam Speaker.

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you very much, Madam Speaker. It's sort of hard to believe that we're wrapping up the second week in the Legislature here today. With that, I want to send all my best out to the great people in District 26 Alberton-Bloomfield.

One of the businesses that's operated as a not-for-profit is The Nook in Alberton. They take in used clothing, they launder it, and then they sell it. The Nook is operated by the

Western Hospital Ladies Auxiliary. They have done substantial renovations over about the last three or four weeks to The Nook. I just want to make everybody aware that this coming Monday at two o'clock in the afternoon, The Nook is having its grand re-opening. I just want to take the opportunity, as well, to pass my appreciation on to all of the volunteers in the auxiliary and the others that volunteer their time at The Nook.

Very briefly, I just want to point out, as well, a hockey game that is taking place tomorrow evening at the Evangeline Rec Centre. No admission to this game, but food and cash donations for local food banks will be accepted. The teams playing are both from the Department of Transportation and Infrastructure. We have a team from Summerside, the Summerside A-Team, and then from the western part of the province, we have the Alma Bonecrushers. [Laughter]

Should be an entertaining evening, I'm sure.

Thank you.

Speaker: The hon. Minister of Workforce, Advanced Learning and Population.

Hon. J. Redmond: Thank you, Madam Speaker.

Good morning to all of my colleagues and our guests in the gallery and to everyone in District 5 Mermaid-Stratford. It's a beautiful fall day out there today.

I just wanted to stay on the same track of the craft fairs. Of course, our Stratford School craft fairs are this weekend. It's hosted at Glen Stewart Primary tomorrow from nine to five, so I encourage everyone to get out and get some good holiday goodies. As well, our Stratford and Area Food Drive Drive-Thru is happening tomorrow. We know the importance of food security right now and donations, so please, take that opportunity to place a donation. It's from nine until two. The drive-thru locations are Our Lady of Assumption Church, Stratford Town Hall, Sobeys in Stratford, No Frills, and Pownal Sports Centre. This amazing event is organized by Our Lady of Assumption Church but supported by many community volunteers.

Thank you, Madam Speaker.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you so much, Madam Speaker.

I'd like to start out by welcoming Michael Oatway back to the gallery today. I know that Michael comes from the east end of the Island, from Montague, and he uses public transit to get in here. It's a wonderful thing that we have.

I'm going to take this opportunity, since Michael's sitting here; I don't think he would have any other way of being here if it weren't for the system that we have developed over the last few years. I'm going to give a big shout-out to government for the public transit system we have. Obviously, we would love to see it expanded further, but Michael's presence here today is a real testament to what a valuable service that is.

Lovely to see you, Michael, and thanks to government for the service. Let's look forward to an expanded and even more regular service than it currently is, especially for rural areas.

Jumping on the craft fair bandwagon, in Afton Hall tomorrow morning, we have the Afton Christmas Fair. Tonight, we have darts at Afton Hall. "Peter from Darts" is going to be there throwing some tungsten and looking forward to meeting my friends tonight.

Thank you, Madam Speaker.

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

Hon. S. Myers: Thank you, Madam Speaker.

[10:15 a.m.]

I'll be quick. I echo the words of the Member from New Haven-Rocky Point. We do have a great bus system and we do need to expand it. I remember the day I was sitting in my office saying I wanted to do this, and several people said it was impossible and it wouldn't work. Michael is here today because of it. I hear that the

ridership is really good, particularly that very first run in the morning that leaves Georgetown. Often, it's full, which is a good sign that we need more buses, bigger buses, and better runs. I think you'll see a lot of expansion on that because of that.

Also, I want to welcome Mila and Arthur back to the Legislature. It's a PD day, so they're upstairs. Chloe is watching TV with them right now. I don't think they're going to watch this. It was between this and *Paw Patrol*; they picked *Paw Patrol*. I'm sorry. No one should be offended by that.

They were very excited to come here today with me, and I'm very excited to have them here because I'm really proud of what I do. I want them to have a chance to see myself and my colleagues, how we interact, and what it's like to live in this world.

Thank you, Madam Speaker.

Statements by Members

Speaker: The hon. Member from Souris-Elmira.

Transportation Infrastructure

R. Croucher: Good morning, Madam Speaker. Thank you, and thank God it's Friday.

Road infrastructure makes a crucial contribution to economic development. Transportation infrastructure helps connect people and communities and it helps facilitate commerce and trade. Quality transportation infrastructure in all its shapes are paramount in making our district grow and develop. As a result, District 1 requires investment in maintenance and renewal.

Luckily, our Province has made investments in our transportation infrastructure a priority and is continuing to do so. I am very thankful for the progress that was made in District 1 this summer.

Route 2 is our arterial highway and it connects interprovincial travel and trade with the Magdalen Islands. Timely investment in maintaining roads will preserve current assets as well as lower future costs for constituents, road users, taxpayers, and homeowners.

There are various ways Route 2 impacts my constituents.

Constituents need reliable and safe roads to commute to and from work. There is an interprovincial trade component with the Magdalen Islands ferry, which brings in a lot of economic development and tourism to our area. Also, the maintenance and upgrades to Route 2 for emergency services is vital.

There is a need for upgrades to active transportation. Active transportation is not just about personal vehicles, but also includes many other modes of travel like walking, cycling, skateboarding, or rollerblading. Vital infrastructure upgrades such as sidewalks, trails, bike paths, and paved shoulders are required.

Road maintenance is important because of the implications it has in regards to safety. The condition of our road surfaces is an important factor in preventing crashes. Access points and being able to build new residences is crucial to future growth in our district.

Over the coming weeks, I'll be talking more about these subjects and how a strong transportation network can benefit our community, district, and our province.

Thank you, Madam Speaker.

Speaker: The hon. Member from Summerside-Wilmot.

Summerside Santa Claus Parade and Yuletide Village

T. DesRoches: Thank you, Madam Speaker.

I feel privileged to rise today and shed a little light on an event that is happening in Summerside this December 1st. That event is the 21st Annual Santa Claus Parade which is being presented by the Summerside Fire Department.

A few years ago, the Summerside Fire Department took over the annual parade when there was discussion about it stopping. They have made leaps and bounds in showcasing this wonderful event, with 100 percent of the proceeds from the Santa Claus Parade all going back to local charities.

I myself have had the privilege to be a part of the parade in my role with the fire department – it is wonderful to see the joy that it brings to the thousands of Islanders who line up around the parade route – as well as part of a team that put on a top float yearly.

While there is no entrance fee to enter a float in the parade, there is a deadline to register. That deadline is November 27th, less than two weeks away, so just a reminder to get your floats built and get ready.

[10:20 a.m.]

In addition to the parade, the City of Summerside is once again going to open up their Yuletide Village. The second annual village, which is a spectacular display of lights, firepits, and Christmas spirit, is once again being set up at the Veterans Memorial Square Park. Make sure you're there following the parade for hot chocolate and lighting of the tree.

This is a great event and I hope that everyone can attend, but for those in the parade, please don't spoil the surprise. Don't dress anybody up like Santa Claus because we all know the real Santa is at the end of the parade.

Thank you, Madam Speaker.

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

Stewart Memorial Auxiliary Christmas Tea

H. MacLennan: Thank you, Madam Speaker.

I would like to congratulate the Stewart Memorial Auxiliary for another successful Christmas tea held just this past Wednesday.

The tea consists of sandwiches, sweets, bake and craft tables. One of the main draws of this tea is 101-year-old Vivian Phillips, from my colleague's neighbouring district, and her delicious fudge. Moneys raised throughout the year go to support the Stewart Memorial Home, the Tyne Valley Health Centre, first responders, and support people in the area with health issues.

Each year, they award three bursaries in memory of Dr. Joyce Madigane for students in their second, third, or fourth year of a medical program. They also donate annually to the PCH, the QEH, and the IWK.

Thank you to all the volunteers and their valuable contributions towards making our community better.

Some Hon. Members: Hear, hear!

Responses to Questions Taken as Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

There is a lot of confusion and multiple stories coming out about the permission to use illegal drugs at the outreach centre. Again yesterday, we heard the Minister of Housing rise and attest to a policy of permitting open drug use in public; in a residential neighbourhood that is home to two different schools and hundreds of families.

Open drug use at outreach centre (further)

I'll keep my questions to the Minister of Housing fairly simple today: Will the minister tell the House when he was informed that there was a policy at the outreach centre permitting the use of illegal drugs?

Speaker: The hon. Minister of Housing, Land and Communities.

Hon. R. Lantz: Thank you, Madam Speaker.

We're all well aware that we're in the throes of a public health issue and a social problem throughout this country, and a large part of that is the proliferation of dangerous, addictive, illegal drugs in our communities. Everyone at every level of government – federal, provincial, municipal – non-profit organizations, community volunteers, and the family members of those affected,

they're all making decisions along the way about the best way to respond and support the people affected by this epidemic.

I think the member is well aware of the facts around the situation here. I think he's trying to take advantage of my unwillingness to throw community members under the bus, and I won't do that.

[Interjections]

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

[Interjections]

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much. I see the clappers got a training session this morning.

At some point, the minister knew that this was going on. Yesterday, the minister said that this policy decision was made by someone other than government before naming the operator and the board of directors as groups who made this bizarre decision.

Question to the Minister of Housing: Who told you that there was a policy allowing the use of illegal drugs at the outreach centre?

Speaker: The hon. Minister of Housing, Land and Communities.

Hon. R. Lantz: Thank you, Madam Speaker.

This issue was well reported in numerous news stories throughout the summer. It was discussed at city council. It's been part of the larger conversation about the problem that's been happening in this city and cities all across the country, and part of the difficult conversation about how we respond to this crisis.

I've told this House that when we became aware of the problem or of this policy or what was happening in a corner of a parking lot of the property, we put an end to it, and

that's that. A policy of zero-tolerance usage is now in place and it will continue to be so.

Thank you.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

[10:25 a.m.]

The minister said yesterday that the board of directors at the outreach centre was somehow involved in the decision to allow the use of illegal drugs. Very typical of a do-nothing government: get caught and throw someone else underneath the bus.

What was the minister's understanding of the outreach centre board of directors' view on the use of illegal drugs?

Speaker: The hon. Minister of Housing, Land and Communities.

Hon. R. Lantz: Thank you, Madam Speaker.

I don't believe that's what I said. I will correct my understanding of that situation. I think what I said was that I believe the board of directors was involved in the decision to implement a zero-tolerance policy and to not allow any open usage of drugs on the property of the outreach centre. I think that was the correct decision.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you, Madam Speaker.

This minister seems to have trouble remembering what he says, and he changes it from one day to the next. It's actually amazing.

They talk over there about helping vulnerable people who are seeking assistance, but instead of a helpful environment, government participates in some kind of a bizarre experiment that allowed the use of illegal drugs. Imagine being someone who's trying to get off drugs. Imagine needing help and thinking that

there's a government-sponsored service that is supposed to be a reliable place to find that.

When all is said and done, minister, what on earth were your people thinking?

Speaker: The hon. Minister of Housing, Land and Communities.

Hon. R. Lantz: Thank you, Madam Speaker.

I've admitted that some of our services are imperfect and we're working to improve them constantly. I would question, if the service was as troubled as the member suggests it is, why he would send his constituents there or call the outreach centre and advocate on behalf of his constituents who have turned there in desperate need of help. He obviously would understand that it was the correct place to go and somewhere where his constituents, who I'm sure he cares deeply about, would receive the necessary help and support that they needed.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

Actually, I did send people there two years ago, before there was a decision made to openly use drugs on that property. I actually had a constituent two weeks ago who came to me for advice. "Do not go there. You're trying to get off the drugs. Do not go there."

A question for the Minister of Justice: You are the chief law enforcement officer in our province. I asked you yesterday and I'm going to ask you again today: Was this legal? Have you checked with your department since yesterday? Was this bizarre experiment legally permitted on Prince Edward Island?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Thank you, Madam Speaker.

As I informed the member yesterday, this is policed under the municipal police force, the

Charlottetown Police Services. They are working hard at this.

The way the federal law is written on drug laws in Canada, it's federal legislation. It's focused on not necessarily arresting addicts. It's focused on drug trafficking and getting those hard drugs off our streets. That's where our police forces are working hard. We're not trying to arrest the most vulnerable people on this Island.

There's a lot of people in this room right now who are working hard to help the most vulnerable people with a problem that we have on this Island of drug addiction. There's a lot of people working hard, and I want to support those people, as well as our police forces that are doing their best to address all the situation here that we have.

Thank you.

[Interjections]

Speaker: The hon. Leader of the Opposition.

(Indistinct)

Hon. H. Perry: Thank you very much, Madam Speaker.

Again, minister, you are the chief law enforcement officer in our province. Again, it's say anything and blame everyone else. You're blaming a federal directive on this. Go read it. I think it's 3.3 of the directive. See what it says there.

[10:30 a.m.]

The Minister of Housing told us several times this week that the decision to allow open drug use in a residential neighbourhood was made by the Adventure Group and the board overseeing the outreach centre. This board is comprised of a number of individuals and groups, including the Charlottetown Police Service.

Question to the Minister of Justice: When were you informed of the policy decision that your Minister of Housing made us aware of to allow open drug use in a public place, and what did the Charlottetown police have to say about the decision, as they have representatives on the board that your

colleague is blaming for this very bizarre decision?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Thank you, Madam Speaker.

As I said before, our Charlottetown police are working hard to deal with this situation. We're offering resources. If the member sees something illegal, report it. If your constituents see something illegal, report it. The Minister of Justice does not send people to arrest people; not any Minister of Justice in this country does that.

The member needs to be supportive here and work with everyone here to address this situation, and I hope when he's coming from Tignish-Palmer Road that he drives the speed limit all the way because he's following the law.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Wow. That's quite a bizarre response.

Anyway, Madam Speaker, the Minister of Justice seems uncomfortable – it's obvious – answering these questions, but it was his own Minister of Housing who attested to the fact that the policy allowing open drug use was made by the operator and the board.

I'm going to ask the minister again: What conversations did your government have with the chief of Charlottetown police about the policy permitting drug use in a residential area, and how exactly were they convinced that this would be an acceptable decision given the history of increased crime and an unsafe environment in that particular area of Charlottetown?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I was not made aware of any policy.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

I just... He talked about us reporting, he talked about us being – to address the situation. They say one thing and then they do another. Again, it's an absolutely do-nothing government that will say anything and they will blame others, and they're avoiding this decision that someone made. Obviously, the Minister of Housing threw a bunch of them underneath the bus yesterday.

So, it would seem, again, that this government once again can't keep their story straight. The Minister of Housing blames the Adventure Group and the board overseeing the outreach centre for this decision to allow illegal drug use. The Minister of Justice seemingly won't confirm that what the Minister of Housing says is true or not.

My question is to the Minister of Justice: Did you or any member of your government have a discussion about this policy to allow open drug use with the City of Charlottetown chair of the police and protective services committee – or with any other committee members, for that matter – about the policy to permit open drug use in a residential neighbourhood in Charlottetown?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: No, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

I'll just keep asking the questions.

A question to the Minister of Justice, Public Safety and Attorney General. You are the chief law enforcement officer in this province. Surely, when you learned of a decision to allow open drug use in a public place, you spoke with your staff about it and you received some sort of advice.

My question, minister: Was the decision to allow open drug use in a residential area that was less than 200 metres from two different schools legal?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: No.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Madam Speaker, the minister has refused many of my questions earlier today, which leads me to believe that he doesn't know the answer and he won't tell us in the questions that I've asked today, or he knows and he won't tell us.

Hon. S. Myers: (Indistinct) written down. You assumed he wouldn't answer. He answered them all.

Hon. H. Perry: He did not answer all my questions. He answered the last one. He said no. He said no.

[Interjections]

Speaker: Members.

Hon. H. Perry: Yeah, he said no.

[Interjections]

Speaker: Members, let's refrain from the heckling.

Hon. H. Perry: Thank you very much, Madam Speaker.

I asked a number of questions to the minister today. He answered one. He answered one question.

[10:35 a.m.]

Question to the minister: Since you are refusing or unable to answer all my questions today, will you immediately begin an internal review of the Department of Justice to determine if this bizarre decision was legal?

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: There's a lot of bizarre things to go over here, Madam Speaker. I will go back to my department and look at all these bizarre activities.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: That's just shameful that the minister would stand up on an issue that is so important to every community and every family across this Island who are dealing with these issues. You guys are over there, you basically make fun of us asking these questions that Islanders are asking us to ask on their behalf. Families are suffering across this Island –

[Interjections]

Speaker: Hon. member.

Hon. H. Perry: – and they make fun of it –

[Interjections]

Speaker: Hon. members.

[Interjections]

Hon. H. Perry: When you get them in the corner –

[Interjections]

Speaker: Members, please. The member has the floor to ask a question, please. Could we please respect that?

Hon. H. Perry: Thank you very much, Madam Speaker.

Minister of Housing: How many people overdosed at the Community Outreach Centre during this bizarre experiment?

Speaker: The hon. Minister of Housing, Land and Communities.

Hon. R. Lantz: Madam Speaker, I don't know the answer to that question. I assume it may be contained in some of the reports that we receive from the operator of the centre. Again, that might be the kind of sensitive information that is being reviewed as to whether or not it can be released

without personally identifying information in it. But I can't answer the specific question for the member.

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

R. Henderson: Thank you, Madam Speaker.

It has come to my attention that two companies in O'Leary-Inverness, Inland Sand has sold its sandpit at Mount Misery, as well as Burleigh Brothers sold its sandpit in East Bideford to the Island Nature Trust.

On the surface, a private sale would be a rather innocuous transaction, but when we look at the situation and the ramifications of the Island Nature Trust, it usually places land to return it back to a natural state and back to nature, which (Indistinct) a good issue.

Impacts of sold sandpits

My question is to the Minister of Transportation: What impacts will the closure of these sandpits have on the supply of sand used for winter road traction have on the PEI department's ability to access such a product at a reasonable cost in the future?

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you very much, Madam Speaker, and I do thank the hon. member for the question.

Certainly, it's a matter that has been brought to my attention as well, relatively recently. For this coming year though, all of the sand delivery contracts have been tendered; they have been awarded. With regard to any of the transactions that the hon. member has referenced, it will not have an impact on this coming year.

Thank you.

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

R. Henderson: I appreciate that. I knew it wouldn't have any issue on this particular year, but I do have concerns about what impacts it may have in the future and

whether this government is prepared to handle that.

In rural communities, as you know, Madam Speaker, we tend to rely a little more on sand than we do on salt. Salt in my riding is really just to the main highway and into the O'Leary Road to the hospital.

My question to the minister is: What percentage of sand did Inland Sand provide to the Department of Transportation in a given year? Certainly, I do know that, in talking with the company, pending on the awarding of tenders, they provided sand from as far as Tignish right to Charlottetown by times.

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you, Madam Speaker.

I do believe – correct if I'm wrong, hon. member – that the question was with regard to the percentage?

R. Henderson: Percentage of sand.

Hon. E. Hudson: Okay. I don't have that percentage readily with me here. I'll certainly go back to the department, get that information, and bring it back the Legislature.

Thank you.

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

R. Henderson: My understanding, Madam Speaker, is that probably in a range of about 25-30 percent of the sand used in Prince Edward Island came from that particular location. I certainly have concerns in what we're going to do to replace this. We're talking about probably hauling sand from larger distances. Are we going to be importing sand from other provinces, and what impacts is that going to have on our carbon pricing and all those types of things?

[10:40 a.m.]

Could the minister explain a little bit about what impacts this might have on other sources of income on Prince Edward Island?

I think of farmers. Many of them use sand for bedding; as well as cement. Is there any sense that this is going to increase the price of sand for use in other services across Prince Edward Island?

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you very much, Madam Speaker, and excellent points that the hon. member does raise here this morning.

I really could not speculate or will not speculate on the impact that it may have. I think you look right across the board, certainly throughout government, but certainly in Transportation and Infrastructure, the cost of supplies, whether it is asphalt, whether it is our fuel prices, whether it's salt, whether it's sand, you look over the last number of years, yes, those costs have been escalating.

With that, though, as I say, I'm not going to speculate on just what impact this may have, but I have complete confidence in my department and the ones that work in the department that arrangements will be made in the event that the transactions that the hon. member has referenced do actually materialize.

Thank you.

Speaker: The hon. Member for O'Leary-Inverness.

R. Henderson: I appreciate the minister's efforts in all this, but there's a reason why I'm trying to be proactive and raise these things because it seems like this government has been very reactive and doesn't really do anything until it's too late sometimes.

The other thing I wanted to talk a little bit about on this is if we don't have enough sand currently, are there new sand reserves out there on Prince Edward Island? What is the process that a landowner would have to go through to determine whether they could open a new sandpit? Because usually that's rather controversial as it deals with a lot more trucking, dust, and things of that nature. Maybe the minister could explain how you'd open up a new sandpit in Prince Edward Island.

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you very much, Madam Speaker.

I'm sure, like the opening of any type of a pit, it would have to be across applications, across departmental lines. With regard to just what specific applications would be required, certainly any landowner, any company, any individual that may be looking at this, I would certainly direct them, ask them to reach out to the various departments that may be involved, whether it's the Department of Environment, Energy and Climate Action or whether it's my department, and make sure that they do have the proper permits, the proper arrangements put in place.

Thank you.

Speaker: The hon. Leader of the Third Party.

K. Bernard: Thank you, Madam Speaker.

The promise of a primary caregiver grant and a budget line of \$5 million gave many hope that this government would be there to help families create the best quality of life possible for their loved ones. But as is the case all too often with this government, Islanders have been left waiting for help that may or may not ever come.

Primary caregiver grant

A question to the Minister of Health: Is this program up and running?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker, and I thank the member for the question.

I can honestly say that my own members have given me enough pressure about this, let alone the opposition, which is good.

A couple of things of note. There is only one other program in Canada that is similar to this, so obviously we have to create this from scratch. There is a lot of work in order to stand this program up. We do have an

advisory group that involves Health PEI, Department of Health, Social Development and Seniors, and actually Justice, as well.

We are working on the program. It is complex. It is new. I agree it is important and we will continue to work on it.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Third Party.

K. Bernard: Thank you, Madam Speaker.

“No” would have been the answer we were looking for.

I'm happy to hear that your government is putting pressure on you. Back in May of this year, there was a lengthy debate during budget estimates on the primary caregiver program. At the time, the Minister of Health described it as being “in a conceptual place,” and that “we need to go slow.”

This Legislature passed a budget line of \$5.2 million for the program, but as far as I know, not one Island senior or person living with a disability has benefited from it.

To the minister: What have you done for Islanders to get this program going and why isn't it operational today?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

I do appreciate the question. It will be a very beneficial program to those caregivers in our province. Some of the things that we're working on is the eligibility criteria, of course – I think that's really important – circumstances when the benefit would be started and stopped, eligible expenses, and integration with other programs.

[10:45 a.m.]

It's important to understand the complexity – and how we will do those payments is another part of this program. Conceptually, it does sound easy, but when you get right down to it, those are just some of the issues

that that advisory group is working on. We do expect to launch it this year.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Third Party, your second supplementary.

K. Bernard: Thank you, Madam Speaker.

This year? There's like, one and a half... Sorry, my math isn't good. There's like, one month left here.

It's not just seniors who will benefit from this program. Many Islanders living with disabilities or with medical conditions such as ALS could greatly benefit from this program. I have Islanders reaching out to me on a very regular basis about this program. They are desperate for it. They could really benefit from it, but like most things with this government, there are few details and very little follow-through.

Question to the Minister of Health: Will there be an age cutoff to be eligible for this program?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker, and I do appreciate the questions. It's good to discuss this here in the Legislature.

Just to give an example of the program, it will be a ladder approach. I think we will start with certain criteria and then move up as we learn more about the program. The goal of the program is community-based care.

Basically, the approach we've taken is what we call long-term supportive care. An example would be a 64-year-old woman who has advanced MS who has immobility or challenges eating and stuff like that. Eventually, it's part of our Community First program where we're trying to support people in their homes as long as possible. We'll need to be very specific on the criteria and then expand it as we learn more about the program.

Thank you, Madam Speaker.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you so much, Madam Speaker.

In early 2019, the PC leader, now our Premier, said that if elected, his government would put \$1 million toward buying land from retiring farmers and leasing it out to young people who want to take up the profession.

At the time, the Premier said: "The purpose of the Island land bank is to help lower or remove those barriers and encourage our young farmers to keep Island traditions alive."

Land bank for farmland

Question to the Minister of Agriculture: That was five years ago. It's been five years. Where is our land bank?

Speaker: The hon. Minister of Agriculture.

Hon. B. Thompson: Thank you, Madam Speaker. I appreciate the question from the member. I know he cares about the agriculture industry as much as I do and the next generation of agriculture farmers.

It's been a quick five years, but it's been a long five years, as well. The value of the land has changed drastically in those five years. We really are coming to a pinch point where we have to address this sooner than later, whether it's a land bank or some form of rent-to-own that we can come up with. We're working with the Department of Transportation, who is the owner of land, to come up with a solution.

I know it hasn't happened quick enough, but I want to assure you that we're working hard on this to address. This is important for the future of our farmers.

Thank you, Madam Speaker.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: I agree with everything the minister just said. The value of land, of course, has shot up. I mean, everything has gotten more expensive, but land has

outpaced almost everything else, which means that this program is even more important than it was at the beginning. Plus, had government bought significant acreage a while ago, it would be worth a heck of a lot more today than it was then. So, the delay is actually hurting Islanders in so many ways.

We had a perfect opportunity, for example, to build up a land bank when Brendel Farms put land up for sale a few years ago, a large portion of Island land that government could have purchased and leased out to farmers.

A question to the same minister: Why did you not purchase this farmland and start building an Island land bank?

Speaker: The hon. Minister of Agriculture.

Hon. B. Thompson: Thank you, Madam Speaker.

I think we have to look at land all across this Island to look at how we're going to do this, whether it be a land bank or land lease agreements. It's going to be complicated but it's something that I'm looking forward to the challenge on.

[10:50 a.m.]

Actually, we're planning to have a next generation summit, future farmers summit, here on the Island. We've going to invite the other provinces to participate because it's something that, I think we're getting into that crunch time that we have to really focus on how young farmers are going to afford to keep going in this industry. We have to address that. I hope that we can bring some big-thinking minds together and come up with something solutions.

Thank you, Madam Speaker.

Speaker: The hon. Member from New Haven-Rocky Point, your second supplementary.

P. Bevan-Baker: Thank you, Madam Speaker.

Again, I appreciate the answer from the minister, and I hope that conference is very well attended. We need lots of future farmers here on Prince Edward Island.

I've heard from farmers that land ownership has to be the end result of leasing. Government can't just lease the land forever because farmers will never be able to build up equity. Luckily, this government has – supposedly, anyway – developed a rent-to-own policy framework for housing that it could use as a model to allow farmers to eventually own the farmland that they lease from an Island land bank.

A question to the same minister: When can we expect a similar rent-to-own land program for Island farmers?

Speaker: The hon. Minister of Agriculture.

Hon. B. Thompson: Thank you, Madam Speaker.

That's a great question as well. I think that's the focus we have to come with, with the interest rates skyrocketing here in the last couple years and the price of land just astronomically – good quality farmland going to record highs. My grandfather always said they're not making any more of it, so it's important that we come up with a solution.

Hopefully, in the next year or so, we can have; we are working closely with the Minister of Transportation to come up with a solution, and you're going to probably see a few pilots here in the next little while be announced.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

S. Dillon: Thank you, Madam Speaker.

This morning I would like to talk about educational assistants and their value in our system on Prince Edward Island.

Educational assistants do crucial work in our classrooms supporting all students, but mostly those students with special needs. Over the last number of years, the need to increase positions for educational assistants has grown significantly.

Educational assistants

Question to the Minister of Education and Early Years: How many educational assistants are presently working in Island schools in this school year?

Speaker: The hon. Minister of Education and Early Years.

Hon. N. Jameson: Thank you, Madam Speaker, and thank you, hon. member, for the question.

I agree. Our educational assistants are heroes. They support the most vulnerable in our classrooms and we're really grateful to have them, as an education system.

I believe currently there are around 600 within the system across both PSB and CSLF, and as was noted here previously in the House, we've added about 100 of them in this most recent year in September.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere, your first supplementary.

S. Dillon: Thank you, Madam Speaker.

As both our population grows and the complexities in the classroom, the need for support staff is greater than ever. I appreciate the investment that this government has made, assuring our classrooms have adequate staff supporting students, but the increased positions have left it difficult for those working in our Island schools to find substitutes.

Question to the Minister of Education and Early Years: What steps are being taken to address the shortage of educational assistant substitutes within our system?

Speaker: The hon. Minister of Education and Early Years.

Hon. N. Jameson: Thank you, Madam Speaker.

Yes, certainly, by adding the additional 100 EAs, that's definitely drawn on our sub pool, unfortunately. So, there are pockets of the Island where it is a bit more challenging to find EA substitutes. We have over 300 in our relief/casual pool. That being said, we

are actively recruiting through job postings, of course, special events, union distributions, and that's allowed us to continue to grow our sub pool. But again, I recognize that it is a challenge in certain areas.

Also, the PSB has been working very closely with SkillsPEI as well as Holland College on an accelerated program that actually acknowledges previous education and experience. So, we've been having I'd say quite a high success rate with that. Last year, the course was offered and there were 22 uncertified staff who have been able to attain their certification through that program, and we anticipate about 26 more this coming January.

We again recognize that there are some concerns. Fortunately, our absenteeism rate hasn't been increased over previous years; it's maintaining around 12 percent. But we recognize, again, that there are pockets where we need to better support our schools.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere, your second supplementary.

S. Dillon: Thank you, Madam Speaker.

[10:55 a.m.]

Our educational assistants are crucial in supporting inclusion in our classrooms. In return, we need to ensure that we are supporting them.

Question to the Minister of Education and Early Years: Is there any way that we can accelerate the application process while maintaining the standards to ensure that we are doing all we can to support our educational assistants here on PEI?

Speaker: The hon. Minister of Education and Early Years.

Hon. N. Jameson: Thank you, Madam Speaker, and hon. member, I appreciate the question.

It's you that actually brought it to light that at times, in terms of the application process, it's a little bit slow at times. I know our HR

staff – we’ve hired a lot of new staff within the system this last year, so I give them a lot of credit for the work that they do, but there may be opportunities to accelerate that hiring process. I’m certainly willing to have those discussions with the HR team at the PSB and try to find ways in which we can expedite the process.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Winsloe.

Z. Bell: Thank you, Madam Speaker.

I’m hoping that Mila and Arthur maybe change over from *Paw Patrol*. My questions will be going to the Minister of Environment, Energy and Climate Action.

An Hon. Member: Probably won’t.

Z. Bell: Probably won’t.

Scrolling through X last night, there was a federal court ruling that said that the federal government’s decision to designate plastic items as toxic was unreasonable and unconstitutional. This designation may impact the federal government’s plan to ban the sale of single-use plastic items across Canada which is set to take effect next month across the country.

Single-use plastics

Question to the Minister of Environment, Energy and Climate Action: What implications, if any, will this federal court decision have for Island consumers as well as Island businesses?

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

Hon. S. Myers: Thank you, Madam Speaker.

There’s a number of things here. Over the course of a couple of years, the environment ministers talked about single-use plastics. The federal government said they were going to lead the charge on it and that’s kind of where everybody left it. We ourselves were kind of in a holding pattern for doing anything else on single-use while we waited to see what they did. What they did was try

to name plastic as a toxic substance, and then by that, get single-use plastics banned. That’s what got thrown out yesterday.

It impacted the fact that we waited all this time for them, and that they didn’t do it in a method that could stand up in court. We currently are seeking legal to make sure that the laws that we do have are sound and not challengeable.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Winsloe.

Z. Bell: Thank you, Madam Speaker, and thank you for the answer, hon. minister.

PEI is typically a leader on most things. We were the first province to ban some of these products back in 2018. It was met with some restraint, but I do think that most on the Island have been in favour of the benefits outweighing the inconveniences that they propose.

Question to the same minister: You did talk about this briefly, but will this ruling have any direct impact on our provincial legislation surrounding single-use plastics?

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

Hon. S. Myers: Thank you, Madam Speaker.

We don’t really know. It shouldn’t, but I’m seeking legal advice to ensure that. I think that it wasn’t an outright ban on single-use plastics, it’s the fact they named it a toxic substance that got thrown out of court. I think that the law that we have will still be – I mean, any law is challengeable, but I think our law will stand up because of that, but we’re going to get the best advice.

Of course, we have to go back to the drawing board for single-use plastics because we relied on the federal government to do as they said they would do, and what they did didn’t stand up in court.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Winsloe, second supplementary.

Z. Bell: Thank you, Madam Speaker.

Banning single-use plastics like plastic bags, cutlery, plates, stir sticks, straws, it does certainly stir up a lot of opinions from constituents and people around the Island. Some actually like saying that it reduces the amount of plastics that are produced, consumed, and disposed of in our Island landfills, but critics say the replacement products are of a lesser quality, they pose difficulties for seniors and people who are not able-bodied, and they also add extra costs for businesses here on the Island.

Question to the Minister of Environment, Energy and Climate Action: You mentioned about getting a legal opinion, but Alberta has asked the federal government to not appeal this decision. Is this something that you're considering as well?

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

Hon. S. Myers: Thank you, Madam Speaker.

I personally rarely get involved with anything Alberta does when it revolves around the environment...

[Interjections]

Hon. S. Myers: ...but what I will say is, there are obviously pluses and minuses to the bag ban. I know, myself, I have enough bags in my truck for \$6,000 worth of groceries, which isn't a lot of groceries, granted, so it's not that many bags.

[11:00 a.m.]

I think that the whole idea is we have to get some sort of sustainable practices here. Sustainability really is a great buzzword. You hear it all over the place, and everybody's "sustainable" and very few are. I think that building a model of sustainability for Islanders that can be mimicked across Canada is very important. We intend to be leaders in everything that we do on an environmental profile and we're going to look at doing something in

this realm and we want to make sure that it's world class, sustainable, and accepted by all Islanders.

Thank you, Madam Speaker.

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

Seniors food program (further)

G. McNeilly: Question to the Minister of Social Development: The Seniors Food Program Pilot – or what little of it there was – was launched in four different communities. Why only four communities?

Speaker: The hon. Minister of Social Development and Seniors.

Hon. B. Ramsay: Thank you very much, Madam Speaker, and thank you to the hon. member for that question.

Meals on Wheels are in many communities across Prince Edward Island, but they're not in Murray Harbour, Murray River, Georgetown, or Cardigan, so we wanted to give those seniors an opportunity with this pilot program to see where it went from there. They don't have the opportunity that everybody else does.

Thank you for that question.

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

G. McNeilly: There was a total of 16 participants, 1,200 meals; a \$250,000 promise from this government. That equates to about \$208 a meal.

Minister, yesterday you said you had a plan for the Island, but then you said you're reviewing the pilot program. Do you have a plan, or are you reviewing the pilot program? Which is it? Because you can't do both. How are we getting this province fed?

Speaker: The hon. Minister of Social Development and Seniors.

Hon. B. Ramsay: Thank you very much, Madam Speaker, and thank you to the hon. member for that question.

Well, for starters, the \$250,000 obviously wasn't spent. You can't spend \$250,000 on that few of meals.

We are reviewing this program. Probably within another six to eight weeks, we should have some results on that, member. I would love to see it go across Prince Edward Island. That would be my goal, but we have to find out why the uptake was so low.

But across Prince Edward Island, as you know, many communities do have access to Meals on Wheels, and those meals are \$3 to \$4 a meal, which is the same as the pilot program. So, it's basically happening now, if seniors want to get involved with the Meals on Wheels program. So, that's where it is right now.

Thank you.

Speaker: The hon. Member from Charlottetown-West Royalty, your final question.

G. McNeilly: This government announced two years ago \$250,000. They saw the need for food security there. The minister just stands up and says we did not spend an allocated \$250,000 on food for seniors when you can go door to door and they're hungry. I don't understand this. And then, to boot, when the program is done, you make 16 seniors pay \$4 on the way back? These are \$208 meals. Minister, this is unacceptable. You can review all you want; you have to do better. We are in desperate need of something around food, and this government doesn't care about Islanders.

Minister: What are you doing to make sure that food insecurity comes to zero under your watch?

Speaker: The hon. Minister of Social Development and Seniors.

[Interjections]

Speaker: The hon. Minister of Social Development and Seniors.

Hon. B. Ramsay: Thank you –

[Interjections]

Hon. B. Ramsay: Thank you very much, Madam Speaker.

It's hard to spend \$250,000 on 16 residents in a community. The money was allotted for that program. It was a pilot program, member, as you know. So, obviously there's money left to do other things, but we want to explore why the uptake wasn't great on that. We would love to expand that across Prince Edward Island. We have to look at it and find out what the best direction is to take on that.

Thank you, hon. member, for your question.

Speaker: End of Question Period.

Statements by Ministers

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

By leave of the House, I beg leave to table the November 16th, 2023 Question Period transcript quoting the Minister of Housing saying the people who were involved to allow drug use were involved in the operation of the centre, and the board of directors were also involved. I move, seconded by the hon. Member from Charlottetown-West Royalty, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

[11:05 a.m.]

By leave of the House, I beg leave to table the November 16th, 2023 Question Period transcript where the Minister of Housing states, "We are certainly involved in having that decision reversed. Ultimately, we have responsibility for the outreach centre." I

move, seconded by the hon. Member from Charlottetown-West Royalty, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-West Royalty.

G. McNeilly: Thank you, Madam Speaker.

By leave of the House, I beg leave to table over 100 written questions to government to figure out where they are spending the money, because they're not spending it on food. I want to know where they are spending this. I move, seconded by the hon. Leader of the Opposition, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

Introduction of Government Bills

Speaker: The hon. Minister of Finance.

Hon. J. Burrige: Madam Speaker, I beg leave to introduce a bill to be intituled *Loan Act 2023*, and I move, seconded by the Honourable Minister of Education and Early Years, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 38, *Loan Act 2023*, read a first time.

Speaker: Hon. member, do you have an explanation?

Hon. J. Burrige: Thank you, Madam Speaker.

The *Loan Act 2023* would give government the authority to access additional long-term funding, if needed, to respond to unexpected events.

Speaker: The hon. Minister of Finance.

Hon. J. Burrige: Madam Speaker, I beg leave to introduce a bill to be intituled *An*

Act to Amend the Real Property Tax Act, and I move, seconded by the Honourable Minister of Education and Early Years, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 39, *An Act to Amend the Real Property Tax Act*, read a first time.

Speaker: Minister, an explanation?

Hon. J. Burrige: An amendment to the *Real Property Tax Act* will introduce an owner-occupied residential tax credit to net their provincial property taxes payable down to the amount that they would have been if we had reset their assessment to December 31st, 2020 values as at December 31st, 2023. This has the effect of removing a large increase in provincial property taxes from the owner-occupied properties, which have been subsidized in 2022 and 2023.

The amendment also introduces a tax credit on long-term multi-unit rental properties to net their provincial property taxes payable down to the amount they would have been if we had reset their assessment to December 31st, 2022 values, as at December 31st, 2023. This has the effect of removing provincial tax increases for 2023, the year in which rental rate increases were capped at zero percent.

Thank you.

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 9th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 9, *Government Reorganization Act*, Bill No. 24, ordered for second reading.

Speaker: Hon. member of Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 24, *Government Reorganization Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[11:10 a.m.]

[S. MacEwen in the chair]

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *Government Reorganization Act*.

Minister, do you want to make a motion to bring a stranger to the floor?

Hon. C. Deagle: Yes, please.

Chair: Shall it carry? Carried.

Could you introduce yourself and your title for Hansard, please?

Stephen Flanagan: Stephen Flanagan, solicitor and legislative specialist with the Department of Justice and Public Safety.

Chair: Thank you, Stephen.

Do you have any opening statements, minister?

Hon. C. Deagle: No.

Chair: Alright. Is it the wish of the committee that the bill be read clause by clause or just open it up for general questions?

Some Hon. Members: General questions.

Chair: Alright.

The hon. Member from Charlottetown-West Royalty.

G. McNeilly: I didn't see this on my list. I know there were some changes going on. Can you just give a brief overview of what this is about?

Stephen Flanagan: Yes, this bill amends the *Public Departments Act* and then various other statutes to update the names of government departments and the titles of ministers to reflect the spring 2023 reorganization of government.

Chair: Shall the bill carry? Carried.

Thank you.

Hon. C. Deagle: Thank you.

I move the title.

Chair: *Government Reorganization Act*.

Shall it carry? Carried.

Hon. C. Deagle: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. C. Deagle: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton to the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intitled *Government Reorganization Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 3rd order of the day be now read.

Speaker: Shall it carry? Carried.

[11:15 a.m.]

Deputy Clerk: Order No. 3, *Arbitration Act*, Bill No. 9, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Deputy Clerk: *Arbitration Act*, Bill No. 9, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *Arbitration Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. C. Deagle: Yes, please.

Chair: Shall it carry? Carried.

Thanks, Blair. Could you introduce yourself and your title for Hansard?

Blair Barbour: Yes. Blair Barbour, legislative specialist with the Department of Justice and Public Safety.

Chair: That's great.

Hon. members, would you like to open this bill up to general questions?

An Hon. Member: General questions.

Chair: Alright.

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair. Happy Friday, Blair. Good to see you.

Blair Barbour: You as well.

K. Bernard: So, from what I understand, this comes from the Uniform Law Conference, and so mandated that Justice and Public Safety update this legislation. Is that...?

Blair Barbour: That's not exactly how it works. The Uniform Law Conference of Canada develops model statutes and they recommend them for adoption by governments across Canada. As part of Justice and Public Safety's mandate to maintain the statute book, update the statutes as regularly as we can, this was identified as one statute that did need replacement.

The last statute that was enacted for arbitration was 1996. It was never brought into force. The current version of the act that is in force is from the 1930s. So, we're really at an appropriate time to update this piece of legislation.

K. Bernard: Indeed, 1930s. Can you just explain to us, in broad strokes, what changes from the last act to this act?

Blair Barbour: Sure, and it might help to talk about what arbitration is and the purpose of it.

Arbitration is a form of alternate dispute resolution that allows parties to a dispute to resolve the matter outside of court. In arbitration, the parties really set up a private court. They get to determine the rules that apply to the proceedings and they get to decide who the decision-maker is going to

be and how that person is selected. Arbitration awards are legally binding on parties that are enforceable in the court unless the parties agree that the award is to be non-binding.

The 1930s version of the act is very skeletal. It doesn't reflect a lot of the development of law since the 1930s in arbitration. The current bill that we have before you was designed by academic experts and practice experts from across the country through the Uniform Law Conference of Canada. It provides a much more comprehensive, robust procedural framework for arbitrations, but the important thing there is, it's a default code of procedure, for the most part. If parties want to customize their rules or their dispute resolution mechanism, they can do so by agreement.

In essence, what you have here is a default set of rules for arbitration proceedings.

K. Bernard: Thank you for that very clear answer. I'm wondering if you have a sense of when this legislation may be proclaimed.

Blair Barbour: Very quickly. The reason we have the clause that we do have is that we wanted to give advance notice to parties who may have arbitration agreements that the act will be coming into force. I would anticipate likely no later than the end of the fiscal year.

K. Bernard: Okay. Thank you, Chair.

Chair: Shall the bill carry? Carried.

Hon. C. Deagle: Thanks, Blair.

[11:20 a.m.]

I move the title.

Chair: *Arbitration Act.*

Shall it carry? Carried.

Hon. C. Deagle: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. C. Deagle: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *Arbitration Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 2nd order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 2, *An Act to Amend the International Commercial Arbitration Act*, Bill No. 8, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 8, *An Act to Amend the International Commercial Arbitration Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: The House is now in Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the International Commercial Arbitration Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. C. Deagle: Yes, please.

Chair: Shall it carry? Carried.

Welcome back, Blair. Could you introduce yourself and your title for Hansard, please?

Blair Barbour: Blair Barbour, legislative specialist for the Department of Justice and Public Safety.

Chair: Thank you.

Hon. members, is it the wish of the committee to open up the floor for general questions?

Some Hon. Members: Yes.

Chair: Do I have any questions?

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

I'm wondering if you could just speak to us a little bit about what this bill does.

Blair Barbour: Sure. Currently, we have an *International Commercial Arbitration Act*. It governs arbitrations that are international in nature. That act incorporates the Convention on the Recognition and Enforcement of Foreign Arbitral Awards that was adopted by the United Nations Conference on International Commercial Arbitration in 1958. The act also references a model law on international and commercial arbitration that was adopted by the UN Commission on International Trade Law in 1985. Since then, in 2006, the model law was amended at the international level, but we haven't updated the law here. So, that's what this bill does.

K. Bernard: What are the practical implications of this bill?

Blair Barbour: It makes domestic law consistent with the international law that governs international arbitrations. Practically speaking, there won't be many Islanders who are impacted by this, but for those who are impacted by it, it will be quite important to be consistent with what the international regime is that they're using when they do international arbitrations for commercial disputes.

K. Bernard: The United Law Conference of Canada model was prepared in 2014. Does this bill have any changes from the original ULCC model?

[11:25 a.m.]

Blair Barbour: There are changes that reflect the changes in the model law that were made at the UN level. When we were looking at it, what we did – this was a logistical decision made between ourselves and legislative counsel office – we could replace the entire existing act with the ULCC model or we could amend our existing act to match it. We went with the latter, of course, but what you'll see is it aligns very much with the ULCC model statute. It reflects a lot of those changes in the model law that other jurisdictions in Canada have adopted, some of the bigger jurisdictions. It will make it easier.

A lot of the legal practitioners who work in this area are based out of Ottawa. They do a lot of work, primarily for the bigger jurisdictions, and they're used to having domestic law that aligns with the international law. So, if we're different, then that makes it a little more complicated for Island companies who want to use this.

K. Bernard: I'm good, Chair.

Thank you.

Speaker: The hon. Member for O'Leary-Inverness.

R. Henderson: Blair, with this have an impact, say as an example, for potato exporters or seafood exporters? I've run into this a little bit where a potato exporter ships a bunch of potatoes down to, say, Colombia

or some hotter country or whatever. The potatoes arrive and maybe they didn't meet quite what the purchaser thought, and they don't get paid. Then there's this whole dispute that goes.

Does this make that easier for them to go into an arbitration situation to determine what the outcome should be, or is it simply a case of they're all going to have to get insurance anyway and it's really not going to make a big difference?

Blair Barbour: It really depends on the contract between the two parties. If the parties have agreed to international arbitration under the UN Convention, then this act will certainly facilitate it. We'll all be working from the same rulebook, and it will be easier for the courts to apply the international convention locally if there's a ruling that's enforceable. Without it, it becomes a little more difficult to have local enforcement.

R. Henderson: Okay. So, you'd be recommending that in any future exporting contracts, that they implement this *International Commercial Arbitration Act* as the fall back if a dispute should arise? Is that what would be the best advice?

Blair Barbour: Of course, I can't provide legal advice on the floor, but what I would say is it's certainly an option that should be considered by anyone who is working in international commerce. Commercial arbitration is a much less costly alternative to resolving disputes than going to court and trying to enforce overseas.

R. Henderson: I'll assume when going to court, when you're going into another country to do a court process, you're never as confident of an outcome. So, I guess although you may not be able to recommend it, I think I would recommend that any exporting company really consider having this as part of the contract to at least give them some leverage.

Thanks, Chair.

Chair: Shall the bill carry? Carried.

Hon. C. Deagle: I move the title.

Chair: *An Act to Amend the International Commercial Arbitration Act.*

Shall it carry? Carried.

Hon. C. Deagle: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. C. Deagle: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the International Commercial Arbitration Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 8th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 8, *An Act to Amend the Police Act (No. 2)*, Bill No. 30, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

[11:30 a.m.]

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 30, *An Act to Amend the Police Act (No. 2)*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: The hon. Member from Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Police Act (No. 2)*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. C. Deagle: Yes, please.

Chair: Shall it carry? Carried.

Welcome, Blair. Could you introduce yourself and your title for Hansard?

Blair Barbour: Blair Barbour, legislative specialist with the Department of Justice and Public Safety.

Chair: Okay, hon. members, would you like to open this bill up for general questions?

An Hon. Member: Yes.

Chair: Do I have any?

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

I'm wondering if you can tell us a little bit about what this bill does.

Blair Barbour: Sure. This amending act provides formally for the engagement of an outside agency to conduct serious incident response investigations under the *Police Act*. It also provides for the appointment of an acting police commissioner in specified circumstances. It also makes a number of

housekeeping amendments to align the *Police Act* with our current legislative drafting conventions, including the replacement of gendered language.

K. Bernard: Can you tell us a bit about what initiated this change?

Blair Barbour: Sure. It was actually the Mid-Point Police Review. There was a recommendation 31. The recommendation was that the process for serious incident response team support to be formalized either through an MOU with Nova Scotia SiRT, which is our current partner, or through participation in an Atlantic SiRT model. We've also been in discussions obviously with Nova Scotia SiRT. New Brunswick has recently enacted legislation similar to what we're proposing to be able to accommodate the use of Nova Scotia SiRT in its jurisdiction as well.

So, what you're seeing here really is an interjurisdictional model to really make the most use of Nova Scotia SiRT.

K. Bernard: There are several amendments in here that have to do with serious incidents. I'm wondering if we've seen an increase in serious incidents.

Blair Barbour: That's an interesting question. I can tell you what the statistics are, but I wouldn't have the context to say whether or not it's really been an increase. We've had, since November 2017, three serious incident response team investigations. That was two in 2017 and one in 2018.

K. Bernard: Can you explain when the SiRT can investigate and when they cannot? Or when they would?

Blair Barbour: Sure. It's generally triggered by a notification. If a police chief of a police department has reason to believe that a serious incident may have occurred, they are required to notify the SiRT team within a prescribed time. The minister can notify the SiRT team where he has reason to believe that a serious incident may have occurred, or, in the minister's opinion, it would be in the public interest for SiRT to conduct an investigation to determine if a serious incident has occurred. Finally, any other person who has reason to believe that a

serious incident may have occurred may notify SiRT.

[11:35 a.m.]

I should also clarify too: this is a different process than the complaint process under the *Police Act*. Under the complaint process it's someone coming forward to complain that a police officer has breached the code of conduct as prescribed under the regulations. This is about serious incidents only and it's a notification. Once the notification is received, the head of the SiRT agency will review the case and will look at conducting an investigation.

K. Bernard: I'm wondering if you can tell us how SiRT are resourced. I'm wondering what kind of staff they have. Are they all police?

Blair Barbour: I actually don't have that information handy with me, but I'm sure that's something that the department can get back to you.

K. Bernard: When SiRT does not investigate something, what are the other options, and who would decide that?

Blair Barbour: As I mentioned, there is a complaint process under the *Police Act*. So, if there is a belief that an officer's conduct is non-compliant with the code of conduct that's prescribed under the act, they can make a complaint under one of the processes set out in the *Police Act*.

There are two different routes. If it's a regular police officer, the complaint is made to the police department where the person works. If it's the chief officer, it's to the police commissioner.

A few years ago, we changed the process. We appreciated that certain people may be uncomfortable going directly to the police department where the person is employed, so if they want to make a complaint about a police officer, they can make that complaint to the police commissioner's office and they will forward it to the department for investigation.

K. Bernard: This wasn't part of my initial questions, but based on that answer, who

would be responsible for investigating those complaints?

Blair Barbour: If it's at the police department level, they will assign one of their staff to do the investigation. If it's at the police commissioner level, they will hire an investigator to do the investigation.

K. Bernard: Would that investigator be an outside investigator, or would that be someone within the organization?

Blair Barbour: That's not something that's set out in the *Police Act* specifically, but I think what they would do is take the necessary steps to ensure that there is no apprehension of bias in that investigation.

K. Bernard: I'm wondering, would it be appropriate to increase the police commissioner mandate and resources to help investigate some incidences?

Blair Barbour: I'm not really sure that that's a need at this stage. Probably the police commissioner would be the best person to ask about how better to support the police commissioner's role, or to support the process under the *Police Act*. It's not something I could speak to, though.

K. Bernard: Is stalking considered a serious incident under this act?

Blair Barbour: There's a definition, actually: "...any death, serious injury, sexual assault or act of intimate partner violence involving a subject officer, or any matter that is determined under this Act to be in the public interest to be investigated."

Now, there is a definition of intimate partner violence. So, if you're talking about stalking someone who would be an intimate partner, that includes: "...violence against that person by an intimate partner or another person who has been encouraged or solicited by the intimate partner to commit violence against that person, including (i) an assault of the person, (ii) a reckless act or omission that causes injury to the person or damage to property, (iii) an act or threat that causes a reasonable fear of injury to the person or damage to property, (iv) forced confinement of the person, (v) actions or threat of sexual abuse, physical abuse or emotional abuse of the person, and (vi) depriving the person of

food, clothing, medical attention, shelter, transportation or other necessities of life.”

So, presumably, if it was stalking of an intimate person, one could argue there is a reasonable fear of injury. It would be the head of the SiRT agency who would determine whether or not it did in fact fall within the definition of “serious incident.”

K. Bernard: So, under this act, stalking would only be considered a serious incident if it were done by someone known to the person?

Blair Barbour: By an intimate partner, and an intimate partner is: “...a person with whom the person is or has been (i) married or cohabiting in a spousal or sexual relationship, or (ii) in a dating relationship or romantic relationship.” So, if you had a stalking incident involving a police officer, I daresay that would probably run afoul with the code of conduct, never mind a potential *Criminal Code* offence.

[11:40 a.m.]

Your first go would probably be to make a formal complaint about that to the appropriate authority, which would be your police department, and have them do that investigation.

K. Bernard: Okay. Is this consistent with other provinces?

Blair Barbour: Absolutely. We based our bill, or this part of the bill in any event, on a New Brunswick bill that was meant to align with Nova Scotia’s legislation. When we were going through the bill, we went back and forth with SiRT Nova Scotia to make sure that we were aligned with their legislation. The idea is to allow SiRT to operate rather harmoniously in the region without having to worry about differences in the rules.

K. Bernard: That’s a really good point. One of the other things that I know that advocates in Prince Edward Island and beyond, at a federal level as well, one of the things that we’re seeing included in various sorts of legislation is coercive control. I’m wondering if that’s something that other jurisdictions have. Is that something that was considered for this bill? If it was

considered and not put in here, I’m curious of why.

Blair Barbour: We did look at the definition of intimate partner violence. My general tendency – I know we discuss this earlier this week – is where we have a definition, we like to align it with definitions elsewhere. My go-to here would have been to align it with the *Victims of Family Violence Act* definition of family violence. We wanted to do that, but Nova Scotia isn’t there yet in terms of its SiRT authority, so we needed to narrow our definition a little bit. I can’t recall off the top of my head if coercive control is in the *Victims of Family Violence Act*, but if we were to consider making a change, that would be the appropriate act, in my opinion, to put it in because everything else, we try to align with that definition.

K. Bernard: Sorry, Blair. I missed which act you said.

Blair Barbour: The *Victims of Family Violence Act*.

K. Bernard: Okay. Thank you for that, Blair. That’s something that I hear a lot and I’ve been thinking about a lot. I’m going to look into that. Thank you for that.

My last question: There’s a section here that mandates the investigative body to provide an annual report to the minister.

Blair Barbour: Yes.

K. Bernard: We had a bill on the floor last week where we asked that an annual report be included for the minister. We were told that this would create privacy concerns, which seemed a little odd. I’m wondering if there’s any privacy concerns with this.

Blair Barbour: I think not. There will be a summary containing the information prescribed by regulation. Any information that we would provide would, of course, be subject to the privacy protections in FOIPP.

Again, what we’re trying to do here is to be as consistent as possible with the other jurisdictions. The head of the investigative body, Nova Scotia SiRT is the prospective head, they’ve advised us that they provide their information directly, in any event, and

you'll find that in this clause as well. They will de-identify the information in there and bring it forward.

I appreciate where there are small numbers, there are privacy concerns. I can't speak to the other file, but in our particular case, this was seen as appropriate, given the subject matter.

K. Bernard: Just one more question: Would this report be made public?

Blair Barbour: Yes. So, 4.8(2) says: "The head of the investigative body may make the summary of the investigation available to the public in the manner determined by the head." Under 4.9(2): "The Minister shall cause the annual report to be made available to the public."

K. Bernard: Okay. Thank you.

Chair: Shall the bill carry? Carried.

Hon. C. Deagle: I move the title.

Chair: *An Act to Amend the Police Act (No. 2).*

Shall it carry? Carried.

Hon. C. Deagle: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. C. Deagle: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[11:45 a.m.]

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Police Act (No. 2)*, I beg leave to report that the committee has gone through the said bill and has agreed to

same without amendment. I move that the report of the adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 7th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 7, *An Act to Amend the Legal Profession Act (No. 2)*, Bill No. 22, ordered for second reading.

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 22, *An Act to Amend the Legal Profession Act (No. 2)*, read a second time.

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Legal Profession Act (No. 2)*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. B. Thompson: Yes.

Chair: Shall it carry? Carried.

[11:50 a.m.]

Welcome back, Blair. Could you introduce yourself for Hansard?

Blair Barbour: Yes. Blair Barbour, legislative specialist with the Department of Justice and Public Safety.

Chair: Thank you.

Hon. members, is it the wish of the committee to do general overview questions?

Z. Bell: I think general questions is fine.

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

Sorry, minister, do you have an opening statement?

Hon. B. Thompson: Thank you, Chair, I do.

This act amends the *Legal Profession Act* as requested by the Law Society of Prince Edward Island. It removes the requirements for persons to be a Canadian citizen or a permanent resident of Canada to be eligible for membership in the Law Society. Two, it updates the oath of office taken with a person admitted to the Law Society. Three, it removes the requirement of the Law Society to maintain law libraries. Four, it removes the reference to an age when a member is eligible to become a retired member of the Law Society. The act also adds two members to the board of governors for the Law Foundation.

Thank you.

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

G. McNeilly: Thank you, Chair.

Just want to ask you, minister, why are we repealing this now?

Hon. B. Thompson: From request from the Law Society.

G. McNeilly: What is your view, as the minister, on this “to repeal section” at this time?

Hon. B. Thompson: It’s the Law Society’s act, and we’re okay with it.

G. McNeilly: What’s your view, as the Minister of Justice? As a Canadian citizen, do you think that we should have had the rights to practice law in Prince Edward Island before this?

Blair Barbour: I can speak to that. As you noted, member, when you brought forward your private member bill, PEI is the last jurisdiction to have a citizenship or permanent resident requirement for membership in the Law Society. So, in consultation with the Law Society, absolutely, the department thinks it’s appropriate to remove the requirement in its entirety so that there are no obstacles to membership in the Law Society related to your status under federal legislation.

G. McNeilly: So, we want to remove the obstacles now, but why didn’t we do that for the last 15 years?

Blair Barbour: I think, and we’ve discussed dated legislation here earlier today, generally speaking, the statute book has a lot of old statutes. I think there’s a shared responsibility. There’s a responsibility, and you’ve noted this before, the Law Society is a self-regulating organization and it’s primarily responsible for administration of its act. It has a responsibility to come forward.

I think also the members of the Assembly have a responsibility. I know, member, you brought forward your bill as a part of that responsibility when you saw an issue. I think government has a responsibility, as well, to maintain the statute book, which we undertake to do.

G. McNeilly: I’m just trying to figure out, why did we have this – the rest of the country, 37 million other people, had this in a certain way to allow what I would call diversity, promotion of diversity, different communities to come to our country to practice, except for the 180 citizens here that couldn’t get access, or people could not come here. I don’t know, I’m just trying to

figure out – an old statute This law was created in 1992. I want to figure out what the driving force was to change this now.

Blair Barbour: As the minister said, we received a request from the Law Society. It noted a number of changes that needed to be made. This was one of them. I believe that the Law Society heard complaints about this particular requirement and identified it as an issue that needed to be remedied.

G. McNeilly: I did bring a private member's bill forward because citizens came to us, and I know when we had the debate in here about whether I was supposed to do this or not, whether I was – are we allowed to change this, as legislators in here, if we so choose?

[11:55 a.m.]

Blair Barbour: I think the convention is that when you have a self-regulating organization who are the experts in administering their legislation, that that organization be consulted. I would suggest maybe even going further and partnering with government to amend legislation to ensure that it meets the needs of the profession, and ultimately, the needs of the public.

G. McNeilly: What about the needs of the diverse public? I've been fighting for – people come to us all the time; diverse people in the community can't find anybody who can represent them when they're scared, when they're in potentially a new country, when they've been here for a while. The comfort level; we just went through this with two acts, the *Mental Health Act* and another act.

You're answering these questions and you knew these were going to be maybe – I don't know if they're tough or not, but they're real questions for PEI. Do you find that this will help promote diversity, this change in the law profession?

Blair Barbour: I think it removes an obvious obstacle that you identified when you brought forward your private member bill. I do know that law societies across the country have been looking for ways to promote diversity in the legal profession.

It's a very important challenge, I think, for the legal profession to figure out how we do that; what is the best way not only to better serve the public, but to better enable diversity at the bar. I think it's important that we remove obstacles so that qualified people are able to become lawyers, just the same as any other member of our community.

G. McNeilly: I'm glad you're saying that, and I'm glad the Law Society is doing this now. I just don't understand why we couldn't, in this Chamber, have done it in the spring; have done it when the people came to us with an issue, and actual people who wanted to come here and couldn't. I guess my issue is we were the last province to do this since 2012.

In my Bill 100, what was wrong with "citizens and permanent residents of Canada", adding that into this line?

Blair Barbour: I think the solution that you suggested with your private member bill removed the obstacle for people who have a work permit, but that there are other people to whom that requirement – if you added the requirement for a work permit, it's still not the most inclusive way of addressing the issue. I think the way that the Law Society has recommended, and the government supports, is removing the requirement for citizenship and permanent residency altogether so it's irrelevant.

The other requirements for admission are the relevant pieces. It used to be the case, in professional legislation across the country, that they frequently cited your ability to work in Canada. I think what you're seeing is, with development of case law and with the increasing diversity of the country, that the provinces are looking at it, saying: The federal government will deal with who can work in Canada. That's their job. We don't need to incorporate that into our legislation.

G. McNeilly: Now, we're not only behind, we're behind by 11 years. How do I go to people who want to come here and say we did everything we could to be inclusive? That's kind of where I'm getting with this. Again, I'm glad that the Law Society – and I mean, they might look at this as me taking them on or – I don't know.

I'm trying to represent the people who need lawyers, and I don't know if just removing this without a debate or a conversation – because I'm sitting here the last little while and I was like: Why couldn't we come to something? Why, when we brought an amendment forward to do this, didn't we do it then?

By keeping this in here, did this violate any Charter rights? Did this have any implications on people's Charter rights?

Blair Barbour: I wouldn't have enough information, sir, to be able to tell you about particular cases where it may have.

[12:00 p.m.]

G. McNeilly: I'm glad you're answering these questions, and again, I'm glad we're doing this. I guess I've made my point. I hope to be part of the solution, or hopefully that people see this and just say that we're taking a big, historic step today, because I can't – people need to have representation that looks, feels, and acts like them in a position where they're scared. This is an important piece of legislation right now and I hope that we can do better in the law profession. I'm glad that they met and did this.

My point being, minister, that we didn't do it fast enough. It's as much on me as it is on you, and I won't let that happen again.

That's all I have right now.

Chair: Shall the bill carry? Carried.

Hon. B. Thompson: Chair?

Chair: Minister.

Hon. B. Thompson: I want to thank the member for his advocacy on this, from Charlottetown-West Royalty. I also want to thank Blair. The department has passed 10 bills here, and Blair works very hard at this and is very passionate. So, I want to thank him for all his hard work.

Thank you.

Some Hon. Members: Hear, hear!

Hon. B. Thompson: I move the title.

Chair: *An Act to Amend the Legal Profession Act (No. 2).*

Shall it carry? Carried.

Hon. B. Thompson: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. B. Thompson: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton to Chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Legal Profession Act (No. 2)*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 6th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 6, *An Act to Amend the Agricultural Insurance Act*, Bill No. 25, ordered for second reading.

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 25, *An Act to Amend the Agricultural Insurance Act*, read a second time.

Speaker: The hon. Minister of Agriculture.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Agricultural Insurance Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. B. Thompson: I'll make that motion.

Chair: Shall it carry? Carried.

Welcome. Could you introduce yourself and your title for Hansard, please?

Chantelle Boyko: Sure. I'm Chantelle Boyko. I'm the senior legislative and applied research analyst for the Department of Agriculture.

Chair: Thank you. Minister, do you have an opening statement for the bill?

Hon. B. Thompson: I do. I want to welcome Chantelle. This is her first time sitting on the Legislature floor.

Some Hon. Members: Hear, hear!

[12:05 p.m.]

Hon. B. Thompson: Mr. Chair, these amendments allow for livestock price insurance and allow the Agriculture Insurance Corporation Board the authority to appoint their choice of auditor to complete their year-end financial reports.

Chair: Alright. Is it the pleasure of the committee that the bill now be read clause by clause or general overview?

An Hon. Member: General questions.

Chair: Alright.

The hon. Member for O'Leary-Inverness.

R. Henderson: Minister, this has been something I think we've all been advocating for some time. Does this give you any indication of how this would work as far as a price assurance concept? Is it a replication of what's done in other provinces?

Chantelle Boyko: These amendments in particular are just giving the authority for the ministry to make regulations for the Livestock Price Insurance program.

Hon. B. Thompson: We're going to model after Alberta, the western (Indistinct).

R. Henderson: It would be modeled after, you're thinking, Alberta? Is Alberta's much different than other provinces, like say, Manitoba, as an example?

Hon. B. Thompson: The western provinces are quite similar. Quebec and Ontario have a different formula. We're kind of a hybrid between them all.

R. Henderson: Is there a reason why you chose Alberta's model versus Ontario and Quebec? Because one would think we were probably closer to the Quebec (Indistinct).

Hon. B. Thompson: Ontario and Quebec, from my understanding, theirs isn't quite perfected yet as well. They've admitted to that. Alberta, the western provinces seem to be the best formula going forward. They're going to help manage the file as well.

R. Henderson: Have you met with the PEI Cattlemen's Association and get some feedback from them on – or will they have input into this version when it comes to the regulatory component that you would play a role in?

Hon. B. Thompson: Yeah, we've met with them. They've been asking for this for quite a while, as you're aware. The Maritime Beef Council is the ones that we are working with

to – because we’re coming together as three Maritime provinces. We’re coming together all with the same package.

R. Henderson: To clarify, Nova Scotia and New Brunswick will also be changing their legislation to allow this to happen at the same? Okay. That’s newsworthy.

Okay, that’s fine for me, Chair.

Chair: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Chair.

I appreciate you bringing this bill to the floor, minister. Nice to meet you, Chantelle.

Can you just explain basically what the effect of this change will be? I’m talking about section 1, the addition of the words “including an agricultural product...”

Chantelle Boyko: The amendment itself is just regulation-making authority. The specifics of the program will be worked out in regulation, but the amendments that we’re making at this time are just allowing regulation-making authority. The Maritime Beef Council is working with industry, with the provinces of Nova Scotia and New Brunswick and PEI to work out the specifics of the program. Once the specifics of the program have been sorted out, then we will be making regulations to support that program.

P. Bevan-Baker: Okay. Appreciate that explanation, Chantelle. Thanks.

Do you have any sense of whether – and maybe this is something that it’s just not possible to foresee – but the economic benefit will be to agriculture operations here on Prince Edward Island by expanding the definition of “crop” as we are here?

Chantelle Boyko: I don’t have an answer for that at this time. Once the details of the program have been sorted, I think we would have a better understanding of that.

P. Bevan-Baker: Okay. Moving on to the bit about the auditor, firstly I’m wondering whether you consulted with the Auditor General and if he had any concerns or what his thoughts on this change were.

Chantelle Boyko: The Auditor General was notified that we were looking to make this amendment before bringing this forward, yes.

P. Bevan-Baker: Right. And he didn’t express any – the reason I’m asking is that we got a letter from the AG around another act where he felt he hadn’t been consulted prior to it coming forward.

[12:10 p.m.]

Chantelle Boyko: The reason for bringing forward this amendment is because it is a trend in our Crown corporations of making this type of amendment. We have a couple of examples of Crown corporations that have made this similar amendment. We’re choosing to make this amendment at this time to bring in some consistency in terms of our Crown corporations.

P. Bevan-Baker: Sure. Sorry, to be clear, I don’t have any problem with that, but I’m not the Auditor General, so I just wanted to make sure, because of the concerns he expressed elsewhere, that he has no problems with this either. I’m not saying it’s a good idea or a bad idea, but that’s why I asked that question.

Another question: Practically, would this new language allow the board to appoint the Auditor General as the auditor if they wished that, presuming that the AG is a qualified auditor?

Chantelle Boyko: Yeah. The amendment merely gives them the option to appoint another alternative, qualified auditor, but they do have the option to appoint the Auditor General as well.

P. Bevan-Baker: Okay. Moving on to section 3.

I know that there are provisions like this that are included in many acts, but I’m wondering if there are particular words in this act that you feel are missing definitions, and therefore there was a need to have this clause in there?

Chantelle Boyko: Sorry, can you clarify the question?

P. Bevan-Baker: Sure. There are many acts that have this provision to allow for defining terms in regulation outside of the act. Typically, you define something within the act, but there are provisions in other acts. I'm just wondering if there are any particular words that you feel are missing definitions that would be applied in regulation.

Chantelle Boyko: No, this gives the power in terms of the price insurance. This gives the regulation-making authority in terms of that program.

P. Bevan-Baker: So, in expanding the definition of what a crop is, will this potentially have any impact on other commodities? It was a tough year for cereals this year; peas, barley, and wheat all had issues. We know that some of the perennial crops – apples and others – also had a tough year; not the first year. So, I'm wondering whether the expansion of this program will potentially impact those sectors.

Chantelle Boyko: That's a good question. I'd have to bring that back to the team, but I'm sure that those details would be worked out in terms of defining the program itself. But again, this amendment is just the regulation-making authority in terms of working out the program. That would be worked out in the details, and then further in the regulations.

P. Bevan-Baker: Okay, that's fair.

I'm good. Thank you, Chair.

Chair: Shall the bill carry? Carried.

Hon. B. Thompson: I move the title.

Chair: *An Act to Amend the Agricultural Insurance Act.*

Shall it carry? Carried.

Hon. B. Thompson: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. B. Thompson: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Agricultural Insurance Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 19th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 19, *An Act to Amend the Workers Compensation Act*, Bill No. 36, ordered for second reading.

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Workforce, Advanced Learning and Population, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 36, *An Act to Amend the Workers Compensation Act*, read a second time.

Speaker: The hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Workforce, Advanced Learning and Population, 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.

[12:15 p.m.]

The hon. Member from Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Workers Compensation Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. J. Redmond: Yes, please.

Chair: Shall it carry? Carried.

Welcome. Would you like to introduce yourself for Hansard?

Jody Jackson: I'm Jody Jackson, senior policy and planning coordinator for Workers Compensation Board of PEI.

Chair: Thanks, Jody. Minister, do you have an opening comment?

Hon. J. Redmond: I do. This bill will amend the collateral benefit provision contained in subsection 42(2) of the *Workers Compensation Act* from excess of 85 percent to excess of 90 percent and will bring this subsection into alignment with the rest of the wage loss provisions in the act.

Chair: Alright, members. I guess we can do this one clause by clause. Are there any questions on this?

The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Chair.

I appreciate this bill coming forward. It's a good step forward. I just want to ask a couple of questions.

Will this change impact everybody who is currently receiving workers' compensation?

Jody Jackson: Very good question. This change was just an inadvertent miss since last fall when we brought forward the

benefits to 90 percent from 85. With this being a minor housekeeping amendment, we've honoured the 90 percent already, so no one has been harmed by the omission on our part. This is since January 1st, 2023 such that we've been honouring that number so that no one is out any.

This is only for folks who are in receipt of collateral benefits. Generally, what these are, are if someone files a claim and they may file EI sick, or they may use sick time before their claim is approved, our system only allows us to pay up to 90 percent of the net earnings. We can't have someone getting two benefits. So, what happens there, for an example, with EI, they may go on sick EI, their claim be approved, we will deduct those benefits, and we will repay EI. They're still getting that 90 percent of their net earnings.

Does that answer your question, member?

P. Bevan-Baker: It does, yes, and I appreciate that.

Are there any folks who have agreements or have compensation through the WCB who may have something that dates from 30, 40, 50 years ago, for whom this would not apply?

Jody Jackson: Not that I'm aware of. Other than folks who have either employers or through collective agreements that have top-up provisions – so, if you're, I guess we'll say a health worker who may make above our maximum annual earnings, the employer or through the collective agreement, they still may be topped up to 90 percent of their actual net earnings. I'm not aware of any others outside of that, but if there are others, I would appreciate to hear about them.

P. Bevan-Baker: Okay. I appreciate your answers. I'm going down this line because I was contacted by a constituent who has a very old WCB agreement, and I'm not sure exactly whether it falls into the category you just described there or not. In their agreement, the maximum that they are allowed is tied to the cost-of-living increase. I can't remember the exact details of it, but it's based on inflation, basically, and they get a certain percentage each year. Of course, in the last few years, that means they've fallen significantly behind because

the upper level for that was 3 or 4 percent, I believe. I'm wondering how that relates to this figure here.

[12:20 p.m.]

Jody Jackson: This would be unrelated to the indexation of benefits; extended wage loss and pension benefits. The bill that came before the House in 2022 brought the indexation up; two years ago, it was 80 percent or 75 percent of 4 percent. We went to 4 percent as inflation grew. The bill last fall brought it up to a max of 6 percent, so in July of this year, we indexed to 6 percent. That was on top of the increase from 85 to 90 percent for all of those folks who were on claim at January 1st, 2023, or who came after that. So, they did end up getting a bump from the 85 to 90 percent, and also that annual inflationary increase to the 6 percent cap.

Does that answer your question, member?

P. Bevan-Baker: Again, it does, and I appreciate that because in my conversation with the individual, I just couldn't understand how these two different ways of calculating how much the increase will be in the changes here. They were just very concerned that I ask questions here on the floor to make sure that this 90 percent would indeed apply to them as well and that, regardless of what the increase is, whether it's 4 or 6 percent or whatever it is, that the 90 percent would still apply to their situation.

Jody Jackson: If I may clarify on that, anyone who was on a pension from our old act back, I guess, the early 90s – where it changed to the wage loss system – any of the folks who were on pension do get the annual indexation increase. The 85 to 90 percent of wage loss only accounted for those who were in the wage loss, the new act. Folks who were on extended wage loss and temporary wage loss got the bump from 85 to 90 percent. That is in keeping with the majority of other jurisdictions in Canada.

The pensions do get the annual increase. The 85 to 90 was for those temporary and extended loss wage benefit claimants who've come after 1995.

P. Bevan-Baker: Okay. That does explain to me and now, I think I fully understand it because this individual's claim dates back to the late '70s, I believe. It's a very old claim. That would not be influenced by the legislation, the amendment we have today.

Jody Jackson: Yes, member. The amendment today is really just specifically for those folks who have these collateral benefits. It may be CPP disability. So, when folks go to extended wage loss, we ask them to apply for CPP disability. If they do get that, we will deduct 50 percent of that back. If it was a worker who was in that position, the collateral benefit provision would apply, but it doesn't apply to any of those pensioned workers from a long time ago.

Also, just to clarify this, we do deduct EI, the sick pay, and those, CPP/QPP disability to a point, but we do not deduct income from employment pension, lump sum worker pension contribution, severance pay, or any other benefits that aren't related to the workplace injury. These are just strictly related to this actual injury.

This is a very minor amendment, but I'm happy to answer the questions on the overall enhancements we made last year.

P. Bevan-Baker: Again, I appreciate the detail that you're going into here, but just for my own benefit, really, an agreement that existed prior to then 1990s – I'm not sure exactly what date you said – presumably whatever terms were agreed to that have been grandfathered into that agreement, and therefore the new WCB act is not applicable? Is that a way of looking at it?

Jody Jackson: (Indistinct) Yeah, the old act was a pension system. It would be based on, for lack of a better term, they used to say meat charting. It was based on your impairment that way. Now, since the 90s, it's based on your actual loss of earnings as a result of your injury.

So, the pension system, they do get pensioned for life where workers that came after that only get it to age 65. That's kind of the tradeoff that happened at that time. Those are on pension for life; when you're on extended wage loss or temporary wage loss, it only goes to 65, and then it ceases at

that time. So, there was a tradeoff at that time.

P. Bevan-Baker: Sure. Again, I really appreciate it. I've learned a lot and I'll be able to pass this back to my constituent. Thanks.

I'm wondering in the future – we've gone from 85 to 90 – whether there are plans in the act to actually go higher than that and ultimately get to 100 percent.

[12:25 p.m.]

Jody Jackson: There aren't at the time, member. I think we are jurisdiction number seven in the country who have actually got to 90 percent. We have neighbours in the Atlantic Provinces that are substantially lower; Nova Scotia.

So, not at this time. Ninety is essentially that gold standard, but what we're doing in addition to that 90 percent is continually looking to enhance benefits where we can while keeping the system affordable for our employers. We're proud to say that as a result of the amendments last year, we've been able to make these enhancements that we have brought forward and also reduce rates at the same time. So, we feel like we're doing a fair job at maintaining that balance, but we're always looking for ways to enhance where we can.

P. Bevan-Baker: I think my final question.

There are a lot of Islanders struggling, and those who are on benefits and may have disabilities as a result of a workplace injury are often struggling more so than – if I can put it this way – the average Islander. Obviously, this increase of 5 percent will vary depending on the salary and the situation of the individual.

Can you give us some sense of how many additional dollars – I realize that I'm asking here for a ballpark figure, but how many dollars is this going to put in the pockets of workers who qualify under this program?

Jody Jackson: I don't have that in front of me, member, but I can provide that back to the minister to (Indistinct). It's not insignificant for folks, especially in this current climate. It is at that top level of

where other jurisdictions are and we realize that some folks are falling behind. We're doing our part as best we can to get to that level.

Where we can't provide additional dollars, we do provide allowances for different things for our workers to have things done around the house; snow blowing, grass cutting. We're trying to ease that burden where we can on injured workers to the extent that we can, again, while still maintaining the balance of the system. We're looking for every way we can to support them and their efforts to return to work or to stay as healthy as they can after an accident.

Chair: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Chair, thank you. I don't have any further questions, but I want to thank you for answering so clearly and in such detail, and thank the minister and recognize that we are, compared to some of our Atlantic neighbours here, ahead of the curve and that's very much appreciated from my corner of the room.

Thank you.

Chair: Minister.

Hon. J. Redmond: I just wanted to say thank you to the hon. Member from New Haven-Rocky Point. To have conversation like this and to help constituents and help all of us understand is essential. Like you, when we break it down, some of those details certainly helped me understand this also better to help provide that information to Islanders.

Also, thank you to Jody Jackson and the team for the hard work they do in helping Islanders as best we can.

Thank you.

Chair: Shall the bill carry? Carried.

Hon. J. Redmond: I move the title.

Chair: *An Act to Amend the Workers Compensation Act.*

Shall it carry? Carried.

Hon. J. Redmond: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. J. Redmond: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Workers Compensation Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 12th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 12, *An Act to Amend the Liquor Control Act*, Bill No. 31, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 31, *An Act to Amend the Liquor Control Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

[12:30 p.m.]

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Liquor Control Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. J. Burrige: Yes, please.

Chair: Shall it carry? Carried.

Hi, there. Could you introduce yourself for Hansard, please?

Heather Rossiter: Sure. My name is Heather Rossiter. I'm the director of corporate affairs and regulatory services for the PEI Liquor Control Commission.

Chair: Thanks for being here, Heather.

Minister, do you have any opening statements?

Hon. J. Burrige: Yeah. I guess our objective here is to update the terms of the manufacturing licenses for wineries, microbreweries, and distilleries to allow products made on behalf of local manufacturers to be treated as if they were made at their manufacturing facility. This is going to bring PEI in line with other jurisdictions.

Chair: Alright, thank you.

Are there any questions on the bill?

The hon. Member from O'Leary-Inverness.

R. Henderson: Thank you, Chair. I cannot pass on representing by local brewery in the riding of O'Leary-Inverness called Moth Lane Brewing.

Will this allow me to, when I go into the brewery and I want to get a growler filled up and then go upstairs and eat my supper with my growler – or will I not be able to do that? Because I cannot do that at the moment.

Chair: Is this a conflict of interest?
[Laughter]

R. Henderson: Well, it's interest, for sure. I don't know how conflicted it is. [Laughter]

Heather Rossiter: Well, I'm so glad you asked. Similar to the last time you asked, we haven't changed that yet.

R. Henderson: Oh, gee.

Heather Rossiter: But thank you for your question.

R. Henderson: So then, another question would be: Can I bring a growler from another brewery into that brewery and go upstairs and eat my lunch?

Heather Rossiter: No, you can't.

R. Henderson: I can't do that either. So, what does this actually allow me to do at the brewery that's different than now?

Heather Rossiter: Right now, we're in a situation where manufacturers are running into capacity issues from time to time. They are allowed to sell their own product that they make on site and they're allowed to sell products of other local manufacturers at their site. That's allowed between all the local manufacturers that are licensed in the province.

This will allow products to be made on their behalf by someone else as well.

R. Henderson: So, I think, as some clarity: the Moth Lane Brewery could give its recipes to another – the Bogside brewery as an example, or vice versa – and Moth Lane will make it and just sell it like they would their other products?

Heather Rossiter: That's correct.

R. Henderson: Okay. I don't really see much benefit in that to be honest, because once again, when I go to Moth Lane Brewery, I can get Bogside products there. I

know that they don't make them, but they have them there. So really, all this is saving is a bit of transportation. Would that be what we'd be describing this as?

Heather Rossiter: There's a little more to it than that. Thank you for the question. Our local manufacturers have come to us and told us that they're quite interested in being able to continue to expand their businesses.

To ensure that they get listings in other liquor jurisdictions, depending on the jurisdiction, they may have to be able to commit to producing a certain amount of product. As it stands now, in some cases they aren't able to do that. So, that restricts their business capacity. It restricts the ability for them to continue to manage inventory, employ people; that sort of thing.

[12:35 p.m.]

R. Henderson: So, say one brewery has a certain product; I'll just use my Shits and Giggles product that's at Moth Lane Brewery. They would have a certain formula to make that specific product. How does the transaction – is that made between the two breweries?

Heather Rossiter: That's right. They would enter into contract.

R. Henderson: They would, okay.

Heather Rossiter: Yeah. They would have to enter into contract, and both parties would have to be licensed to make that category of product: a microbrewery to a microbrewery, a distiller to a distiller, a winery to a winery. You wouldn't be able to enter into an arrangement with someone that you're not already licensed to make that category of product.

R. Henderson: Does the Liquor Control Commission take any percentage of that transaction or that contract between the recipes? It doesn't?

Heather Rossiter: No, no different than how it works now. All we're concerned about is that it's made by a licensed manufacturer, a licensed facility, and that if they enter into a contract, that they've done that between themselves if they wish to.

R. Henderson: I guess that's fine for me. I just would hope that we'd get my other issue resolved at some point, where I can actually go to the same brewery, take the product, and drink it at the site, versus have to take it back home.

Heather Rossiter: I'll take that back.

Chair: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Sorry, member. Try again next year.

Thanks, Chair.

It's been very exciting to watch the microbreweries and the small wineries and cideries now really blossom here on Prince Edward Island. The thing that I'm struggling with, with this change – I welcome it. Well, I guess the first question is, when you consulted with the microbreweries and the wineries and things, did anybody come forward with any concerns regarding this?

Heather Rossiter: Only that it hasn't happened yet because this type of relationship happens; in most of the other liquor jurisdictions, it's permitted for people to enter into contract.

P. Bevan-Baker: I guess the difference here is that on Prince Edward Island, we don't have a large manufacturing facility. We have a lot of small breweries, like the excellent one in Moth Lane, and a bunch of others across the province. This would suggest to me that at least some of them are operating at less than capacity and have the ability for others to come to them. Is that the case?

Heather Rossiter: By times.

P. Bevan-Baker: Alright. The ability to make something on behalf of an existing brewery, you mentioned, I think, Heather, in one of your earlier answers, that it would have to be licensed to make that particular product. Are there facilities that make wine and cider or wine and beer or are they all very separate?

Heather Rossiter: We do have some manufacturers who hold more than one manufacturing license, more than one

category. So, take, for instance, someone who brews beer and might also make the ready-to-drink products, like the seltzers or things like that. So, they would operate under a distillery license. What we're ensuring is that someone isn't just entering into a contract so that they can take advantage of another category of product. They'd still have to be licensed to make that themselves.

P. Bevan-Baker: Got it. Would it be conceivable for somebody to open a facility that doesn't perhaps have any of their own recipes and products, and make on behalf of other breweries?

Heather Rossiter: They could. Under what we're proposing now, they would still have to be licensed. They'd still have to be a licensed manufacturer of whatever category. I guess if they chose in the background for the contract – as it stands now, when you manufacture a product, you own that. You're responsible for all the testing, the listing, all that sort of thing. If they wanted to do that, they would still have to be licensed as whichever category of manufacturer. The terms of the contract I guess could do that.

P. Bevan-Baker: Okay. It's been a few years since I made my own beer, Heather, so forgive me for not knowing exactly, and of course, I never did it on the scale that any of these folks do. However, it strikes me that it would be from strictly a business point of view, financial point of view, expanding your own business, assuming you had the space to do that and the resources to buy whatever capital equipment you required to expand, and keeping the profits entirely in your own business would make a lot of sense.

[12:40 p.m.]

Are people clamouring to have – you mentioned earlier that there are others, so there must be a rationale for doing it.

Heather Rossiter: Yes, we've been approached by almost every manufacturer. I'm having conversations about this in one way or another.

P. Bevan-Baker: Okay. I don't think I have any more questions. Just a very interesting

little change. I hope it allows our small brewers to flourish even more than they already are.

Thanks, Chair.

Chair: Shall the bill carry? Carried.

Hon. J. Burridge: I move the title.

Chair: *An Act to Amend the Liquor Control Act.*

Shall it carry? Carried.

Hon. J. Burridge: I move the enacting clause.

Mr. MacEwen: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. J. Burridge: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Liquor Control Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 17th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 17, *An Act to Amend the Municipal Government Act*, Bill No. 37, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 37, *An Act to Amend the Municipal Government Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Municipal Government Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. R. Lantz: Yes.

Chair: Shall it carry? Carried.

Welcome. Could you introduce yourself and your title for Hansard, please?

Marley Kingston MacRae: My name is Marley Kingston MacRae. I'm a senior municipal advisor with the Municipal Affairs division.

Chair: Thank you for being here.

Minister, do you have an opening statement, or would you like to get into questions?

Hon. R. Lantz: We'll get right into the questions.

[12:45 p.m.]

Chair: Alright, hon. members, is it the pleasure of the committee that the bill now be read clause by clause or are general questions okay?

P. Bevan-Baker: General is fine, Chair.

Chair: Alright.

The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Chair. Welcome, Marley. So nice to see you again.

Thanks for bringing this forward. I just have a few questions.

I'm wondering, firstly, what initiated the changes that are in the amendments?

Marley Kingston MacRae: Thank you for the question. Most of the amendments are considered housekeeping. There are a few just minor things: removing items that are no longer applicable, some clarifying amendments. There are some amendments related to planning requirements and other amendments that are meant to support the code of conduct regulations.

P. Bevan-Baker: Thanks. We'll get to the particulars later. I'm wondering, firstly, the feedback that you got from municipalities. I know we have the federation, of course, who speak on behalf of most but not all municipalities. I'm wondering if you received any concerns from any of the municipalities, whether they were a member of the federation or not.

Marley Kingston MacRae: Certainly, some of the amendments are influenced by direct feedback from the municipalities. The clarifying amendments, for example: municipalities would call into the office looking for guidance around certain clauses, on the interpretation. So, that's why we would do the clarifying amendments just so that the interpretation is clearer for them. It doesn't really change the intent of the clause; it just makes it easier for readability purposes.

Some of the other ones, of course, are also feedback related. Regarding planning, rural municipalities that we've consulted with had

issues. That is why that change is being brought forward.

P. Bevan-Baker: I know this is an ever-changing number, but how many municipalities do we actually have on the Island currently?

Marley Kingston MacRae: Right now, we have 58.

P. Bevan-Baker: Fifty-eight, okay. How many of them have no official plan or bylaws in place?

Marley Kingston MacRae: Right now, there's 29, I believe, that do not, and they're all rural municipalities. All of our cities and towns and then some rural municipalities are planning authorities.

P. Bevan-Baker: That's exactly half of the numbers that we have, and I assume the rural ones are because of their size and scale and capacity.

Marley Kingston MacRae: Yes.

P. Bevan-Baker: I guess that to me is where the crux of the question is here, regarding the requirement that all municipalities have a land use plan. I'm wondering what the rationale was for imposing that on these smaller municipalities.

Hon. R. Lantz: I think we're all aware that our smaller municipalities are struggling on a number of fronts, struggling to recruit professionals, CAOs, planning professionals, CAOs, administrative people of all kinds. They're struggling under pressure of – our smaller ones – of complying with the requirements of the MGA.

Planning is particularly onerous. I think that given that we know we're undertaking the process to create a provincial land use plan, I think the rationale is that we can give some of the municipalities a break to implement that requirement until we've completed that process and we know where the pieces will fall after that.

P. Bevan-Baker: Thanks, minister. I absolutely agree with you and would concur with the concerns that you have, and I and many folks who are involved at a municipal

level here, of many of the requirements that they have to meet under the MGA.

I think you put it there in your answer that this is to give municipalities a break until the land use plan across the province is developed. Is the change in date here pushing certain requirements back for the municipalities?

Marley Kingston MacRae: Previously, we just moved the date of the requirement, but this is going to make it so that if you're not already a planning authority, you're no longer required to do it. Should they still want to, they would be able, but it's just the requirement piece.

[12:50 p.m.]

P. Bevan-Baker: Thanks for that clarification, Marley. Are there any parameters associated with that? Or is it just if your municipality currently does not have a bylaw, an official plan in place, therefore you're not mandated to create one?

Marley Kingston MacRae: Yeah, exactly. If you're currently a planning authority, you would be expected to continue to administer your plan per the *Planning Act*.

P. Bevan-Baker: I know this is also a moving target, minister. I'm just wondering whether you have a clearer sense now of the work that's going on to create that province-wide land use plan, whether there is a target date that you have for the implementation of that.

Hon. R. Lantz: I think we're still looking at probably two and a half years from now, based on work plans I've seen. We'll get into the meat of the process after the delivery of the State of the Island Report, which should occur in February; late February.

P. Bevan-Baker: Thanks. I appreciate that. I understand that we're still a ways out from it. It's such a huge job and has implications in so many places.

When that is complete, let us imagine two and a half years from now we have province-wide land use plan, can you talk to how that would impact municipalities that,

at that time, do not have an official plan and land use bylaws?

Hon. R. Lantz: I'm not sure if anything of that nature is contemplated in the amendment, but I could speak to it. I think it's going to be a long, complicated process and I'm not sure exactly what the field will look like after we're finished, but we would certainly hope that we have at least the supports in place to support municipalities to undertake planning.

Yeah, just leave it at that.

Chair: The hon. Member from New Haven-Rocky Point, on the bill.

P. Bevan-Baker: Yeah. This change would create, or mandate, I should say, the provincial government to provide planning services. They already do that for these municipalities, but it now casts in stone, unless those municipalities desire and wish and choose to make a land use plan. That, of course, means that at a provincial level, we have to have a certain capacity of planners and people able to take on that work.

I know there have been concerns expressed for quite a while now about the ability of the department to meet the needs and that it's slowed some processes down and created bottlenecks for development and for people who do wish to do things.

Where are we in terms of having land use planners and just the human resources in the department to make sure that we can take on – it's not taking on anything extra, I understand that. We're already there. But how are we in terms of human resources?

Hon. R. Lantz: We are looking at a shared services model to help assist municipalities with some of the professional services they require.

P. Bevan-Baker: Have we hired more people in critical areas over the last year or so?

Hon. R. Lantz: Have we hired more people in critical areas?

Chair: Hon. member, I guess you're speaking to section 1? Are you expecting the

Province is providing the planning services in the future for the municipalities?

P. Bevan-Baker: No –

Chair: I'm just trying to understand how it relates to the bill.

P. Bevan-Baker: I don't think functionally anything changes in the department in terms of their responsibility to provide services because these municipalities currently don't have a land use plan in place at the moment, but having spoken to many folks who are working at a municipal level, there are some concerns about things not moving through the provincial government as smoothly and quickly as they could.

I guess I'm just checking that the Province is set up in order to continue to fulfil, as best they can, the mandate, which would continue to flow because of this – it doesn't change anything, this bill, but I think it's a relevant question because the municipalities are going to have to continue to rely on the Province for some critical services.

Marley Kingston MacRae: Certainly, that would be within the Lands division. I am aware that they have a manager who focuses more on the municipal side of things currently. She was recently hired. But I can't really speculate on the inner workings of the Lands division.

[12:55 p.m.]

Hon. R. Lantz: In terms of moving permits through more efficiently, yes, we now have four permit coordinators that work at each of the four departments, which are sort of like intake officers. They consult the people who come in with applications to make sure that they're complete and make sure the applicants know the process that will need to be undertaken to get to an approval stage, whether it needs to go through Environment and Transportation. We used to receive a lot of incomplete applications.

Those positions; I think three of them, at least, are new since I've been in this position. We are also advertising right now, you might notice, on the jobs website for I think what we're calling a quality assurance or application quality assurance coordinator or something. I can't remember the name. It

is designed to shepherd applications between departments where we've found that there's been some difficulty moving them between departments. Their responsibility will be to track the flow of applications across departments to make sure that they're moving in a timely manner and coming back to the Land division where they're ultimately approved and handed back to the applicant.

P. Bevan-Baker: I appreciate that, minister, and I think that will improve the flow of applications through the various departments. At least, I hope that's the case. Maybe it's too early to know for sure at the moment, but I appreciate that change.

I have questions on other sections here and I don't know if you want to stick to section 1.

Chair: No, we're in general.

P. Bevan-Baker: General questions, okay. So, in section 2, this is the section that creates grounds for a member of council to be disqualified if they have absences; I think it's three consecutive absences from regularly scheduled council meetings. I'm just wondering if there was any particular incident or if there's something that prompted this change in the act.

Marley Kingston MacRae: We wouldn't really comment on specific complaints that we hear from municipalities, but we certainly are aware that there are chronic absenteeism problems in certain municipalities. The expectation of councillors is that you do attend meetings. Committee meetings obviously are a very important part of municipal government as well. So, it's just trying to standardize the expectations that you attend all meetings.

P. Bevan-Baker: Sure. I absolutely agree, and I have no problem with this amendment whatsoever. How many of the municipal councils that we have across the province—this may not be a figure that you can come up with for me right now. I know it's been a struggle in some cases to have a full council, and often we find councils acclaimed.

Do we have many absences across the province, in terms of councillors currently?

Marley Kingston MacRae: I have to think, just a minute. I know we did, most recently, have a by-election to fill two vacancies in Murray Harbour. I'm not aware of anymore vacancies right now.

P. Bevan-Baker: Okay.

Marley Kingston MacRae: Oh, and we are having an election in Murray River as well. They were without a council.

Hon. R. Lantz: And Borden-Kinkora.

Marley Kingston MacRae: Not a municipal election. [Laughter]

Chair: One more (Indistinct) come back.

P. Bevan-Baker: Thank you, Chair. I'm going to section 4 now. This is the one regarding auditing. Am I right in interpreting this that now all municipalities will have to have a full audit done?

Marley Kingston MacRae: Yeah, as of 2020, I believe they were already required to have a full audit. These review engagement sections are just kind of leftovers. We're going to remove reference to that to avoid confusion over who has to have an audit and who doesn't have to have an audit. Right now, everybody is required to present an audit.

Chair: Put you back on the list?

P. Bevan-Baker: Oh, yes, sure. Sorry. Thanks, Chair.

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

G. McNeilly: Thank you, Chair.

I appreciate you coming in and speaking on this. We meet more regularly about this and realize what's happening province-wide and how we can make our municipalities better, and how we can work all together and get on the same page.

Removing the requirements in section 1, this will remove the requirements. What happens if a municipality did not make the requirements before this removal?

Marley Kingston MacRae: If they currently aren't a planning authority, they wouldn't be required to take on planning going forward. If your municipality was already a planning authority, you would have to continue to enforce your plan under the *Planning Act*.

[1:00 p.m.]

G. McNeilly: Yeah, that works for bigger ones, and I think we're talking about the smaller ones here, but by taking this off – and you said that there's 29 areas with no official plan – what does that do for them in the future? They don't have to meet it, but does that say some of the work just stops or where are we...?

Hon. R. Lantz: I think it's just a pause while we develop our provincial land use plan. We don't want municipalities to have to make these decisions while we're looking at how planning is done across the entire province. So, I think it just makes sense to pause and see where the chips may fall. I don't want to pre-judge where that whole process goes and where the municipalities fall under, what planning authority they may or may not have at the end of the day. How I would describe it is just a pause.

G. McNeilly: I'm just wondering if a pause sets us back. We talked about shared services here. If we pause, it sets us back because you said there are communities in different stages of planning. Does everybody just drop everything and pause, and how long does that pause last? Does it last two and a half years until we get a plan?

Marley Kingston MacRae: Certainly, the municipalities who aren't already planning authorities, it would be very difficult for them to become a planning authority. It takes sometimes years to get your plan in place and to a level where it's enforceable. It requires a lot of money and resources to do that.

These municipalities, we know, currently they don't have the resources, so they would have to go out; usually use gas tax funding. And again, where the process can take years, having a deadline in place now – like I say, we just moved it, 2026-2027 – you would want to get things in order before then.

So, I think a pause is the right way to describe it because certainly we wouldn't stop them if they did want to go out and become a planning authority. It's just to not push them over that edge where they end up taking out a lot of financial resources for a plan that, at the end of the day, might not meet the provincial standards. We really don't know right now, so it's not fair to speculate on that.

G. McNeilly: This is a good conversation. I'm glad it's clearing up because we meet and we hear that we need to amalgamate, we need to bring people together, and you've got a lot of different groups doing a small plan; now we're going to take a pause on that.

How are we looking at doing this more concisely after this pause, which doesn't really necessarily help us do it more concisely in the areas? During this pause, what are we going to do in the meantime to make sure that we're planning with...?

Hon. R. Lantz: The Province will continue to be the planning authority where a planning authority doesn't exist in municipalities. This amendment only removes the requirement for municipalities to enact official plans and bylaws, but it doesn't preclude them from doing so. Any municipality, on or after January 1st, 2024, may choose to develop an official plan and bylaw. So, they can still choose to undertake the process if they choose to; it's just removing the requirement for them to do so.

Marley Kingston MacRae: And any municipalities that are restructured may be required to take on planning. So, if we had a municipality restructure, and looking at them you can tell that they have the capacity to do a plan of scale, we certainly would want that.

G. McNeilly: It doesn't preclude them, but have you heard of any communities that will move forward with this? What's the advice if they want to move forward?

Marley Kingston MacRae: I believe there may be a few who were in the late stages of their plan, and at that point it would be wise to continue, especially around the funding thing. If you use the CCBF or gas tax, if you

don't complete your project, you could be penalized and have to pay back those funds.

So, if they were in the late stages of the plan they would be encouraged to continue, especially where it does take years. They've put years, probably, of work into getting that right, so we wouldn't want to hinder that.

[1:05 p.m.]

G. McNeilly: That's great that they keep going. And then you just opened up another thing. Will this restrict them in not having that done? Will it restrict them from applying or getting federal money along the way that is out there for these municipalities?

Marley Kingston MacRae: No. Should they decide that they want to go through with planning, they're able to do that and they'd be able to go out and source those resources. The idea kind of with this is just really not pushing someone who's not ready into a situation where they might have issues in the future.

G. McNeilly: Okay, thank you for answering those.

Chair: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thanks. I just have a couple of very easy, I think, quick things to tie up here.

When a municipality does embark on a land use plan, it's a huge amount of work and the Province very usefully, and gratefully, provides funding to those municipalities. You and I are very well aware, Marley, of what's happened in the Rural Municipality of West River, for example; tens of thousands of dollars to produce a land use plan. The Province is there to help them and that's great.

When we come to audit, going back to section 4, is there – well, I guess the first question – I have a couple of questions: What is the average cost for a small municipality to have a full audit done?

Marley Kingston MacRae: The audit costs can vary wildly, I would say, depending on the auditor. It is something that we receive

feedback from, from municipalities. Audit insurance costs typically have continued to increase along with everything else. We do have some small municipalities who do a lot, so I would say rather than to focus on size, it would depend on what services they're offering. How much has to be audited? That would play a major requirement.

I know they can be, in some cases, into the tens of thousands of dollars. Other cases, probably around \$5,000. It depends where they get the service from, as well, with what auditor they're using.

P. Bevan-Baker: Presumably, unlike the creation of an official plan, there is no money set aside by the Province to help municipalities out with those audits, is there?

Marley Kingston MacRae: Previously, we did have a Municipal Administrative Support program that provided some municipalities who met conditions of some funding that they could use towards audit costs.

P. Bevan-Baker: Did that apply to all municipalities, Marley, or did they have to have a particular...?

Marley Kingston MacRae: There was certain criteria for that program. I can't remember the exact number of municipalities who were eligible, but a lot of it had to do with finances. If it looked like you weren't financially able, that's when you would need assistance. We certainly work with municipalities, as well, around timing, that kind of thing. We know that there are some cases where, for a variety of reasons, the municipality may not be able to get their statements in on time, with the deadlines. We do try to be flexible when we can.

P. Bevan-Baker: One very small municipality that does a lot that sprung to mind when you said that is Victoria by the Sea, where their tax base is very, very small. I think it's less than 100; maybe it's bigger than that now, but it's a very small municipality but they have water and sewer, they have full planning, and all the rest of it.

I guess the reason I'm asking these questions is concern for those smaller municipalities whose budgets may be commensurately very small but they're having to pay each year a large percentage of their income on an audit.

Are you concerned that this requirement that all municipalities be audited – you mentioned that that's really there already, although we're just, I guess, formalizing it here – that that's going to create some concerns or some pressures on municipalities that are already financially on the edge?

Marley Kingston MacRae: I think that that's a fair question. Victoria is a good example of a small municipality that does a lot and who would have, presumably, higher audit costs. I know Victoria had been eligible for that program I had mentioned in the past.

Could you repeat your question one more time, please?

[1:10 p.m.]

P. Bevan-Baker: Yeah. My question was regarding a concern of the added financial pressures that this requirement to have a full audit for all municipalities would present, particularly smaller ones like Victoria by the Sea. I guess I was going to – given that the costs of auditors can vary quite a lot as you said, Marley – has there been any thought of either two options that the Province could help them out: provide those auditing services within the Province to the municipalities or provide them with money in order to cover that expense?

Marley Kingston MacRae: I think it's helpful to look at the reason why we do require an audit. Municipalities, even though they're very small, they do collect money from taxpayers, from their residents, so it's really important for the residents to be able to tell where their taxes are going.

P. Bevan-Baker: Absolutely.

Marley Kingston MacRae: That speaks to why we have that requirement. We are certainly aware of the financial struggles within the municipalities themselves. We do provide assistance when we're able. We

understand that it's difficult to provide an audit, but it is necessary when you have a good government.

Hon. R. Lantz: I just want to add, too, that the requirement for transparency and accountability shouldn't trump the need for – the real issue is not that we require transparency and accountability, it's that we've got a lot of municipalities that just aren't really viable municipalities to undertake the services they need. That's the real question, but it doesn't mean that we can't support them until we can get to a point where municipalities are able to support their own services.

P. Bevan-Baker: You're tempting me to go down a rabbit hole here, minister, but I will resist it.

Chair: (Indistinct) Question Period.

P. Bevan-Baker: Exactly, Chair. I'll resist that temptation –

Hon. R. Lantz: Yes, Question Period, that'd be a change of pace. [Laughter]

P. Bevan-Baker: I don't think I have any further questions, minister. I really appreciate you being here, Marley. Thank you for your help.

Chair: Shall the bill carry? Carried.

Hon. R. Lantz: I move the title.

Chair: *An Act to Amend the Municipal Government Act.*

Shall it carry? Carried.

Hon. R. Lantz: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. R. Lantz: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

Chair: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *Act to Amend the Municipal Government Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 16th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 16, *An Act to Amend the Amusement Devices Act*, Bill No. 29, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 29, *An Act to Amend the Amusement Devices Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Economic Development, Innovation and Trade, 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 Morell-Donagh to chair the Committee of the Whole House.

[1:15 p.m.]

[S. MacEwen in the chair]

Chair: 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 Amusement Devices Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. R. Lantz: Yes.

Chair: Shall it carry? Carried.

Welcome. Could you introduce yourself and your title for Hansard?

Joshua Collins: Certainly. Joshua Collins, manager of inspection services with the Department of Housing, Land and Communities.

Chair: Good to see you, Josh. Thanks for joining us.

Members, do you want this to go clause by clause or would you like open it up for general questions?

Some Hon. Members: General questions.

Chair: Alright, do we have any?

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

I have to say, I had no idea that such an act existed. *An Act to Amend the Amusement Devices Act* was very interesting.

[Interjections]

K. Bernard: It is amusing. What brought forward this change? What will this change do?

Joshua Collins: I think it was just internal recognition that we needed to do some housekeeping with some of the actual sections. The definition of the amusement devices itself was a bit lacking and I guess wasn't explicitly clear to the general public that amusement devices does include inflatables, so we wanted to capture that.

K. Bernard: I'm just curious if you have any statistics of the number of offences under this act in recent years.

Joshua Collins: It would not be many. I don't have those on me, but it's not a common occurrence, for sure.

K. Bernard: So, basically just kind of updating this bill?

Joshua Collins: Exactly, housekeeping.

K. Bernard: Okay. I'm good, Chair. Thank you.

Chair: The hon. Minister of Health and Wellness.

Hon. M. McLane: I have some questions. I have a couple of operators that reached out to me.

I guess one of the concerns of the operators expressed to me is the definition of an amusement device. I know one of the operators, as he explained to me, they kick soccer balls and stuff, so it's not an actual jumping device. Can you kind of...? He had some concerns about the definition of an amusement device.

Joshua Collins: Yeah, certainly. We're not changing, I guess, what the act and regulations enforce. We're just bringing clarification that it does include inflatables. It's the regulations and the code adopted that have the scope as to what we actually inspect and enforce. Nothing we're doing here today will change what currently is in practice for the (Indistinct).

Hon. M. McLane: So, back to his specific question, will that be deemed an amusement device? Something that doesn't have that jumping and safety issue?

Joshua Collins: Right. I would encourage the owner to maybe reach out to one of our inspectors just for clarification. All the rides are different. It's very uncommon to see the similar (Indistinct) but we would be relying on the actual codes that are adopted through the regulations to make that determination based upon – is there a blower that keeps it inflated and whatnot is the main (Indistinct)

Hon. M. McLane: So, that's a requirement. Okay. Can you explain a little bit about the change on this Standards Council of Canada and why that is in there? The removal of it, I guess.

Joshua Collins: I think you're speaking to –

Hon. M. McLane: Clause 6.

Joshua Collins: Yeah. Essentially, just as housekeeping, we kind of recognize that the powers for making regulations and adopting code seemed a bit limited by having that extra wording, where we're specifying that the Standards Council of Canada has to acknowledge the code we're adopting. We thought that was limiting. It doesn't exist in other acts that we have that are related to technical safety.

Hon. M. McLane: Do you have any concerns with compliance, and I call it grey market inflatables being used in the marketplace?

Joshua Collins: That's certainly what our inspectors would capture. We're looking for recognized devices that meet the standards set out in both the regulations and our codes that are adopted.

Hon. M. McLane: So, those standards would be in the regulations, not in the –

Joshua Collins: Yeah, and the codes we adopted, yeah.

Hon. M. McLane: Okay. I think that's all I have. Thank you.

Chair: Shall the bill carry? Carried.

[1:20 p.m.]

Hon. R. Lantz: I move the title.

Chair: *An Act to Amend the Amusement Devices Act.*

Shall it carry? Carried.

Hon. R. Lantz: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. R. Lantz: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intitled *An Act to Amend the Amusement Devices Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 1st order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 1, *An Act to Amend the Roads Act*, Bill No. 10, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 10, *An Act to Amend the Roads Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Roads Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. E. Hudson: Yes, I would.

Chair: Shall it carry? Carried.

Hi Graham, could you introduce yourself and your title for Hansard, please?

Graham Miner: Graham Miner, director of PEI's Highway Safety division.

Chair: Thank you for being here.

Hon. members, would you like to do general overview questions?

Z. Bell: I think that's fine.

Chair: Alright, let's do that. Do I have any questions?

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

Hi Graham, welcome. We'll try to go easy on you. I'm just wondering what prompted this legislation.

Graham Miner: I guess what we've called this is a housekeeping item. We had our chief surveyor come to us saying the *Roads Act* doesn't match current practice for quite a few years. Basically, what it does is update the *Roads Act* to match the practice that has been in place for many years and how moneys are paid to utilities in moving power poles and things like that that in right of ways. It just makes the act be current in what is the actual practice and how these things are paid for.

K. Bernard: In the proposed section 4.1(6), it says that there's an exception for work in municipalities. I'm wondering why that is.

Graham Miner: What that means is if our department for example is going to do road work – let's suppose you're going to put in a roundabout within a municipality and where the work is going to be done there's water lines or sewage, the department in that case

is paying for that work rather than the municipality having to pay for it.

[1:25 p.m.]

The first section is an example: if power poles are being moved, the utility pays for that, where in the second section, if it's something like this within a municipality and it's the department doing it, then the department pays for that work. That is the current practice.

K. Bernard: I'm good, Chair. Thank you.

Chair: Shall the bill carry? Carried.

Hon. E. Hudson: I move the title.

Chair: *An Act to Amend the Roads Act*.

Shall it carry? Carried.

Hon. E. Hudson: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. E. Hudson: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Roads Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 4th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 4, *An Act to Amend the Highway Signage Act*, Bill No. 11, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Economic Development, Innovation and Trade, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 11, *An Act to Amend the Highway Signage Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Economic Development, Innovation and Trade, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Highway Signage Act*.

Minister, would you like to make a motion to bring a stranger to the floor?

Hon. E. Hudson: Yes, I would.

Chair: Shall it carry? Carried.

Hi, Graham. Could you introduce yourself again for Hansard?

Graham Miner: Graham Miner, director of PEI's Highway Safety division.

Chair: Thank you.

Are there any questions on this bill, members?

The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Chair.

Can you just explain to me why the responsibility has been changed from one department to another?

Graham Miner: Probably it started, in one case to say, originally, why wasn't it with our department? Then last year – so then it was moved over to our division because it seemed to make more sense, just to make processes quicker and less red tape. We are the department that makes the signs, we're the ones who place the signs, and so on. It would be better suited that it's within our department.

Under the *Highway Traffic Act* is another example; the sign regulations are also under there under the *Highway Traffic Act* with this department. So, it seemed to make a lot of sense that it should be all in one location rather than between two different departments.

Hon. H. Perry: So, since conception, was it always under Economic Growth, Tourism and Culture?

[1:30 p.m.]

Graham Miner: As far back as I can recall. Many years ago, in my days as an officer, I remember it being with Tourism.

Hon. H. Perry: That was my question; it was probably due to tourism. Some communities have where signage cannot be in different municipalities or so far from the road and what have you. I'm assuming that's what the reason was: tourism.

Graham Miner: Yeah, it was in those days; the size of the signage billboards and all those types of things. It made sense with tourism, in terms of colours for signage and that. But from probably a management point of view and red tape, because all the work is done on one side, it would make sense. It does not mean that consultation won't continue on signage.

Hon. H. Perry: That answers all my questions. Thank you very much.

Chair: Shall the bill carry? Carried.

Hon. E. Hudson: I move the title.

Chair: *An Act to Amend the Highway Signage Act.*

Shall it carry? Carried.

Hon. E. Hudson: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. E. Hudson: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Highway Signage Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 5th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 5, *An Act to Amend the Archaeology Act*, Bill No. 27, ordered for second reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 27, *An Act to Amend the Archaeology Act*, read a second time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: 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 Archaeology Act*. Minister, would you like to make a motion to bring a stranger to the floor?

Hon. C. Deagle: No.

Chair: Alright. Do you have any opening statements?

Hon. C. Deagle: No.

Chair: Members, do you wish to open this up for general questions?

Some Hon. Members: General questions.

Chair: Sounds good.

The hon. Member from O'Leary-Inverness.

R. Henderson: Just one question. Can the minister spell archaeology? [Laughter]

Hon. C. Deagle: A-r-c-h-a-e-o... [Laughter]

R. Henderson: Good enough. I'll pass the bill.

Chair: The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

I just had one question. As I was looking through this, it popped into my mind. We're

deleting the words “responsible for Aboriginal Affairs” and putting in “of Fisheries, Tourism, Sport and Culture.” I know the Premier is responsible for Indigenous affairs, so I’m curious why it would be Fisheries, Tourism, Sport and Culture.

[1:35 p.m.]

Hon. C. Deagle: I know that they had felt that this act would fit better under museum, heritage, and culture. It would better align with this department.

K. Bernard: But I’m assuming that there would still be a responsibility in cases where we had to do consultation with the Indigenous community before doing a dig. That would still very much – it’s not removing that?

Hon. C. Deagle: No.

K. Bernard: No. I’m good, Chair.

Chair: Shall the bill carry? Carried.

Hon. C. Deagle: I move the title.

Chair: *An Act to Amend the Archaeology Act.*

Shall it carry? Carried.

Hon. C. Deagle: I move the enacting clause.

Chair: Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Hon. C. Deagle: Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intitled *An Act to Amend the Archaeology Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same

without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Thank you, Madam Speaker.

I’m seeing unanimous consent to proceed to second reading of Bill No. 39, *An Act to Amend the Real Property Tax Act*, which was introduced and read a first time today.

Speaker: Does the hon. member have unanimous consent?

Some Hon. Members: No.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 13th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: *Child, Youth and Family Services Act*, Bill No. 32, ordered for third reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a third time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 32, *Child, Youth and Family Services Act*, read a third time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I moved, second by the hon. Minister of Finance, that the said bill do now pass.

Speaker: This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to without amendment, read a third time and it is now moved that the bill do pass.

All those in favour, say “aye.”

Some Hon. Members: Aye!

Speaker: Contrary-minded, “nay.”

The bill is carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 14th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 14, *An Act to Amend the Adoption Act*, Bill No. 33, ordered for third reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the Honourable Minister of Finance, that the said bill be now read a third time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Adoption Act*, Bill No. 33, read a third time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, second by the hon. Minister of Finance, that the said bill do now pass.

Speaker: Shall it carry? Carried.

This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to without amendment, read a third time and it is now moved that the bill do pass.

All those in favour, say “aye.”

Some Hon. Members: Aye!

Speaker: Contrary-minded, “nay.”

The bill is carried.

The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the 15th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 15, *An Act to Amend the Intercountry Adoption (Hague Convention) Act*, Bill No. 34, ordered for third reading.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I move, seconded by the hon. Minister of Finance, that the said bill be now read a third time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 34, *An Act to Amend the Intercountry Adoption Act (Hague Convention) Act*, read a third time.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Madam Speaker, I moved, second by the hon. Minister of Finance, that the said bill do now pass.

[1:40 p.m.]

Speaker: This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to without amendment, read a third time and it is now moved that the bill do pass.

All those in favour, say “aye.”

Some Hon. Members: Aye!

Speaker: Contrary, “nay.”

The bill has carried.

Government Motions

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. C. Deagle: Thank you, Madam Speaker.

I move, seconded by the hon. Minister of Finance, that Motion 24 be now read.

Speaker: Shall it carry? Carried.

Deputy Clerk: Motion No. 24: Reminding Island drivers to keep road safety in mind.

The hon. Minister of Transportation and Infrastructure moves, seconded by the hon. Minister of Justice, Public Safety and Attorney General, the following motion:

WHEREAS May is motorcycle safety month, an opportunity to remind all motorists to be aware and share the road with motorcycles;

AND WHEREAS more and more cyclists and pedestrians are using Island roads for exercise, recreation and for their daily commutes;

AND WHEREAS making our roads safer can lead to even more Islanders choosing active transportation options such as walking or cycling, which will help reduce our transportation emissions and help the province reach its net zero goals;

AND WHEREAS there are over 16,000 students on the Island that travel on school buses daily who rely on other motorists to help keep them safe as they board and leave the school bus;

AND WHEREAS it only takes a few seconds of distracted driving or excessive speeding for a potential incident to occur that could lead to an injury or a fatality;

THEREFORE BE IT RESOLVED to remind Island drivers to slow down, follow the rules of the road, never drive distracted or impaired, and never pass a school bus when the lights are flashing, so we can protect our cyclists, motorcyclists, and students using Island roads.

Speaker: The hon. Minister of Transportation and Infrastructure.

Hon. E. Hudson: Thank you very much, Madam Speaker.

When you look at the wording of Motion No. 24, I would have to say, what we have to keep in mind and what has to jump out at

us is “keep road safety in mind”; something that we collectively, as drivers, always should be doing. You look at careless, dangerous, impaired driving; it certainly has no place in any part of our Island and any of the roadways on our Island.

Look at what the weather forecast is for this coming weekend, now. Again, with winter just around the corner, everyone needs to stay alert while driving.

Safe driving requires the ability to concentrate and make good judgements. When making those good judgements, there are times that we have to react to situations that may be rapidly changing. That speaks to the real need of never being distracted while driving. As we know, texting is something that we should never be doing, as an example. When we’re driving, we have to concentrate on the rules of the road and certainly on the task at hand, and that task at hand is safety.

It is a collective issue and I truly believe that things have changed, that the culture has changed, but we have a ways to go yet. As I’d mentioned, with regard to anyone driving who is distracted, impaired, or driving at excessive speeds: you’re not only putting yourself at risk, but you’re putting other ones at risk. It could be other ones in your own vehicle, your loved ones who are traveling with you, it could be other motorists, but you are putting them at risk.

I would have to say that, with regard to road safety, there are two aspects of this. Certainly, there is the education aspect which comes forward right here in this motion, but there is also the enforcement aspect which does have to be put in place. There has to be deterrents. There has to be deterrents for excessive speeding, for impaired driving, and I could go on.

[1:45 p.m.]

But I do look at some of the actions and initiatives that our government has taken over the last four-, four-and-a-half-year period with regard to enforcement. There have been increased financial penalties. There has been extended vehicle impoundment time. We have increased the demerit points for drivers charged for

operating a motor vehicle at excessive speeds.

When I look at that, the demerit points and the financial penalties, just for example, 50 to 59 kilometres over the speed limit is \$8 per kilometre, vehicle impoundment of seven days, and six demerit points. We go with the driving at 60 to 79 kilometres over the speed limit, it's a \$10 per kilometre fine, vehicle impoundment of seven days, and nine demerit points. When we hit over 79 kilometres in excess of the speed limit, if we're looking at 80 kilometres or more over the posted speed limit, the fine of at least \$10 per kilometre, 12 demerit points, and a three-month driver license suspension.

I feel strongly that the education aspect is extremely important, but as well, there has to be the actions. There has to be the ability – the teeth, if you like – given to our law enforcement to be able to back up the penalties and issue the tickets, demerit points, and the like as we go forward.

As I'd mentioned, when we are driving, we need to focus on the driving. Safe driving requires the ability to concentrate, to make good judgements, and quickly react to situations. Staying focused while driving keeps us all safe. It's crucial to protecting the safety of motorcyclists, bicyclists, and pedestrians on the road. We all have a role to play.

While it may be getting a bit colder out there for the motorcycles, I'm sure that some of my good friends that love to get out on the bikes and some just across the way here probably say no, it's not a bit too cold. But as I say, that is just around the corner, that it will be a bit too cold; road conditions and the like may not be conducive to biking on your motorcycle. But it's always a good time of year to remind folks about safety tips to keep bikers safe. Even if you do not ride a motorcycle, chances are that you do know someone who does.

While it is crucial that motorcycle drivers drive defensively, other drivers have an equal responsibility for the safety of riders. Remember, make a complete stop at intersections or when entering the roadway. Motorcycles are smaller and can be easily missed. Look twice, and always check your blind spots. Eliminate distractions while

driving. Don't crowd a motorcycle from the rear, as most motorcycles can brake substantially faster than a car. When making a left turn, be patient. Make sure there's not a motorcycle behind a string of cars.

Many collisions occur when left turns are made suddenly in front of an oncoming motorcycle. Even a small collision with a motorcycle could result in lifechanging injuries or death for the rider. Indeed, these safety tips would make every road user safer, not just for motorcycles.

[1:50 p.m.]

Our renewed focus on safe driving can also keep our cyclists and pedestrians safe. Making our roads safer can lead to even more Islanders choosing active transportation options, such as walking or cycling. More active transportation will help reduce our transportation emissions and help the province reach its net-zero goals. Share the road. Respect bicyclists as legal road users with the same rights and responsibilities as motorists.

We all need to drive courteously and with tolerance. That cyclist is your neighbour and you are sharing that same road with your neighbour. When I say drive courteously and with tolerance, I think we've seen probably much more in other areas of the country, certainly in other countries as well, road rage and the impact that road rage can have with regard to safety but also with regard to life itself.

I would have to say overall that maybe it's just the Island way, but I think for the most part that we are courteous, and we do show tolerance. But occasionally, we will see that certain – maybe – finger being pointed at you for some reason or other. From our own perspective, maybe, yeah, did I do something wrong there? I don't think I did. But it's all in the eye of the beholder; it's all with that individual's perspective. Let's all be courteous and let's all drive with tolerance.

Motorists must leave at least one metre of space when passing a cyclist; always remember that, please. Obey the posted speed limit and don't drive too fast for conditions. I think that that's a very good point right there to make. The posted speed

limit may be 90; if you're driving and it's freezing rain, if you're driving and there's slush on the roadways, slow down. I urge you to slow down to always take into account what the road conditions are like. As I said before, it's not just for our individual safety, it's for the safety of the other ones that we share the roadway with.

A motorist may cross a yellow line when it is necessary to pass a cyclist, going back to how we need to be courteous and tolerant, and certainly with cyclists. Again, a motorist may cross a yellow line when it is necessary to pass a cyclist if it is safe to do so. Yield to pedestrians and bicyclists in and entering crosswalks.

Lastly, there are over 16,000 students as was referenced in the motion; over 16,000 students on the Island who travel to school each day on school buses. Each of these students relies on other motorists to help keep them safe as they board, ride, and leave the bus. It only takes a few seconds of distracted driving or excessive speeding for the very worst to happen. It is illegal and it's dangerous to pass a school bus when the lights are flashing. In order to better protect Island students, drivers who illegally pass a school bus will lose their license, and rightfully so. They should lose their license.

Failing to stop for a school bus when the red lights are flashing will lead to a driver accumulating 12 demerit points, resulting in license suspension for three months. This is in addition to a fine of up to \$5,000. I urge everyone to report a vehicle that doesn't stop properly for a school bus by calling a non-emergency phone number for police.

[1:55 p.m.]

To me, all of this, it's all about safety, but certainly when we talk about our school buses, the transport of our children to and from school, that has to always be paramount. When we're coming up to a school bus, from my opinion, regardless if the yellow lights are on, regardless of whether the road conditions are perfect, let's slow down just to be prepared if we do need to stop. We always have to remember that the ones that are traveling on these buses, yes, some of them are 17, maybe 18 years of age. Some of them are four and five years of age, as well. We don't know potentially

what may be coming up in front of us. When you see a school bus, regardless, let's all take that extra precaution. Let's all slow down for a minute.

Drive smart, follow the rules, and save lives.

In summary, I do hope the members of this Assembly will support this motion and take this message back to their communities.

Thank you, Madam Speaker.

Speaker: Seconding the motion, the hon. Minister of Justice, Public Safety and Attorney General.

Hon. B. Thompson: Thank you, Madam Speaker, and thank you for the words from the Minister of Transportation. A lot of good advice there. Careless and dangerous and impaired driving has no place on our roads.

I'm going to focus on maybe the impaired driving side of things.

On December 9th, the MADD chapter of Prince Edward Island is going to be doing check stops. They invited me to come along that night. I did this in 2019 as well, just to hand out red ribbons to all drivers that night because it's that time of year to remind people. I know it was an inconvenience for a few people to be slowed down for a few minutes while they waited to get their red ribbon. There were a few people not too happy about it, but if we were able to give awareness to just a few people that night not to drink and drive or maybe somebody make that decision in the weeks to come not to drink and drive is important because a lot of families have been affected by this.

I, myself, have been affected by it. A good friend, Duane Pound, was killed by a drunk driver; 20 years May 15th, it'll be. He was 30 years old when he died. He was the head coach of the Moncton Flyers. They had just won the Atlantic. His coaching career was taking off.

Just to say a few things about Duane: when that night, we just happened to be – all our friends were together that night when we got that phone call. You always wonder; even the young fellow that was drinking that night and who was driving, he was 16. I heard his name a couple of years ago, just

random. Just to think how his life, how he has dealt with that over – I'm sure he regretted it. I never met the young man. I remember Duane's family going to the court. They forgave him. You just wonder how you live with that.

As much pain as Duane's family has faced over the years; Duane's mother just passed away this past year, Mrs. Pound. She lived with that that whole time. It's not only the victim's family, but it's everybody's family that gets affected by this.

Prince Edward Island has some of the strongest drinking and driving laws anywhere, but it's still a problem. It's still a problem. No matter what we do, we can't fine our way out of this, we can't jail our way out of this –

Z. Bell: Call the hour.

Hon. B. Thompson: Thank you, Madam Speaker.

[2:00 p.m.]

Speaker: Hon. member, the hour has been called. Would you like to adjourn debate with a seconder?

Hon. B. Thompson: Thank you, Madam Speaker. I'll adjourn the debate with the hon. Member from Charlottetown-Winsloe.

Speaker: The hon. Member from Charlottetown-Winsloe.

Z. Bell: Thank you, Madam Speaker.

I move, seconded by the hon. Member from Tyne Valley-Sherbrooke, that this House adjourn until Tuesday, November 21st, at 1:00 p.m.

Speaker: Shall it carry? Carried.

Have a good weekend, everyone.

[The Legislature adjourned until Tuesday, November 21st, at 1:00 p.m.]