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PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY

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Speaker: Hon. Kathleen M. Casey

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The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker (Biggar): The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, it's certainly great to welcome the guests in the gallery on this very beautiful day.

It's a warm, sunny day, it's a great day for fishers out on the water. I understand catches are quite good.

Also, this weekend is the Women's Institute annual cleanup on Saturday, and I want to remind everyone of the great work the Women's Institute actually do out there. Bags are readily available at Access centres, research stations, and other areas around the community. I remind people to watch out for walkers on the side of the road and so on, on Saturday, so it's a safe event for sure.

I'd like to welcome all those out there watching on EastLink, and hope they enjoy the proceedings today. I do wish them well, Madam Speaker.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

I also would like to welcome the guests in the gallery.

I would also like to make reference to an event that's taking place in Montague tomorrow evening. We're having a kickoff, a fundraiser, for the Kings County Memorial

Hospital. We're going to buy new x-ray equipment for the hospital in Montague, and we're having a kickoff tomorrow evening. The Women's Auxiliary, I understand, are making a donation of \$20,000 to start the kickoff, which is great. I look forward to a very successful fund-raising for the hospital.

Also, while I'm up, I would also like to make reference to cleanup weekend that's coming up. The Women's Institute, they've been doing this for a great number of years, and it's always great to see that happen, and you'll see the bags along the side of the road where volunteers from one end of the province to the other get out and do a cleanup to help keep their communities and the environment great in the province. So they're to be commended again for an outstanding job.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Government House Leader.

Mr. Gallant: Thank you, Madam Speaker.

I, too, would like to welcome everyone to the gallery and say hello to everyone in my District of Evangeline-Miscouche, and I hope they have a wonderful day.

I had the pleasure to be at a meeting last night at a community for the rebuilding of the Evangeline rec centre. It was a very productive meeting, and I wish them all the best in their building plans.

I'd also like to wish the Habs success tonight.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Alberton-Roseville.

Mr. Murphy: Thank you, Madam Speaker.

I'd like to extend a welcome to all those in the public gallery.

I'd also like to welcome all the constituents in Alberton-Roseville that may be watching on EastLink. I'd like to say hello to them and welcome them to the proceedings here today.

I'd also like, while I'm on my feet, to congratulate all the graduates that graduated Monday night from the Holland College GED program in West Prince. They held their celebration on Monday night. It was a good crowd, it was the biggest crowd ever that graduated. I think they're anticipating the new Holland College centre coming to Alberton and they're getting themselves ready for it.

I'd also like to congratulate a very fast lady in the District of Alberton-Roseville. Jennifer Perry won the Clark's Toyota 5-Mile Run in Miscouche on Saturday, and she did it in 33.31 minutes, so I would like to say congratulations to Jennifer.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Statements by Members

Speaker: The hon. Member from Summerside-St. Eleanors.

Owen Kelly and McNeill House

Mr. Greenan: Madam Speaker, last Saturday's *Journal Pioneer* featured a story on the Church Street Dr. John MacNeill House, built in 1909, and the pledge of its current owners, Adam Sultan and Fred

Willis, to honour its past.

They purchased this impressive century home last fall from Owen Kelly, who now resides here in Charlottetown. Owen was born in Morell and came to Summerside to work in the banking industry. In the latter part of the 1950s he went to Long Island to study the florist industry, after which he returned to open Kelly's Flowers Shoppe in 1959. Owen and his wife, Mary, operated this successful business until it was sold to its current owners, Joyce and Gordon Phillips.

The Kellys bought their home on 253 Church Street from the MacNeill family in 1962, from where Owen and his late wife, the charming Mary Silliphant, entertained their friends and family in style.

Owen was an avid collector of antiques and fine china. To this day, Owen can tell you where he obtained an item as well as the purchase price. Owen was also an accomplished pianist, and there were many enjoyable songs around their baby grand.

Last year, when Owen decided to sell his home and move to Charlottetown, he made some various significant decisions which were to leave a legacy of the Summerside Kellys to our Island community. The baby grand was the piano won by Miss Canada 1968, Carol MacKinnon of Summerside, and has been donated to the Acadian museum in Miscouche.

Owen has also donated furniture, dishes and collectibles to PEI Museum and Heritage as well as two paintings to the Confederation Centre of the Arts. Owen has asked that these items be displayed for all Islanders to enjoy.

On behalf of the members of the House and all Islanders, I want to express our thanks to you, Owen Kelly, for being so thoughtful

and gracious during what must have been an emotional time in your life.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Vernon River-Stratford.

Recognition of golfer Angela Drane

Mr. McIsaac: Thank you very much, Madam Speaker.

It's with great pleasure that I rise today to recognize Grandview native Angela Drane for her accomplishments on the golf course.

Angela Drane has many accolades to her credit. During the first half of this golf season at the University of Louisiana at Monroe, Angela Drane racked up two tournament wins and a second place in the first three events. She broke her school record with a 215 score in the season-opening victory, and she was named Sun Belt Conference golfer of the months for September and October.

Fellow members, all that happened after Angela took off the 2008-2009 season to complete courses towards earning a degree in science and a teaching certificate. This year she was named an All-American Scholar.

The season ended on a high note for Angela as she was recently named to the all-Sun Belt Conference United States university women's golf team for the third consecutive year. The team was selected following the conference 2010 women's golf championship, held recently in Muscle Shoals, Alabama.

Angela was ranked third in the conference heading into the final tournament of the

season. She's turned in five top three finishes, including victories at the Chris Banister Gamecock Classic and the Oral Roberts Shootout in the eight tournaments of her final year at the University of Louisiana at Monroe.

In closing, I would like us to take this opportunity to congratulate Angela Drane for her accomplishments on the golf course. She has done Prince Edward Island proud.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Georgetown-St. Peters.

Eva Rodgerson inducted into Order of Red Cross

Mr. M. Currie: Thank you, Madam Speaker.

It's a honour today to recognize the hard work and dedication of Eva Rodgerson. I'm pleased to announce that this week she was inducted into the Order of Red Cross.

The Order of Red Cross is the highest award within the Red Cross. Eva has volunteered for over 38 years and was a fixture on the community health board. She was also instrumental to the Red Cross water safety program that was founded on PEI.

Eva has been a strong voice for health care in our own community and the rest of the Island. She was a tremendous asset when she served as an MLA from 2000 to 2007. I remember how strong of an advocate for health care she was around the caucus table.

Eva is a great Islander and I'm happy to see her get the credit that she deserves after so many years of dedicated volunteering. I'd like to ask every member of this House to congratulate Eva on the work that she does for the community and for all Islanders.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Responses to Questions Taken As Notice

Speaker: The hon. Minister of Transportation and Infrastructure Renewal.

Build PEI signs (further)

Mr. MacKinley: Madam Speaker - even get a smile out of (Indistinct) when you drink a tea.

Yesterday the Member from Montague-Kilmuir was talking about signage. I got the information for him. Project signs are mandatory under federal-provincial agreements on infrastructure programs at every approved project. Not putting up signs at the project is not an option. It's a requirement, and a cost of doing business with our federal government in funding - getting the funding from our federal partners.

This has been the case for the last 25 years, in case you didn't know that. Taxpayers deserve to know where tax dollars go, exactly where the infrastructure funds get spent. We even invested in stimulus plans in this province and it has been work. It's very important to show transparency, accountability, and show where government priorities lie. I'm proud of the accomplishments we have made.

If you drove out to the 75 incorporated communities, you would see significant investment all over Prince Edward Island. Whether it be Tignish, Alberton, Souris, Montague, Abram-Village, Cornwall, you name it, they're there.

With the current build Canada program, which we have - and it's a great program, I might add, and we're very thankful for our

federal government to partner with us in this

Mr. Brown: Lucky Paul Martin was (Indistinct).

Mr. MacKinley: - a program - the federal government - it's also mandatory to create separate signs for both levels of government.

It was the federal government who insisted that Canada has its own sign, and consequently PEI has to have a separate sign. A few years ago they used to share the signs. For some reason the feds decided they wanted to have their own. They're the ones that are giving us the money. They call the shots.

In terms of cost, in terms of agreement, they're very specialized. The cost signs are charged to each project as a project expense. So receipts of funds for projects pays the cost of the signs. And submit the bills - so receipts of the funds for the projects pays the costs of signs -

Speaker: Thank you.

Mr. MacKinley: - and you must submit your bills to reimburse to the proper authorities, or that's the federal-provincial committee.

Speaker: Thank you, Mr. Minister.

Mr. MacKinley: Is that enough? All right.

An Hon. Member: Are you okay with that, hon. Member from Montague-Kilmuir? Are you okay with that?

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Sheridan: Madam Speaker?

Mr. Bagnall: Thank you.

Speaker: Oh, I'm sorry, I'm sorry.

We have another minister tabling documents.

The hon. Minister of Finance and Municipal Affairs.

ITSS contract (further)

Mr. Sheridan: Thank you very much, Madam Speaker.

Yesterday the hon. Member from Georgetown-St. Peters had asked a few questions with regard to the ITSS transformation. I have today the tabling of two of the schedules with regard to Jean Yves Poirier and the infrastructure contracts are there. As I said yesterday, the hon. member does have Allan MacDonald's first contract in his hands.

All of the documentation that has to do with the time schedule of Allan MacDonald leaving and coming with us - leaving Accreon and coming with us - has a little bit of cranberry juice spilt all over it from the previous accident, and all of the reproductions are almost complete. I have all but one copy and I will have it to you. So we almost had that ruined too.

Thank you very much, Madam Speaker.

Questions by Members

Speaker: The hon. Member from Montague-Kilmuir.

Celebrities visiting province

Mr. Bagnall: Thank you, Madam Speaker.

My first questions is to the minister of tourism. Minister, are you planning to pay to bring in any celebrities this summer to the province?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: I'm not really sure what the hon. member's referring to. Could he elaborate a little more on his question, please?

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: I'm just wondering, in your tourist promotions this summer, are you planning on paying to bring any celebrities into the province this summer?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: I guess as tourism minister we're always looking at alternatives, but at this time, no.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, there have been rumours floating around that you are spending three quarters of a million dollars this summer to bring in Regis Philbin and Kelly Ripa to - this summer, from the Live! Regis and Kelly - to this province. Is that true, minister?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: As tourism, my department's always in negotiations trying to do great things for the province. At this time, I don't have anything to announce on that front, and if I ever do, then there'll be a time for that.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, minister. So are you telling me that you don't know anything

about this? That it's not going to happen and it's not a fact? Or are you saying you're just avoiding the question?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, again, our department is always in negotiations and discussions trying to promote our province, and we'll continue to do so.

Thank you.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Obviously, minister, you're going to bringing them in, because you would have said no if you weren't.

So, that's finally getting something out of you here. So minister - to the same minister, Madam Speaker - why are you paying three quarters of a million dollars to bring them in here?

Regis is to fill a new show with you.

An Hon. Member: What?

Mr. Bagnall: You know, is he going to be filling a new show which states: Who wants taxpayers to pay a million dollars to a millionaire? Is that what he's going to be doing here this summer?

An Hon. Member: Good job.

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, again, my department is always in negotiations trying to promote our province.

I have no idea where the hon. member's getting his information. I don't know where

he's going, but if there's anything to announce from my department there'll be a time and place for that.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, I've also heard that you're going to be setting them up at Crowbush for the time that they're here. That's a nice place to put them up, a nice new resort there and nice golf course handy for them and everything. Is that true, minister? Is that where you're going to be putting them up?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I'm - no, I don't, that's not - I don't know the answer to that question.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: So maybe you're taking them to Mill River then, are you? Okay, but anyway - minister, the reason why I ask why you're bringing in celebrities is because the Premier - I'm sorry he's not here today, but -

Speaker: Hon. member -

Mr. Bagnall: - I guess I'm not allowed to say that.

Speaker: Hon. member.

Mr. Bagnall: He's out of the province working, I know that, Madam Speaker.

He was very plain that he didn't want any celebrities coming to this province. He didn't want the Legends of Golf tournament

when Jack Nicklaus and Tom Watson were here. He was so against bringing any celebrities into this province that - you know, why has he done - minister, why have you and the Premier done a 180% degree turn on this thing. Another flip-flop.

Some Hon. Members: (Indistinct).

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I -

Speaker: Order, please!

Mr. Vessey: Madam Speaker, I can't speak for the Premier, but our department is always trying to develop new ideas and promote our province.

I think the hon. member had some celebrities in in his time as well. When people come to our province - if they stay at Crowbush, Mill River, wherever they stay - I'm sure they'll have a wonderful stay because we have a wonderful province.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Madam Speaker, to the same minister again.

I'm going to quote you what the Premier said. This was on April 12th, 2007: It is also important to make sure that we protect taxpayers' dollars. Wasting it on ventures that don't do any good. We want to make sure everything is accountable to taxpayer dollars and the taxpayer dollars are being protected. We should be using the taxpayers' dollars on health care, education and social programs, not bringing in celebrities and paying them three quarters of a million dollars.

So minister, are you bringing them in and

paying three quarters of a million dollars? Are you going to tell us the truth now?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, as minister responsible for the department of tourism, it's my mandate to promote PEI as a vacation destination.

I'm proud to collaborate with industry, with combined efforts from our government working together, doing good things. I have no announcement for what the hon. member there is referring to. Whatever he's up to today. I guess he's got a leak somewhere, or he thinks he does. So if there's an announcement to be made on that it'll be made when the time is to be made.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

I was just wondering, Mr. Minister, that you're bringing in celebrities and paying them three quarters of a million dollars to come here. I wondered: Are they going to pay for their golf rounds at Crowbush when they golf with you and the Premier? Who's going to be paying for those rounds of golf?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, the hon. member, I don't know where he's getting his information from, but we're negotiating all the time with people to come to the province, and if I have anything to announce I'll be more than glad to do so.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

I was just wondering, minister, have you done a cost benefit analysis on bringing them in, what this is going to do for the province on this?

Mr. Sheridan: Return on investment.

Mr. Bagnall: Yeah, exactly, is there going to be a return on investment on this? What do you think, provincial treasurer, would (Indistinct)?

Speaker: Is that to the Minister of Tourism and Culture?

Mr. Bagnall: (Indistinct) Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, again, I said, if my department's in negotiations with anything there has to be an announcement made on, it'll be done at the appropriate time.

Speaker: The hon. Member from Montague-Kilmuir.

Tourism Charlottetown

Mr. Bagnall: I'm going to continue with the same minister, Madam Speaker.

Minister, can you tell us, on a different subject, how much money does your department give Tourism Charlottetown?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I don't have that number right with me, but I'll gladly have a look at it and bring it back if I can.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: If you don't know, minister, could you give us an estimate of approximately how much?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: (Indistinct) I'll bring it back if I can.

Speaker: The hon. Member from Montague-Kilmuir.

Performers at Festival of Lights

Mr. Bagnall: Minister, I understand that there are some additional unanticipated costs with regards to the performers this year at the Festival of Lights. Can you comment on this?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: I guess, Madam Speaker, Tourism Charlottetown, I think it's a question for them.

We fund Tourism Charlottetown but we don't oversee their operations.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Madam Speaker, to the same minister.

Minister, I understand that someone at Tourism Charlottetown forgot to read the rider that accompanies Cirque du Soleil when they were here and that they now require an additional 200,000-plus worth of equipment. Who fumbled this file on this,

minister?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, again, if it's an issue with Tourism Charlottetown that's a question for Tourism Charlottetown.

We fund them, I don't oversee them.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, will you table any costs associated with the Festival of the Lights for the coming year?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I'll go back to my department and look at that, and if there's something to table, I will.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, have you been in any conversation, or your department been in any conversation, with Tourism Charlottetown to pick up some of these extra costs?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, my people are in discussion with Tourism Charlottetown all the time.

To what magnitude, I don't listen at their office doors or on their phone lines, but not to my knowledge, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: So, minister, you're telling us that if there is a \$200 cost to Tourism Charlottetown that it is not going to be paid for by your department?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Well, \$200, I'm sure they could probably themselves recoup the cost to Tourism Charlottetown, if it's only \$200.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, it's 200,000. You're telling me that none of that \$200,000 is going to come of the department of tourism.

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, again, what went on at Tourism Charlottetown I can't comment on that.

So until I look into Tourism Charlottetown, or whatever the hon. member is making the accusation on, I'll comment on that when I can.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Same minister, Madam Speaker.

Is it fair to say that you don't know anything about this? That you haven't been briefed on this whatsoever?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I've been briefed on a lot of stuff since I came in three months ago.

To my knowledge, we fund Tourism Charlottetown and Tourism Charlottetown run their show. I'll go back to my department and look into it and if there's anything I can bring back, I will.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

Mr. Minister, will you guarantee the House today that your department is not going to pay the \$200,000 to Tourism Charlottetown if they made a mistake in this contract and it's going to cost an extra 200,000? Will you tell us today that it's not going to come out of your budget?

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: (Indistinct) go back again and look at this, I'm not going to comment or make any commitment on this.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Madam Speaker, it seems like he is ducking and hiding on this issue, doesn't want to bring out the costs back that he has been asked to pay \$200,000 from the city and it's another cost.

I wonder, minister, who's going to get fired over this? Because obviously somebody made a bad mistake if these figures are true. Then somebody should be on the hook for this. Who's going to be on the hook?

Speaker: The hon. Minister of Tourism and

Culture.

Mr. Vessey: Madam Speaker, the comments the hon. member are making, they're just all over the map, I guess.

Until I go back and look into this, the hon. member can make accusations all he wants. I'm not going to sit here and guess at what he's trying to ask. I'll bring back the answers to his questions once I look into it.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you. I'm glad he's got the would-be minister giving him the answers over there.

Compensation for growers

Next question is to the minister of agriculture. Minister, you recall that we had an excessive drain that was destroyed back in the fall because of miscommunication between Dover Mills and officials here. The growers suffered significant losses as a result of having to destroy their product.

Minister, have they been compensated yet?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, there were high levels of toxins in the wheat produced last summer because of all the moisture, and there was a lot of wheat that was unsuitable for market.

The wheat that's in question, once the number was moved from one to two, any person that was above that or any lots of wheat that were above that were covered by crop insurance, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

To the same minister. Minister, there was some producers that weren't covered with crop insurance and I understand that they've put together a package and sent to you on an individual basis. I understand you have those.

Minister, can you tell the House why you haven't settled any of these claims yet?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, I have not received a proposal from any individual wheat producers.

The grain elevators corporation's a Crown Corporation and they are usually the buying agent in the province. I know they were looking at something for two or three individuals that fell through the cracks in the floor or had no insurance or something. I'm not sure what the resolve is on that, but I would gladly investigate that.

I want to remind the Member from Montague-Kilmuir that the grain elevators corporation is a Crown Corporation that operates independently of government.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you. As you remember, minister, this was promised by your department, and that was when the minister of finance was acting minister, that the grain farmers were going to be compensated, the comment he made. So I ask you again: Have they been?

Speaker: The hon. Minister of Agriculture

and Deputy Premier.

Mr. Webster: Yes, Madam Speaker, to my knowledge the producers that had toxins between one and two parts per million, I believe the terminology is, those people then were upgraded by the elevator at that particular point in time, or they were covered off by crop insurance on the crop that was deemed to be unacceptable for the marketplace.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: I'm kind of confused because you told me a few minutes ago that there was proposals that hadn't been settled, and when I ask you again you say they have been settled. So, have these claims been settled, minister? So every grain farmer in PEI now that has made for compensation that didn't have crop insurance, they've been looked after like the minister of treasury said they would be? Has that been done?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, I don't interfere with the board of directors that manage the grain elevators corporation.

They did advise me several months ago that they were trying to address those concerns of some individuals that had a situation, and they have not come back to me saying that they have not resolved those issues. So, I have to make the assumption that they did resolve those issues.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Madam Speaker, I got a call this past week saying that they haven't been compensated for, and the file - that they're

trying to put crops back in the ground and they haven't received funding.

Now, if that's incorrect then my information is incorrect. But minister, my understanding is they haven't been compensated for it. I'm wondering why they haven't been if that's the case. Because there was a commitment made, and the commitment was made by the acting minister of education at the time, the provincial treasurer. He said that there were farmers that would fall through the cracks and they would be compensated for it.

It wasn't the grain elevators that made that commitment, it was the minister of agriculture that made that commitment, that these individuals would be compensated. So minister, have you compensated those individuals?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, with the evidence that's on the floor, I will have to go and ask for a report from the grain elevators corporation to get the real story.

Thank you.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: I was just wondering, minister, if you're avoiding the issue because the finance minister made the commitment and you didn't. That you weren't going to live up to the commitment.

Is that the reason why the farmers haven't got looked after?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, we as a government will always continue to live up

to our commitments, and we always have to analyze what we promise and what we can't live up to, or can't deliver.

I'll go and investigate this issue and see what the resolve is on it. I want to point out to the House that there are people that did not buy crop insurance, a small percentage of producers, I might add. We encourage everyone to buy crop insurance to have that protection. I do know of some producers that don't buy it, and they had five or six parts per million, and their crop was unusable for any purpose - livestock feed, or human consumption, or whatever.

So it's very difficult to go back and say: You had a choice to buy crop insurance and you didn't buy crop insurance, and therefore we go in at the 11th and a half hour and pay for a crop that was unusable. It would be very similar to owning your home and having no fire insurance on your home, and your house burns down and you're trying to get insurance after the fact.

We just don't operate that way. We operate in a fair and equitable way. I will go back to the board of directors and get the real story, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Madam Speaker, to the same minister.

So, minister, according to your answer, if they didn't have crop insurance you weren't going to do anything for them. But (Indistinct) previous minister, who was acting for you at the time, he understood that there were a few farmers that were going to slip through the cracks, as he said, and that he would make sure that they got compensated for it.

Minister, are you going to honour the word

of the provincial treasurer? Because he made that commitment to the agricultural community when this happened, and he had an interview with the *Guardian* on that issue, too. So, minister, are you going to honour these individuals that have claims in that aren't being dealt with to date?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, it's appropriate for me to reiterate the fact that I will go back and get the appropriate information from the board of directors to make sure that we're speaking apples and apples and oranges and oranges, if you like.

I will do that as a minister and see where that lies at the moment.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you.

I see that the provincial treasurer is giving you some answers there (Indistinct), but anyway, that's good.

So, minister, do you want to show some leadership on this issue? I mean, there was a promise made by the provincial treasurer when he was acting minister, and now it's in your hands. Will you compensate these grain farmers who have their application sitting in there, wanting the money so they can put in crops this year? Will you compensate them, as promised?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, the grain elevators corporation is an independent Crown organization and they do - we do see their minutes on a monthly basis, or whatever frequency they meet, and we do

stay in touch that way.

My last conversation with them was approximately four months ago and they were looking into that issue, and they were going to try to make a determination and identify the growers that fell through the cracks in the floor. They were going to address it from their level, which is their responsibility. The minister of agriculture or any other minister shouldn't be interfering, if I can use that word, with a Crown corporation of government.

So what I will do - and I'll make that commitment again, restate my situation - I will go back and get the information from that organization and see if that issue has been addressed, Madam Speaker.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Thank you, Madam Speaker.

To the same minister. Minister, it wasn't a grain elevator that made this commitment to those farmers. It was your Department of Agriculture who made that commitment. You told them they were going to compensate them. You should be calling them and saying: What's the bill? We're going to pay it. Minister, will you do that?

You made the commitment. Your department made the commitment. Will you honour your word and pay the bills?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, the word compensate is perhaps a broad word.

I think the reference was made by the acting minister at that particular point in time, made reference to the fact that because the number was actually two parts per million people would be compensated or paid from the original lower price, so these people did receive an extra 50 or \$60 dollars a ton for their wheat that was in its storage at the grain elevator at that particular time.

The word compensation was to pay them the higher rate because of the confusion surrounding the request from Dover, so I'm led to believe that everyone within that system received that level of compensation. If they didn't receive that level of compensation, if they were still over and above those numbers, then the crop insurance kicked in and paid them for their crop, and they disposed of it at that particular point in time.

An Hon. Member: Hear, hear!

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, I can understand why the provincial treasurer's clapping, but he's the only one.

Madam Speaker, to the same minister.

Minister, compensation to the farmers meant that they were going to get dealt with. If you were trying to use trick language so you could get out of the issue and get away from the issue at the time, then that's misleading the farmers, Mr. Minister.

The commitment was made by your department that you would compensate these grain farmers for their losses. Very simple. Are you going to do it? Or are you going to hide again?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, the grain elevators board hasn't advised me that there were any producers that did fall through the cracks in the floor, that everything wasn't taken care of as it need be.

So I'm not aware of that. I would have thought they would have come to me and said: There still are some issues. But they have not done that. So I will have to go and inquire from my end and see in fact if that is true. I'm making the assumption - because I haven't been asked - that everyone has been compensated appropriately by either the higher price or by receiving crop insurance, Madam Speaker.

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

Energy industry meeting

Mr. Henderson: Thank you, Madam Speaker.

My question is for the hon. Minister of Environment, Energy and Forestry.

Yesterday an important gathering of Atlantic energy industry representatives were meeting in Saint John, New Brunswick. Knowing the importance that energy costs play in the day-to-day lives of Islanders, can the minister provide this House with details of what was on the agenda and what was accomplished at that meeting?

Speaker: The hon. Minister of Environment, Energy and Forestry.

Mr. Brown: Thank you, Madam Speaker.

It was a great meeting. There were the suppliers of power, the distributors of power and the users of power at these meetings. The general consensus at the meeting was that we have to cooperate in terms of Maritime. We have to get together, we have

to work together because there is enough energy supply within Atlantic Canada and Quebec to supply our needs, New Brunswick's needs and Nova Scotia's needs. There are some issues now around transmission and the rights of transmissions.

Industry told us their costs are rising and a major part of their cost is energy. If we don't bring that energy cost down, Atlantic Canada's going to lose jobs. One company basically said that 25% of their costs of running their operations is electrical power. They can move and save millions of dollars, and it's been harder and harder for them to stay in Atlantic Canada in order to compete against those.

No longer do we have the cheap dollar that we relied on for so many years. We have to compete. We have to compete on an equal field with Americans. We have to reduce our costs, and one of those major costs is electricity. We all identify that this is an important issue that has to be addressed.

Thank you.

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

Future PEI energy rates

Mr. Henderson: Supplementary to the same minister, Madam Speaker.

Knowing that the PEI government has a 5% share in the refurbishment of Point Lepreau electrical plant, and this project has been delayed yet again, what impact will this have on future energy rates on Prince Edward Island?

Speaker: The hon. Minister of Environment, Energy and Forestry.

Mr. Brown: Yeah, that is a good question.

Madam Speaker, I was disappointed to hear yesterday that AECL, which is a federal Crown corporation which is refurbishing Point Lepreau is, yet again, not giving firm deadlines on when that completion is going to be done.

I have to tell Islanders that each month that that plant is down it's costing us 1.8 million to \$2 million a month in the rate.

AECL is committed. We are committed. New Brunswick is committed to get this plant up and running because at the end of the day, nuclear power is good, affordable, long-lasting power and it is a great energy source. It doesn't create much pollution in the air and we want to see this plant up and running.

We are discussing with the federal government, in terms of compensation, in terms of the energy that is not being produced at the plant while refurbishing is going on, and us and New Brunswick are asking the federal government to contribute towards some of those delayed costs. We're hoping that the federal government will come up.

Thank you.

Speaker: The hon. Member from Stratford-Kinlock.

Homelessness report card

Ms. Dunsford: Thank you, Madam Speaker.

A question for the Minister of Community Services, Seniors and Labour. Last week the homelessness report card came out and several gaps were identified within the system, in programs and services. I'm wondering, Madam Speaker, what the department plans to do with this information.

Thank you.

Speaker: The hon. Minister of Community Services, Seniors and Labour.

Ms. Sherry: Thank you, Madam Speaker.

That's an excellent question from the Member from Stratford-Kinlock. The homelessness report did come out last week, and to begin with I would like to thank the committee for their wonderful work on this report. I think it was well needed and will provide very important benchmarks for us to move forward and to make changes in our system.

The other important part of it was it was evident in the report that responding to individuals who are at risk of homelessness is the responsibility of all three levels of government, of community and other people who are major stakeholders. The report will allow us to put together some plans to move forward to create better circumstances into the future.

Also, to answer the question for the hon. member, I think it's important to note that the government in working towards a social prosperity framework that will improve the lives of Islanders. This information will be very valued in that journey.

Thank you, Madam Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

Renovations to housing

Ms. Dunsford: Thank you, Madam Speaker.

A supplementary question for the Minister of Community Services, Seniors and Labour. Within the existing housing that the province is responsible for, could the

minister share with the House if the renovations are taking place and where they are in that process?

Thank you.

Speaker: The hon. Minister of Community Services, Seniors and Labour.

Ms. Sherry: Thank you, Madam Speaker.

Again, a very excellent question. In Montague last week, and I think the hon. Member from Montague-Kilmuir was there, we had announced 10 new units in the Montague area. We also announced half a million dollars towards renovations in some of our family housing units in eastern PEI. There are upgrades going to happen to 19 units in Souris, 10 units in Georgetown, six in Mount Stewart, one in Cardigan and one in Vernon Bridge.

Everybody should stay tuned because there's a number of announcements that will be coming forward in the very near future. This will allow for better living conditions for all of those people who are in need.

Thank you, Madam Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Compensation for growers (further)

Mr. Bagnall: Thank you, Madam Speaker.

To the minister of agriculture again. Just one more question before I leave, minister, there, of you. So you have not received any claims for any farmers on the wheat issue to your department?

Speaker: The hon. Minister of Agriculture and Deputy Premier.

Mr. Webster: Madam Speaker, I have not

received an ask personally to my department for the wheat issue that was out there last fall.

I am aware that the grain elevator received some requests, and the conversation I had with them was that they were going to look into it and address the issue, Madam Speaker.

That is what I know today.

Thank you.

Speaker: The hon. Member from Georgetown-St. Peters.

Paramedics and home care in West Prince

Mr. M. Currie: Thank you, Madam Speaker.

My question today is for the minister of health. Minister, I understand a week or so ago that you announced that you were going to use paramedics to do home care in West Prince. I'm just wondering, minister, when is that project going to start?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Thank you, Madam Speaker.

I thank the hon. Member from Georgetown-St. Peters for the question. We're very excited with the allotted amount in this year's Budget for paramedicine in the West Prince region. The hon. member from Georgetown did ask questions during budget estimates in this regard. Like I said during that time, it's very much in the organization process right now.

It is going to take place in this Budget year, but as we are prepared, we will make sure that we announce that publicly and

obviously consult with our stakeholders. But we are very pleased that the hon. treasurer, in access to \$100,000, that this money was put aside in our home care and support section of our budget.

We're just utilizing every health care professional in our Island community to their full scope of practice, and paramedics a very valuable asset to our health care team on Prince Edward Island.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Minister, can you tell me, did EMS lobby you to use their paramedics to replace the home care workers in West Prince?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Thank you, Madam Speaker.

I, as Minister of Health and Wellness, have been lobbied by no individual in terms of EMS. I have no correspondence, hon. Member from Georgetown-St. Peters. We looked at initiatives that are taking place across the country and this is one initiative that is taking place in the Maritimes as we speak.

We thought that we should, perhaps, look at a pilot here on Prince Edward Island. So the dollars have been allotted. We will be consulting with stakeholders in regards to this. We feel that this is a very exciting opportunity for the West Prince region and utilizing our paramedics to fill their full scope of practice.

Thank you, Madam Speaker.

Speaker: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Question to the minister. So, minister, are you indicating to us that EMS did not come to you with a proposal to replace the home care workers in West Prince? This was a proposal or an idea that you generated on yourself?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Madam Speaker, I'm pleased to say that I have had many occasions to sit down with EMS, in regards to issues relative to ambulatory care and emergency services across Prince Edward Island, but I received no proposal from EMS.

We have a medical program, the division within our department, under the direction of Dr. Richard Wedge. We're working in collaboration with that division under Health PEI and operations.

But again, this is going back to our model of care and utilizing and doing a pilot in terms of utilizing our paramedics across PEI - primarily for this, it's going to be the West Prince region - to their full scope of practice.

Speaker: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Question to the minister of health.

Minister, there's a number of unions that represent the public service in this province and our home care workers are one of them. They're indicating that you did not consult with them before you made this decision to use paramedics to do home care in West Prince. Is that true?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Thank you, Madam Speaker.

I have our budget right here for our department. Like I said to the hon. member during Budget estimates, our department is divided into many areas. We have a home care and support section to our department under Mary Sullivan. Like I said, our government was very pleased to announce \$750,000 additional money to home care - home care - in this Budget. We have increased by 65%, Madam Speaker -

Some Hon. Members: Hear, hear!

Ms. Bertram: - the expenditure in home care services in this province. Over \$13 million are being spent on home care services.

It is exciting. We're moving ahead. We're moving forward to reach our national stats in home care. It's very critical that we do this, that we move away from bed-based care in this province, that we move towards helping people live their life as long as they can in their home. Home care services are going to provide that.

But in addition to that Budget line item, Mr. Member, this is support also to home care. We see our paramedics being a true integral part of the team of health care delivery in this province. We are very excited that we have this pilot project and dollars allocated in the 2010-2011 Budget to go towards this paramedicine pilot project.

Thank you.

Speaker: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Thank you, Madam Speaker.

I believe that's where I'm asking these questions. Who's going to be doing the

home care work in this province? If you're not going to at least be decent enough to talk to the unions, are you going to undermine it now - their job position and their security - by using the paramedics? It seems that you're going to put extra money in, so is that what you're doing? You're not talking to the unions.

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Thank you, Madam Speaker.

I think it's very important, and our department does a great job in terms of consulting with stakeholder groups. We will certainly be consulting with stakeholders in regards to this.

Like I said, this is allocated money, a new pilot project that is in its developmental stages. We have a committee that has been struck and it's in its early stages, and we will be consulting with stakeholder groups. We have been allocated \$115,000, I believe, in our budget for this particular pilot project. There have been issues around - I know the hon. member raised a question about taking a truck out of service - that is not what this is part. It doesn't even mean that the paramedic might not be even in an ambulance, that it might be a different type of vehicle for this pilot.

So we're enhancing services across this province. We're utilizing this pilot as an opportunity, and hopefully it will work, but it will be a way to see if it works. I think the West Prince region is very accepting of this proposal. It's only going to support our home care workers across this province in addition to what they do, because this is an over and above amount to the home care budget in our budget this year. It's very exciting, Madam Speaker.

Speaker: The hon. Member from

Georgetown-St. Peters.

Mr. M. Currie: Madam Speaker, the minister indicated that you have struck a committee to oversee this.

Could you please tell me who's on that committee?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Thank you, Madam Speaker.

I understand that there has been - I have a sheet here - that tells us that they actually - I believe the unions were communicated to attend a committee meeting, but that was turned down. I can return to the House with more information with regards to that.

Like I said, we are going to be consulting in due process with stakeholders. There is a committee formed for this. It's in its early stages. But I guess the best message here today - we're enhancing services across Prince Edward Island, we're enhancing health care service across Prince Edward Island, and we are acknowledging the full scope of practice of all health professionals in this province, Madam Speaker.

Speaker: The hon. Member from Georgetown-St. Peters, final question.

Mr. M. Currie: Madam Speaker, I guess my final question is to the minister of health.

Do you feel that the home care workers we have in this province now, that have been doing this work for decades, are not qualified to do the work any more? Are you going to push this project across PEI?

Speaker: The hon. Minister of Health and Wellness.

Ms. Bertram: Madam Speaker, I have a

note here.

The union coalition, including CUPE, was invited to a planning committee meeting but refused. The coalition, including PEINU, (Indistinct), UPSE, CUPE, have requested a meeting with myself. We will be meeting with them in due process, but again, we are in its early stages.

The main message here is our government has committed \$13 million dollars-plus, 65% more dollars into home care in this province, and we are investing an additional \$115,000 into this pilot project. We are responding to the needs of Islanders. We are wanting quality of care in this province and we are very proud of the initiatives that are taking place today.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Sherwood, for recognition of guests.

Mr. Mitchell: Thank you, Madam Speaker.

I'd like to take a moment to recognize some special guests that recently came into the gallery today. We have some students from Sherwood school, as well as their families. I see Principal Marian Grant is with us today as well, so it's great to have them in the House.

I recently had some time to spend to spend a day at Take Your MLA to school day at Sherwood school, so I'm pleased to have them come to our House today.

Thank you.

Some Hon. Members: Hear, hear!

Statements by Ministers

Speaker: The hon. Minister of Education and Early Childhood Development and Attorney General.

Mr. D. Currie: Thank you, Madam Speaker.

If I could, before I read my statement, acknowledge our special guests?

Speaker: Recognition of guests.

Mr. D. Currie: Madam Speaker, I rise today, and in part of our announcement we have some special little friends.

I'd ask our little friends to stand so we can see them. I'd like to welcome students from Sherwood Elementary School. They are Emma Stanley, Emma MacIntyre, Jamie MacAulay, Aiden Ross and Jenaya Ross, who are twins. I'd also like to welcome teachers Amy Boswall, Giselle Delaney-Dugay and Marian Grant. I did catch one parent - I think Bill MacIntyre is up there - who is a department staff member who does a great job with the math curriculum.

So I want to welcome all our special friends and thank you for all your hard work and getting everybody motivated and getting those parents in there to read.

So, congratulations.

Some Hon. Members: Hear, hear!

Sherwood School Learn to Read Video

Mr. D. Currie: Madam Speaker, I am pleased to stand in the House today to share with the members a great example of some of the innovative learning tools our Island schools are developing to engage parents in their child's learning and to strengthen our One Island Community.

That tool is a new video created by the staff

and students at Sherwood Elementary School that provides parents with tips on how to help support the children in learning how to read.

Involving parents as soon as their child enters the school system will help students enjoy learning more. This video helps to foster parent engagement and provides parents and children an opportunity to learn in a new way.

Through initiatives like this video, parents become more engaged in their child's school lives and many realize that school, and learning, has changed dramatically over the years.

The Sherwood School Learn to Read Video was created by grade 1 teachers at the school, along with their principal, Marian Grant. We are lucky to have Marian here today as she is accompanied by some grade 1 students and their teachers. Welcome, and thank you for being here with us to enjoy this announcement.

The idea for the video evolved as part of the school's development goals to engage parents in their child's learning. The video stars students who are currently in grade 1, and their teachers. It focuses on the 3P principle: pause, prompt and praise. Parents of kindergarten and grade 1 students at Sherwood Elementary School will receive this video this fall as part of the welcome to the school event. Later in the school year, teachers will follow up with parents to see if the video is helpful and if they have suggestions about other tools that could be useful to help their children learn.

Students at Sherwood school also had a contest to design the cover of the DVD and the winner was Riley McGill for her drawing of a mother and daughter reading a book. So I have that today to share with the Legislative Assembly. Nice.

Some Hon. Members: Hear, hear!

Mr. D. Currie: This video is a great example of the innovation and innovative ideas shown by Island schools, teachers and administrators to engage children and parents.

I would like to offer congratulations to the students, staff and parents at Sherwood Elementary for a job well done for their dedication to promoting learning and parent involvement.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education and Early Childhood Development and Attorney General.

National Police Week

Mr. D. Currie: Madam Speaker, May 9th to 15th is National Police Week.

I want to take this opportunity to commend police officers and agencies for their commitment and work throughout Prince Edward Island. We are fortunate to have in our province the exemplarily services of the RCMP "L" Division, along with the Charlottetown, Summerside, Kensington and Borden-Carlton municipal police services and the security police officers of the University of Prince Edward Island.

I am honoured to have this opportunity to welcome to Prince Edward Island Chief Superintendent Tracy Hardy, who has recently assumed command of the RCMP "L" Division. I, along with the staff of the Office of the Attorney General and Public Safety, look forward to working with Chief Superintendent Hardy.

The role of traditional policing and

community policing is becoming broader. In addition to daily policing responsibilities, today's police service providers must be able to adapt to deal with emerging criminal activities such as Internet exploitation and identity theft. Police forces must keep up with emerging technology. Some advances can enhance the effectiveness of the work of police officers, but keeping on top requires constant skills upgrading. Even the common social marketing networks provide both challenges and opportunities for police services.

This week we have an opportunity to thank all those who work in the policing field and express our appreciation for their daily contributions throughout our province and the sacrifices they make in their service.

In addition to commending those who place their lives on the line daily to protect our One Island Community, National Police Week gives us an opportunity to remember the men and women throughout Canada who have made the ultimate sacrifice in the line of duty.

As the Attorney General and the chief law enforcement officer for Prince Edward Island, I take my responsibility for police services as set out in our new *Police Act* very seriously. I ask Islanders to join me in recognizing the dedication, fortitude, accomplishments and responsibilities of our province's law enforcement professionals.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Health and Wellness.

National Nursing Week

Ms. Bertram: Thank you, Madam Speaker.

I am pleased to stand in the House to recognize this week as National Nursing Week. This is a wonderful opportunity to show appreciation for the very important role nurses play in the Prince Edward Island health system.

This year's theme for National Nursing Week is: Nursing: You Can't Live Without It! The theme reflects the value of the profession to the health system and celebrates the largest group of health care providers in PEI, who each day make enormous contributions to the health and lives of Islanders.

Our nurses deserve recognition for their commitment to the profession, not only this week, but every day. This week we acknowledge nurses and say thank you for their important role into providing comfort, care and expertise to their patients on a daily basis.

I would like to mention that this week three Island nurses are being recognized with awards for their outstanding achievements and dedication to nursing.

I had the pleasure of being at Queen Elizabeth Hospital this week when the Marjorie Vessey Award was given out. It was established in Marjorie Vessey's honour in 1994 when she retired from the hospital. It continues to honour the tremendous contribution to nursing that she made and her dedication during her time at the QEH. The award is presented annually to a hospital front line nurse who contributes significantly to patient and peers through caring, empathy and cooperative attitude. This award was presented to Jean Morrison earlier this week.

The Emily A. Bryant Award is another award that is presented each year to a deserving individual. It was initiated in 2003 in honour of Emily A. Bryant's outstanding

contribution to the PEI mental health care system. This award continues to acknowledge excellence in mental health nursing and will be presented later today.

The Prince County Hospital started the Kay Lewis Excellence Award in 2005. This will be awarded to a deserving nurse this week for their commitment and dedication to the profession. Additionally, other awards have and will, be presented to accomplished nurses on PEI.

The Association of Registered Nurses of PEI awarded their 2010 Outstanding Achievement Award to Melinda Mulligan at their annual general meeting at the end of April.

The Licensed Practical Nurses Association of PEI will be awarding their Peer Excellence Awards at their general meeting on May 25. This award is given to LPNs who have been nominated by their peers for demonstrating leadership and patient care, continuing education and community.

I would like to take the opportunity to congratulate all who were nominated for their prestigious awards, for dedication to their profession and exceptional achievements.

I am pleased to welcome representatives from the nursing community to the gallery today. We have Marilyn Barrett, president of the Association of Registered Nurses of PEI; Paul Boudreau, also with the Association of Registered Nurses; Alana Essery, executive director of the Licensed Practical Nurses Association of PEI; Heather Rix, nursing policy analyst with the Department of Health and Wellness; and Faye Kingdon, project manager for Model of Care, Department of Health and Wellness.

I would like to express my sincere

appreciation to all our Island nurses for the value that they bring to patients, families, and communities across this province. I've had the opportunity to go into a health institution obviously as an individual, but now as a Minister of Health and Wellness, and it's heart warming to see the level of care, the expertise, that they provide and just the front line service that they give to our Island patients day to day and the teamwork that they provide.

So I thank them, and we should all thank them today as this is nursing week.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Innovation and Advanced Learning.

Island Abbey Foods-Honibe

Mr. Campbell: Thank you, Madam Speaker.

It's a pleasure to rise today to talk about the innovative new products that are being developed by a company my ministry has funded through the Island Prosperity Strategy.

Island Abbey Foods is a PEI-based company that was founded by Islander John Rowe. They hold the world's first patent to dehydrate honey into a solid that is 100% pure. Under the brand name Honibe, they have already had success marketing two product lines: honey cubes to sweeten hot drinks called Honey Drops and pure honey candies called Honey Delights.

This spring, Honibe will be unveiling two new product lines: Honey Sprinkles that can be used for baking or as an ingredient for industrial producers, and lozenges with botanical ingredients that have been

developed through a partnership with the Australian company Stirling Products.

I am proud to say that my ministry has supported this company with funding through the Island Prosperity Strategy. In 2008-2009 we funded Honibe through the Pilot Fund to buy dehydration equipment and carry out pilot tests. In 2010 we supported their work on honey lozenges through the Discovery & Development Fund.

Since 2004, PEI's Food Technology Centre has provided technical support for the development of the dehydration process as well as providing factory space to manufacture the Honibe products. Island Abbey Foods recently graduated from the Food Technology incubation factory to their own manufacturing facility.

To stay competitive in today's economy, companies must be able to innovate new products that appeal to niche markets. With their patent for pure honey products, Honibe has done just that.

Government is working to ensure that PEI's economy is diverse and competitive. Supporting Honibe through the Island Prosperity Strategy has helped them create unique product lines with appeal to national and international markets. This company is a prime example of how the Island Prosperity Strategy is benefitting Island companies.

I would like to recognize Mr. John Rowe and his staff for their work. Honibe currently employs 30 Islanders and I wish them continued success as they develop new products and expand into new markets.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: I'm going to briefly give way to

the hon. Member from West Royalty-Springvale for recognition of guests.

Mr. Dumville: Thank you very much, Madam Speaker.

I'd like to recognize Cecil MacDonald, who was a business colleague of mine for some 30 years and a good friend. His father used to sit in this Legislative Assembly. Cecil, I believe, was deputy housing minister at one time in Prince Edward Island. So, welcome Cecil. Oh, his beautiful wife, Elaine, is with us today too. I never saw here. Welcome to you both.

Thank you very much, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Community Services, Seniors and Labour.

National Youth in Care Network

Ms. Sherry: Madam Speaker, I am pleased to stand in the House today to announce that PEI has recently joined other provinces in becoming a member of the National Youth in Care Network.

The Youth in Care Network brings youth together to address significant issues impacting children in care, while providing opportunities for leadership development and education awareness.

This network also provides an opportunity for children who are in care to share their experiences with each other and to provide support and guidance to younger children who are in care.

I am delighted to say we have implemented our own Youth in Care Network in PEI for Island youth who are currently in care and for children who have previously been in care and are between the ages of 14 to 21

years.

We feel that we can learn how to enhance the services and programs we provide by listening to the youth who are in care.

I am proud to say that we will be the first province in Canada to have a youth advisory committee reporting directly to the Director of Child Welfare in our department. This shows that we believe our youth make a valuable contribution.

The Youth in Care Network is the longest running national child welfare organization in Canada and the oldest national organization in Canada that is directed by youth. In addition to providing life-skills training and educational opportunities, Youth in Care networks give young people a chance to lend their leadership and expertise, while making valuable contributions that impact decisions and planning.

These networks exist to ensure youth who are in the legal care of the Director of Child Welfare know their opinions matter and that their voices are heard.

In January 2010 we formally introduced the PEI chapter of the Youth in Care Network here in our province. There has been unprecedented support from our staff and youth for this initiative.

The National Youth in Care recently sent two representatives to the province to help us in developing a strategic plan and to support development of our provincial network.

PEI has formed an advisory committee consisting of five staff mentors and six youth in care that will oversee the strategic plan. To date, the advisory committee has successfully hosted three youth events. This includes the first event, which was pizza and

bowling, to kick off the PEI Youth in Care Network.

The second event included an overnight strategic planning session, with two presenters from the National Youth in Care Network, followed by a two-day strategic planning session with child protection supervisors and the senior management team.

During the third event, the advisory committee partnered with the PEI Federation of Foster Families at their recent annual symposium.

By launching our provincial chapter of the Youth in Care Network, we are continuing our commitment to providing high-quality services to the vulnerable youth who are in need of protection and in the legal care of the Director of Child Welfare.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Environment, Energy and Forestry.

Energy Council of Canada conference

Mr. Brown: Thank you, Madam Speaker.

Prince Edward Island was very proud to co-host, along with New Brunswick, the recent conference held by the Energy Council of Canada. Major players in Atlantic Canada's energy industry met in Saint John, New Brunswick, Monday and Tuesday to discuss how we can better meet the energy challenges of the future.

I was very pleased to hear all provinces discussing regional cooperation as a key to stabilizing power rates in Atlantic Canada. By working together we can strengthen our regional economic base. There's no question

that power generation and power distribution are major economic tools.

Yesterday we heard from a company that told us that 25% of their cost is power, and in other jurisdictions they would save millions of dollars. If power rates continue to rise, we will lose our competitive edge, which mean Atlantic Canada will lose jobs.

Another important point made clear was that one province cannot reap all the benefits of any gain in the energy field. All Atlantic provinces need to contribute and share in the benefits and gains in the energy sector. By working together as a region more can be achieved.

These discussions are not only about exporting power to the US. They are about how we, as a region, can all contribute to increasing our capacity to produce cost-effective power.

I would like to thank the federal government for the Energy Gateway Funding of \$4 million that will help us meet the energy challenges of the future.

I look forward to continued discussions with my colleagues in the region and how we can strengthen our economy through stabilized power rates.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Health and Wellness.

National Cystic Fibrosis Awareness month

Ms. Bertram: Thank you, Madam Speaker.

May is National Cystic Fibrosis Awareness month. The year 2010 marks the 50th

anniversary of the Canadian Cystic Fibrosis Foundation.

CF is the most common fatal, genetic disease affecting young Canadians. Each week in Canada two children are diagnosed with CF and each week a Canadian will die from the disease.

Children with cystic fibrosis struggle to have a normal childhood. They face challenges that other children don't, like taking 20 or more pills a day and spending two hours or more on physio treatment daily.

Cystic fibrosis is a multi-organ disease, primarily affecting the lungs and digestive system. A build-up in the lungs causes severe breathing problems.

If you look back 50 years, we've come a long way. In the 1960s many children didn't live beyond their kindergarten years of today. But life expectancy has greatly increased and certainly it's good news, but we still have a long way to go with the fight and to find a cure.

Just one year ago, the PEI chapter of Cystic Fibrosis Canada hosted the 2009 national annual meeting and conference for the first time on Prince Edward Island. Our government was pleased to support the chapter through a provincial hosting grant for the event. The chapter is very active and each year Islanders take part in many different fundraisers, including local sporting events, BBQs, car washes, Shinerama and the national walk - Great Strides: Taking Steps to Cure Cystic Fibrosis, coming up in a couple weeks' time on Sunday, May 30th.

This year, there will be two walks taking place: the first at 10:00 a.m. from Scotchfort to Mount Stewart, and the second at 2:00 p.m. from Elmira railway station trails.

For the past four years the PEI chapter has been under the tremendous leadership of Roberta Clark. This month, Roberta will be finishing up a four-year term as volunteer president of the PEI chapter and she's also regional director for the province.

On behalf of this Legislature, I want to take the opportunity to thank Roberta for her dedication and work towards cystic fibrosis.

I'm also pleased to announce that Melvin Jay and his wife Kate, from Pisquid, PEI, will be taking over executive roles with the PEI chapter. Both Melvin and Kate know firsthand how their relatives are fighting cystic fibrosis and how devastating it can be to lose a loved one to cystic fibrosis.

Melvin and Kate will be representing PEI at the national 50th anniversary celebrations in the coming weeks. I wish them all the best in their new leadership roles.

In closing, I want to officially recognize this month as Cystic Fibrosis Month in Canada and I encourage all Islanders to learn about this disease, to do their part in the fight against CF, and to take part in the two walks that are going to be taking place on May 30th on the Island.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education and Early Childhood Development and Attorney General for recognition of guests.

Mr. D. Currie: I'd just like to welcome a couple of special guests in the gallery, Cecil and Elaine MacDonald, who are with us today. Cecil is a good old Parkdale boy, was born and raised in a big family on Beasley Avenue, and certainly know the family. I went to school with his sister Claudia. So, welcome to the gallery. He was a former

educator before he moved onto his career in business - the Burger King business.

Welcome to Cecil and Elaine to the gallery today.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Tourism and Culture.

2010 ArtsSmarts Student Exhibitions

Mr. Vessey: Thank you, Madam Speaker.

This is an exciting time for the students, teachers and artists who worked on ArtsSmarts projects in our school this year.

During the last five months, ArtsSmarts has provided an opportunity for students and teachers from Eliot River Elementary School, Montague Consolidated School, Morell Consolidated School, Sherwood Elementary School, École Évangeline, École sur Mer, M.E. Callaghan, École Pierre Chaiisson, Three Oaks and West Royalty Elementary School to learn through working with some of our province's finest artists.

In these projects the students, educators and artists explored how the arts can provide curriculum links with subject matters such as language arts, math, music, social studies and technology.

Since 2004 artists, educators, schools and communities have worked together to assure that learning outcomes were met for more than 5,100 students.

ArtsSmarts brings together a mix of educators, artists and students to create a magnificent work of art, dynamic relationships and new learning experiences for everyone involved in this innovative learning process.

I would like to express my gratitude to all the numerous partners of the program who help make this project such a wonderful success.

I encourage Islanders to attend one of the following ArtsSmarts exhibits throughout the next few weeks, here in Charlottetown at the Confederation Centre of the Arts from May 12th to May 23rd, and in Summerside at the Eptek Centre from May 19th to June 2nd.

Islanders will thoroughly enjoy these diverse presentations which are created by our own student-artists. People involved in ArtsSmarts have a very high level of satisfaction with the program.

We are pleased to provide our continued support to ArtsSmarts and other innovative approaches that increase student engagement in learning and foster a working relationship between Island artists and teachers.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Transportation and Infrastructure Renewal.

Mr. MacKinley: Thank you, Madam Speaker.

With your indulgence, I would like to recognize Cecil MacDonald and Elaine MacDonald. They reside in the riding of 16, down on the water there in Meadowbank. It's great to see them here today. I've known Cecil for a long time. Cecil was a well-known hockey player here in the Province of Prince Edward Island when he played with St. Dunstan's varsity team with Sandy Rolls and many more. Also, this is the same Cecil MacDonald that put that good tire deal together for us as chairman of the board of Island Waste Management.

An Hon. Member: Great job.

An Hon. Member: Thank you.

Mr. MacKinley: So we want to really thank you for that because what you've done, I know you've been in Moncton for 22 years, but you managed to come over here and give us some insight into how to get business done. So, thank you very much.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Transportation and Infrastructure Renewal.

55 Alive

Mr. MacKinley: Madam Speaker, the Department of Transportation and Infrastructure Renewal is always looking for new ways to improve the safety of Island roads.

One way we do this is through our support of the 55 Alive Driver Training Course. The course is offered regularly across the Island by the Senior Citizens' Federation. It costs only \$10. The course teaches participants to adjust their skills to compensate for physical changes that come with getting older. The six-hour program is presented in a classroom setting using power point presentations, student workbooks and group discussions guided by the instructor. I was fortunate enough to tour one of these schools at PVI where the instructor was there teaching people to come up to speed on driving. The department provides course manuals and certification for people participating in this program.

I believe the 55 Alive Driver Training Course is an excellent way for Islanders to sharpen their driving skills and I believe it's a great way for our department to support initiatives that improve the safety of our Island roads.

Thank you, Madam Speaker.

Some Hon. Members: Hear, hear!

Presenting and Receiving Petitions

Speaker: Tabling of Documents.

The hon. Minister of Tourism and Culture.

Mr. Vessey: Madam Speaker, I beg leave to introduce a bill to be intituled -

Speaker: Mr. Minister, we can do that a little bit later.

Mr. Vessey: Oh, sorry.

Speaker: We'll call on you. Thank you.

Any other documents?

Reports by Committees

Introduction of Government Bills

Speaker: The hon. Minister of Tourism and Culture.

Mr. Vessey: Thank you, Madam Speaker.

I beg leave to introduce a bill to be intituled *An Act to Amend the Liquor Control Act*, and I move, seconded by the Honourable Minister of Fisheries, Aquaculture and Rural Development, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Liquor Control Act*, Bill No. 50, read a first time.

Speaker: The hon. Minister of Tourism and Culture, a brief explanation.

Mr. Vessey: It's minor housekeeping on the *Liquor Control Act* to do with suspension

and serving of minors.

Thank you, Madam Speaker.

Speaker: Thank you.

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much, Madam Speaker.

I move, seconded by the hon. Minister of Innovation and Advanced Learning, that the 5th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 5, *Labour Mobility Act*, Bill No. 38, ordered for second reading.

Speaker: Shall it carry? Carried.

The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much, Madam Speaker.

I move, seconded by the Honourable Minister of Innovation and Advanced Learning, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *Labour Mobility Act*, Bill No. 38, read a second time.

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much, Madam Speaker.

Madam Speaker, I move, seconded by the Honourable Minister of Innovation and Advanced Learning, 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.

I would ask the hon. Member from Summerside-St. Eleanors to chair the committee.

Chair (Greenan): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled the *Labour Mobility Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Mr. M. Currie: Could you give us an oversight, and do you have somebody to go on the floor with you?

Mr. Campbell: Yes. Permission to take staff member Jeannie Pitts on, please.

Chair: Staff member -

Mr. Campbell: Jeannie Pitts.

Chair: Permission granted.

The hon. Member from Georgetown-St. Peters, do you have a -

Mr. M. Currie: Minister, could you give us an overview of the bill, please?

Mr. Campbell: Basically, the council federation has instructed, I guess, each jurisdiction in the country to pass legislation respecting labour market mobility. Now, what this will allow I guess is basically for freedom of workers in their occupations to be able to move to address opportunities in different parts of the country. There's about 200,000 workers who move from province

to province over the run of a year. It just makes it a less cumbersome process.

It's good for employees and it's good for employers as well, because if employers are looking for skilled labour they can probably more easily attract them if there's not a cumbersome process in the way to slow up the process. It's basically to have workers have their credentials recognized across the country in a free flow of workers.

Mr. M. Currie: So all provinces have adopted Red Seals, all of the trades qualifications have been recognized on all the trades except a few, right?

Mr. Campbell: There's four that aren't recognized.

Mr. M. Currie: Which four are they?

Mr. Campbell: Oh, I think there was - we went over them I guess on the apprenticeship data.

Mr. M. Currie: Yes.

Mr. Campbell: Do you have those, Jeannie?

Jeannie Pitts Manager: I don't have the four.

Mr. Campbell: I think there was boiler maker, steam fitter, pipe fitter, I'm not sure. We'd have to -

Mr. M. Currie: No, that's -

Mr. Campbell: We'd have to go back, we'd have to go back and look in the Hansard.

Mr. M. Currie: So there are four?

Mr. Campbell: Yes.

Mr. M. Currie: The other question I have

for you is on your section 7. This act does not give the Agreement on Internal Trade the force of law. Can you explain that?

Mr. Campbell: The Agreement on Internal Trade obviously is an agreement that exists across the country, and it's never been a statutory agreement. It's a formal agreement, so this act doesn't have the jurisdiction to give it the force of law.

Mr. M. Currie: Anything else you'd like to discuss on this?

Mr. Campbell: Well, no, not really, other than, again, it's good for employees, it's good for employers. It's pan-Canadian. All the jurisdictions are taking part. We've met with the regulatory - or we've consulted with the regulatory bodies in PEI. We've looked at what's happening in other jurisdictions, and it's part of -

Mr. M. Currie: This has never been a problem with our province, it's mostly been Quebec.

Mr. Campbell: Mostly been Quebec, yes, but -

Mr. M. Currie: By wanting their workers to work in every other province but nobody to work in theirs.

Mr. Campbell: There has been some issues.

Mr. M. Currie: Will that resolve this issue?

Mr. Campbell: It will resolve most of them. There are exceptions with respect to lawyers. Now, lawyers in Quebec are licensed, their designation is to practice civil law, and whereas lawyers in every other jurisdiction in the country practice common law. So that's an exception, but for the most part it addresses pretty well all occupations.

Chair: The hon. Member from

Charlottetown-Sherwood.

Mr. Mitchell: A quick question, then, in regards to unions and their input into it. Do they have any concerns in regards to seniorities, or (Indistinct)?

Jeannie Pitts Manager: Further consultation has to be done with the unions. However, the unions are an employer-employee relationship. This has to do with the regulatory authorities and licensing -

Mr. Mitchell: Okay.

Jeannie Pitts Manager: - which is different.

Mr. Mitchell: Okay.

Chair: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Is there going to be board set up to monitor this, or is there (Indistinct)?

Mr. Campbell: To monitor what in particular?

Mr. M. Currie: It says here, in the final one, the regulation - Executive Council may make regulations designating a body.

Mr. Campbell: With respect to regulatory bodies? Which section are you on?

Mr. M. Currie: Number 10.

Mr. Campbell: Okay. What section 10 does, basically, is just outlines the powers granted to Cabinet with respect to the *Labour Mobility Act*.

Now, if there's a regulatory who's seen to be not in compliance with the AIT, then, as minister, there's a reporting process, and there are suggestions to coming into

compliance. If it's shown that there is non-compliance, then Executive Council - Cabinet - has the power then to make changes to make sure that whatever the regulatory bodies are enforcing is in line with the Agreement on Internal Trade.

Mr. M. Currie: Are our learning institutions certified by everybody else in Canada, that they accept our trained students there?

Mr. Campbell: If we look at Holland College - I would say, for the most part, yes - and we look at Holland College - of course our Red Seal Program (Indistinct) through apprenticeship, trades and training compliments a lot of the work at Holland College. The other jurisdictions do realize the work - you know, the certification given out.

Use teachers, for an example. A B.Ed. program at UPEI is recognized across the country. There are different levels of licensing with respect to teachers, and I'm not sure how they class the licences, but a B.Ed. or any other degree through UPEI would be recognized across the country.

Mr. M. Currie: Go ahead.

Chair: Any other?

Mr. Bagnall: Yeah.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: The bill read line by line, clause by clause, please.

Mr. Campbell: Sure.

Chair: Is that the wish of the House?

Mr. Campbell: If you ask the guy behind him there if it is or not.

Chair: Okay.

Labour Mobility Act.

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

1. In this Act

(a) "Agreement on Internal Trade" means the Agreement on Internal Trade entered into by the governments of Canada, the provinces, the Northwest Territories and the Yukon Territory in 1994, as amended from time to time;

(b) "Canadian jurisdiction" means a jurisdiction the government of which is a party to the Agreement on Internal Trade;

(c) "certification", in relation to an individual, means a certificate license, registration or other form of official recognition issued by a regulatory authority of a Canadian jurisdiction that attests that the individual is qualified and, if applicable, authorized to do one of both of the following:

(i) practise an occupation

(ii) use a title, designation or abbreviated title or designation relating to an occupation.

Mr. Bagnall: Question.

Chair: Question.

The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, would you explain this to me, where you're going with this?

Mr. Campbell: This is simply a definition, but maybe I can give you a little bit of explanation on it.

Some occupations have both a right to practise and a right to title. Some have one or the other. For example, if you take psychologists and social workers, a lot of times what they actually practice or scope of practice is very similar, but psychologist has a right to title, and that's a right granted through a degree process through the act - through the *Psychologists Act*, I guess? They have an individual act and they have a right to title. Whereas social worker is more of a broad - it's not necessarily a recognized title so much, but they can do similar work.

Now, if a doctor, for example, has both a right to title and a right to practise, I mean, everybody recognize physician and what they do. It's more -

Mr. Bagnall: So this is a new bill right?

Mr. Campbell: Yes.

Mr. Bagnall: This has never been in before?

Mr. Campbell: That's correct.

Mr. Bagnall: Why are you bringing it in?

Mr. Campbell: Because labour market ministers across the country have been directed by the Council of the Federation - the premiers from across the country and also through the federation of labour market ministers - to bring in legislation in each jurisdiction that's a part of the AIT - the Agreement on Internal Trade - to make it easier for workers to practice their occupations in whichever jurisdiction they choose in the country.

If someone wants to go from Ontario to PEI, or PEI to Alberta, it's just to make the process more streamlined so that both workers can capitalize on opportunities and employers will have an easier process to attract workers when they have a shortage as

well.

Mr. M. Currie: Working on this for about five years.

Mr. Campbell: Yes.

Mr. M. Currie: Or more.

Mr. Campbell: Yeah. It's been in the works for quite some time.

Mr. Bagnall: The end benefits allow them to do what?

Mr. Campbell: Pardon me?

Mr. Bagnall: And the end benefit will allow them to do what?

Mr. Campbell: The end benefit - well, there's a benefit again to both the employee and the employer. The employee, if they're certified or in a recognized and registered trade - or registered occupation - regulated occupation - it means that if you decide for some reason you want to - I mean, there are lots of reason to move to a different province - you can more easily do so. There are about 200,000 workers in the country who -

Mr. Bagnall: This gives them - be able to move from province to province -

Mr. Campbell: Yes.

Mr. Bagnall: - and continue to keep their -

Mr. Campbell: Absolutely. And to have their certification recognized when they arrive.

Mr. Bagnall: Okay.

Chair: Continue?

Mr. Bagnall: Yeah.

Chair: (d) “measure” includes an enactment, rule, bylaw, directive, requirement, guideline, program, policy, practice or procedure or a portion of any such enactment, rule, bylaw, directive, requirement, guideline, program, policy, practice or procedure;

(e) “Minister” means that member of the Executive Council charged by Order of the Lieutenant Governor in Council with the administration of this Act;

(f) “occupation” means a set of jobs which, with some variation, are similar in their main tasks or duties or in the type of work performed;

(g) “occupational standard” means the skills, knowledge and abilities required for an occupation as established by a regulatory authority of a Canadian jurisdiction and against which the qualifications of an individual in that occupation are assessed;

(h) “regulatory authority” means a person or other body, whether or not a governmental entity, that has been authorized under an enactment to set or implement measures related to one or more of the following:

Mr. Bagnall: Question on that.

Minister, if the minister’s in charge, why do you have a regulatory body, also, authorizing everything?

Mr. Campbell: I mean the minister, I guess, at the end of the day, hon. member, is responsible for the act, but there are regulatory bodies. I think there are approximately 30 here in the province that set certification and work standards for various occupations in the province. It’s kind of a -

Mr. Bagnall: So it’s still - everything comes

through the minister, right?

Mr. Campbell: The minister is ultimately responsible, but I mean, unless there’s a legitimate objective or - the minister of the forum of labour market ministers, who is me in this case, is responsible for this act. But there’s a lot of acts - there are a lot of different ministers responsible for different acts. I think about health. There’d be a number of regulated professions that fall under different acts that are under the jurisdiction of health.

There’s environment, education - but this, with respect to labour market mobility - I’m the minister responsible for this one, but there are different ministries responsible for different acts relating to different occupations.

Mr. Bagnall: I missed who you had on the floor with you.

Mr. Campbell: Oh, I’m sorry. Jeannie Pitts.

Mr. Bagnall: Jeannie, okay.

Chair: Continue?

Mr. Bagnall: Yeah.

Chair: (i) the establishment of occupational standards or certification requirements,

(ii) the assessment of the qualifications of individuals against established occupational standards or certification requirements,

(iii) official recognition that an individual meets established occupational standards or certification requirements,

and includes any other person or body designated in the regulations;

(i) “responsible Minister”, in relation to an enactment under which a regulatory

authority is established, means that member of the Executive Council charged by Order of the Lieutenant Governor in Council with the administration of that enactment.

Mr. Bagnall: What's the difference (Indistinct) the reliable minister to the plain minister? They're saying that you - one minister's reliable and the other's not?

Mr. Campbell: I guess I'm assuming I'm the reliable one. No, it goes back to what we talked about, about different occupations being regulated through different acts. If there was an issue that came up through the department of health - some health care occupation - well, if there was - I would probably defer to the health minister if there was something that needed to be changed to bring everything in line with the agreement on internal trade. But then I, again - I mean, I am ultimately responsible for this act, but you would probably defer to the ministry responsible for overseeing the act that is in question at the time.

Mr. Bagnall: So, you're telling me that there could be more than one minister overseeing this act?

Mr. Campbell: No, not this act. This is solely me. But, I mean - you would -

Mr. Bagnall: You said the reliable minister is this other minister so - from other departments that could make the decisions.

Mr. Campbell: Not make decisions with respect to this act. Decisions with respect to this act are through Executive Council, but if there was an issue in a health related profession, well, then you would ask that the minister of health and officials from health -

Mr. Bagnall: And I guess my question was: Why would it be in here, then? Because it says charged by the Executive Council of the administration of the enactment. So

we're talking about the act, but you're talking about more than one minister.

Jeannie Pitts Manager: For example, the minister of health has approximately 14 different regulated occupations that fall under various health acts. For example, the physicians act, the *Nurses Act*, opticians, optometrists, and they fall directly under the jurisdiction of the health minister. So if our minister, for example, under this act, needs a request for compliance through one of the health acts of the occupation he has to go through - or should go through - proper channels, which would be the minister responsible for that particular act.

Mr. Bagnall: So that's the responsible minister, then.

Jeannie Pitts Manager: That's - yes.

Mr. Bagnall: That you're making reference to, then.

Jeannie Pitts Manager: It could be the minister of agriculture -

Mr. Bagnall: It could be any minister of the Crown, then.

Mr. Campbell: Yeah, depending on the occupation in question -

Jeannie Pitts Manager: That's right.

Mr. Bagnall: Okay.

Mr. Campbell: - where there's a need for compliance.

Chair: Shall it carry? Carried.

2. (1) Where, in respect of an application for certification made to a regulatory authority, there is an inconsistency between a measure set or implemented by the regulatory authority and a provision of Chapter Seven

of the Agreement on Internal Trade, the regulatory authority shall decide the application in compliance with the provision of Chapter Seven of the Agreement on Internal Trade.

Mr. Bagnall: Explain that one.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Seems to be a lot of back and forth on this. Just to -

Mr. Campbell: Basically, I guess, what this means is that with respect to compliance to the AIT, this act has overarching responsibility. So if there was a need for compliance - and we keep going back to health, but let's just use health for an example. This particular act has overriding powers over other acts if they contain language that's not compliant with the AIT, so this is kind of -

Mr. Bagnall: If there's an argument, your act is the head act?

Mr. Campbell: With respect to compliance to the AIT, yes.

Mr. Bagnall: Okay.

Chair: (2) Subsection (1) does not apply if the measure set or implemented by the regulatory authority referred to in that subsection is approved by the responsible Minister and the Minister for the purposes of achieving a legitimate objective pursuant to Chapter Seven of the Agreement on Internal Trade.

Shall it carry? Carried.

3. (1) A regulatory authority shall ensure that any measure it adopts or maintains respecting the certification of individuals in relation to an occupation complies with the

provisions of Chapter Seven of the Agreement on Internal Trade.

(2) -

Mr. Bagnall: Just before you go to that one.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Respecting the certification of individuals. What do you mean by that?

Mr. Campbell: What this means is that you can't have unnecessary barriers when setting licence requirements. If you're going to expect other jurisdictions to respect the licensing requirements, you can't put unrealistic barriers in there, so that would then limit mobility and that's the exact opposite of what we're trying to accomplish with the bill.

Mr. Bagnall: So their qualifications must be the same as other jurisdictions across the country.

Mr. Campbell: More or less. Very similar in nature and scope. They wouldn't be exactly to the letter, but they would have to be close enough that other jurisdictions would be prepared to recognize them.

Mr. Bagnall: Now would this be in respect to trades or would this be in respect to the IT information -

Mr. Campbell: Any regulated occupation.

Mr. Bagnall: Pardon?

Mr. Campbell: Any regulated occupation.

Mr. Bagnall: Okay.

Mr. Campbell: Not just trades.

Mr. Bagnall: So it could be any?

Mr. Campbell: Yes.

Chair: Okay. I'll continue.

Mr. Bagnall: And you mean health care, doctors, nurses -

Mr. Campbell: Yes.

Mr. Bagnall: - RPNs, all that kind of stuff.

Mr. Campbell: Yeah.

Chair: (2) In order to comply with subsection (1), a regulatory authority may waive or adapt any requirements for certification set or implemented in relation to the occupation, notwithstanding any other measure.

Shall it carry? Carried.

Mr. Bagnall: Minister -

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: This section is contradicting what you just said in the other section.

Mr. Campbell: No.

Mr. Bagnall: Because the minister can make changes.

Mr. Campbell: What this section does is it addresses the right of the regulatory authorities to set entry-to-practice standards. Now, again, ultimately if there is non-compliance, there is a process to go through to try and ensure compliance, but ultimately then, if there is not a move to come into compliance with the AIT, then it would then have to go to Executive Council. This section here is just addressing the rights of the regulatory authority to set -

Mr. Bagnall: But it says that they can waive

- it can waive them. To me that tells me that it's a complete contradiction to what you said in the previous section, because the minister can waive or adapt, so the minister has a choice whether to -

Mr. Campbell: It's not the minister.

Mr. Bagnall: - accept them or to waive them.

Mr. Campbell: It's not the minister, it's a regulatory authority.

Mr. Bagnall: So in other words, they can waive somebody's credentials and allow them to move forward without having the proper - what's it mean?

Mr. Campbell: Maybe I'll let Jeannie explain.

Jeannie Pitts Manager: Okay. With respect to your question on article 3(2), in order to comply with the regulatory authority may waive or adapt any requirements. What that's speaking of is the rights of regulatory bodies to set the standards for entry-to-practice requirements. Meaning, what do you have to do to be able to be a nurse on Prince Edward Island? That's a regulator's responsibility to do that. The previous one, what we're talking about in 3(1) -

Mr. Bagnall: Before you go back to that one -

Jeannie Pitts Manager: Okay.

Mr. Bagnall: But you also have here that the authority may waive that. And that's where I'm coming to -

Jeannie Pitts Manager: Okay. In -

Mr. Bagnall: - if you have the regulations and they're in fact - but then you're telling the regulatory body that they can waive

what you're telling me, then why -

Jeannie Pitts Manager: No, 3(1) addresses the issue of unnecessary barriers of entry-to-practice in Prince Edward Island. It's basically saying that we cannot set standards that will bar others from other provinces and territories from being able to come to work in Prince Edward Island. So if a regulator wanted to put, in their entry-to-practice standards, that you have to work in Prince Edward Island for a particular company for five years before they'll license you, that's an unnecessary barrier. They can't do that.

Mr. Bagnall: But you're telling me that you can waive what they need for the qualifications. The regulatory body can turn around and waive the responsibilities or the obligations, and allow somebody to come in and work.

Jeannie Pitts Manager: For example, the legal profession, the entry-to-practice standards are established by the PEI law society. However, if a lawyer from Quebec wanted to come to practice on PEI, they would circumvent the entry-to-practice standards and say: You do not know how to practice common law. Your education and your practice that you're familiar with is civil law.

Therefore, they can put an additional requirement on that lawyer, and they could say to that lawyer: You need to go back and take gap training and study certain courses in common law.

Mr. Bagnall: I agree there, but that's still not saying that you're waiving anything. Because if you're waiving somebody coming in, you're allowing them to come in without the qualifications. You're waiving your standards here.

Jeannie Pitts Manager: No.

Mr. Bagnall: That's what - that's how it reads.

Jeannie Pitts Manager: This becomes in that - this act only holds authority over other acts in relation to compliance with Chapter Seven. This act does not permit the minister, for example, to just go in and make sweeping changes in the *Nurses Act*. It's only in relation to as it applies to compliance with Chapter Seven labour and mobility.

Mr. Bagnall: So give me an example where you're going to waive something.

Jeannie Pitts Manager: In the -

Mr. Bagnall: I mean, you talked about the lawyer, you rejected him. That wasn't a waive, that was a rejection. You told him he had to go back and get more education to come back in. But where is something you're going to waive and put through?

Jeannie Pitts Manager: For example, the Province of British Columbia has psychiatric nurses. They're one of the few areas that have psychiatric nurses. There is a certain amount of that training for a psychiatric nurse that applies to a registered nurse to practice here in Prince Edward Island. However, they can't come and practice as a registered nurse in Prince Edward Island until they fulfill the gap of training that they're actually missing. Could be rotations, it could be certain rotations. So that psychiatric nurse, who's recognized as a nurse in British Columbia, would have to take additional training before they could be licensed in the province of PEI.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: So where do they get the training? Do you send them back to BC to get the training they need to come here?

Jeannie Pitts Manager: The associations identify the training, but no, it's their responsibility, if they want to come to Prince Edward Island to be licenced and work in Prince Edward Island, to get that training.

Mr. Bagnall: So what you're saying, then, is although you don't have the proper training to come to PEI, we're going to waive that and allow you to come and practice on PEI?

Jeannie Pitts Manager: No, they would not be licensed in PEI. They would be -

Mr. Bagnall: Okay, so that's not an example for me. Where is an example where you are going to waive somebody then?

Jeannie Pitts Manager: That article isn't addressing actually waiving the standards.

Mr. Bagnall: But it says you can waive them or adapt them, either/or. That's what it's reading.

Jeannie Pitts Manager: They may, the regulatory authority, but that's up to their decision to do that, as long as it's compliant with Chapter Seven. Another example is physicians. Physicians may be practising in Canada under full licensor, provincial licensor, or restricted licensor. If the Province of Prince Edward Island has a vacancy in physician numbers and there is a physician practising in another province that may be a restricted or provisional licensee for some reason, the medical society or the College of Physicians and Surgeons for the Province of PEI may, if they choose, adapt to be able to license that physician in the province of PEI. Even though it's not a full licensor certification that that physician may hold.

Mr. Bagnall: So they can waive a doctor coming in without the full credentials -

Jeannie Pitts Manager: That would be the decision of the College of Physicians and Surgeons.

Mr. Bagnall: So you're putting this in so that anyway you can allow a nurse to come in, like you mentioned, from BC. You can allow a doctor to come in without the proper qualifications and you can waive that to allow them in?

Jeannie Pitts Manager: No, we can't in this act. What this is doing is continuing to give the right and the authority that a regulatory authority has under their existing act. This act continues to give that to them as well. We're not trying to change that.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Do you think we need that clause waived or adapted in there, then? Or can we take it out?

Jeannie Pitts Manager: No, I believe it needs to be there.

Mr. Bagnall: Why?

Jeannie Pitts Manager: Because we're saying that in other areas that Lieutenant Governor in Council may, in relation to compliance with Chapter Seven, override an existing act.

Mr. Bagnall: So what you're saying here is you're putting that in so Executive Council can rule to allow a doctor or a nurse or somebody to come in without the proper -

Mr. Campbell: No, this act only deals with compliance to Chapter Seven of the AIT.

Mr. Bagnall: You're talking about nurses, you're talking about doctors.

Mr. Campbell: This act does not have

authority to regulate physicians and nurses. Only deals with compliance to Chapter Seven of the AIT.

Chair: The hon. Member from Montague-Kilmuir. No further questions?

Shall it carry? Carried.

4. A regulatory authority that wishes to establish or amend an occupational standard shall comply with Chapter Seven of the Agreement on Internal Trade.

Shall it carry? Carried.

5.(1) The Minister may request a regulatory authority to provide information and reports with respect to any matter relating to its compliance with Chapter Seven of the Agreement on Internal Trade.

(2) A regulatory authority shall comply with a request made under subsection (1) within the time and in the manner specified in the request.

Shall it carry? Carried.

The hon. Member from Montague-Kilmuir.

Mr. Bagnall: May comply with a request made under subsection (1) within time. What's the time period there?

Mr. Campbell: There is no established time.

Mr. Bagnall: So it could be two years down the road or five years before you respond?

Mr. Campbell: Given the circumstances, it would be something that would be reasonable. It's a request to provide information. You'd have to look at the situation in question. It would be deemed whatever would be a reasonable amount of time.

Chair: Shall it carry? Carried.

6. (1) Subject to subsection (2), the Minister may, in writing, request a regulatory authority to do anything that is necessary or advisable to comply with Chapter Seven of the Agreement on Internal Trade.

(2) Where a regulatory authority is established under an enactment for which there is another responsible Minister, the Minister may recommend to the responsible Minister that the responsible Minister make a request referred to in subsection (1).

(3) Where a responsible Minister receives a recommendation under subsection (2) in respect to a regulatory authority, the responsible Minister may, in writing, request the regulatory authority to do anything that is necessary or advisable to comply with Chapter Seven of the Agreement on Internal Trade.

(4) A request made to a regulatory authority under subsection (1) or (3)

(a) shall set out the action that the regulatory authority is required to take;

(b) may require the regulatory authority to take such steps as are within the power of the regulatory authority to make, amend or repeal a measure specified in the request; and

(c) shall specify the period of time within which the regulatory authority must comply with the request.

The hon. Member from Montague-Kilmuir.

Mr. Bagnall: We go back to that one and there is no time period, and then you make here that the minister must comply with a time schedule. Is the time schedule going to be in the regulations?

Mr. Campbell: The time period will be laid out in the letter you send the regulatory body. Again, depending on -

Mr. Bagnall: So is that going to change with every letter?

Jeannie Pitts Manager: It depends on the situation. It could possibly. If there are situations that are very similar, then I assume that, as minister, the time frame would be the same.

Mr. Bagnall: Are there going to be regulations for this act?

Mr. Campbell: Yes.

Mr. Bagnall: Is there going to be a time period in the regulations that say you must respond within 30 days, 60 days, 90 days?

Mr. Campbell: I think that it would probably state that in the time period that was established in the request for compliance as received from the minister.

Mr. Bagnall: Because without a time table, minister, there is nothing that says you have to respond in any time period.

Mr. Campbell: That would be outlined in the letter to the regulatory body.

Mr. Bagnall: Yeah, but as you say, that can change in every issue.

Mr. Campbell: Possibly.

Mr. Bagnall: Why wouldn't you have a time period in your regulations where you have to respond to?

Mr. Campbell: I mean, it's hard to determine how in-depth the actual request would be. So I mean, you would have to leave flexibility that you could allow more time for a more in-depth process.

Chair: The hon. Member from Montague-Kilmuir? (Indistinct)?

Mg. Bagnall: No, but (Indistinct).

Chair: I'll continue.

(5) A regulatory authority shall comply with a request made under subsection (1) or (3) within the time and in the manner specified in the request.

(6) Where a regulatory authority does not comply with a request made under subsection (1) or (3) to make, amend or repeal a measure within the time and in the manner specified in the request, the Lieutenant Governor in Council may make regulations making, amending or repealing the measure.

Shall it carry? Carried.

7. Nothing in this Act gives the Agreement on Internal Trade the force of law.

Shall it carry? Carried.

8. (1) A legal proceeding does not lie or may not be brought or continued against the Government or another person to enforce or determine a right or obligation that is claimed or arises solely under the Agreement on Internal Trade.

The hon. Member from Montague-Kilmuir.

Mr. Bagnall: (Indistinct) protecting your butt on this or what?

Mr. Campbell: No. I guess any disputes with respect to Chapter Seven, there is a process and that process is outlined in Chapter Seventeen of the AIT, and there are two types of disputes.

There is a dispute resolution mechanism in there and there is government to government

disputes where we may have - let's say, for example, a bricklayer went to Alberta and for some reason they refused to recognize the certification and said: No, you can't work in the province. Then the government of PEI could bring that objection against the Government of Alberta or the bricklayer could himself. There is a process for a dispute resolution in the AIT and that's basically what this speaks to. You don't go to court, you go through this process that's outlined in the AIT.

Mr. Bagnall: But what you're doing is allowing the provincial government not to be liable for anything here. Correct?

Mr. Campbell: That's certainly not the intent of the AIT because it's not - I guess what you need to remember is that the AIT is not a statutory document. It's a formal agreement. So it's not law. It's a formal agreement. So how do you enforce it as law? It hasn't been enacted as law. So through the AIT there is this dispute resolutions mechanism that's in there. I don't think there's ever been an example where that -

Mr. Bagnall: You can't bring a claim against the province. You can't bring a claim against the governing body or any person. So what you're saying is there's no recourse here.

Mr. Campbell: We can be fined under the AIT, but again, this -

Mr. Bagnall: It says you can't have - may not be brought or continued against the government.

Mr. Campbell: Pardon me?

Mr. Bagnall: They're saying that you can't bring anything against the government here. Or another person to enforce.

Mr. Campbell: Through the law because

it's a formal agreement. It's not statutory. Not law. But through the dispute -

Mr. Bagnall: But the act is law. And you're saying that you've got no repercussions and no one's got any repercussions back here.

Mr. Campbell: But the dispute resolution process that I'm talking about is included in the Agreement on Internal Trade, not in this act.

Mr. Bagnall: But this is in the act, where you're saying that you can't come back onto here. So it's in the act. You're putting in a law that no one can come back to the provincial government or anybody involved in order to -

Mr. Campbell: The province can be fined. I don't know, when you were minister, whether you had much opportunity to get into the AIT or not. I'm sure there were incidences, especially through agriculture, that you did. But under Chapter Seventeen of the AIT, it deals with this dispute resolution and there is a mechanism in there where, if a province is found to be in non-compliance, they can be fined.

Mr. Bagnall: Is this number 8 - is it in the same jurisdictions? This part in the act in every jurisdiction in Canada?

Mr. Campbell: Yes, it would be.

Mr. Bagnall: Okay.

Chair: (2) Subsection (1) does not apply to a proceeding that is contemplated by Chapter Seventeen of the Agreement on Internal Trade.

Shall it carry? Carried.

9. Where there is a conflict between a provision on this act of a regulation made under this Act and

(a) a provision of any other enactment; or

(b) a measure set or implemented by a regulatory authority,

the provision of this Act or the regulation made under this Act prevails to the extent of the conflict.

Shall it carry? Carried.

10. The Lieutenant Governor in Council may make regulations

(a) designating a person or body as a “regulatory authority” for the purposes of clause 1(h);

(b) defining any word or expression used but not defined in this Act;

(c) further defining any word or expressions defined in this Act; and

(d) respecting such other matters as the Lieutenant Governor in Council considers necessary or advisable to give effect to the purpose of this Act.

Shall it carry? Carried.

11. This Act comes into force on June 30, 2010.

Shall it carry? Carried.

Mr. Campbell: I move the title.

Chair: *Labour Mobility Act.*

Shall it carry? Carried.

Mr. Campbell: 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.

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

Chair: Shall it carry? Carried.

Mr. Campbell: Thank you, Mr. Chair.

Chair: Pleasure doing work with you.

Madam Speaker, as Chair of a Committee of a Whole House having had under consideration a bill to be intituled *Labour Mobility 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 Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the hon. Minister of Education and Early Childhood Development and Attorney General, that the 7th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 7, *An Act to Amend the School Act*, Bill No. 44, ordered for second reading.

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the Honourable Minister of Education and Early Childhood Development and Attorney

General, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the School Act*, Bill No. 44, read a second time.

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the Honourable Minister of Education and Early Childhood Development and Attorney General, 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.

I ask the hon. Member from Stratford-Kinlock to take the chair.

Chair (Dunsford): 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 School Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Some Hon. Members: Yes.

Some Hon. Members: No.

Chair: Permission to bring somebody onto the floor?

Mr. D. Currie: Maybe what I'll do is I'll give an overview.

Mr. M. Currie: Pardon?

Mr. D. Currie: I'll give an overview.

Mr. M. Currie: Who's the lady?

Mr. D. Currie: This is Karen Redmond, legislative coordinator for the Department of Education and Early Childhood Development.

Just to give an overview to the House, the changes to the *School Act*, basically there's a number of areas. It's to update the language used in the act and make it more clear and consistent; to strengthen our ability to notify other jurisdictions where there is a concern about a teacher who is working in the province; to ensure that our instructional license does not expire; to change the grades, obviously, from 1 to 12 to K to 12, with the bringing in of the kindergarten program; to clarify the minister receives recommendations from the certification and standards board but makes the final decision and determination; to ensure the teachers and teacher supervisors must hold an instructional license, not just be eligible to hold an instructional license; and to clarify that a private school can operate a kindergarten.

Chair: *An Act to Amend the School Act*.

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

1. Section 1 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1 is amended

(a) by the addition of the following after clause (m):

(m.1) "instructional license" means a license to teach issued under subsection 3(1);

(b) in clause (n), by the deletion of the words "license under subsection 3(1)" and the substitution of the words "instructional license";

(c) in clause (p), by the deletion of the

words “teacher assistants” and the substitution of the words “educational assistants”; and

(d) in clause (bb),

(i) by the addition of the word “instructional” before the word “license”, and

(ii) by the deletion of the words “to teach issued by the Minister and in Part VII includes a member of the instructional personnel who does not hold a license to teach”.

Shall it carry? Carried.

Question, by hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Instructional license. Is this for the kindergarten teachers that are coming in that do not have teacher’s certificates?

Mr. D. Currie: Yeah, it’s for all instructional licenses.

Mr. M. Currie: Which would be -

Mr. D. Currie: It would be for -

Karen Redmond Legislative Coordinator: Any teacher that has to teach in the school system is required to have an instructional license.

Mr. M. Currie: What would the teachers be that are going to teach kindergarten that don’t have a teaching certificate from UPEI?

Mr. D. Currie: They’ve been given a letter of authority from the University of Prince Edward Island, which has been accepted by the standards committee.

Karen Redmond Legislative Coordinator: Yeah. They will be given a letter of

authority, and once they get their B.Ed., then they will be given the instructional licence.

Mr. M. Currie: So they wouldn’t be paid as much as a regular teacher?

Karen Redmond Legislative Coordinator: They’ll be in a class four -

Mr. M. Currie: Class four.

Karen Redmond Legislative Coordinator: - then there’ll be levels within that.

Mr. M. Currie: Teacher’s assistant, educational assistant -

Mr. D. Currie: Well, basically all that is -

Mr. M. Currie: Are they not the same thing?

Mr. D. Currie: No. Basically what we’re doing is - teacher assistants is the former name of what now are educational assistants, so that name has been changed so they’re updating the terminology in the act.

Mr. M. Currie: Carried.

Speaker: Shall it carry? Carried.

2. (1) Subsection 3(1) of the Act is amended by the addition of the words “or varied” after the word “approved”.

(2) Clause 3(1.1)(b) of the Act is amended by the deletion of the words “approved under” and the substitution of the words “referred to in”.

(3) Subsection 3(3) of the Act is repealed and the following substituted:

(3) Notwithstanding any other provision of this Act, where the Minister has suspended or revoked a person’s instructional license pursuant to this section, a school board shall

not pay the person for any period

(a) during which the person's instructional license is suspended; or

(b) after the person's instructional license has been revoked, except where the person's instructional license has been reinstated.

Shall it carry?

An Hon. Member: Carried.

Mr. M. Currie: Question.

Chair: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Have you ever revoked a license in the province? Teacher's license? I'm not looking for names.

Mr. D. Currie: What's that?

Mr. M. Currie: I'm not looking for names.

Mr. D. Currie: No, no, I understand that. I'm not aware, but I'll get you -

Karen Redmond Legislative Coordinator: I would assume in the past that there has been some suspensions or revocations of licenses.

Chair: Shall it carry? Sorry.

Mr. M. Currie: The question I have is - I'm not sure if it fits in here anywhere - but under the *School Act*, you have, minister, a section of mandatory retirement at age 65.

Mr. D. Currie: Yes, so, do we have mandatory retirement?

Mr. M. Currie: You do have.

Mr. D. Currie: Okay.

Mr. M. Currie: My question is: Has there been any consideration by your assistant as legislative counsel to remove that?

Karen Redmond Legislative Coordinator: There has been no discussion that has come to me about that.

Mr. M. Currie: We have all kinds of people that are 65 years of age, that are in good health, and still want to work within the school system and drive the school buses. They just get a letter that your birthday's coming up, you're age 65, thank you very much and toodle-oo, and go get your pension, but some of them want to work.

I guess my point is we have people that are elected to the school board that are over age 65, so we respect their age and their decisions that are being made, but we have school bus drivers that do not want to retire, but your act indicates that they have to. Would you give serious consideration to review the act regarding mandatory retirement age?

Mr. D. Currie: In respect to the bus drivers, that is a reg under the act under student transportation.

Mr. M. Currie: But the act falls under you. I know they work for the school board. So a regulation - you can change a regulation on Tuesday at the Cabinet.

Mr. D. Currie: No, no, it doesn't fall under specific to this, but this is another question above and beyond this act. Is that what you're -

Mr. M. Currie: But it falls under the *School Act*. I'm just asking this question, because I know of a couple that are in good health, they get their medical certificate every year, and they're trained and tested by your people in the transportation side, and

they would like for you to reconsider mandatory retirement be removed.

Mr. D. Currie: We don't have anything right now that's a priority to change that, but I know we are looking at right now that you can be up to the age of 65 to be hired. Is that correct?

Karen Redmond Legislative Coordinator: That's what we're going to change, yeah, (Indistinct).

Mr. D. Currie: That's what we are going to change.

Mr. M. Currie: No, and I understand all that, but what I'm asking is, as minister, would you consider changing the regulation based on medical certificates and testing by the transportation people within the school bus system to look at this? Because, if you leave there, now here's an example, if you leave - forced to retire by your department at 65, you can walk over from Friday to Monday and go work for Trius busses and pick up the same kids you had on Friday and drive them to a basketball tournament in Moncton.

Mr. D. Currie: I'm not disputing your point. I mean, I - right now, to my knowledge, there is nothing in front of us, that I'm aware of, that any bus drivers are putting requests in to drive beyond 65.

Mr. M. Currie: There are two human rights filed against you this week.

Mr. D. Currie: Well, I haven't -

Mr. M. Currie: Or last week.

Mr. D. Currie: You may very well be right, but I haven't been briefed on that or aware of that but - very willing to bring information back - more specific. I can't speak to the specific request.

Karen Redmond Legislative Coordinator: I haven't heard -

Mr. D. Currie: No, she hasn't heard of them either, so I'm not aware of them. If it is, it's the first two since I've been minister.

Mr. M. Currie: No, I understand that, but barring all of that, will you please take into consideration the fact that these people, that if they're aged 65, they're still very capable of doing their job? They still want to be part of the school system, and they would never jeopardize the safety of children.

Mr. D. Currie: Yeah.

Mr. M. Currie: If they did, they would certainly step aside. Would you look at changing the regulations to consider extending the date past 65?

Mr. D. Currie: I'm not prepared to make any commitments on the floor of the Legislative Assembly, but - will look at these requests. Obviously, if they have requests in to human rights, our department will respect that process.

Mr. M. Currie: I think they already went to the department and the school board and they just said: We follow the act. Goodbye.

Mr. D. Currie: I can't speak specifically because I have - I'm not aware - up to speed on the cases. My expectation is that the department would look at all these cases individually, and if a driver is - obviously when it comes to drivers' needs, there is process and procedures. I would be 100% behind any issues around safety, particularly transporting. We've been very fortunate that we've been able to bring in 151 new busses to upgrade the fleet. Expectation is that safety is a priority and has been, and will be a priority as we move forward.

I will ask my department to look at these

situations. I can't speak specifically because I was not aware, even as the minister, that they were brought. Today's Wednesday. No one brought them to my attention at this point in time.

Mr. M. Currie: Do you feel that nobody past the age of 65 is qualified to be gainfully employed in your department?

Mr. D. Currie: You know, I think that - to answer the question - to me, it's all about safety and -

Mr. M. Currie: I'm not arguing with that.

Mr. D. Currie: There are regulations and legislation in place right now that I certainly will respect. There is a reason why it's in place. But you know as - I've met with the bus drivers union leadership and said that I've got (Indistinct) policy, and we'd be very willing to talk to them and listen to them about any concerns at any point in time.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, hasn't education already - UPEI had a 65-year-old claim - human rights claim against them, and they lost it. That you didn't have the right to terminate employees at the age of 65 under the - because of age.

Mr. Brown: They've appealed that.

Mr. Bagnall: Yeah. But they lost it in the courts. Minister, isn't there a precedent already set for you to change your act?

Mr. D. Currie: I wouldn't say there's - I mean, right now, basically, obviously there are two complaints. The Member from Georgetown-St. Peters has indicated that there are a couple complaints to human rights. There is a process that I respect. I am

the minister responsible for the Human Rights Commission and respect their independence and autonomy.

There are processes and we'll let that process work itself through, and then when it comes in front of me, and if it does come in front of me, we'll have more discussions at the senior department level.

Mr. M. Currie: I think you could avoid all the human rights, even if, as minister, that you would consider the possibility that, yes, people are qualified. They do contribute to our economy and our communities after the age of 65 they still can work.

Mr. D. Currie: And I -

Mr. M. Currie: You're very well aware that people can -

Mr. D. Currie: Yes, my father's 74 and still working.

Mr. M. Currie: - work after 65. Yes. I won't mention any names.

Mr. D. Currie: Anyway, these were issues that - they're legitimate points. I have great respect for people who are working in our system and choose to want to continue to work. I, as you know, being a former minister, we have to work within the boundaries and confines of the regulations and policy. I will be following the progress of these two individuals and these requests that are put in front of the Human Rights Commission, and look forward to having more discussions.

Mr. M. Currie: One more final question then, minister. Would you ensure us - or make some sort of a commitment - that before the end of this school year, that you will take a serious look at the mandatory age, and talk to your staff, talk to the people that are working in the school busses, and

make some sort of a decision. Then review what's currently there and see if there's any way that the regulation could be changed to accommodate those people that still want to work and are healthy, and meet all the safety requirements - especially the safety requirements put in place by your school board.

Mr. D. Currie: The only commitment I'll make is I will ask my department to brief me in respect to these two requests that have come forward.

Mr. M. Currie: There's going to be more.

Mr. D. Currie: My commitment will be that I will get more appreciation, more understanding of the regulations and the policy that's in place and why the policy is there. That's what I'll commit to doing. As I receive more information I'll base my decisions on that.

Chair: Shall it carry? Carried.

Question from hon. Member from Montague-Kilmuir.

Mr. Bagnall: We've already questioned the age 65 and you've gone to court and you've lost that?

Mr. D. Currie: Who's they?

Mr. Bagnall: Well, government.

Mr. D. Currie: No, the University of Prince Edward Island.

Mr. Bagnall: Well, university, which is funded by the government. The school which is funded by you also.

Mr. D. Currie: Yeah, exactly.

Mr. Bagnall: But you're the Attorney General of the province also. They've lost a

human rights case already with the university because of age 65. Are you prepared to take this to human rights? Because if you do, you could have all kinds of claims for everybody you've made retire at age 65, minister.

I think if you look at this and maybe put some testing and health standards in place a little better, you could probably avoid the lawsuits and stuff that will be coming if you make these guys retire.

Mr. D. Currie: First of all, I would like to reassure the Member from Montague-Kilmuir that knowing the system the way I do in the three years that I've been in, there are standards particularly in the boards around drivers and licenses have to be reviewed, they have to participate in upgrading the licenses for safety reasons and certainly support that.

As I indicated to the Member from Georgetown, these two cases I'm unaware of at this point in time. Obviously if they're in front of the Human Rights Commission I respect the independence and the confidentiality of those requests. But I will ask my department to give me more information. As these requests continue to be processed through the Human Rights Commission decisions will be made. At that point in time the department will have to respond or not respond to the direction from the Human Rights Commission.

Mr. Bagnall: Are you going to go back to your department to check on this issue?

Mr. D. Currie: Absolutely.

Mr. Bagnall: Will you bring the information back to the House?

Mr. D. Currie: I'll bring back what I can bring back. Obviously, if it's in front of the Human Rights Commission there is a level

of confidentiality that even I can't access as the Attorney General because of the process and the law.

Mr. Bagnall: But you can bring back the policy and why?

Mr. D. Currie: I'll be more than willing to bring back the policy and the process around transportation and safety and bus drivers in the province.

Mr. Bagnall: You'll bring that back tomorrow then, what you can?

Mr. D. Currie: I can't guarantee it tomorrow, but I'll bring it back to the House at some point in time, hopefully before the end of the week.

Chair: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: I think, minister, they did make their plea to the school board or to the department, I'm not sure, but this was a last resort to file with the human rights. So it's not that they just jumped and went there first. I think they did indicate clearly that they didn't want to - I'm sure it would be dropped tomorrow or the file pulled if there was some indication from government that they are going to review the situation.

Mr. D. Currie: I'll take a look at it. I don't get involved with every - as you know, both (Indistinct) as ministers, you have to rely on the people you work with and the trust. There are processes around these decisions. But I'll ask my department for a briefing on it. I have great respect for bus drivers in the system. Obviously a 20-year career - I've met a lot of them and they've got a tough job, and they do great work under some very difficult situations.

Mr. M. Currie: Carried.

Chair: We are at the top of page 2.

(4) Subsection 3(4) of the Act is amended

(a) in the words proceeding clause (a), by the addition of the word "prompt" before the word "notice";

(b) in clause (b),

(i) by the deletion of the words "expiry of an instructional license" and the substitution of the words "voluntary surrender by a teacher of an instructional license", and

(ii) by the deletion of the words "expiry or the retirement" and the substitution of the words "voluntary surrender or the retirement"; and

(c) by the repeal of clause (c) and the substitution of the following:

(c) the reinstatement of instructional licenses for which notice was provided in the circumstances referred to in clause (a) or (b).

Shall it carry? Carried.

Question, the hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Minister, just thinking, how old do teachers have to be? Do they retire at 65?

Mr. D. Currie: It depends basically on the start of an individual's career. If you look at - I mean, there are teachers that are retiring at 55, there are teachers that are retiring at 53. Depending on when they start their careers. Some obviously have exceeded 60. I haven't heard of a teacher working until 65, that I'm aware of.

Mr. M. Currie: Is it mandatory that they have to retire at age 65? Are they deemed

useless after age 65?

Some Hon. Members: (Indistinct).

Mr. M. Currie: It's been uncovered.

Mr. D. Currie: I wouldn't refer to any teacher as useless.

Mr. M. Currie: No, but 65, you're saying bus drivers are not - you don't want them around.

Mr. D. Currie: I mean, to answer your question I'll have to check back and bring that information back.

Mr. M. Currie: Bring that back with you too.

Thank you.

Mr. D. Currie: I wouldn't deem bus drivers or teachers - anybody that's dealing with kids, I mean it's very difficult work.

Mr. M. Currie: I understand that.

Mr. D. Currie: To refer to them as useless, I don't think I would choose that terminology.

Chair: Shall it carry? Carried.

3.(1) Subsection 4(1) of the Act is repealed and the following substituted:

Shall it carry? Carried.

4 (1) The Minister may issue, renew, refuse to issue or refuse to renew an authorization to substitute for a teacher to a person based upon the standards and criteria recommended by the Certification and Standards Board and approved or varied by the Minister.

(2) Subsection 4(2) of the Act is amended

by the addition of the words "to substitute for a teacher" after the word "authorization".

(3) Subsection 4(3) of the Act is repealed and the following substituted:

(3) The Minister shall give prompt notice to every teacher certification authority in Canada of

(a) the suspension of, revocation of or refusal to renew an authorization to substitute for a teacher if the Minister believes on reasonable ground that there are concerns about the substitute teacher and the safety of children or other persons;

(b) the voluntary surrender by a substitute teacher of an authorization to substitute for a teacher if the Minister believes on reasonable grounds that the voluntary surrender resulted from concerns about the substitute teacher and the safety of children or other persons; and

(c) the reinstatement of authorizations to substitute for a teacher for which notice was provided in the circumstances referred to in clauses (a) or (b).

(4) The Act is amended by the addition of the following after subsection (4):

(5) Notwithstanding any other provision of this Act, where the Minister has suspended or revoked an authorization to substitute for a teacher pursuant to this section, a school board shall not employ the person for any period

(a) during which the person's authorization to substitute is suspended; or

(b) after the person's authorization to substitute has been revoked, except where the person's authorization has been reinstated.

Shall it carry? Carried.

Question, the hon. Member from Kellys Cross-Cumberland.

Ms. Docherty: This is slightly off topic. I've been told by a few people who are current new grads, new B.Ed. grads, that schools are not following what they interpret as being part of the contract, that they should be called first before uncertified teachers. How do you control that without the teacher - the certified substitute teacher, shall we say - becoming blacklisted because they're complaining about something very valid?

Mr. D. Currie: Yeah, it's a very good question. I have raised this issue. The issue was brought to my attention when I was a school administrator. The issue now has been brought to my attention as an MLA and as a new minister.

There is a process to call substitutes. Obviously, school principals and schools, their priority is to contact certified substitute teachers that are on the list prior to making contact with anybody who's not on the list. If principals have demonstrated, or schools have demonstrated, that they've gone through the list and exhausted the list, then they have the ability to contact a retired teacher or a non-certified teacher. But the expectation, to the boards, is that they are to remind school principals and schools that the first right of refusal needs to go to teachers who are certified and on the substitute list, and teachers that, on the second choice, are non-certified in respect to non-B.Ed. holding teachers.

The challenge is with that, at times, when a teacher calls in sick late or gets to work and they're late, and the class has to be covered, sometimes it's difficult to be going through the list, so sometimes in fairness to schools and to administrators, you have to call

somebody that maybe is familiar with the building and has been in in the past. But the expectation - and there has been an expectation that my department make it clear to the boards that we try to adhere to the policies and the process. Because in fairness to substitutes who are out in the field with their degrees, they've paid for their educations and now are looking to establish themselves with experience and opportunities as certified substitutes.

Ms. Docherty: So is there anybody auditing or monitoring, shall we say, I guess, payroll, to make sure that John Doe, uncertified substitute, is not getting all kinds of work?

Mr. D. Currie: There is a way to track substitutes and the names of substitutes. The expectation is that schools and school principals - it will vary from school to school. Some schools, principals call the substitutes; in some schools, the teachers call the substitutes. So there's no set pattern in the boards, but the expectation is that they respect the request. I have asked my staff to monitor the list because I think we have to be fair to new grads that are not on PR-1 and PR-2 contracts. I believe that they do need the opportunity to be called in as substitutes because they do have debt, and they do want to get into schools to show their skills to hopefully receive a PR-1 first year contract.

Ms. Docherty: Okay. Thank you.

Mr. D. Currie: Okay.

Chair: Shall it carry?

An Hon. Member: (Indistinct).

Chair: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Will the list now for these schools be eliminated? Is that what you're - because the kindergarten teachers are

coming in? They're not - will they fulfill any vacancies within the schools?

Mr. D. Currie: No. Okay, I'm not clear on the question, so could you repeat the question?

Mr. M. Currie: The substitute teachers that are out there now, spares, I guess -

Mr. D. Currie: Yes.

Mr. M. Currie: - you would call them, that are wanting in. They're indicating that this process, they never had a chance at any of these jobs, and now they're still sitting on the sidelines. So is the list that principals use, is that being eliminated for substitute teachers?

Mr. D. Currie: No. It wouldn't be eliminated because there's a number of substitutes that are on that list, and the list is upgraded every month and given to schools, and distributed to teachers depending on the calling protocol by the school.

We do right now, we have a volume of kindergarten teachers that have been hired, any new positions that are vacant will be provided and allowed for teachers within the system to transfer in, and if there's further vacancies, those positions will become advertised for hiring.

Mr. M. Currie: Carried.

Chair: Question from the hon. Minister of Health and Wellness.

Ms. Bertram: (Indistinct) question, and I don't know if it still exists. Four years ago there was that central call-in system that they had. I don't know if it was at the district level or specific for the whole Island. Do they still have that in place?

Mr. D. Currie: Very much so. It's very

well used. The system is in place, but sometimes teachers don't lean on the system. For example, if they know they're going to be out on Friday there may be a substitute in the staff room. Say listen, can I book you in for Friday? But there is a process there.

Ms. Bertram: It still exists?

Mr. D. Currie: Yes.

Ms. Bertram: It still exists.

Mr. D. Currie: Yes.

Chair: Shall it carry? Carried.

5. Section 11 of the act is amended

(a) in subsection (2),

(i) by the deletion of the words "instructional licenses" and the substitution of the words "the standards and criteria for instructional licenses and authorizations to substitute for teachers"; and

(ii) by the deletion of the word "substitutes" and the substitution of the word "substitute"; and

(b) by the addition of the following after subsection (2):

(3) The Minister may approve, deny or vary the recommendations of the Certification and Standards Board under subsection (2).

Shall it carry? Carried.

6. Section 51 of the Act is amended by the addition of the following after subsection (2):

(3) for the purposes of placement, kindergarten shall be the first level of education provided in schools.

Shall it carry? Carried.

7. Section 68 of the Act is amended by the deletion of the words “six and twenty years” and the substitution of the words “five and twenty years”.

Question, the hon. Member from Georgetown-St. Peters.

Mr. M. Currie: What’s this about?

Mr. D. Currie: (Indistinct) the six and twenty, I’ll get Karen to respond.

Karen Redmond Legislative Coordinator: This the change that is needed to allow five-year-olds to have free school privileges.

Mr. M. Currie: Carried.

Chair: Excuse me, we’re going to just skip up to 4. I neglected to read 4. We also did not carry it.

4. Clause 7(1)(c) of the Act is amended by the addition of the words “from kindergarten to grade 12” after the word “level”.

Shall it carry? Carried.

Go back down.

8. Subsection 69(1) of the Act is amended by the deletion of the word “seven” wherever it occurs and the substitution of the word “six”.

Shall it carry? Carried.

9. Subsection 86(1) of the Act is amended by the addition of the word “instructional” before the word “license”.

Shall it carry? Carried.

10. Subsection 87(2) of the Act is amended by the addition of the words “to substitute

for a teacher” after the word “authorization”.

Shall it carry?

Mr. M. Currie: Can you explain that?

Mr. D. Currie: (Indistinct).

Chair: Question, the hon. Member from Georgetown-St. Peters.

Mr. D. Currie: Section 1, is it?

Chair: Ten.

Mr. D. Currie: This is to provide for language consistent with other sections of the act. For example, section 87 of the act makes reference to an authorization, and the amendment will provide for language consistent with other sections of the act by adding the words on authorization to substitute for a teacher.

Mr. M. Currie: Carried.

Chair: Shall it carry? Carried.

11. Subsection 97 of the Act is amended by the deletion of the words “a license to teach, unless the person to be employed holds or qualifies for an instructional teaching license” and the substitution of the words “an instructional license, unless the person to be employed as the supervisor holds an instructional license”.

Shall it carry? Carried.

12 Section 133 of the Act is amended

(a) by renumbering it as subsection 133(1); and

(b) by the addition of the following after subsection (1):

(2) For greater certainty, a private school

that provides a kindergarten program requires a license under subsection (1).

Shall it carry?

Mr. M. Currie: (Indistinct).

Chair: Question, the hon. Member from Georgetown-St. Peters.

Mr. M. Currie: What private school have you got teaching kindergarten?

Mr. D. Currie: Well, right now, I'll explain the - to provide that private schools can offer kindergarten programs that require a license.

Previously a private centre school which operated kindergarten programs applied for a license under the *Child Care Facilities Act*. Now that kindergarten is a level of school, private schools can offer a kindergarten program. It will require a license under the *School Act*, private school and home education. Like, for example, Montessori programs across the province. I think there's one down in Montague, there's one in Charlottetown, there's one in Summerside.

Mr. M. Currie: They're required by you to get a license to teach kindergarten in their school? That's what this means, right?

Mr. D. Currie: Yes. Now that the five-year-olds are now in the public school system.

Mr. M. Currie: So, can they teach kindergarten in their school instead of going to - they have to go to school?

Karen Redmond Legislative Coordinator: Right, because kindergarten is now the first grade of education, so if they want to teach kindergarten they're required (Indistinct).

Mr. M. Currie: Okay.

Chair: 13. Subsection 141(2) of the Act is amended by the deletion of the words "be eligible to".

Chair: Shall it carry? Carried.

Consequential Amendments.

14. Clause 24(1)(d) of the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11 is amended by the deletion of the words "kindergartens".

Shall it carry? Carried.

15.(1) Paragraph 1(1)(i)(C) of the *Smoke-free Places Act* R.S.P.E.I. 1988, Cap. S-4.2 is amended by the deletion of the words ", nursery school or kindergarten" and the substitution of the words "or nursery school".

(2) Clause 8(2)(a) of the Act is amended by the deletion of the words ", nursery school or kindergarten" and the substitution of the words "or nursery school".

Chair: Shall it carry? Carried.

Commencement.

16.(1) Subject to subsection (2), this Act comes into force on the date it receives assent.

(2) Sections 4, 6, 7, 8, 12, 14 and 15 of this Act come into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

Shall it carry? Carried.

Mr. M. Currie: Thank you, minister.

Mr. D. Currie: Thank you.

Mr. M. Currie: (Indistinct) you'll bring back the other information we requested.

Mr. D. Currie: Yes.

I move the title.

Chair: *An Act to Amend the School Act.*

Shall it carry? Carried.

Mr. D. Currie: 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.

Mr. D. Currie: Madam Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

Madam Speaker, as Chair of a Committee of a Whole House having had under consideration a bill to be intituled *An Act to Amend the School 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 Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the hon. Minister of Innovation and Advanced Learning, that the 9th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 9, *An Act to Amend the Real Property Tax Act (No. 2)*, Bill No. 49, ordered for second reading.

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the Honourable Minister of Innovation and Advanced Learning, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Real Property Tax Act (No. 2)*, Bill No. 49, read a second time.

Speaker: The hon. Minister of Finance and Municipal Affairs.

Mr. Sheridan: Thank you very much.

Madam Speaker, I move, seconded by the Honourable Minister of Innovation and Advanced Learning, 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.

I ask the hon. Member from Charlottetown-Sherwood to chair the committee.

Chair (Mitchell): 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 Real Property Tax Act (No. 2)*. Is it the pleasure of the committee that the bill be now read clause by clause?

Mr. Bagnall: We'll get an overview first and then if we're half satisfied, we'll go from there.

Mr. Sheridan: Our tax commissioner, Beth Gaudet, is here with me as well, so while I'm starting on this, Beth can make her way to the floor. Thank you very much.

Just to give you an idea, there are some sections to this and, as with most bills, that is the way. What we're doing here is municipalities, right now, whenever there's a bankruptcy inside a municipality with regard to any other bills or fees or anything that comes about, they are a secured creditor. However, with the property taxes right now they are unsecured creditors. Because they are part of us collecting the property taxes.

So what's happened now is that we're going to make municipalities not as part of the Crown, and those taxes that are property taxes that come into question on a bankruptcy charge inside the municipality, they will now have secured status so that they will be able to collect on property taxes that are due, then, by a bankruptcy occurring inside the municipality.

They will be a secured creditor. All we will be is collectors on their behalf on property taxes and we will change that inside all of these different amendments that we're going to make for this bill. We're doing this for the municipalities to allow them the right to be secured creditors and collect on those bankruptcies.

Chair: The hon. Member from Georgetown-St. Peters.

Mr. M. Currie: Do I understand it that these are derelict properties, vacant landlords, that this is not it?

Mr. Sheridan: No, this is just any kind of bankruptcy and insolvency that takes place. They, right now, are not secured creditors.

Mr. M. Currie: Right.

Mr. Sheridan: So they, just like you know very well in knowing business the way you do, when there is secured or unsecured creditors, they can stand in line when there are assets being sold and being realized.

So what happens now is that they are just like us as the Crown. As a province, we don't have the right to be secured creditors on property taxes. So what we're going to do is collect on their behalf. We will just be collectors. This will allow them to be secured creditors out into the future for any bankruptcies or insolvencies.

Mr. M. Currie: Okay, I agree with that. But my question, I guess, was on those vacant properties that people vacate and walk away and move to the United States or Alberta and they leave a vacant lot, with the home on it or whatever, in the middle of a municipality, in a depressed state, that affects everybody else's property and they don't pay the taxes and the process - I argued with my own government when they were there.

This process should be changed, I think it's after three years. It's before you, as a minister, can move on it. There's grass six feet high. There's skunks and raccoons and everything else living on the property. It has to be dealt with but the municipality doesn't have the big stick that you have.

Is there some way that you can transfer some responsibility to go in and take over these properties or the municipality has it for the taxes? Because the province never moves on it. I know, even when our government was there, it was five, six or seven years before some of these properties ever got dealt with and the properties are overrun with raccoons and every other -

Mr. Sheridan: That's a very good point. It has nothing to do with this bill, but we are moving on that now.

We, as a matter of fact, had an issue come through Treasury Board this morning where three departments are going to work together: myself and the Environment, Energy and Forestry department and TIR are going to work together now to work that exact issue through.

Looks like we do have a fix for it and we're going to work in conjunction with municipalities. They'll have to issue us the request to do that but we are going to put it in place to make sure that we do help out with these derelict properties.

Mr. M. Currie: Because what happens in some cases, minister, is there could be six, seven years of back taxes and there's interest added to it and the properties are derelict, and the individual next door now has a nice property and he has this slum situation next to him. If it goes to public auction anybody can buy it and leave it like that or do something else with it for another period of time.

But when they want to go in and make an offer, the department says: There's \$7,000 added here. But his intentions are it's only worth \$3,000 for the lot because it cost me 6,000 to tear the place down and clean the site up. And then nobody buys it.

Mr. Sheridan: So that is. We're going to move on that now.

Mr. M. Currie: You're going to move on that?

Mr. Sheridan: I couldn't agree with you more. It's just not inside this bill.

Mr. M. Currie: Thank you.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Bagnall: Minister, on the bankruptcies

in the community. Right now, if there was a bankruptcy, the municipalities don't get any money for the taxes. Is that what you're saying?

Mr. Sheridan: They're unsecured creditors. As that goes, you know how unsecured goes. I mean, everybody else gets their money. They may get something at the very end but they're not secured creditors at all.

Mr. Bagnall: But if it goes for a tax sale they would because there would be a claim against it, right?

Mr. Sheridan: But remember now what we're talking about. We're just talking about bankruptcies and insolvencies right?

Mr. Bagnall: This is only bankruptcies.

Mr. Sheridan: Bankruptcies and insolvencies that we're speaking about here now. So very directed legislation -

Mr. Bagnall: So after this is done, after this act is through, if in the town of Montague, for instance, there was a bankruptcy and there was taxes owing, they would become - are they first on the list or how are they as far as to get -

Mr. Sheridan: There'll be a secured creditor right in with the other secured creditors -

Mr. Bagnall: So they would move in with them and get their portion, as per whatever the payout is?

Mr. Sheridan: Correct. That's just because they were part of that Crown before because we collected all the property taxes. Now we're going to separate them and allow them to be secured creditors. I think it's a very promising move for the municipalities so that they should be able to stay in place there.

Mr. Bagnall: Like down in (c) here, minister, like the minister shall levy the rate.

Mr. Sheridan: What number, 8(c)?

Mr. Bagnall: Actually 3(c). You're deleting those words. The minister shall levy the rate or the tax rating. So you're deleting that.

Beth Gaudet Tax Commissioner: They're being substituted with: On behalf of the municipality.

Mr. Bagnall: Okay, so before it was just the minister and now it's the minister on behalf of the municipality. So anything that's collected there, you would - you're not going to be a secured creditor after this is enacted.

Mr. Sheridan: Correct.

Mr. Bagnall: Just the municipalities.

Mr. Sheridan: Just the municipality.

Mr. Bagnall: Okay.

Mr. Sheridan: So it's just the municipal side of their taxes.

Mr. Bagnall: All right.

Chair: Hon. member, any other questions?

Mr. Bagnall: Well, I'm just - just give me one minute before I (Indistinct). Did this have anything to do with the rate of levy with the municipalities? You don't have any - will it affect -

Mr. Sheridan: It doesn't have any affect on any of that. It's just a very restrictive piece of legislation, just to deal with bankruptcy insolvency, so that we can separate, making sure that the municipalities are not part of the Crown, because the Crown can never be a secured creditor. So we're separating -

putting them out at arm's length. We will collect taxes on their behalf, but they are not part of our Crown, so therefore they can be a secured creditor.

Mr. Bagnall: So this basically is going to help you, right?

Mr. Sheridan: Help me?

Mr. Bagnall: Yes.

Mr. Sheridan: No.

Mr. Bagnall: Minister, can I tell you why I think it's going to help you?

Mr. Sheridan: Sure.

Mr. Bagnall: Okay. Because the tax base is from the municipalities. Municipalities get a grant on the property taxes. Basically, those property taxes are paid before the year is out, because they're paid out to the communities before the year is out.

Mr. Sheridan: The grant?

Mr. Bagnall: But if there's a bankruptcy the town usually has a little bit of a cushion, because the provincial government never really ever came back for us based on those figures, because they didn't get out. So now what you're saying is that you're going to get that money from the bankruptcy now, which you never could - that you've already paid the town for - back to you.

Mr. Sheridan: That has nothing to do with this.

Mr. Bagnall: Well, yeah it does.

Mr. Sheridan: No. A grant is based totally -

Mr. Bagnall: On their tax base.

Mr. Sheridan: On their tax base, but it has

nothing to do with a bankruptcy case. That money, that's going to be there - the only difference this has is that corporation ABC goes bankrupt during the fiscal year 2010-2011. When they go bankrupt, at that time they had \$6,000 owing to the town of Montague, at that point. In the past that \$6,000 owing to the municipality of Montague would just go away - no chance of collection by Montague only. So, what we're going now -

Mr. Bagnall: But chances are though, minister, they already got the money back from the provincial government, because that - the tax base comes in, and you issue the cheque based on the tax base.

Mr. Sheridan: Nothing to do with the grant. We're talking about the municipal grants and municipal taxes that they've -

Mr. Bagnall: The town collects so much - you some - and you turn around and you send the town back based on their thing. So they've already got their money. What this will do, minister, really - and it's good - I'm not - is allow you to get some money back.

Mr. Sheridan: No, but -

Mr. Bagnall: Because that money is going to come in -

Mr. Sheridan: We deduct that the next year though, hon. member.

Mr. Bagnall: - that money is going to come into your office.

Mr. Sheridan: But we deduct that from Montague the next year. If there was \$6,000 that was lost in the bankruptcy -

Mr. Bagnall: Then you've changed the system from what it was before, because that was never the case. When I was finance minister, it was kind of like a little bit of

extra money we got.

Mr. Sheridan: That's just clearing it up. Right now, our tax commissioner's saying that we carry that debt.

Mr. Bagnall: I know you did.

Mr. Sheridan: We never pass it on to the municipalities.

Mr. Bagnall: That's what I'm saying.

Mr. Sheridan: No, they don't get it. They don't get it. If it is owed to us in the form of a bankruptcy they don't - Montague would not get that money owed to them in the case of a bankruptcy.

Mr. Bagnall: Then that's been a change in the last 10 or 12 years, because 15 years ago we got it. I know that, because I was on the other end of it, loving every minute of it as the finance chairman for the town.

Carried.

Mr. Sheridan: Thank you.

Chair: No further questions?

You would like to carry the bill?

Shall it carry? Carried.

Mr. Sheridan: I move the title.

Chair: *An Act to Amend the Real Property Tax Act (No. 2).*

Shall it carry? Carried.

Mr. Sheridan: 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.

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

Chair: Shall it carry? Carried.

Chair: 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 Real Property Tax 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 the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Government House Leader.

Mr. Gallant: I move, seconded by the hon. Member from Charlottetown-Sherwood, that this House adjourn until 2:00 p.m. tomorrow.

Speaker: Shall it carry? Carried.

The Legislature adjourned until tomorrow, Thursday, at 2:00 p.m.