

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

Hansard, Published by Order of the Legislature

Third Session of the Sixty-fifth General Assembly

Wednesday, 6 December 2017

MATTERS OF PRIVILEGE AND RECOGNITION OF GUESTS	770
STATEMENTS BY MEMBERS	773
WEST ROYALTY-SPRINGVALE (Eva and Lilly Rashed)	773
CHARLOTTETOWN-LEWIS POINT (PEERS Alliance).....	773
BORDEN-KINKORA (Borden Carleton Plan).....	774
ORAL QUESTIONS.....	774
LEADER OF THE OPPOSITION (Seniors Independence Program budget)	775
LEADER OF THE OPPOSITION (Fibre optic backbone project)	775
LEADER OF THE OPPOSITION (Income criteria for senior programs)	776
LEADER OF THE OPPOSITION (Number of seniors qualified for programs).....	776
LEADER OF THE OPPOSITION (Good news announcements).....	776
MORELL-MERMAID (Opening closed adoption records)	777
MORELL-MERMAID (Requests for adoption records).....	778
MORELL-MERMAID (Closed adoption records in PEI)	778
MORELL-MERMAID (Length of time for closed adoption records)	778
MORELL-MERMAID (Dollars spent on post-adoption services).....	779
MORELL-MERMAID (Commitment to opening PEI adoption records).....	779
RUSTICO-EMERALD (Open adoption processes).....	779
RUSTICO-EMERALD (Adoption support in women's wellness clinic)	780
RUSTICO-EMERALD (Improvement of adoption process on PEI).....	780
LEADER OF THE THIRD PARTY (Review process of FOIPP Act)	781
LEADER OF THE OPPOSITION (Tabling and review of FOIPP Act)	782
SUMMERSIDE-WILMOT (Skilled workers labour shortages)	782
SUMMERSIDE-WILMOT (Attracting students into trades)	782
CHARLOTTETOWN-VICTORIA PARK (Unclaimed benefits and low-income families)	783
CHARLOTTETOWN-VICTORIA PARK (CRA and benefit of programs).....	784
GEORGETOWN-ST. PETERS (Bus stop locations and safety screen).....	784
GEORGETOWN-ST. PETERS (Protection of students and staff).....	785
GEORGETOWN-ST. PETERS (Timeline for removal of staff from classroom)	785
GEORGETOWN-ST. PETERS (Notifying parents of allegations).....	786

GEORGETOWN-ST. PETERS (Reviewing of school board policies)	787
STATEMENTS BY MINISTERS	788
TRANSPORTATION, INFRASTRUCTURE AND ENERGY (National Day of Remembrance and Violence Against Women)	789
PREMIER (Public Interest Disclosure and Whistleblower Protection Act)	790
FINANCE (Financial Support to Municipalities).....	792
PRESENTING AND RECEIVING PETITIONS	794
Leader of the Third Party (Open Records PEI).....	794
TABLING OF DOCUMENTS.....	795
REPORTS BY COMMITTEES (Agriculture and Fisheries (Committee Activities)	795
INTRODUCTION OF BILLS	795
BILL 25 – (Public Interest Disclosure and Whistleblower Protection Act)	795
BILL 9 – (An Act to Amend the Real Property Tax Act)	796
ORDERS OF THE DAY (GOVERNMENT)	796
SECOND READING AND COMMITTEE	796
BILL 14 – (An Act to Amend the Early Learning and Child care Act)	796
BILL 17 – (An Act to Amend the Electric Power Act)	803
BILL 6 – (An Act to Amend the Health Services Act)	816
ADJOURNED.....	820

The Legislature met at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Greetings to colleagues here and welcome all of our visitors to the gallery – those watching from home, especially from the York-Oyster Bed district. We have a group in the gallery today who are interested in adoption issues in the province and we welcome them and I'm sure that their engagement will help us to make the right decisions in that area.

We have a group of municipal leaders: Mayor of Montague, Richard Collins, and Rowan Caseley from Kensington, and others who are interested in some very significant developments on the municipal front today.

There were quite a few of our colleagues here in the House who took part a few hours ago in the memorial service for those who were murdered on December 6th, 1989. I think we can all take from that that we're fortunate to live in a province where we do act in solidarity, where we do take things to heart, and where there was deep meaning and a real sense of community present in that room, and I believe in the province, on issues of preventing gender-based violence.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

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

It's certainly a pleasure for me to rise in the Legislative Assembly today and also welcome their Worships Rowan Caseley and Richard Collins. Gentlemen, it's wonderful to see you here.

Also, I noticed just coming in the door and I believe sitting behind me – yes, they are – good friends of mine Chris Ortenberger and

Catherine O'Brien. Also, I'd like to recognize the individuals that have joined us here in the gallery today around the opening of adoption records. It's a very important issue and there's been much dialogue in social media as of late and I'm truly hopeful that we can accomplish some great things to make things better for all concerned.

As the Premier said as well, we've had a very somber event today at the Confederation Centre at noon time and, of course, that is the anniversary of the unfortunate murder of 14 women at *l'Ecole Polytechnique*, but also very alarming is the fact that since that time, there's been 10 Island women murdered here on Prince Edward Island and I think that's a very serious statistic that we all need to be concerned about. I know the Premier and myself, recently attended an event called Man Up, PEI and salute the initiative of this organization and what they're doing to help bring awareness to all men here on PEI – but not only men, but all residents of PEI so that we can once and for all put an end to violence against women in our society, but also to curb violence against all humankind.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you very much, Mr. Speaker.

I'd like to welcome all of our visitors to the gallery. I see out here Carolyn Simpson and Doreen Gillis, nice to see you and your Worships, Rowan and Richard, nice to see you too. And, of course, all of the people who are with us with concerns about access to adoption records. I have some of the names – I'm not sure I have all of the names, but we have: Theresa Aylward, Justin Campbell, Betty MacLean, Donna Cantwell, Charlotte MacAulay and her two daughters Miranda and Irene.

And I'd like to make a special shout-out to a gentleman, Alan MacKenzie, who's not here with us today, but he was the gentleman who first alerted me, through his poignant story, to the problems related to a lack of access to adoption records.

I'd also like to welcome Catherine and Chris, of course, behind me and the MLA elect for District 11, Hannah Bell.

I would like to echo the remarks of the two gentlemen who preceded me about the meaningfulness of the ceremony this afternoon, and what a poignant and community-building event that was.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Mr. Speaker.

It's a pleasure to rise today. I'd like to say hello to everybody in Borden-Carleton and with the STEP program, the announcement they had last night, and also, all the residents in District 19.

I'd also like to say hello to the 17 known survivors that are still living from the Halifax Explosion, which happened 100 years ago today.

Also, I'd like to say hello to and thank you to all the residents of Boston, Massachusetts for their continued support during that event and into the future.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

It's a pleasure to rise in the Chamber today and welcome all the colleagues back for a great day of debate and making progress for Islanders.

I'd like to wish everyone from District 18 Rustico-Emerald a great day. Hopefully, there are a few tuning in, especially from Rosewood Residence.

The Rackham brothers, Robert and Keith, I'd like to say hello to them, especially.

I did want to take a moment to also talk about the massacre at *l'École Polytechnique* in Montreal in 1989. My wife is an engineer. My sister-in-law is an engineer and I hope my daughter can continue to move forward in the world, and a world that's free from this sort of violence and this sort of prejudice and misogyny.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Dumville: Thank you, Mr. Speaker.

I'd like to welcome everybody here today, especially Eddie Lund. I haven't welcomed him for a while, but he's always here. It's great to see their worships here today, Rowan and Richard. Rowan and I are in another organization for quite a while. I know Rowan quite well.

I'd like to welcome all the ladies here that are for open adoption records. As you all know, that's a topic that's near and dear to my heart. I welcome you here today and good fortune.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

I'd like to welcome all the groups here, as well, today. It's wonderful to see so many engaged groups here in the gallery with us today.

I'd also like to make mention of the day of remembrance of violence against women. When we in engineering at Dalhousie, we would help organize the event that was today to remember the women that lost their lives. It's also a good day to remember the very strong female engineering leaders that we have in the province, as well.

I know the most recent Iron Ring ceremony, the wardens for the new camp on PEI, many

females on that, as well, so kudos to them for doing that, as well.

Speaking of strong women, I'd really like to make mention of the Full Throttle Fitness Group. It's a growing and thriving fitness facility in Morell. This past weekend there was nine women competed in power lifting in a competition. All nine members from this organization in Morell came home with medals. Bear with me, just I'd like to quickly give them a shout-out; Courtney Steel, Jerina MacMillan, Cyrilina Campbell, Mallory Campbell, Glenda MacDonald, Arlene van Diepen, Amber James, Bethany Coffin and Cassie Anderson, did a wonderful job. It's a great facility for both men and women, but these women deserve a special shout-out for their accomplishment.

The Full Throttle Fitness will be hosting their first ever charity power lifting event this summer, as well. It's exciting for them.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

I'd like to welcome Carla Long, who would be, a second cousin, maybe, once removed of mine, to the gallery.

I'd also like to commend the hon. Member from Borden-Kinkora on his very nice and, some other members have said tacky tie, but in the spirit of the season, I'm proud to be wearing a nice, tacky Christmas tie, as well, Mr. Speaker. It's a sign of a great time of the year.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

It's always a pleasure to rise in the House and I certainly want to welcome everyone in the gallery, almost a full gallery here this afternoon, and all those that are in

Montague-Kilmuir that are watching this afternoon.

I want to make particular note of our mayor Richard Collins from Montague and Kensington mayor, Rowan Caseley; two men that I've had the opportunity to work with over the last number of years and it's always been very collaborative and I enjoy working with them.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

I welcome everyone here today and everyone on EastLink from Souris-Elmira, and especially one person I'd like to recognize is Charlotte MacAulay, an old neighbourhood friend of mine back in the day. Actually, I'd like to thank Charlotte and Sharon Riley from the *Eastern Graphic* coming up to the Souris Christmas parade and covering the Souris Christmas parade for us. I noticed last week *The Guardian* had all its employees in the paper, but couldn't find one of those employees to go to Souris to cover the Christmas parade. *The Guardian* always had the slogan: We cover the Island like the dew. Well, Souris has dew up there too.

Some Hon. Members: Hear, hear!

Mr. LaVie: To send a message up to take pictures and email them in – if they couldn't find somebody to travel 84 kilometres to take their own pictures, I wouldn't be sending pictures.

Mr. R. Brown: (Indistinct) you're going to get no more pictures.

Mr. LaVie: I'd like to thank all those that did participate in the Souris Christmas parade. It was a great parade and all those volunteers that organized to make it happen; it's a big event and there are a lot of volunteering that goes on behind it.

So, to all the organizers and especially all the people, not only from Prince Edward Island, but from outside of Prince Edward

Island that showed up to watch the parade. You hear great comments like: There's one parade I wouldn't miss. Or: There's one parade I always like participating in.

To all of the organizers and the volunteers, thank you very much for another successful year.

Thank you.

Some Hon. Members: Hear, hear!

Statements by Members

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

Eva and Lilly Rashed

Mr. Dumville: Thank you, Mr. Speaker.

It is my honour in the Legislature today to recognize two young women in my community, who through their musical talents, have been advocating for an important cause.

Ava and Lilly Rashed are 13-year-old twins who have used their singing and songwriting skills to speak out against cyberbullying. They wrote a song called *Worth it!* earlier this year, after seeing the adverse effects that cyberbullying can have on young people. The song is about standing up to cyberbullies and trying not to let them get you down.

Their efforts haven't gone unnoticed, and they have been chosen as the spokes-teens for StopCyberbullying, which is a global program aimed at educating people on cyberbullying and trying to prevent it from happening. The teens will be heavily involved in the program, and it will launch in January; the program's phone application. Their song will play every time the StopCyberbullying app opens, and it will be translated into many different languages so it can be used on the app internationally.

Seeing Prince Edward Island talent on a worldwide scale is something for all of us to be proud of, especially regarding such an important issue. The duos' musical talent is really no surprise, as they are the daughters of David Rashed, a member of Haywire. Being raised by a talented musician has

given the twins the opportunity to hone in on their musical abilities, and both sisters can sing, play guitar, and play the piano.

In addition to their efforts with cyberbullying, they have also recently been performing in *Salute*, a variety show fundraiser for the PEI Military Family Resource Centre, as well as performing at the induction ceremony of the new Lieutenant Governor in Tignish.

I would like to commend these two on their admirable efforts, and their use of an undeniable talent to do good in both our local and global communities. It is people like Ava and Lilly that will lead our youth in a positive direction, and help solve current issues such as cyberbullying.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Lewis Point.

PEERS Alliance

Ms. Casey: Thank you, Mr. Speaker.

I was pleased to be invited by Aids PEI to a celebration of an exciting new chapter for their organization and the evolution of PEERS Alliance.

Aids PEI started in 1991 in response to the Aids crisis where a group of caring and concerned citizens came together to form an organization to ensure individuals, families and communities had a place to find support. Over the years AIDS PEI realized they had expanded their services to also include work in the area of Hep C and all sexually transmitted infections. They also realized it was time to revision their organization to better meet community needs.

After community and stakeholder meetings, PEERS Alliance, was launched. Prevent, educate, empower, respect, support: PEERS Alliance strives to address the underlying issues affecting the health and welfare of our community by countering stigma and creating environments where all are welcome.

PEERS Alliance serves people of all genders

and sexual orientations in the promotion of sexual health well-being. PEERS Alliance supports and promotes harm reduction strategies to people, who use drugs so they can work to reduce their risk of negative health outcomes.

More information can be found about PEERS Alliance on their webpage, on Facebook and on Twitter at PEERS Alliance.

I would ask all members of this House to join me in congratulating and thanking Nola Etkin, board chair, Cybelle Rieber, executive director and all involved in the PEERS Alliance for the great they do to make life better for Islanders.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Borden-Kinkora.

Borden Carleton Plan

Mr. Fox: Thank you, Mr. Speaker.

I am pleased to rise today to offer my congratulations and encouragement to the town of Borden-Carleton and their efforts to bring more tourism dollars, jobs and permanent residents to the area.

Like many rural towns in this province, the town of Borden-Carleton has been experiencing a decline in their population. The people of this area do not intend to allow this town to fade away. They see a potential for their area.

Last night's public meeting demonstrates the spirit of community coming together to try and fight against a trend of people just driving by. This town has a lot offer, both permanent residents and visitors to our Island. It has wonderful beaches, beautiful scenery and the Gateway Village provides an excellent retail and commercial base for future development.

As most of you know, I have been an advocate for having something done with the bridge fabrication yard, which I believe can be repurposed and utilized for both tourists and residents.

The residents of Borden-Carleton have taken an initiative to engage a planning firm to help create a vision for the area, which will be implemented over the next 20 to 30 years. Residents were given a glimpse last night of some ideas; includes reinventing Gateway Village into a kind of a Main Street, which will be utilized by local residents, as well as tourists.

I look forward to helping this town rebuild and grow into a vibrant community where families will be happy to raise their children. I look forward to the day when residents will have increased services and businesses will flourish as the population grows.

I anticipate that this government will help this town in this revitalization project. They will need the support of their government to make a vision a reality and to expand the economic prosperity of our province. I wish them well and thank them.

Thank you.

Some Hon. Members: Hear, hear!

Recognition of Guests

Speaker: Before we start Question Period, I want to give way to the hon. Premier for recognition.

Premier MacLauchlan: Thank you, Mr. Speaker.

I note that Bruce MacDougall, who is the president of the PEI federation of municipalities, has joined us in the gallery; a long-serving councillor in Summerside, a key player in the progress that we've made on municipal funding. And, one of the Island's newest recording artists. Welcome to Bruce MacDougall.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Responses to Questions Taken As Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

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

Recently, this government hurriedly announced a Seniors Independence Program during the Parkdale by-election. The announcement was very short on details, as we've become accustomed to, missing many facts, including an actual budget.

Seniors Independence Program budget

My first question is to the Premier: Premier, why is there no budget for the Seniors Independence Program?

Some Hon. Members: Hear, hear!

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, this program was brought forward in the Speech From the Throne and it was a great response immediately in the public sphere to the news. And with the prospect of winter coming it was felt that the best thing is to proceed with the offer starting January 1st, and the details of what seniors can expect from this program.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

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

Yet again, it appears this government rushed announcements out the door without any planning or thought.

The fibre op backbone, the grandparent caregivers, Sherwood School, and now the seniors' program; no budgets determined, no funds allocated, just headlines – or, as you will, good news announcements during a polling period, or in this case, a by-election.

Again, question to the Premier: Where is the funding for this program found in this year's Budget?

Some Hon. Members: Hear, hear!

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, let me not take all of those items, because it would take more than my time, but the Sherwood School came out of a very thoughtful process, recommendations from the Public Schools Branch, through to the capital planning budget process, and a budget that's now been approved by this House. So, I don't know why anyone is saying that there's no money for that and the timeline has been well laid out. The work that will be done through the seniors' program that has been present and will be on offer the first of January will be available through the Department of Family and Human Services in the 2017-2018 budget.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

Fibre op back bone project

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

The Premier references the Sherwood School, which could be in the Capital Budget, but again, he doesn't show us where the fibre op backbone budget is for \$30 million.

Government's press release states: the first phase begins on January the 1st and work will continue to develop – the final program, which will be implemented in April.

Again, question to the Premier: Can you clarify the difference between your first phase and the final program, which apparently is not even developed yet.

Some Hon. Members: Hear, hear!

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, the questions that are directed here are about the funding. One is in the 2017-2018 budget, one is in the 2018-2019 budget here and that, of course, will be presented when that 2018-2019 budget comes forward. But Mr. Speaker, it seems to me that we get from the opposition – it's either: you're going too

fast, or you're going too slow. It's like Goldilocks – nothing seems to be right.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

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

As we all are aware, Goldilocks was a fairy tale of which many of these promises of this government seems to be as of late.

An Hon. Member: Oh.

Some Hon. Members: Hear, hear!

Income criteria for senior programs

Leader of the Opposition: Mr. Speaker, this government has a troubling history of deliberately designing programs that are restrictive. This announcement sets income thresholds of just over \$22,000 for single seniors and just over \$31,000 for senior couples after taxes. Government's own statistics show that over 28,000 Islanders are aged 65 years or older.

Question again to the Premier: How many of our 28,000 Island seniors fit into your program's income criteria?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I'm going to back up even further than the Speech From the Throne and I'm going to back up to this past summer when I attended an event at UPEI, put on by an 80 year old PhD candidate. There she had 10 women who were pioneers in aging. They were 85 years or older, living in rural communities on their own. They listed things that enabled them to stay in their communities. Those are all things that we developed this program around.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

Number of seniors qualified for programs

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

It's great to develop a program where it's so restrictive that the majority of people it's supposed to help isn't even accessible to those individuals. There's a reason why government settled upon this criteria, in fact, it was the only detail of the program that was announced. The Premier needs to be upfront and tell us how many seniors fall within this criteria and how many of those will actually receive assistance.

Again, question to the Premier: Give us the number. How many seniors qualify based on your income thresholds?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker. That's really a difficult question to ask, but I'm going to back up again a little bit more and talk about the low-income measure.

That is the measurement that we use to identify the low-income threshold across Canada. That is a nationally recognized program. It is one that the Veterans Affairs Canada program follows. That's the one that we based our guidelines on and our thresholds. So, they are nationally recognized. The federal government recognizes them, and we don't know at this point how much uptake there is going to be on this program. So, I cannot give him answer as to how many seniors will be using this program until we actually roll it out and get started.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

Good news announcements

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

We still have no true detail from government about this program. This is another example of seeking a headline without doing their homework. Again, a good news announcement, if you will, during a polling period – or in this case, a by-election.

Question to the Premier: Why is the headline you wrote so far from the truth that you are unable to address these questions today?

Some Hon. Members: Hear, hear!

Speaker: Hon. Member, I just want to warn you that you're bordering on unparliamentarily language: 'So far from the truth', indicating you're lying.

Mr. MacEwen: Mr. Speaker, he used the exact same language that was used yesterday (Indistinct)

Mr. Trivers: (Indistinct)

Ms. Casey: (Indistinct) question challenging the Speaker.

Speaker: I'm just making a statement, okay?

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

Premier MacLauchlan: Perhaps the member would like to reframe the question.

Mr. Myers: (Indistinct) are you the Speaker or (Indistinct)

Speaker: Could you repeat the question or –

Leader of the Opposition: Mr. Speaker, my question stands as it was previously stated.

Thank you very much, Mr. Speaker.

An Hon. Member: Oh.

Speaker: The hon. Premier.

Premier MacLauchlan: Well I guess the member opposite is not withdrawing as he said he would, but let me say, Mr. Speaker,

on the point of what's accurate or not, I don't write the headlines, so I can't really answer that part of the question. But let me say precisely on what's being asked here today and it's, again, if we go ahead and do something, you'll say we're doing it too fast, and if we take our time, and think it through, and work on evidence, you'll say we're going too slow. On this one, we offered a program. It's very clear what the benefits will be. There are 7,000 senior families in this province that are under the income threshold and they will decide whether they step forward and take advantage.

Thanks, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Opening closed adoption records

Mr. MacEwen: Thank you, Mr. Speaker.

Mr. Speaker, I was encouraged to hear recently that this government appears to be – we're starting to see some movement to have a conversation about opening adoption records that are presently closed.

Could the Minister of Family and Human Services explain what the current process is for someone who wants to access their adoption records?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

Mr. Speaker, this is an issue that is very personal and very sensitive to many Islanders. We've been listening to their concerns and we have agreed to review the program as it stands right now and we will and we are engaging in the public. We will be going out to public consultations in January and we will hear from all Islanders – all parties that are a part and parcel to the adoption process.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Requests for adoption records

Mr. MacEwen: Thank you, Mr. Speaker.

I actually asked if she could explain what the process was for accessing adoption records. I'll try a different one.

Generally, how long does it take for a person to receive the adoption records that they request and what do they typically receive back, Mr. Speaker?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I'll go back and I will answer that question. We do have Post Adoption Services within our adoption program. That process – if an individual, a birth parent it could be, or it could be the adoptee – can contact post adoptive services, and they can access non-identifying information about either their birth parent or their adoptee and we will do our very best to provide them with that non-identifying information.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Closed adoption records in PEI

Mr. MacEwen: Thank you, Mr. Speaker.

A majority of Canadian provinces and territories have an open adoption record system. PEI currently is among the shrinking minority of provinces and territories that use a closed adoption record system.

Question to the minister: How many closed adoption records does the province currently oversee?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you.

Again, Mr. Speaker, I know how passionate and how sensitive this issue is to very many people and we do our very best, within our department, to help those people seeking information.

Currently, under the *Adoption Act* all of our adoptions are closed unless previously arranged. In the last few years the majority of our adoptions, we have been trying to push towards an open adoption system. But currently all of the records would be closed, Mr. Speaker.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Length of time for closed adoption records

Mr. MacEwen: Thank you, Mr. Speaker.

Could the minister tell us how long of a time period these closed adoption records would cover?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Mr. Speaker, again, I can't stress how many stories I heard this past summer; how many emails I received from people who are very, very passionate. I can't imagine what it feels like to not know where you came from. I can't. I can't imagine being a mother, who would have given up a child and not know if every child that they look at walking down the street is that child.

We know this is sensitive. We know this is something we need to look at and we have agreed to do that. We've already started a jurisdictional scan of other provinces and we are going to be going out to hear from all of Prince Edward Islanders to hear their views on this subject, Mr. Speaker.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

I'm glad the minister is getting a number of these calls and emails. These services are important to help adoptees and their birth parents reconnect with each other.

Dollars spent on post-adoption services

Question to the minister: What does the province currently spend annually on post-adoption services?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Mr. Speaker, this is not about dollars and cents. This is about people. This is about people's lives. This is about people's feelings. This is about a government that is listening to their concerns. That is why we are taking a jurisdictional scan. We are talking to other provinces to try and learn what worked with them and what didn't work with them so that we can bring back a program that will help all Islanders.

First, we have to hear from all Islanders and we are listening.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Mermaid.

Commitment to opening PEI adoption records

Mr. MacEwen: Thank you, Mr. Speaker.

I couldn't agree more. These added costs shouldn't be a reason or a deterrent to do this.

Will the minister commit today to 100% making PEI's adoption records open?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I am glad that the hon. member is asking these questions because they are questions that need to be asked.

We are committed to listening to all parties because there are three parties in every adoption. There is the birth parent. There is the adoptee, and there is the parent that adopted them.

I, as minister, I need to listen to all voices and I'm committed to doing that. We will listen. We will have recommendations –

Mr. LaVie: Answer the question.

Ms. Mundy: – by the end of the spring. And if legislative changes are necessary, we're going to do them in the fall.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

When a birth mother is given a choice in taking an active role in helping chose adoptive parents, having contact with them to share family, medical, and social information and, perhaps, even build – helping put an adoption plan together with them, including; what, if any future communication she will have after the placement. This is often known as an open adoption process. Although, not for everyone. There are very many advantages to this type of open arrangement that result in the best outcome for all involved, especially the child.

Open adoption processes

A question for the minister of Family and Human Services: Minister, will you commit to reviewing legislation and regulations that govern adoptions on PEI to ensure that these sorts of open adoptions are possible?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

If I'm not mistaken, we do have some adoptions that we have been arranging that are open adoptions. That we do have all parties involved. So, we are currently doing that, but it has to be something that all parties agree to going in. That will be part, again, of the review. And if the *Adoption Act* needs to be changed to actually have that on the books, then, so be it.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Now, really is a great time to have this conversation around adoption here on PEI. At the PEI women's wellness clinic there is an opportunity for adoption-related supports and counselling for Island women at all stages of family planning.

Adoption support in women's wellness clinic

Question to the minister of Family and Human Services: Minister, will you commit to including adoption in the support and counselling offered at the women's wellness clinic?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

My grandmother always said to me that: I was given two ears and one mouth. Because

I was intended to listen twice as much as I spoke.

This is what I intend to do: I intend to listen to Islanders who have all sorts of views on the subject. If that is something that Islanders feel that we need, then we will act on it. But I can't commit to doing anything until we do a proper, thorough, and comprehensive review.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Thank you, minister. Definitely, this is something that I'm hearing out across the Island. Adoption is something that has a lot to offer our Island. We do see people, many people that have to leave Prince Edward Island to pursue adoptions.

I do understand that adoption is a privilege, not a right, and it's not something to be taken lightly. It's a lifelong commitment; has a huge impact on the people involved, both children and parents, but the benefits are generally enormous.

Currently, it takes many years to adopt a child on PEI. Some advocates believe that there's a lot of room for improvement.

Improvement of adoption process on PEI

Question to the minister: What work have you undertaken, what actions have you taken now, to improve the adoption process here on PEI?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I think the review is a huge action. We were only talking to advocates. This was only brought to our attention, this summer is when I started receiving calls, and started engaging with people, who brought it to my attention.

The fact that, within a few short months, we have put a working group together; we have gone out and started talking to other provinces and learning from what they've learned and what worked for them and what didn't work for them. And the fact that we have committed to reviewing, and going out to public engagement in January, I think those are huge, huge actions that we are taking to improve adoption services on Prince Edward Island.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

We all want the best for these children and families who are seeking adoption. All families seeking adoptions are required to have a home study done and pass through many rigorous steps.

Government's own literature on adoption states that it takes five or more years before adoptive parents can welcome a child into their family.

Minister: Will you commit to a timeline as to when your review of legislation and regulation to remove barriers to adoption will be complete here on PEI?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I hear stories and I don't have to look too far to hear a story each and every day about how adoption has impacted someone's life and made their live even better.

Our own member, over here, from –

An Hon. Member: West Royalty.

Ms. Mundy: – West Royalty, he got up and he shared his experience on how rich his life has been because of the child that they adopted and how the story of how that, that child and that mother were working together and didn't even know it –

Mr. Trivers: When is your review going to be done?

Ms. Mundy: – I do not have to go far not to hear – I think I've already answered that. I said that we were going out to public consultation in January. We're hoping to have recommendations back by this spring.

If changes need to happen, we're hoping to have them by the fall.

Speaker: Thank you, minister.

Ms. Mundy: Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you so much, Mr. Speaker.

In the recent Speech From the Throne, government committed to launch, during this sitting, a process to review and update the *Freedom of Information and Protection of Privacy Act*.

Review process of FOIPP Act

Question to the Minister of Justice and Public Safety: What is the process that you envision for this review?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, the Leader of the Third Party is correct, that we said that we would launch that during this sitting, and it's anticipated that that will be brought forward about mid-next week.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Dr. Bevan-Baker: Thank you, Mr. Speaker.

The Access and Privacy Commissioner recently presented her recommendations to the Standing Committee on Communities, Land and Environment. During her

appearance there, she mentioned that government had undertaken an internal review of the act in 2012.

Tabling and review of FOIPP Act

Again to the minister: Can you table the document in the House and explain why that review was never acted on?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, when the document is brought forward and the process is laid out next week, the work that was done in 2012 will be incorporated into that review.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Dr. Bevan-Baker: Thank you, Mr. Speaker.

Premier, you promised to review FOIPP in your 2015 throne speech, yet you have waited over two-and-a-half years before you actually started the process and I'm beginning to worry that you're not entirely committed to fulfilling this review and introducing new legislation during your mandate.

Can you tell me how long this process will take and assure this House that you will amend the act during this mandate?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, let me remind the member opposite, and all members of the House, that the throne speech in 2015 laid out the mandate for the full four years and indeed, at that time it was made clear that it would be in the latter half of the mandate that the FOIPP review would take place. The actions that will follow on that review will have to wait until review has been conducted.

But, it will be done. It will be open. It will invite input from everyone here in this House and from Islanders, and we'll be in a better position then to know what changes will be needed.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Summerside-Wilmot.

Mr. Palmer: Thank you, Mr. Speaker.

My question is for the Minister of Workforce and Advanced Learning. Earlier this week we heard news of shortage of skilled workers in the autobody industry and also in the ultrasound technician field, to name a few.

Skilled workers labour shortages

Minister: How does your department work with Holland College, of which there is a campus in Summerside, to identify labour shortages and gaps in the workforce to ensure local businesses have the skilled workers they need to be successful?

Some Hon. Members: Hear, hear!

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

Mr. Gallant: Thank you, Mr. Speaker. Thank you very much for the question, hon. member.

Our department has a close working relationship with Holland College and our other two post-secondary institutions here on PEI, UPEI and *Collège de l'Île*. We share our labour market information with Holland College, and Holland College has a program advisory committee in place which deals with employers. As stated in my mandate letter: Our responsibility is to set up an employer's council in the near future and we're looking forward to doing that in the New Year.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Summerside-Wilmot, your first supplementary.

Mr. Palmer: Thank you, Mr. Speaker.

Attracting students into trades

Recruitment is a big part of ensuring successful programs. Can the minister inform the House what Holland College is doing to attract more students in those trades that are experiencing labour shortages?

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

Mr. Gallant: Thank you, Mr. Speaker.

Holland College has an outreach program to the schools to talk to the schools and see if the youth are interested in any trades. Our department also works with education and culture to get information out to the schools on the apprenticeship programs. If something is not available here on PEI, our department will help students get the training if they have to go off-Island.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Summerside-Wilmot, your second supplementary.

Mr. Palmer: Thank you, Mr. Speaker.

Minister: Have there been any talks about short, specialized training sessions in Summerside that could address the gaps in the labour force?

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

Mr. Gallant: Thank you, Mr. Speaker.

To the hon. member, yes there is. We've had the privilege to participate in some programs that there were shortages in. Like, there were some short-term programs like school bus drivers that needed to be filled and the short-order cooks, there were also some construction trade workers that needed to be filled. So, we continue to work with our employers and try to create an environment where we can match up employees with employers and provide the proper training.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. R. Brown: Thank you, Mr. Speaker.

There was a recent article in the *Globe and Mail* and the papers across Canada that indicated that there were \$175 million of unclaimed benefits for the working income tax benefit; \$175 million was not claimed. Imagine what this money could have done to the families that were affected in a low-income bracket.

Unclaimed benefits and low-income families

I ask the Minister of Family and Human Services: What is her department doing to make sure that we maximize the benefits available to people, especially low-income families?

Thank you.

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

We realized that, hon. member, about a year and a half ago and that is when we came up with the idea of going out to the public and making them aware of the federal benefits and provincial benefits that they might be missing out on. The hon. member across the floor mentioned yesterday, the be aware and get your share program. It has been very successful.

We started it last fall. We went across the Island. There were over 100 information sessions that we held and we reached over 2,000 Islanders, and the hon. member next to me here got up and he told a very heart-warming story about an Islander who was aware and got her share, and she received a cheque for \$3,000.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. R. Brown: Thank you, Mr. Speaker.

The Canadian Revenue Agency has a tremendous database available there. They have all the income tax returns online and I'm wondering if the minister's department, first of all, could work with the department of CRA, the revenue agency, and make the forms a little bit more simpler. The complication forms – is one of the complaints of many people is the forms are very complicated so they don't fill them out.

CRA and benefit of programs

Also: Could her department work with the CRA to identify people on Prince Edward Island that are potentially not taking advantage of these benefits, and that maybe her department could go out and contact these people with the information given by CRA in order to make sure that we take advantage of these programs? After all, they are for families, families in need, and anything we can do for families in need is good for society.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Thank you, Mr. Speaker.

I couldn't agree more and be aware and get your share program was actually a great collaboration between CRA, my department and workforce and advanced learning. We are very much aware of the fact that those forms are very difficult for Islanders, especially seniors, to fill out.

One of the things that we did with the CRA is we created these – or helped drive people to these community information tax centres and where they had volunteers preparing tax returns free of charge to any Island senior that needed help. The amount of centres that we have across the Island actually doubled after our be aware get your share campaign, and the uptake – there was 5% more Islanders actually – or roughly around 300 more Islanders getting their taxes done at the community volunteer tax centres.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

The safety of our children when they leave the house every day is the top of mind for parents.

Bus stop locations and safety screen

Question to the minister of education: What criteria is used when determining bus stop locations for the Public Schools Branch and what safety screen is applied?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

The Public Schools Branch has a criteria and a policy that's outlined to determine where school bus stops might be, and the safety of the child is one of the utmost concerns in that policy.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

Well, the safety of students should be the utmost concern of everybody in this Assembly.

Question again to the minister: What measures are in place to protect students and to notify all of the students, the staff and the parents of ongoing investigations involving staff?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you, Mr. Speaker.

I'm not sure – the hon. member had indicated ongoing investigations relating to

staff. I'm not sure what he meant by that. Are we still talking about school buses, Mr. Speaker, or are we talking about something else?

Thank you.

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

Protection of students and staff

Mr. Myers: Thank you, Mr. Speaker.

Ongoing investigations about staff is exactly that: Ongoing investigations with staff.

Question to the minister of education: What do those policies say about the protection of students, parents and staff when a staff member is involved in a criminal proceeding?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

As I had indicated previously, we take, in the Public Schools Branch and the French Language School Board, take the safety of our students and of their families as a foremost concern when they're looking at things. Depending on what is going on and the nature of the allegations against a staff individual, the reaction might be different.

There are policies that dictate how those would proceed, Mr. Speaker, I'm pleased to say that the Public Schools Branch does their utmost to enforce them.

Thank you.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

Thankfully, these types of situations are rare, but not as rare as we would like them to be. Over the last two years there have

been two high-profile cases that have made these concerns top of mind.

Timeline for removal of staff from classroom

Question to the minister of education: When a staff member becomes involved in a criminal proceeding, what steps are taken to remove the person from the classroom and how long does that take?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

In the circumstances where there is a serious offence that might relate to the safety of the children, those members typically have their conduct reviewed and a suspension would take place fairly immediately.

To the best of my recollection, that did occur in the two cases that the member has spoken about here today, Mr. Speaker.

Thank you very much.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

One of those high-profile cases was the school vice-principal that taught healthy relationship courses and he was charged and pled guilty with criminal harassment.

Question to the minister: When the Public Schools Branch becomes aware of situations like this, what requirements are there to notify parents and staff?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

There is a balancing that needs to occur when this type of event takes place. The first and foremost consideration is the safety of students and staff. That's why, if there is a serious criminal allegation such as that, the Public Schools Branch, in this case, would look at suspension of the individual. They would move forward from there to determine what recourse might need to take place as they go forward.

You have to keep in mind that there is a presumption of innocence in this country and we can't be going off on the basis of allegations making statements that don't have a foundation in fact.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

I'm quite shocked by the minister's answer. This isn't a courtroom. This is classroom we're talking about. So, you don't think we should take steps to protect the children. When you can put someone on administrative leave if there's a criminal investigation going on, you should.

In the case that I spoke of, parents and staff learned of the situation when the court proceedings were reported by the media.

In the most recent example, a pattern of delayed notification was also present. A teacher was involved in a criminal proceeding, but again, parents and students found out when they read the media reports.

Notifying parents of allegations

Question to the minister: Do you consider it an appropriate method to notify parents and students, the media versus, telling them yourselves?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

Again, I did indicate that student and family safety is one of the foremost concerns in situations such as this. As I had indicated, an administrative leave was entered in that place. The Public Schools Branch did participate with the police in investigating that matter.

Student safety was foremost in the minds of the Public Schools Branch in administering their policy.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

In the most recent case, pretty serious charges have been laid. I think that the parents deserve to know. I think the parents deserve to know long before it made the media. I think it was the duty of you to make sure that no one else had been harmed by the teacher.

In the most recent case, your staff initially told the parents that the teacher was put out on medical leave; that he had a sore back. Not that they were the focus on ongoing sexual investigation into sexual assault and interference involving youth.

Question to the minister: Can you explain why parents were given an inaccurate explanation of why that teacher was no longer in the classroom?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

I can't speak to the specifics as to what the hon. member has indicated went on at that particular point in time. But I will say this: I do have a great deal of faith in the Public Schools Branch, who is responsible to administer the policy that they have in place.

I think that the policy does a great deal to ensure the safety of the children in a situation such as that. I think that there was a

great deal done in that particular situation to ensure that that policy was adhered to.

I would like to thank the Public Schools Branch for taking those steps.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

We're hearing from parents. Actually I heard from parents, in this case, long before it ever made public; long before it ever made courts. I was waiting for all the parents to find out from the school that this was happening so they could go home and check with their own children to make sure that they were never put in a position of compromise with the teacher.

That's something that you were responsible to make happen.

Question to the minister: Do you feel it's okay to have those accused of sexual assault in our classrooms?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

As I indicated there is a policy at the Public Schools Branch, in this particular case that deals with these sorts of matters.

I can tell you with a fair degree of certainty that if there is any allegation of that kind of conduct they take it very, very seriously. They do an investigation. In this case, the police were involved. They did a very formal investigation. The investigation resulted in charges against that individual. Ultimately, the individual was put on administrative leave. There was no time after those allegations were made that he was in the classroom.

Ultimately, that matter went through the courts and the Public Schools Branch dealt

with the matter without having the member back in the classroom.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

All too often, we, in the opposition ask questions; we watch government members hide behind bureaucratic policy. This is a case where I'm not going to allow it to happen.

Your policy is broken, because parents are unhappy with your policy, parents are coming to us saying: well, what happened? How come we weren't notified this happened? How come we didn't – we weren't notified that there was a predator in the classroom in our schools?

Reviewing of school board policies

Question to the minister: Will you commit to reviewing your policies?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

Again, it's the Public Schools Branch that administers this policy, but we're always open and we have a mind to ensuring the safety of our learners in the classrooms. That is the job of our department. Certainly, we take it very seriously. I will certainly commit to continuing to do that, Mr. Speaker.

Thank you very much.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Mr. Speaker.

Here is the place where we come to ask questions and get answers for people. It's not my fault that our phones are ringing off the hooks with people that were concerned by your policies or the school board's policies, or whoever it is that you want to hide behind today in Question Period.

These are your questions. They're for you. You are the head of the schools.

I heard it from the Premier when he said: The minister was the head of schools on Prince Edward Island, period. No question about it. We know for sure, it's you.

Question to you, again: Do you know of any other investigations going on in our school system today that parents are unaware of that are criminal?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

No, I'm not personally aware of any other investigations that are going on today.

Again, I will reiterate: our Public Schools Branch and the French Language School Board, both take the protection of students as being one of the utmost factors in their day-to-day operations.

I have the utmost of confidence that they will continue to do that. I think coming in here today and carrying on like this is just fear mongering to try and indicate that they're not doing their job –

An Hon. Member: Oh!

Mr. J. Brown: – Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. LaVie: (Indistinct)

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

Mr. Myers: Thank you, Mr. Speaker.

And I take exception to him saying that I'm carrying on. I'm bringing very important concerns forward by parents, who actually live in your district, who didn't feel it necessary to follow-up with you because they didn't think they'd get any action. They only thought they would get action if they came over here.

To tell the truth: you aren't doing your job. You aren't doing your job if parents aren't being notified of these situations: completely ridiculous. I believe you when you say that you aren't currently aware of anything because there is probably a policy preventing them from telling you, too. Who knows? That is the problem.

Will you commit today that you'll make sure there's clearly defined policies on how you notify students, parents, and the staff when it comes to criminal investigations inside a school?

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Thank you very much, Mr. Speaker.

I do take great offence to the hon. Member's statement that parents wouldn't come to me with their concerns, and I would indicate that in relation to the investigation the hon. Member's talking about, I was not sitting in this chair by the time that the criminal sentencing was done, so I do take a great offence to that statement. But, let me assure you of this: We do work with the Public Schools Branch and the French Language School Board to ensure the safety and protection of the students that go to school in our system, Mr. Speaker, every single day.

Thank you.

Some Hon. Members: Hear, hear!

Statements by Ministers

Speaker: The hon. Minister of Transportation, Infrastructure and Energy and the Status of Women.

National Day of Remembrance and Action on Violence Against Women

Ms. Biggar: Thank you, Mr. Speaker.

With your indulgence please, I would like to recognize the members of the Advisory Council on the Status of Women who are joining us for our proceedings today.

Speaker: Yes. Go ahead.

Ms. Biggar: They are: Mari Basiletti, Yvonne Deagle, Lalana Paul, Pam Schurman-Montgomery, Debbie Langston, Madison Blanchard, Patti Wheatley, Melissa Mullen, Jane Ledwell, Michelle Jay, and Becky Tramley. They are actually watching from the J. Angus MacLean.

Thank you.

Some Hon. Members: Hear, hear!

Ms. Biggar: Mr. Speaker, each year on December the 6th, we pause to remember the fourteen women killed at *l'École Polytechnique* de Montréal in 1989. These women were targeted and killed because they were studying in a field that had traditionally been considered a male profession.

Today, we also take the time to remember the ten Island women who have been murdered since 1989. These are women who were murdered by men they knew.

At noon today, services were held at Memorial Hall in Charlottetown and the Summerside Baptist Church. I, as well as many members of this Legislative Assembly, took part in the ceremonies this afternoon. We take time today to reflect on the terrible violence against women in our own province and across Canada. We vow to take action to stop violence against women. We offer an opportunity for everyone to speak out against all forms of violence against women. We take a moment to recognize the impact of violence on individuals, families and communities. We first mourn then we work for change.

Nationally, the Centre for the Study of Social and Legal Response to Violence at the University of Guelph will launch the

Canadian Femicide Observatory for Justice and Accountability today.

The observatory will establish a national and visible focus on femicide in Canada with the goal of enhancing prevention initiatives moving forward. Leading the initiative is Uigg-born Dr. Myrna Dawson. As well, Dr. Wendy Verhoek-Oftedahl, the province's Family Violence Prevention and Community Development Coordinator, and Jane Ledwell, the Executive Director of the PEI Advisory Council on the Status of Women are also members of the panel.

Locally, the Province of Prince Edward Island has established the Premier's Action Committee on Family Violence Prevention, and my department recently announced the first recipients of the Violence Against Women Prevention Grants.

Individually, we all play a role. We all need to recognize and reflect on how we treat women. Words and actions can speak volumes. Inaction can speak just as loudly. We need to be mindful of the impact of our choices.

Before I close Mr. Speaker, I would like to name the women's names and then ask for your indulgence for a moment of silence.

Speaker: Go ahead, Minister.

Ms. Biggar: Those women who were killed in Montréal were: Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault, Annie Turcotte, Barbara Klucznik-Widajewicz.

Here in Prince Edward Island, and I'm sure some of us know some of these names: Carrie Crossman, Elaine Myers, Shirley Anne Duguay, Della Waddell, Mary Waite, Kimberly Ann Byrne, Debbie Holmes, Chrystal Dawn Bearisto, Maureen MacDonnell, and Traci Lynch.

I ask you to rise for a moment of silence.

[Moment of silence]

Ms. Biggar: Thank you.

Speaker: The hon. Member from Belfast-Murray River.

Ms. Compton: Thank you, Mr. Speaker.

I want to thank the minister for her words. This service today was very moving and it's a time of reflection for everyone, I think, the National Day of Remembrance and Action on Violence Against Women, and I think firstly, we remember and then we need to take action.

Also, to remember the Island women that had been lost in the last 19 years, murdered by their partners or people that they knew and we need to reflect on that, that it does happen in our neighbourhoods and our next-door neighbours and in our communities. We need to recognize the need for awareness; the awareness that there is violence and that women deal with it every day, as do their families and their friends.

I want to thank the minister for reading the names of all the women that we've lost, both in Montreal and here on PEI. I think it brings them back to our memory to hear their names and know that they have touched our lives and will continue to do so.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Mr. Speaker.

I also want to thank the minister for the reading of all 24 names of people who were killed, both here on Prince Edward Island and in Montreal that terrible day. It was a very moving ceremony. As the Premier said earlier, coming together of the community and I want to thank Mari Basiletti and the PEI advisory council for the large amount of work that goes into organizing what is every year a beautiful and poignant ceremony.

Of course, violence manifests itself in so many ways. Today we were remembering the horrific consequences of violence directed at women. But, although there are many forms that violence takes, there is one universal remedy and it lies within each and every one of us to come to peace; to come to

peace within ourselves and who we are. When we do that, then we can approach each other and the world with calm and an untroubled heart and mind, and when that happens then we will truly be able to do something meaningful about this.

The very last of the 25 candles that were lit today was a candle for peace on Earth, and of course, that's hope that's being shared by idealistic dreaming musicians and eager beauty pageants forever, but we must accept that it is our own individual responsibility to do the work that will be required; that's both the inner work within ourselves and also the community work, to encourage that we all come to each other with calm and understanding and to be welcoming and peaceful.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Premier.

Public Interest Disclosure and Whistleblower Protection Act

Premier MacLauchlan: Thank you, Mr. Speaker.

Our government has made accountability and transparency central to our mandate and our actions. We have taken strong action to enhance accountability and ethical conduct within government, including the establishment of the position of Ethics and Integrity Commissioner, the extended conflict of interest requirements, more public disclosures; and a commitment to a lobbyist registry for which legislation will be introduced in the coming days.

To build on this work, government is moving forward on our public interest disclosure and whistleblower protection legislation. The Public Interest Disclosure and Whistleblower Protection Act strengthens government's approach to public interest disclosure. The purpose of the act is to facilitate disclosure within the public sector of wrongdoing by creating a system for disclosures, investigations, and protection from reprisals.

Prior to our government's introduction of the Public Interest Disclosure and

Whistleblower Protection Policy, these measures did not exist in our province. The policy was the first time in provincial history that government introduced any form of protection for public sector whistleblowers.

We are pleased to build on this protection by introducing legislation. The act defines what constitutes wrongdoing. It sets a requirement for procedures to report and respond to wrongdoing. It will provide a mechanism for investigating and responding to reports made by public servants of alleged wrongdoing.

This bill also protects against reprisals for individuals making disclosures of serious wrongdoing. It will protect public servants who, in good faith, report wrongdoing within their workplace. The act would establish the Office of the Public Interest Disclosure Commissioner as an independent officer of the Legislative Assembly. It also establishes accountability to implement recommendations from the Public Interest Disclosure Commissioner. Public sector unions and others were consulted on this legislation and feedback was considered in drafting the current bill.

Our government values the work of the public sector; their professionalism, their commitment to our province, and their contributions to our communities. We will continue to stand up for the public service and work with them to build on their successes.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: the hon. Leader of the Opposition.

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

This bill is certainly long overdue. I remember just in recent history we, as the opposition, brought a motion in asking for just this, to which the government's response was to bring in policy rather than an actual act around whistleblower legislation.

There has been countless times when I have been contacted – I know many of my

colleagues here in the House as well, I'm sure, on both sides have been contacted by a civil servant that wants to reach out and speak out, and speak up for the right reasons, but for fear of reprisal and consequences, they refuse to do that. Even when we reach out and ask for some kind of conditions, some kind of promise that these individuals can give their evidence or give their statement in strictest confidence that there wouldn't be any repercussions, but unfortunately that isn't coming.

There are significant concerns from employees and unions who feel the existing policy does not provide sufficient protection. So, I am very happy to hear that the Premier stated that there has been extensive consultation with these parties, and when we get a chance to get the bill on the floor and hopefully see some of the details in it, we'll be able to determine and ascertain if it's as strong as it needs to be or if we need to make some strong amendments to it.

The most recent and publicized case in PEI with whistleblowers coming forward, I guess this government had the former premier actually labelling them as crazy and then conducting a public character assassination on all three of these women. That wasn't too far in history. Actually, it was just a few short years ago. When we see instances such as that – and again we're talking about protecting our most vulnerable and we're talking about protecting our most valued civil servants – I think it's incumbent upon us to ensure that we're doing exactly what we're standing and saying we're going to do and leading by example.

I hope that this bill allows protection and might lead to the bottom of this government's e-gaming financial services and deleted email scandals once and for all. Because once again, we continue to hear about these issues and I know that there are many people that would like to come forward and to tell the truth once and for all with regards to these disturbing situations that have occurred over the last number of years.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Mr. Speaker.

Like the Leader of the Opposition, I welcome this news today. I also welcome in the Premier's announcement the news that we are going to receive a tabled *Lobbyists Registration Act* in this sitting. I'm very glad to hear that, too. Two pieces of legislation that work, work well together.

I welcome this bill because, in part, it's a partner to the private member's bill that I presented two weeks to amend the *Employment Standards Act*, again, a whistleblower protection, not just for public service employees, as this government bill does, but for all workers on Prince Edward Island.

In the spirit of cooperation I sent the Premier a letter on October 2nd outlining some of my concerns and with six recommendations surrounding the previous draft of this act. I look forward very much to seeing this iteration of the act, which hopefully will be an example of the collaborative ideal that we all claim to strive for in this House.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Finance.

Recognition of Guests

Mr. Roach: Thank you, Mr. Speaker.

Mr. Speaker, could I have just a moment for a recognition of a guest?

Speaker: Go ahead.

Mr. Roach: Thank you, Mr. Speaker.

I'd like to recognize Summerside Mayor Bill Martin, who joined us a little bit later in the Legislature and I'd like to welcome him here today.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Financial Support to Municipalities

Mr. Roach: The provincial government provides financial support to municipalities across Prince Edward Island in recognition of the services they provide to their residents. This has been in the form of grants, equalization payments and funding for capital infrastructure.

Many municipalities have advocated for a change in the funding model, indicating that the grant portion could be subject to change. Consultations on a new model began in 2011 and reached an impasse in 2012.

Negotiations were resumed in the past year and today I am pleased to announce that agreement on a new funding model has been reached between the provincial government, representatives of the six large municipalities and the Federation of Prince Edward Island Municipalities which participated on behalf of the other municipalities.

Mr. R. Brown: Great.

Some Hon. Members: Hear, hear!

Mr. R. Brown: Working together

Mr. Roach: This historic new agreement is the greatest single step forward since municipal amalgamation in 1995.

It will provide the municipalities with greater financial predictability and support their long-term growth and development. It will fundamentally transform the relationship between the provincial government and municipalities.

And along with the proclamation of the *Municipal Government Act*, it will lead to stronger and more resilient and sustainable local governments across this province. Under the terms of the new agreement, the provincial government will shift the annual grants to tax credits –

Mr. R. Brown: Good.

Mr. Roach: – based on property assessments. As the tax base broadens, the value of the tax credits to municipalities will increase accordingly.

The current equalization agreement which also covers the smaller municipalities will

be updated. This will ensure that all municipalities will be able to provide similar services at a similar level of taxation.

Under the new municipal capital expenditure grant, municipalities will receive a payment of 10% on all of their eligible capital expenditures.

The planning credit will also be extended to municipalities with an official plan. I am also pleased to announce that, as a result of the new agreement, no municipality will receive less funding than it did before. This agreement will be reviewed after five years.

Mr. LaVie: (Indistinct) spring election.

Mr. Roach: The total funding of municipalities of \$23.6 million has been increased by \$2 million in 2017-2018, and will go up by \$1 million over the next three years. This is on top of the growth based on increased assessments giving municipalities even greater resources to do what they do best.

By 2022-2023, the funding increase will go to \$30 million, along with an increase of \$100,000 in funding for equalization for small municipalities.

The provincial government takes great pride in its strong working relationship with municipal governments –

Mr. LaVie: Be careful.

Mr. Roach: – and we are committed to continuing to work with them to move forward in the coming years.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

It is great to hear the minister rise in this House and announce that an agreement has been reached. I want to give congratulations to all the municipal leaders, many of whom are in the gallery today, for the amount of work they put into this, and the great work

they do on behalf of their constituents in negotiating these agreements.

Now, I'm hearing a lot of the details for the first time here today and I do want to examine them in detail before I start high-fiving the Minister of Finance or anything like that. We have, at least, one mayor of a major municipality, who is saying that, and I have a newspaper article here that I'll table, perhaps.

It says: Stratford mayor is not thrilled with new revenue model, but wants to move forward anyway.

There are obviously some folks that are not entirely impressed with the new revenue model. I want to explore it. I know there are a lot of people in this Chamber who worked very hard.

I also wanted to give kudos to the members of the small municipalities, in particular, because many of them really are volunteers, at the end of the day, that really stand up for their communities. It's great to hear that this new funding model takes into account all municipalities, not just the large ones, but the small ones, as well.

Mr. LaVie: I'd be careful.

Mr. Trivers: This also speaks to the plan that we have from the Minister of Communities, Land and Environment and that has been brought forward in the *Municipal Government Act* to change the structure of municipalities in the province and move towards larger provinces with more requirements on how they're supposed to operate.

I'm sure that this new revenue model has taken that into account. I'm not sure if it's, perhaps, yet another step towards pushing smaller municipalities towards amalgamation, and that could possibly be part of what's going on here.

Mr. LaVie: (Indistinct)

Mr. Trivers: I do want to explore it further –

Mr. LaVie: (Indistinct) coming (Indistinct)

Mr. Trivers: – and I do look forward to speaking with the municipal leaders that are here in the room today. I would urge them, of course, to reach out to the official opposition, and as the critic, reach out to me at any time to talk and discuss any concerns that they might have with this.

Thank you, Mr. Speaker, and congratulations to all.

Mr. R. Brown: High-five.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you very much, Mr. Speaker.

Clearly, we're living through a volatile time for municipalities, large and small. One thing that I heard loud and clear when I started meeting with municipal leaders was that they needed predictable, stable funding in order to provide the services that municipalities are asked to do.

Following on from the previous hon. member's statement, the responsibilities, which appear to be being downloaded to the municipalities, require funding in order to provide those services.

Again, without knowing the details of this, it's difficult to make any sort of informed comments, but it certainly sounds as if this is a really important step forward.

I, too, want to salute the municipal leaders that I see in the room this afternoon for all of your work within your communities, and also, as a community of communities in the federation to help the rural areas, and the urban areas of this province.

I should say, that tonight, I shall be at a meeting in Bonshaw where we are discussing this exact topic on the municipal restructuring. I'm sure that this announcement today will be discussed at that meeting.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Presenting and Receiving Petitions

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Mr. Speaker.

I beg leave to present a petition from Open Records Prince Edward Island, and I move, seconded by the Honourable Member from Morell-Mermaid, that the petition be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Dr. Bevan-Baker: There are 935 signatures on this petition, Mr. Speaker. The petition states the following:

“We, the undersigned, petition the Legislative Assembly of Prince Edward Island to enact revisions to the Adoption Act and other Acts to permit adult adopted persons unrestricted access to original birth certificates/adoption orders/full identifying disclosure with respect to their natural mother/father, siblings, and grandparents and also to permit natural mothers, fathers, siblings, and grandparents unrestricted access to birth certificates, adoption orders, and full-identifying disclosure with respect to their sons and daughters, sisters, brothers, and grandchildren.

Thank you, Mr. Speaker.

Tabling of Documents

Speaker: The hon. Minister of Family and Human Services.

Ms. Mundy: Mr. Speaker, by Command of Her Honour the Lieutenant Governor, I beg leave to table 2015-2016 Annual Report for Prince Edward Island Housing Corporation for the period ending March 31st, 2016 and I move, seconded by the Honourable Member from Summerside-Wilmot, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Mr. Speaker.

By leave of the House, I beg leave to table the 13 testimonials written by Islanders currently living out-of-province, but who have been impacted by a lack of access to open adoption records and I move, seconded by the Honourable Member from Morell-Mermaid, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

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

Mr. Perry: Thank you, Mr. Speaker.

As Chair of the Standing Committee on Agriculture and Fisheries, I beg leave to introduce a report of the said committee and I move, seconded by the Honourable Member from West Royalty-Springvale, that the same be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Mr. Perry: Thank you.

Mr. Speaker, I move, seconded by the Honourable Member from West Royalty-Springvale that the report of the Committee be adopted.

This report is an account of the committee's activities since last reporting to the Assembly. The committee met on two occasions since this last report. On September the 25th, 2017: Your committee met to receive a briefing on fish kills from the hon. Robert Mitchell and Kate MacQuarrie, Director of Forests, Fish and Wildlife in the department of –

Speaker: Hon. Member, you just said the Minister. Don't –

Mr. Perry: Oh, sorry.

I'll retract that and say the Minister of Communities, Land and Environment.

Mr. Perry: On September 29th, 2017: Your committee met to receive a briefing from representatives of the Atlantic Beef Products Inc. and your committee puts forward the following recommendations:

Your committee recommends that the government work with the P.E.I. Cattle Producers and the Maritime Beef Council toward the establishment of a risk management program for PEI beef producers. A risk management program would act as a safety net to ensure that PEI beef producers can recover the cost of production, at minimum, on their beef cattle while withstanding risks that are beyond their control, like fluctuating costs and commodity prices.

Having this form of insurance will allow producers to be more competitive in the bidding on feeder cattle and have greater confidence in expanding their herds. It may act as an additional incentive toward bringing new entrants into the industry. Other provinces have risk management programs in place in their beef industries and there may be some opportunities to join those programs or partner with other provinces to establish a new program. Some risk management programs are entirely producer-driven and that may be the most appropriate approach for PEI as well.

Your committee simply recommends that government do what it can to help beef producers establish this form of support.

In conclusion, Mr. Speaker, your committee thanks the individuals and groups that shared their views on agriculture and fisheries with the committee.

Some Hon. Members: Hear, hear!

Speaker: Are there any members would like to speak to this report?

An Hon. Member: No.

Mr. R. Brown: Great job.

Speaker: Shall it carry? Carried.

Introduction of Government Bills

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I beg leave to introduce a bill to be intituled *Public Interest Disclosure and Whistleblower Protection Act* and I move, seconded by the Honourable Member from

Tignish-Palmer Road, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *Public Interest Disclosure and Whistleblower Protection Act*, Bill No. 25, read a first time.

Speaker: The hon. Premier, just a brief explanation.

Premier MacLauchlan: Mr. Speaker, I've spoken to it in the minister's statement so it's to create a regime for disclosure where a public servant believes there's been wrongdoing, process for investigation, and protection against reprisals.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I beg leave to introduce a bill to be intituled *An Act to Amend the Real Property Tax Act* and I move, seconded by the Honourable

Member from Charlottetown-Victoria Park, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Real Property Tax Act*, Bill No. 9, read a first time.

Speaker: And just again, a brief explanation, hon. Minister.

Mr. Roach: Mr. Speaker, this legislation would authorize the payment of a municipal tax credit from the provincial real property tax collected in the calendar year. This tax credit will be calculated using the formula provided within the legislation. The amendments would also allow for the creation of regulations around credits, including the new municipal tax credit and specifying the municipalities to which it applies. Additionally, the amendments would provide for the new definitions and rules respecting the sale of mobile homes to satisfy tax arrears.

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Minister of Education, Early Learning and Culture, that the 6th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 6, *An Act to Amend the Early Learning and Child care Act*, Bill No.14, ordered for second reading.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Education, Early Learning and Culture, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Early Learning and Child care Act*, Bill No.14, read a second time.

An Hon. Member: Great.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Speaker, I move, seconded by the Honourable Minister of Education, Early Learning and Culture, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The hon. Member from Summerside-Wilmot, would you come and Chair the committee of the whole?

Mr. Palmer: (Indistinct) into consideration a bill to be intituled *An Act to Amend the Early Learning and Child Care Act*. Is it –

Do you want to bring (Indistinct) on the floor?

Mr. J. Brown: Yeah. Mr. Chair, if I could bring a stranger to the floor?

Some Hon. Members: Granted.

Mr. Palmer: Certainly.

Hi there. Can you state your name for the record, please?

Carolyn Simpson Director: My name is Carolyn Simpson; I'm Director of Early Childhood Development with the Department of Education, Early Learning and Culture.

Mr. J. Brown: A note, Chair, just before we get going – recognize Doreen Gillis who's in the gallery as well, who works hand-in-hand with Carolyn in this capacity and the two of them do a great job, I think, Chair.

Chair: Thank you, minister.

Could we get an overview?

Mr. J. Brown: Sure.

This bill is really clearing up and clarifying a number of different items from legislation that was proclaimed about a year ago.

The primary intent of it is to change the ratios of students to educator in the early years system. There are a couple of other housekeeping amendments, as well.

Chair: Would you like me to go through the bill line by line or –

An Hon. Member: Yes, please.

Chair: Are you sure? You guys can think about that for a little bit, if you want.

1. Section 1 of the *Early Learning and Child Care Act* R.S.P.E.I. 1988, Cap. E-.01, is amended

(a) in clause (r), by the deletion of the words “and who is not yet attending school” and the substitution of the words “but is not a school-age child”; and

(b) in clause (t), by the deletion of the words “attending school” and the substitution of the words “of an age at which the child is entitled to attend school or will be entitled to attend school within the next three months, in accordance with *the Education Act*

R.S.P.E.I. 1988, Cap. E-.02”.

Can that section carry? Carried.

2. Section 2 of the Act is amended

(a) in clause (e), by the deletion of the words “seasonal or”; and

(b) by the repeal of clause (f) and the substitution of the following:

(f) a community, sport, recreation, artistic or other type of children's program dedicated to a particular activity or pursuit;

Chair: Question, the hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Can you just tell us what qualifies as a seasonal camp?

Chair: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: I have a brief comment and then, I'll turn this over to Carolyn for further explanation.

Really, what we're doing is we're intending to amend the definition, which previously indicated seasonal or holiday periods. I suspect the hon. member may be, kind of, on to this, but there was lot of ambiguity in that definition. Then, there are layers of definitions, as well, where you get into school-aged children that fall under a totally different kind of a regime.

It's our hope that this change of the definition will provide some clarity with respect to how clause 2(e) of the act will be applied with respect to seasonal camps.

Perhaps, I'll turn it over to Carolyn to explain that a little further.

Carolyn Simpson Director: The intent behind that simply states that, for example, coming up into the Christmas season or holiday season, there are times where there may be individual programs that offer a day sort of service for families to shop or take part in their Christmas business party or work party, and so it's not the intent of this legislation that that same one-day, one-of

type of event would be covered under the regulations or the act and regulations required through that the remainder of the licensed programs would.

This is intended to clarify for the perspective that that for holiday periods you would be exempt from requiring a licence.

Dr. Bevan-Baker: Okay.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Following on from that why do you think that those seasonal camps need to be brought under the act, whereas the one listed in subsection (f), the community, sport, recreation, do not. Why is there a distinction there?

Mr. J. Brown: I'll let Carolyn address that.

Carolyn Simpson Director: The fundamental difference there would be the fact that if you're providing a seasonal or a one-purpose, single-purpose type of activity, by that we mean a hockey camp, for example, or there are often Lego camps; single-purpose, short-term types of arrangements that parents would choose for their children, but not for the purpose of child care to enable the parent to return to either, work, school or take on some alternate activity.

Whereby which some of the seasonal types of arrangements that come forward, it's for the purpose of child care, as opposed to the purpose of hockey camps or some such that I just mentioned.

Mr. J. Brown: If I could, Chair, I'd like to just add a little bit.

Chair: Certainly, minister.

Mr. J. Brown: Member, this is actually a question I actually asked when we were reviewing these changes, as well. I think the big – what I took out of it, and we have Carolyn right here, so if I go too far astray, I'm sure she'll get me back on track.

The big thing that I took out of it was, that if you're a parent and you're putting your child into one of these programs, you would – or logically, you would anyway – think to yourself, that this is not the same as a full-

time daycare program; it's something different that I'm just doing for this one purpose to kind of have it done. You would recognize that it doesn't bring with it, perhaps, the full –

Dr. Bevan-Baker: Expectations.

Mr. J. Brown: – protection of all the regulation that goes along with a typical, say, a licensed centre, or even an early years centre.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Just to comment, I appreciate the distinction, Carolyn and minister.

Thank you.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Is it safe to assume before it was kind of a grey area, whether they were included or not? Like, you say a sport camp or a Lego camp. So, now we're excluding those ones. They do not fall under this act.

Chair: Go ahead.

Mr. J. Brown: Thank you, Chair.

My comments will be very brief on this and I'll turn it over to Carolyn, who has a much better explanation than I would.

I think what, probably, would be fair to say is that, particularly, when it said: seasonal or holiday periods, you can appreciate that the addition of the extra word "seasonal" in that would lead one to wonder, what does seasonal means? It's a pretty broad term.

This is something that, when we had done our consultations, these kinds of things, you know, you can think of sorts of things like church camps or, you know, I can remember –

Mr. MacEwen: And that's just my question: Those specific (Indistinct) camps are not included?

Mr. J. Brown: When you say: not included. We need to be careful about what you're saying. They're not included in, but –

Mr. MacEwen: They're not covered by the act.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: This act.

Mr. J. Brown: Sorry.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: I think the minister knows my question, there.

Chair: Go ahead, minister.

Mr. J. Brown: What we're saying, member, is that they fit within these definitions and so the, kind of, regulations which they are required to abide by are different than, as I say, if they were a school-aged program, or a licensed centre or something different than that.

Perhaps, Carolyn can add to that, if she has any points of clarification.

Carolyn Simpson Director: That would be exactly it. For example, some of the church camps that operate during the summer months, they would be exempt from requiring a licence with this change.

Where it became confusing was often for the individuals themselves within the community: when, are we considered a seasonal camp, and if so, that's usually related to school-aged child care; do we require a licence.

This wording change is an attempt to clarify that for individuals providing one single purpose type of activity versus a full-fledged child care program being offered, particularly, usually, typically, for school-aged in the summer months.

Mr. J. Brown: Chair, if I could, I might just add another – again, go back to when we were talking about this, what I took out of it was: as a parent you could conceivably go sign your child up for successive sport

camps or sport and church and whatever camps all summer long, but in your mind you would have to go register every day or every week or whatever it was. So, you ought to recognize that this is different than an actual child care set-up where you go and you register for whatever the term is; the summer or indefinitely, or whatever, and you recognize that that is subject to very particular regulation under our legislation.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Not having the full act in front of me, so these types of the new definition of seasonal, like these ones that you list here, they have less stringent criteria than the ones that have to follow the *Early Learning and Childcare Act*?

Chair: Minister.

Mr. MacEwen: Or do they have separate?

Mr. J. Brown: So, again, they're not necessarily set-up with a set of criteria that work the same way, would be the way that I would put it. Carolyn can expand on that. There are a lot of different things that – say you were a licensed child care centre.

Mr. MacEwen: Yeah.

Mr. J. Brown: There would be a lot of different things that would be required of you in terms of the space that you have in terms of the kinds of programs that you have on offer –

Mr. MacEwen: That's my question: They don't have to follow to follow those guidelines –

Mr. J. Brown: No –

Mr. MacEwen: – that are in this act?

Chair: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Okay sorry, Chair.

The answer to that is: No, they would quite likely – so say your son was going to hockey camp.

Mr. MacEwen: Yes.

Mr. J. Brown: Well, the hockey camp would be bound to be quite different than a licensed centre that they might be going to for after-school care or whatever because it's at a rink and it's got all the different pieces that go along with that.

Maybe Carolyn can expand on that as well.

Carolyn Simpson Director: That would be exactly it.

You would be exempt from requiring a license and meeting the requirements around staffing and ratios, length of day, type of fee service; those sorts of things because the intent is not for child care – really not even child care, but rather a single-purpose activity. That's the intent behind that change.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

A number of parents use these single type camps as you claim on your taxes as benefits, and I guess my question is – I understand that they claim them as child care tax exemptions. Does this eliminate that or are they doing that, or is someone that's telling them that they can do that, are they doing that wrong?

Chair: Minister.

Mr. J. Brown: Hon. member, a few things.

Primarily, I would say that that is not kind of within our (Indistinct) – tax regulation is obviously a federal piece and I will say that, in particular in relation to sports camps, I know from my own personal situation that tax exemptions related to sporting activities have changed over the past couple of years, I guess it's been. I suspect you know as well.

I don't know enough to say one way or another how parents in the larger sense are, or are not, claiming these expenses for income tax purposes, and I don't know if Carolyn has anything further to say on that or not.

Carolyn Simpson Director: I'm sorry. We have nothing to add.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: I don't know, to be honest. I'm not talking about your child tax credit or the tax credit for sports or extracurricular activities; I'm talking about actual child care expense and I've never done it – I've done it for a daycare, but never for a sports camp. I understand many parents do that, when you drop a child off in the morning and pick them up at a certain time in the evening and they consider that a child care expense. I was just curious if taking them – clarifying that they're not part of this act would affect that at all.

Chair: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: Again, I'm not an accountant. I'm definitely not a tax expert. I don't know enough about CRA's policy in that regard to indicate whether or not that would have that impact.

I guess all we're doing, to state it a different way, is that we're just refining what is included in this particular piece of the legislation and I think it's what was always the intent of the legislation, it just wasn't as clear as it might have been before.

So, how CRA applies their policy to that, I couldn't really say. I couldn't say whether it was caught or not. The intent has not changed based on the wording. The intent was always the same, it's just I would say and I'd say it in a very forthright way, hon. member, that with the word 'seasonal' in particular in 2(e), it wasn't very clear. We have four seasons to the year here in Prince Edward Island and that doesn't really add much to the definition of seasonal holiday.

Mr. MacEwen: Thank you.

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

Mr. R. Brown: Just one quick question.

There was a media story there a month ago or so about an after school program where two infant children – she's only allowed one

infant at a time. I thought that was kind of unfair. Does this bill correct that? Because, I just want to note my mother had nine children and she had five, one, two, three, four, five years old at her ankles and she did a good job. Look at me.

Some Hon. Members: (Indistinct)

Ms. Biggar: Carry the bill.

Chair: Minister.

Mr. J. Brown: I'm not really too sure what to say to that one.

An Hon. Member: (Indistinct)

Mr. J. Brown: We haven't actually gotten to that amendment yet, but there is an amendment that I would say broadens and clarifies the regulation in respect of what those ratios would be, hon. member.

Mr. R. Brown: Good. No, that's good.

Mr. J. Brown: So, I'll leave it to the Chair if you want me to address it now, I'm happy to, or if you want to move onto that I can do it then.

Mr. R. Brown: That's good. I got the answer.

Chair: The hon. Minister of Rural and Regional Development.

Mr. Murphy: Mine are along the same lines as the prior members there.

How is it going to impact the – or is it going to impact the current non-licensed in-home daycares? Is this going to increase the number of people that they're allowed to look after in their homes, and if so what is it currently and what's it going to increase to?

Chair: Hon. Minister of Rural and Regional Development, we're going to catch back up with that one –

Mr. Murphy: Catch up later?

Chair: – whenever we come around to it so.

Mr. Murphy: All right.

Chair: Section 2 carry? Carried.

Do you want to continue to go line by line or just ask –

Mr. LaVie: Line by line.

Chair: – some questions on it?

Mr. MacEwen: I'm okay with (Indistinct)

Ms. Biggar: (Indistinct)

Chair: We'll come back to the hon. Minister of Rural and Regional Development.

Can you repeat your question and we'll go to that section?

Mr. Murphy: How is this amendment going to impact the current un-licensed in-home daycares? Is it going to increase the numbers, and if so, what's the current numbers and how many are they going to be allowed to take under this new amendment?

Chair: Minister.

Mr. J. Brown: Yes, minister.

This will have an impact to increase the numbers and what I think I can say in a forthright way is consultations in relation to the regulation of anything from early childhood centres to licensed centres to in-home centres started in, I think it was 2010, and has continued pretty steadily through.

There were some amendments that kicked in a little over a year ago and we would recognize that in relation to particular situations, and in particularly infants, we probably went too strict with our legislation. So after some further consultation we have peeled that back, in particular, in relation to infants and clarified particularly where, say, a person might have their own children in their home, how many children they can have overall. We think these have both clarified and broadened the scope of what an individual could do in their own home in terms of the numbers.

Perhaps I'll let Carolyn give a little bit of an explanation of where we're coming from and where we're going to with this.

Carolyn Simpson Director: Thank you, minister.

The intent, first and foremost, is always the health, safety, and wellbeing of the children in care in child care. Where we went, it was unintended, but we became quite strict in the numbers of children and you mentioned the numbers of infants, in particular. We moved from being able to have two infants down to one in your home before requiring a license. That had a very negative impact for many parents trying to find spaces for their child so that they could go back to work or school, and then for the people actually providing the service themselves, it became not financially viable for them.

We quickly became aware of that once this act was proclaimed just almost a year ago and began, as the minister indicated, to have further consultation with the people impacted to hear their story, understand their story and then to come forward to make recommendations that would improve that reality for people.

The numbers presented now, we believe, reflect the messages that we heard both from parents and from operators. We met with anyone who was wanting to sit with us. We went out, as well, to some community meetings and we've, of course, had the petition that was brought forward to the minister as well. These revised numbers increase the number of infants that you are permitted to have before requiring a license and it does increase the number of combined ages, so the infant and pre-school up to school age and then the number of school-aged children.

It is our belief that this will have a positive impact for those people that reached out to us with their concern.

Mr. Murphy: Yeah, it's good because it is a

Chair: The hon. Minister of Rural and Regional Development.

Mr. Murphy: It is a rural issue that I hear; that in some areas that they're lacking daycare services.

Carolyn Simpson Director: Absolutely.

Mr. Murphy: I think in my particular case, in the Alberton area there is no early learning centre so we rely heavily on the in-

home daycare services. I think it's a good move, for sure.

Thanks.

Ms. Biggar: Carry the bill.

Chair: The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: I just want to make another quick comment on that. This is both a rural and an urban issue. We've all gotten calls likely with panicked parents where the parents are coming to the end of a maternity leave and they are struggling to find a spot.

Again, Carolyn and Doreen spent the last year meeting with people in the evenings on the weekends. Basically, they said we'd meet with people pretty well any time other than when we're going to church on Sunday

An Hon. Member: (Indistinct)

Unidentified Voice: Yes.

Mr. J. Brown: They deserve to be commended for that and we think that this will make a big difference to parents that are coming on.

Ms. Biggar: Carry the bill.

Chair: Shall we carry the bill? Carried.

Mr. J. Brown: I move the title.

Chair: *An Act to Amend the Early Learning and Childcare Act.*

Shall it carry? Carried.

Mr. J. Brown: 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. J. Brown: 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. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Early Learning and Childcare 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 be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Minister of Transportation, Infrastructure and Energy, that the 7th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 7, *An Act to Amend the Electric Power Act*, Bill No. 17, ordered for second reading.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Transportation, Infrastructure and Energy, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Electric Power Act*, Bill No. 17, read a second time.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Transportation, Infrastructure and Energy, 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 will now call on the hon. Member from Tignish-Palmer Road to Chair the Committee of the Whole House.

Chair (Perry): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Electric Power Act*. Is it the

pleasure of the committee that the bill be now read clause by clause?

Mr. Myers: Yes.

Chair: I'm going to give an opportunity for the promoter to give an opening statement.

Ms. Biggar: Sure, just briefly. First, Mr. Chair, could I have permission to bring two strangers onto the floor, the CEO of the PEI Energy Corp and manager of the efficiencyPEI.

Chair: Permission to bring strangers to the floor?

Some Hon. Members: Granted.

Chair: Granted.

Mr. Fox: Chair?

Ms. Biggar: What I would like to say first, I guess, is the purpose of the bill and the amendments to it, is to give the PEI Energy Corp standing at IRAC to present our own demand-side management plan.

In the past, Maritime Electric, have been the only ones that have had standing at IRAC to present that. Kim may have further explanation on that, but that's the overall – one of the purposes of the bill.

The other is to make an amendment that recognizes the energy corp as a utility.

Chair: Could I have our strangers introduce themselves, please, and their titles.

Kim Horrealt CEO: Kim Horrealt, CEO of the PEI Energy Corporation.

Mike Proud Manager: Mike Proud, Senior Manager, Energy, Policy and Programs, Transportation, Infrastructure and Energy.

Chair: Thank you guys very much.

I'll begin reading clause by clause.

1. (1) Subsection 1(1) of the *Electric Power Act* R.S.P.E.I. 1988, Cap. E-4 –

Mr. Fox: Chair.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Could we have just a broad overview? I've got about 12 generic questions.

Kim Horrelt CEO: Sure

Mr. Fox: In regards to the whole thing –

Ms. Biggar: I'll just get –

Mr. Fox: – they're not actually clause specific.

Ms. Biggar: Kim, do you want to kind of give a background on why we've come forward with this bill?

Kim Horrelt CEO: Sure. The main purpose of the bill is to make, or to allow the PEI Energy Corp to act as a public utility for the purposes of demand-side management only, so that we are able to present a plan to IRAC. It gives us the ability to go before IRAC. We will be accountable to IRAC. That's what this is for.

It also, consequential amendments just to allow energy efficiency as part of our objectives.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Why would we want to take that responsibility away from Maritime Electric?

Ms. Biggar: I think in the past it, perhaps, hasn't been presented on a wide scope. This enables us, perhaps, to make it as a wider scope. Kim, I stand to be corrected.

Kim Horrelt CEO: Our energy strategy recommended that we take a demand-side go with – actually energy efficiency become one, so it's basically fuel neutral. We consider electricity and fuels, but for the purpose of the *Electric Power Act* it's just for electricity.

We wanted to, Maritime Electric did submit a demand-side management plan a few years ago, or last year and it was denied. It's kind of counterintuitive to have your electric utility submit a demand-side management plan. We just felt it would be better if it was

handled within the energy corporation. It's a one-stop shop for all Islanders to be able to come to the corporation and get all efficiency programs.

Ms. Biggar: I'll just add to that, if I may elaborate a bit about our energy strategy, the work that was done through that and the ability of us to be able to present more programs to save energy by Islanders as part of our efficiency PEI programs.

We've been really ramping that up to focus on how we can help, first of all, through some of the programs that we have available for low-income people, but also Islanders in general. How can we help, first of all, educate them on ways that they can, save energy and thereby, save some cost. Having this efficiency PEI involved more directly with the energy corp with accomplish some of the recommendations that came out of the energy strategy.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Referring back to the Prince Edward Island Energy Strategy, energy efficiency and conservation handbook. It makes the statement.

It says: The 2004 *Renewable Energy Act* required Maritime Electric, Ltd. to file an electrical energy efficiency plan and demand-side management strategy with the IRAC.

My question is: Were they doing that every year or had they done that every year?

Kim Horrelt CEO: No, they had not.

Mr. Fox: Were they not required?

Ms. Biggar: Kim.

Kim Horrelt CEO: IRAC was supposed to ask Maritime Electric to submit a demand-side management plan outlining what they required within that plan. Maritime Electric took it upon themselves to submit a demand-side management plan before IRAC requested it. Demand-side management has been done before by Maritime Electric on a smaller scale.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: So is IRAC supposed to have done that every year, or was there a timetable?

Kim Horrealt CEO: No, there was no timetable set out.

Ms. Biggar: And I think what this does, hon. member, is give us a little bit more control over how that's – and when that's being done.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Chair.

I'm wondering why IRAC was not doing, as I take it, what they were required to do: asking Maritime Electric for the plan.

Ms. Biggar: Hon. member, I know that IRAC does do a lot of work around discussions with both us and Maritime Electric. In terms of the requirement of that – requirement – Kim, do you have any background on that?

Kim Horrealt CEO: IRAC was aware. I think that Maritime Electric was going to submit a plan and so they were waiting for that plan. Unfortunately, it didn't work out. The plan wasn't what IRAC was hoping for so they didn't accept it and they went back, then IRAC went and hired a consultant to come up with recommendations as to what a plan should look like. During that time, we were working on our strategy. They were waiting for the strategy to come out and see how we could move, but certainly, the consultant's report from IRAC as to what a plan should look like, we've taken that into consideration.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Chair.

I'm wondering what the energy corp. plans to do to increase energy efficiency and move consumers away from peak hours?

Ms. Biggar: Okay. Kim or Mike – whomever can take that question. Just identify yourself, maybe, for the Hansard.

Mike Proud Manager: We're in the process now of designing a new demand-side management plan. We've engaged EfficiencyOne services, that's Efficiency Nova Scotia's parent company to help us design that plan. We're currently consulting with stakeholders to see what their needs are and what their wishes are and we're hoping to file a plan with the regulator in the next, I'd say, four to six weeks.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I'm wondering what expertise IRAC has. If you do the demand-side management plan and you submit that to IRAC, I question their expertise on actually being able to have the knowledge to look into that. Can you explain that – how that would work?

Ms. Biggar: Go ahead.

Mike Proud Manager: Yeah. I think generally speaking, yes, you're right. To review a plan like that would require some specific expertise and in the past, when they've dealt with issues like that, they've usually hired outside experts and I suspect that that's what they'll do in this case as well.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: And you know what? If I'm allowed some latitude here to go through – I'm not too interested in going line by line, I'll be honest with you. I've got some distinct questions –

Chair: Sure.

Ms. Biggar: It's up to you.

Mr. Fox: That might be able to speed the process up a little bit.

Ms. Biggar: It's up to the rest of the members, I guess.

Mr. Fox: That's right.

Going forward, is MECL required to submit a DSM plan for electricity they have generated?

Ms. Biggar: Kim or Mike, do you want to take (Indistinct)

Mr. Fox: So Maritime Electric is going to continue to generate electricity based on whatever the cables can't produce – based on our coming over, then we have to use the generators. I'm asking, so – would they be required to put a DSM plan in place for that?

Mike Proud Manager: Well DSM or demand-side management refers only to the demand-side of the equation, not the supply side. So, they would have to have plans in place in terms of how their generators operate and I believe it's only operated on an as-needed basis, but the DSM, per se, doesn't necessarily, specifically apply to the supply side of the equation, which is what they're providing.

Mr. Fox: Thank you. Chair?

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Is the energy corporation's plan covering energy purchased by PEI Energy Corporation through purchase agreements included?

Ms. Biggar: Do you want to expand a little on that.

Mr. Fox: So, if the energy corporation enters into any power purchase agreements with New Brunswick or whoever, would a plan also be in place for that?

Ms. Biggar: We do have agreements now as far as agreements go.

Kim Horrelt CEO: We don't have any agreements with NB Power –

Ms. Biggar: Not for demand-side, but –

Mike Proud Manager: The demand-side management plan, though, I believe that any new power purchase agreement would take into consideration what the demand-side management plan is supposed to achieve in terms of reductions.

Mr. Fox: Okay.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: And that would include then any power purchase from NB power?

Mike Proud Manager: Yes.

Kim Horrelt CEO: Yes.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: How does the fact that the PEI Energy Corporation is generating assets – the wind farms mainly produce power in off-peak hours to begin with?

Ms. Biggar: Do you want to explain that a little bit more, hon. member?

Mr. Fox: So, given that the PEI Energy Corporation has generating assets, right?

Kim Horrelt CEO: Yes.

Ms. Biggar: Yes.

Mr. Fox: We produce power through the wind turbines.

Ms. Biggar: Yes.

Mr. Fox: Is there going to be any DSM plan to reduce or give a peak hour rate decrease or break to people?

Mike Proud Manager: Yeah. Initially, as the plan gets developed, we'll likely look at things like time of wind pricing for demand response programs that we're going to implement, so if we did something like electric thermal storage, or hot water heater control systems, we would look at an approach where we would use time of wind pricing or time of peak demand pricing that would discourage people from using electricity during that time and have those systems shut off. So, yes, that would be a consideration in the plan as it gets designed.

Mr. Fox: Okay.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Why is this government changing the PEI Energy Corporation to be considered a public utility, only when it comes to the issue of energy efficiency and demand-side management, why are we not looking at expanding that?

Ms. Biggar: I think there's a cost associated with becoming ourselves a full utility, but I'm sure that's been – do you have some more detail on that?

Kim Horrelt CEO: We have no interest in becoming a public utility at this time. We're only interested in offering energy efficiency demand-side management plans at this time.

Chair: The hon. Minister of Health and Wellness.

Mr. Henderson: I just wanted to ask a question and I don't know if there's anything in the act here that would pertain to this, but it's really around the concept of what we have as a policy for net metering with Maritime Electric and what that would take to get that to a net billing concept, and/or time of day billing. Those are things that, when we talk about demand in services – is that a legislative issue that has to be dealt with through Maritime Electric only, or is it through this particular act here, the electrification act? Or is it a policy?

Ms. Biggar: I'll let Kim or Mike explain that.

Kim Horrelt CEO: It is legislative and it would have to change. Right now we're dealing with the demand-side of electricity, so we're trying to make our electricity system more efficient. There's also the supply side, which we also have to deal with. The two are not exclusive. They have to go hand in hand. Right now these changes are really dealing with efficiency and demand-side management.

Mr. Henderson: But wouldn't time of day billing be a real impact on the efficiency of that demand-side of it.

Kim Horrelt CEO: Yes.

Ms. Biggar: It will.

Kim Horrelt CEO: Time of day billing would be an impact – not at this time,

though. We don't get different prices for hour power, depending on time of day. We don't have the meters in place right now to read the use – that type of back and forth. Smart meters would have to be put in place. That's an expense that Maritime Electric would have to invest in.

So, right now we're looking at building a business case that would allow for smart meters, so we're working towards that.

Mr. Henderson: But you think that would have some reasonable savings in that –

Kim Horrelt CEO: Time of wind, probably more so than time of day and there's all kind of other programs that could be put in place if those meters were in place.

Chair: The hon. Minister of Health and Wellness.

Mr. Henderson: So what about the issue around net billing versus net metering? Once again, I've heard some hearings about that. That would be a real opportunity to, once again, I think, create some investment into individuals that might – put a bigger investment, the payback would be quicker, so to say, as an example, photovoltaic cells, things of that nature. Without that ability to do net billing, I don't think you're going to see as many invest in it. I know, myself, I would have probably three meters – my farm, my house, and my cottage. My investment would pay back a lot quicker on a net billing system versus a net metering system.

Ms. Biggar: Thank you, hon. Member.

I think what we have to do and what we're working towards – coming out of the whole energy strategy – is putting together a whole suite of programs, but also modernizing our grid to be able to handle those kind of enhancements.

Mr. Henderson: Okay.

Ms. Biggar: Again, coming back to the smart meters, that has to happen as well, to work with the utility and express our desire to have smart meters installed. However, when you ask for smart meters to be installed, there's also a cost associated with that that as a capital investment of Maritime

Electric, it will affect some of the pricing for customers. But, do you pay for that so that you can have other things put on the system?

Those are all things that we are discussing now and really looking towards, and have done a lot of work on all those pieces. This piece, though, is another focus that we have to address as well with the demand-side management. Your point there, Ms. hon. member, is something as well that is well under discussion as part of our overall plan.

Chair: The hon. Minister of Health and Wellness.

Mr. Henderson: Yeah, I understand there is a bit of a chicken and egg sort of syndrome there of which one you do.

Ms. Biggar: It is.

Mr. Henderson: But, I think, ultimately, if we're going to get PEI to a spot where we can look at those energy efficiency components of time of day, billing and net metering, I think those are the things that is a direction we have to go in.

I encourage the minister to continue on that path and see that the logistics line up so that we can do that at some point.

Thank you.

Ms. Biggar: Kim or Mike, or both, may have some additional comments to add because they're intricately involved in these kinds of plans, discussions as part of the department.

Kim Horrealt CEO: Net billing is something that we are looking into very closely. There is impact on the grid though if people are not –

Mr. Henderson: Yeah –

Kim Horrealt CEO: – and so the transmission and distribution of the grid cost costs money, so the utility has to recoup that money and there's got to be a balance for what you pay as, perhaps, a service fee so we're really trying to look at what the proper balance would be if we were to institute programs like that.

We don't want to end up in the situation where cost of electricity gets out of control or we want to make sure it's balanced.

Mr. Henderson: (Indistinct) okay, thanks.

Chair: the hon. Member from Borden-Kinkora.

Mr. Fox: Thanks, Chair.

I want to go back to a minute ago, Kim. You said that you're only interested in the energy corp being a public utility as it refers to that part of it, but where does the Internet chunk come into play when then that gets turned over to the utility that the government announced?

Ms. Biggar: I'll take that, hon. member.

The backbone for the Internet that's being discussed, it could be done within our utility, but it could also be done under a different corporation source, I'm going to say that way. Not necessarily with PEI Energy Corp, but a corporation that would be the controller of that utility or that service. That's part of a whole development of the Internet service.

Mr. Fox: Okay.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

When do you plan on submitting your energy corporation plan or the DSM plan to IRAC?

Ms. Biggar: Go ahead.

Mike Proud: Hopefully within the next four to six weeks; somewhere in that timeframe.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: What discussions have we had with IRAC in regards to submitting the plan and what they might have to bring in for expertise?

Ms. Biggar: Kim or Mike (Indistinct)

Mike Proud: They're certainly aware that we plan to file it. We've had discussions with them. They're currently a little short-staffed at the moment, but we've talked to their legal counsel as well just to make sure that they're aware of what's going on in terms of what we plan to file and when we plan to file so they're aware we're planning to file in the timeframe I indicated earlier.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Has the energy corporation met with any other outside agencies to discuss this plan or this move?

Mike Proud: We've met with a number of stakeholders one-on-one and in a group setting and we'll continue to do so as we develop and fine tune the plan. We had about 20 people at a stakeholder consultation session on Friday here in Charlottetown and got excellent response and good questions back and forth.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Who are the stakeholders?

Mike Proud: They are business groups, environmental groups, individual businesses – some of the larger consumers in the province, we've talked to them as well, and we continue to reach out. The federation of municipalities – we've had some discussions with some municipalities on an individual basis, but we're looking to do something on a more holistic level, and individual consumers. Any individuals that have been active and interested in IRAC proceedings around electricity, we also invited them and had their input as well.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: During those discussions, was there any concern about where energy rates are going in PEI with rates?

Ms. Biggar: First of all, we are locked in til 2019, correct? So, we have to look at that now, where we are going. We're in those discussions now. I'm sure everybody is concerned about energy rates in general and making sure that we are prepared in terms of

our energy use and that's what we're focusing on, to reduce our energy consumption going into our next negotiations.

Go ahead, Mike. Sorry.

Mike Proud: No, the only other thing I could add is that yes that is a concern. It's always a concern when you talk to anybody who's paying an electricity bill. The great thing about DSM – the one thing about DSM is that it tends to A, reduce a customer's bill. So, any participant who takes advantage of the programs that will be offered sees a reduction in their bill. But it also, because we're displacing energy that gets purchased off-Island or energy that would be generated locally through the (Indistinct) in Charlottetown, we reduce the pressure on that so we end up reducing the amount of energy that Maritime Electric has to purchase.

Generally speaking, demand-side management or energy efficiency is almost always a cheaper alternative than supply-side generation.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

Talking about rates for a second; you mentioned a second ago, minister that you're locked into a plan to 2019 and I question that because in April of this year coming up, energy is set to raise another 2.3%. That'll take us into the spring of 2018 so what's going to happen in 2018? Is that going to be the same rate for that year until 2019 until the new price comes into effect?

Ms. Biggar: Part of our rate increase that's been happening is the payback on the cable that we've invested, capital investments made by the utility, as well as the cost of decommissioning the plant here in Charlottetown, but Kim and Mike can certainly talk about any other going-forward piece there.

Kim Horreft CEO: We have an electricity agreement in place with Maritime Electric that coincides with their power purchase agreement with New Brunswick Power,

which both expire in 2019 and that's what the minister was referring to.

Maritime Electric is presently negotiating a new power purchase agreement with NB Power, so the agreement was a 2.3% increase over the three years and so we are locked into that so it will not be any more than the 23% increase until 2019.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: So, if I recall right, back in the standing committee you were in and I asked the question: Are we looking at rate increases coming forward after this purchase agreement ends? Is the province looking at further rate increases? Because, now we've double sided the question here, okay?

So, are we looking at rate increases because the Premier stated in the media that the power cables would, I believe, reduce cost to Islanders? So, when are Islanders going to see rates go down in relation to what he said when the power cables were brought in?

Ms. Biggar: I'll just try and clarify that, I guess, and then I'm sure Kim and them –

Premier MacLauchlan: (Indistinct)

Ms. Biggar: Oh, I'm sorry, Premier. I didn't know you were here, but certainly the Premier can take that if he wishes.

Premier MacLauchlan: I don't mind.

Very simple, the power cables enhance our position in terms of supply and the price of electricity, however many ways you try to look at it, is going to be determined by supply and demand. So, that puts Prince Edward Islanders in a better position in terms of the price that we're going to pay or the leverage we have, or the ability we have not only in terms of supply and demand, but in terms of the options in terms of power purchase. That was the point.

I can't say that this is the price today and then you're going to go out and there's some drop, but if we didn't have those cables I can tell you what would happen, is the demand easily exceeds the supply and that's a problem.

Ms. Biggar: Yeah, and I think that's where you get into that discussion, hon. member.

Because we have these cables now, it gives us that more options –

Mr. Fox: Flexibility.

Ms. Biggar: – flexibility, which prevents us being under the hammer, right?

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I totally agree with what you said, Mr. Premier. I agree that, and I've said it from the start, that going ahead with the power cables was the right move. We needed to do it, and it was the proper thing to do.

I'm wondering at what point are we breaking the backs of Islanders? Right now, we're roughly at 15 cents a kilowatt, 2.3% coming up in April. At what point are we going to be unsustainable for low-income Islander or whoever? Our rates are too high. What's the –

Ms. Biggar: Hon. member, what I can tell you is that our rates are on par with the rest of Atlantic Canada, notwithstanding what Newfoundland's rates are going to be in the very near future, are going to be well above 20 cents kilowatt hour.

In terms of where we are, all of these programs we're talking about are going to reduce the demand and put us in a better position in our negotiations, I think, so that we can get that best deal.

We now can go out there and look at other options of how and what power we can access.

Mr. Fox: I'll agree with that.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Back about two or three minutes ago you made a comment about the decommissioning of the plant.

Ms. Biggar: Yeah.

Mr. Fox: Is that the government paying for that? Or why would Maritime Electric not being paid for that?

Ms. Biggar: I'll let Kim and Mike take that one.

Kim Horrelt CEO: That's included in the rate. That 2.3% is including the decommissioning of the – so it's rate payers paying for the decommissioning of the plant.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I'm wondering why? It's an asset owned by Maritime Electric. Why would the rate payers be responsible for decommissioning a plant? It's no different than me as a gas station. I have a tank in the ground that gets obsolete. It's up to my responsibility to pull it out. The rate payers, why are they paying for it?

Kim Horrelt CEO: It's an expense to the utility. Part of the revenue requirement.

Mr. Fox: Maybe we should look at a new supplier of energy.

Ms. Biggar: We are.

Chair: Any more questions, hon. Member from Borden-Kinkora?

Mr. Fox: Yes.

In section 2.1 of the bill it's showing the public utility submit an energy efficiency plan to IRAC without requiring regulatory order. Why would that be?

Kim Horrelt CEO: Why do they submit one without –

Mr. Fox: It's in the new –

Ms. Biggar: Yes, go ahead, Mike.

Mike Proud Manager: (Indistinct) included. So the instances where the regulator didn't ask for a plan it would allow us to file one on our own volition and the commission would have –

Ms. Biggar: To make sure it's done.

Mike Proud Manager: – to review it at that time.

Mr. Fox: Okay.

Mike Proud Manager: Instead of having to wait for someone to make a –

Mr. Fox: If you want to switch to someone else, go ahead.

Mike Proud Manager: (Indistinct)

Ms. Biggar: Yeah.

Chair: Do you have more?

Mr. Fox: I've got more, but go ahead.

Chair: No, you can go ahead.

The hon. Member from Borden-Kinkora.

Mr. Fox: Why are there no energy saving targets in this bill?

Ms. Biggar: Mike.

Mike Proud Manager: (Indistinct) the targets are most of the targets are listed in the energy strategy. The bill itself, I mean, targets may change over time. Putting a specific target like that in the piece of legislation, that, if we wanted to change it or need to increase it or decrease it at some point in the future it gets very problematic, or more difficult to do. I think we just go with the energy strategy recommendations and try to achieve that.

Kim Horrelt CEO: There will be targets in the plan that's submitted to IRAC and we'll be accountable to meet those targets.

Ms. Biggar: Yes.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Is there any plans for targets to be set by the energy corporation to hit?

Kim Horrelt CEO: I–

Mr. Fox: Are you looking at hitting a certain energy efficiency across the Island?

Kim Horrelt CEO: Yes.

Ms. Biggar: I think, again, it comes back to what's in the energy strategy –

Mike Proud Manager: The energy strategy and what we get back from stakeholder consultations and what they feel is appropriate and reasonable. We'll try to make a determination based on that.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: What role will the PEI Energy Corporation play in carbon tax?

Ms. Biggar: I think, right now, we're playing a big role in carbon reduction on Prince Edward Island, certainly.

We are part of a working group around the whole carbon pricing piece. We're at the table because we are a major player in terms of our wind energy being, you know, reducing – using 25%. We're a major player at the table.

Mr. Fox: Yeah.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I'm wondering why we are not forcing Maritime Electric to reduce their carbon footprint with the use of their CT4 and CT units?

Ms. Biggar: I think, in this – we have made some big changes in terms of Maritime Electric, in terms of the assets around that CT4. That was what they wanted to buy. We declined that request for them to have a CT4.

Mr. Fox: I remember that.

Ms. Biggar: Which is why we have the cables –

Mr. Fox: Yeah.

Ms. Biggar: – we have taken more control of that kind of a decision-making and part of the decommissioning of the – is it CT3 out there?

Kim Horrelt CEO: The decommissioning of the Charlottetown thermal plant.

Mike Proud Manager: Thermal –

Ms. Biggar: Thermal plant, sorry. You fellows can explain the details, perhaps, more on that.

Kim Horrelt CEO: Maritime Electric is going to decommission the Charlottetown thermal plant, which has emission, but they also don't run, like, it's about 1% of the time that they actually run their generators. The capital cost to make those changes would be significant. We're trying to limit capital investments of the utility, and really they don't run very often.

Ms. Biggar: I think at this point I'd like to point out around that, the use of that generator, as Kim said. It only comes on when we have to have the extra power. We have an agreement with New Brunswick Power for a set number and if we need over that and we don't have it in our own system, we have to have that in order to keep the lights on.

As we are planning on other options and other ways we still have to have some sort of a backup system. It does belong to Maritime Electric at this time.

Mr. Fox: I totally –

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: – understand that, minister. I totally understand that. I think, we, as a province and a government, should be forcing Maritime Electric to – we need the generators, we need to have them online in case of backup, but I think, we as a government, or the province should be forcing Maritime Electric to move off of carbon fuels and to go onto the same basic technology that Cavendish Farms did with LNG gas being trucked over.

I wonder why we're not moving in that direction?

Ms. Biggar: I think the market will demand that at some point.

Kim Horrelt CEO: We've actually looked at LNG and the costs in trucking it over for a number of cases and it doesn't make economic sense at this time. The uncertainty

of natural gas right now on Maritime's pipeline is very high. You get those peaks that, in the winter that can cause huge price increases. So it's just –

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Can you explain, Kim, why Cavendish Farms would go that way?

Kim Horrelt CEO: They own it?

Ms. Biggar: They own the gas.

Kim Horrelt CEO: They obviously can do it cheaper. They send a truck across that bridge –

Mr. Fox: Oh –

Kim Horrelt CEO: – one truck an hour and –

Mr. Fox: – I'm very familiar with the process.

Kim Horrelt CEO: – their price that they give themselves, apparently they don't have to pay the toll on the pipeline and they have their own compression –

Mr. Fox: They put their own plant in, that's right.

Mike Proud Manager: I think, too, if I might add, if they had to make that decision today they probably wouldn't do it based on the price of oil today, global price of energy. Back at the time when they made the decision there was a pretty big spread and there was a lot of economic benefit to them. It may not be there today.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Why was this act not brought before the standing committee and talked about?

Ms. Biggar: This came after, I think, the fact of our energy strategy, hon. member, as a result of all the discussions around that. At the time we went into the standing committee, and we did offer to go back to the standing committee recently, but we couldn't work out the dates –

Mr. Fox: Yeah.

Ms. Biggar: – I know there was a request to go into the standing committee again. We sent several dates, but we just couldn't coordinate that.

During the time we had the energy strategy consultations, so I think it was just timing, hon. member.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Is this a time sensitive bill?

Ms. Biggar: Yes, we need it in order to present our demand-side management plan in the next four to six weeks.

Chair: The hon. Member from Borden-Kinkora.

Ms. Biggar: In my opinion.

Mr. Fox: What makes that so imperative that we push this forward and do the next four to six week to have that plan before IRAC, what's making that happen?

Mike Proud Manager: There are a number of factors, but primarily, is that we haven't done any demand-side management work in the electricity sector since 2010. It has been a void that hasn't been filled. Every day or every year that we delay, it's just another year of lost savings. It's imperative for us to get this in place as quickly as we can in order so we can start to providing benefits to Islanders.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Final question: One thing that's concerning me is I don't want to see the province go down the same road that NB Power has turned into. The debt that they have over there – and we'll be following up on the minister's offer to meet with you –

Ms. Biggar: Yes.

Mr. Fox: – in the very near future. But I'm very concerned, as a province, when our debt has gone on the energy corporation from roughly \$28 million thereabouts in 2011, up to \$226 million in 2017.

In six years, to see that debt go over \$200 million is very substantial, and I wonder about that.

Ms. Biggar: I'll just take part of that.

First of all, back in 2012, the corp. books that you refer to – since 2012, we have purchased the cable. On top of that, we have developed more wind. Hermanville was put on the books since 2012 and the new cable was put on the books, hon. member, so that's why you see an increase on the debt of the energy corp. Those have been necessary investments for electricity for PEI. That's why you see that debt. We are very cognizant of being very careful on the investments we make through the energy corp. Anytime any member wishes to come in to meet with us at the energy corp., we'd be more than happy to have that discussion.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

Ms. Biggar: It's done. Carry the bill.

Mr. Fox: Carry the bill.

Chair: Shall the bill carry?

Some Hon. Members: Carried.

Dr. Bevan-Baker: Chair?

Ms. Biggar: Oh.

Chair: Sorry.

Dr. Bevan-Baker: That's all right, Chair.

Ms. Biggar: I have you on the list.

Chair: The hon. Leader of the Third Party.

My list was exhausted. I'm sorry.

Dr. Bevan-Baker: Thank you very much, Chair.

First of all I want to say that I think this is a good bill –

Ms. Biggar: Thank you.

Dr. Bevan-Baker: – and I'm glad it's here before the House and I think a lot of the discussion that we've had around the demand-side management – moving that from Maritime Electric to the corporation is a very good idea. I think the word you used, Kim, was counterintuitive to have it in the utility because it conflicts with their objective of selling more power, so it makes perfect sense to move it into the corporation. I think this is great.

I also like the fact that the plans attached to this – there has to be estimates of costs of utilities and also the impact it's going to have on the consumers – on the ratepayers. I really like that and the fact that IRAC can enforce a mandate that costs to the utility. So, there's all kinds of good stuff in here and I'm really glad it's here.

I do have one question. It's surrounding a discussion you had on the Internet going through the cables. You talked about it being in a corporation, but perhaps not the energy corporation. And I got the sense that there's things there that you don't want to tell us, and that's fine. But you're talking about a corporation within government, presumably, when you say that? Not necessarily the energy corp.?

Ms. Biggar: You referenced the cable first of all. There is fibre op in the cable –

Dr. Bevan-Baker: I know.

Ms. Biggar: – which is very good for PEI.

Dr. Bevan-Baker: I agree.

Kim Horrealt CEO: And the cables are (Indistinct) by the energy corporation.

Ms. Biggar: And the cable belongs to us – or to Islanders –

Mr. LaVie: So far, so good.

Ms. Biggar: – through the energy corporation, however –

Mr. LaVie: However.

Ms. Biggar: – the discussions that are being planned for future Internet distribution, I'm going to say, don't necessarily have to come through the energy corp. I think the example

that was used in funding such a venture – the energy corp. was used as an example of how that could work. We're not intimately the one that's planning that. The innovation – go ahead Kim.

Kim Horreft CEO: The decision hasn't been made where the backbone – who will hold that. The decision hasn't been made yet.

Ms. Biggar: It is possible; it could. But as that plan is finalized and it gets all the possibility, but at this point, it's not deemed to be in the PEI Energy Corporation.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

I'd just like to expand a little bit on that discussion around the Internet lines that are – the cable that is in the cable and just the relationship – so the cables are owned by the government – by Islanders and the fibre in those cables is owned by – so what relationship does that – how do Maritime Electric come into this discussion? Let me put it that way.

Ms. Biggar: How do I marry that up?

Kim Horreft CEO: Maritime Electric – we own the fibre, not Maritime Electric. They have no –

Ms. Biggar: No use for it.

Kim Horreft CEO: I think they have three fibres that they use just to monitor –

Dr. Bevan-Baker: Yes.

Kim Horreft CEO: – the electricity through the cable and that's it. So they have no claim to those fibres.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: The question is: Will we have unrestricted access? Will Prince Edward Islanders, through the government, have unrestricted access to that fibre?

Ms. Biggar: We own it.

Kim Horreft CEO: We do. You have to understand that that fibre doesn't go anywhere.

Dr. Bevan-Baker: But currently.

Kim Horreft CEO: Currently, right.

Ms. Biggar: Currently.

Dr. Bevan-Baker: But I'm just looking at this strand that connects us – the umbilical cord that connect us to –

Kim Horreft CEO: Unlimited access. It's ours.

Dr. Bevan-Baker: Yes. It's ours and we will have unrestricted access to that.

Kim Horreft CEO: Yes.

Ms. Biggar: Yes.

Okay?

Dr. Bevan-Baker: Thank you, Chair.

Chair: Shall it carry? Carried.

Ms. Biggar: Thank you.

Chair: Start here.

Ms. Biggar: I move the title.

Chair: *An Act to Amend the Electric Power Act.*

Ms. Biggar: I move the enacting clause.

Chair: Shall it carry? Carried.

Ms. Biggar: 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.

Ms. Biggar: I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

Ms. Biggar: Okay Thank you.

Chair: Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Electric Power 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 Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Minister of Health and Wellness, that the 3rd order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 3, *An Act to Amend the Health Services Act*, Bill No.6, ordered for second reading.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Health and Wellness, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Health Services Act*, Bill No.6, read a second time.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Health and Wellness, 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 will ask the hon. Member, once again, from Summerside-Wilmot, would you mind chairing the Committee of the Whole House?

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Health Services Act*. Would the minister like to bring a stranger onto the floor?

Mr. Henderson: I would like to ask Nichola Hewitt from my department to come on the floor. She's extremely knowledgeable at these types of subjects.

Chair: We know she is.

Mr. Henderson: Yeah.

Chair: Thank you.

Could you state your name for the record, please?

Nichola Hewitt Legislative Specialist: Nichola Hewitt; I'm with the Department of Health and Wellness.

Chair: Minister, I think I'll ask for an overview of the bill, please?

Mr. Henderson: Ultimately, this is an issue, we'd like to amend the *Health Services Act* to be able to put term limits on board of directors. Also, if a board of director isn't attending meetings and things of that nature on our Health PEI board, we want to be able to have some ability to respond to that and to try to deal with it the appropriate way.

Anything else? We good?

Nichola Hewitt Legislative Specialist: No.

Mr. Henderson: That's pretty well it.

Nichola Hewitt Legislative Specialist: What we're doing here is just making the board appointment process consistent with other legislation we've done recently.

One of the problems we have with the *Health Services Act*, the board appointment process is that it's possible somebody can sit on the board for nine years, which is a long time. There is another provision that says that, "...the Minister shall request and consider the recommendations of the Board before appointing any subsequent directors to the Board."

In other words, the fox is guarding the henhouse and we wanted a little more distance from that provision.

Mr. MacEwen: (Indistinct) education.

Ms. Casey: Carry the bill.

Mr. Henderson: We're addressing that in health.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Thank you, minister for the explanation. Is there anything in particular that happened that wanted you to bring these changes with the board, specific examples?

Mr. Henderson: I don't think, in particular, but we did have one board member resigned not too often, long ago, so that, you know, we wanted to be able to respond to that maybe quicker and I think it's just a matter of an oversight to making sure a lot of our boards have a reasonable turnover.

If I take the Health PEI board, when the board was first developed, there were a lot of board members that were on there for a period of time. We want to have more smoother transitions to that.

It's just something that we noticed in the legislation and felt that it was something that should be addressed.

Mr. MacEwen: Chair.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

The old board, did they have geographic requirements, the old board versus the new board?

Nichola Hewitt Legislative Specialist: There weren't requirements in the act, but there were so many from this county, so many from this country, so many from this county. That, however, has been a convention that has been taking into consideration when appointing.

What the current act provides is they have to have the skills, knowledge, experience and competencies as being necessary to ensure the effective governance of Health PEI. Those were the criteria that were in the act.

Mr. MacEwen: Chair.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you.

That's good to hear. I know there would be members of this House that would push for even stronger. There are some members here that would like to see regional health boards. I think that's an important part. I wasn't sure it was in the old board versus this board or not.

The former legislation, could you enforce turnover, I guess, for lack of a better word?

Mr. Henderson: I'll ask Nichola to answer that.

Nichola Hewitt Legislative Specialist: First of all, I just want to get back. I didn't quite finish my thought process.

Mr. MacEwen: Thank you.

Nichola Hewitt Legislative Specialist: The appointees are also to be representative of various community perspectives. Maybe there was an element of geographic, you know, certainly various communities are anticipated.

Typically, when one appoints a representative to a board, one can also un-appoint. The appointer can un-appoint, but it's much cleaner to set out the circumstances and the criteria.

In fact, we did that in the *Regulated Health Professions Act*. We did have a request from the college of pharmacy to have an appointment revoked. It was really nice for the ministry to have something set out in the act; if this happens then this is the process and we did undertake that process at the request of the college.

That was sort of in the back of our mind, as well, if there is the necessity to un-appoint, it's sure nice to have the roadmap laid out.

Mr. MacEwen: Chair.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair, thank you, Nichola.

Were there other organizations that were, I'll say, heavy lobbying to say that we should have representation from certain health sectors?

You spoke about one there that had some, had an opinion. Was there anybody else that said: we really feel that we need a direct nursing representative or a direct pharmacy representative?

Mr. Henderson: I think, from my perspective, and this is high-end board. This is a board that has a high degree of responsibility. It's probably a board that is responsible for the most spending on any government section in the province. From my perspective as a minister from a regional area, we do look to address issues around making sure we have certain competency, that, you know, rather physicians, RNs, health care professionals of some nature.

I also want to look at – have some regional components to this, too. It can't all be all one area or the other because it's an Island health system. We also look for some gender balance in this, as well.

We go to the Engage PEI applications. See who has put their name forward. The board itself will identify names and respond to them to say: you put your name in. I think we had a Dr. Saunders, who just recently retired, would be an example, who is now on the board.

It's about, myself as minister, making sure we're making good, sound decisions and making sure that people, when we make those recommendations to Executive Council for appointment that we're putting forward some really good, competent names.

Mr. MacEwen: Chair.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you.

I'm glad to hear that minister. I know there was accusations of political appointments at one point in the past.

I guess I'm curious as to – are we still getting, I know when we first started the first Health PEI board there was a lot of pomp, a lot of advertising, a lot of, you know, it was in the news, this health board.

Recent appointments, it's much, I'll say –

Mr. Henderson: Quieter.

Mr. MacEwen: – quieter. Not the big pomp and circumstance that we had, certainly, when it first started.

I'm wondering about the quality of the applicants, the number of applicants. Are we still getting that?

When we're reviewing this legislation, was there every any thought of not having this type of system? As you know the history of our health system, we've teetered back and forth between a health board between the department, that kind of thing.

Mr. Henderson: We've tried them all –

Mr. MacEwen: Yeah.

Mr. Henderson: – in the past.

Once again, from my perspective, there was a fair number of applicants through the Engage PEI process. The number 70 comes to mind. I think that was of individuals that expressed an interest in a health-related board.

Mr. MacEwen: Okay.

Mr. Henderson: Once again, we certainly looked at all those names and we started to – my responsibility as minister is it's not first come first serve, or first apply, it's to try, once again, to take into consideration competencies and capabilities that they'd bring to the board.

The thing I would not want on any board, I wouldn't want all health care professionals on the board –

Mr. MacEwen: Absolutely, you're right.

Mr. Henderson: – I don't think that – I think you need people that have a good financial background because that's another big component of the Health PEI board, that they understand financials, audits, accreditations, all those processes.

I think you need people on that there that represent patients, that understand what it's like to be a patient and to access the health care system.

From my perspective, I've had the opportunity to meet, on numerous occasions, with the Health PEI board. We meet with the board chair, and the CEO, as minister, probably every two or three weeks, and try to keep pretty close tabs on how things have been managed and where are things and help with the decision-making process.

As minister, I take the recommendations that Health PEI puts forward in the administration of the health care system and we just try to communicate and work well together. We tend to address issues, like the issues around mental health and the challenges that we're having around psychiatry. Those are issues we have some pretty serious conversations about. You need a board that's able to deliver that and provide some sense of information back to the minister.

In general terms, we're not having huge problems. I don't know whether that will be into the future. The one issue and one of the board members that recently resigned, the issue was the amount of meetings that were required. I think a lot of individuals felt that you might meet once a month. That's not the case of this particular board because they have subcommittees, they have their monthly meetings. They meet with ministers; meet with health care professionals within the system to get a better sense of it.

That would be an example where we had noticed that when somebody resigned or they weren't attending meetings, I guess, was more of the issue. What authority do we have as a minister to say: You're not attending meetings and you're not contributing and you haven't resigned. Those would be the problems that we would

see and while we think this would address that.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair. Thank you, minister.

These meetings are private right?

Mr. Henderson: Some are, yeah. Their annual meeting is an open meeting, but yes, they are in camera.

Mr. MacEwen: Sorry.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Can you clarify, when you say some, it's just the annual general meeting that's (Indistinct)

Mr. Henderson: They have a public engagement committee of Health PEI, and they would have meetings and they would also meet with our community health engagement committees so that there's usually pretty good (Indistinct) but yes, their meetings are, as a board, and there are times within that meeting that they would have an in camera meeting for only the board. Otherwise, there'd be health care professionals at the meeting on a regular basis.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

You said this board oversees a significant portion of our provincial budget. They do meet in private. So we wouldn't really even know if, as you say, people are missing meetings, if they're failing to get quorum, if the votes are all straight just rubber stamps. I hope there's really good, serious debate going on. No doubt you're privy to some of that when you meet with them, but I'm not privy to that and my constituents aren't privy to that, so I'm wondering if you felt a real concern about, when we're talking about this legislation, as far as having open board meetings like the school board is.

Mr. Henderson: I guess I would look at in the public engagement component of that that they have people on that are chairs of public engagement within the particular board and they do have meetings in the public.

As far as – I mean, you're dealing with some pretty confidential issues too, in some cases.

Ms. Casey: Call the hour.

Mr. Henderson: There has to be –

Mr. Fox: Extend the hour.

Mr. Henderson: I'm good.

Mr. Trivers: Extend the hour.

Mr. MacEwen: I've got a lot more questions.

Chair: Are there more questions?

Mr. MacEwen: Yeah, I've got lots more.

Mr. Fox: Extend the hour?

Ms. Casey: No (Indistinct)

Some Hon. Members: (Indistinct)

Chair: We don't have unanimous consent to extend the hour.

Ms. Biggar: (Indistinct)

Mr. Henderson: Mr. Chair, I move that the Speaker take the chair, and the Chair report progress and beg leave to sit again.

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Health Services Act*, I beg leave to report that the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Member from Tignish-Palmer Road, that this House adjourn until tomorrow, December the 7th at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until Thursday, December 7th, at 2:00 p.m.