

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature sat at 2:00 p.m.

Appointment of MLA

**Speaker:** Hon. members, I will now call on the Clerk.

**Clerk:** Mr. Speaker, as a result of the resignation of the hon. Doug Currie as a member of the Legislative Assembly for the electoral district of Charlottetown-Parkdale, effective October 19<sup>th</sup>, 2017, a by-election was held in that district on November 27<sup>th</sup>, 2017. I wish to advise that the Chief Electoral Officer has confirmed, pursuant to the *Election Act*, that Ms. Hannah Elizabeth Bell, of Charlottetown has been declared elected as a member of the Legislative Assembly for the electoral district of Charlottetown-Parkdale. I wish to advise that Ms. Bell has subscribed to the Oath of Allegiance, as required pursuant to the *Constitution Act, 1867* and now seeks permission to take her seat in this House.

**Dr. Bevan-Baker:** Mr. Speaker, I wish to present Ms. Hannah Bell, who has been declared elected as a member of the Legislative Assembly for the electoral district of Charlottetown-Parkdale. As indicated by the Clerk, Ms. Bell has subscribed to the Oath of Allegiance and now requests permission to take her seat in this House.

**Speaker:** Personally, and on behalf of the Legislative Assembly, I welcome you to this Chamber and I now grant you permission to take your seat in this House as the hon. Member for Charlottetown-Parkdale.

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

Matters of Privilege and Recognition of Guests

**Speaker:** The hon. Premier.

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

Of course it's an honour to rise and first of all welcome the Member from Charlottetown-Parkdale and you're inside the rail and certainly a person that we've known in many capacities along the way and look forward to the hon. member's

contributions to our work here in the House and well beyond. It's going to be really exciting for all of us to work together with our new makeup of our 27 members.

Now let me say, in the gallery, to welcome to those who are here supporting the Member from Charlottetown-Parkdale and a great delegation. I believe we've got some from Cardigan who are supporting the Member from Georgetown-St. Peters.

I recognize that this evening there'll be a retirement event to have a good salute to Marian Johnston on her soon-to-be retirement and to say that it's something that's well merited and any recognition that Marian gets won't be too much. I had the opportunity to work with her for several years, directly in my office, while I was at UPEI and then here in her role as the Deputy Clerk, and then more recently, in the acting role as Chief Electoral Officer. In every capacity, she's been very productive and professional and certainly, someone that was easy to get along with.

The final thing I'd mention by way of recognition is that yesterday evening was the beginning of Hanukkah and I'm sure we all wish everyone a Happy Hanukkah.

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 a pleasure for me to rise in the House today and it was an honour for me to attend the swearing-in ceremony earlier today for the Member from Charlottetown-Parkdale and it's terrific to see you inside the rail, finally. I know as the official Leader of the Opposition, it's great to have another opposition member over on this side of the floor and I know that the Leader of the Third Party certainly is very happy to have double the size of his caucus and I know you'll do all Islanders very proud.

I'd also like to recognize all the guests that have joined us here in the gallery today and obviously, supporters of yours, and many

that I see familiar faces, friends of mine as well so welcome.

I'd also just like to say a couple of words as well about Marian Johnston on the occasion of her retirement. I've known Marian for many years, both in my capacity as the MLA for Stratford-Kinlock, but previously in my capacity working in the hospitality industry. I had the opportunity to work alongside Marian hosting many parliamentary conferences here in Charlottetown, primarily when I was employed at the Confederation Centre. I have always had the utmost respect for Marian and I wish her and her husband, Randy, all the best in retirement.

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 want to start by saying my wife and I are in the process of moving houses right now, which is a little more complicated than the move I made three steps to my left about half an hour ago; a move I'm obviously delighted to make.

There are too many friends and relatives to mention here by name, but I welcome you all on this historic day in the Prince Edward Island Legislature. I'm not much for Christmas presents, but Christmas came early for the third party here in the Legislative Assembly and I'd like to suggest for the whole political environment here on Prince Edward Island and I welcome, warmly, the new Member from Charlottetown-Parkdale.

Thank you very much, Mr. Speaker.

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

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

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

I, too, like all of my colleagues in the House, would like to be one among the first to

welcome the new Member from Charlottetown-Parkdale to the Legislature. I'm sure as you sat in your seat for the first time, you felt the immense privilege it is to sit in this House as an elected member and I wish you all the best. It never hurts to have another confident female voice in this Legislature, so welcome to the Member from Charlottetown-Parkdale.

I, too, am pleased to wish Marian Johnston all the best in her retirement. As a newly-elected member in 2007 to go to the Speaker's chair without ever sitting for one minute in this House, Marian Johnston always gave me wise advice. She never steered me or you, Mr. Speaker, in the wrong direction. She always upheld herself in a professional manner; was totally dedicated to the traditions of this House and also, to each and every member of this Legislature. I wish her nothing but the best for a successful future and retirement.

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. It's an historic event, and I'd like to welcome by friend Hannah – sorry – my friend from Charlottetown-Parkdale. It's great to have another Rotarian in this Legislature and she does a great job for us at Rotary, and I'm glad she's here with us today.

I'd also like to mention about Marian Johnston – she was a wonderful – she took us all under her wing when we first came in here and her presence and her help and what she has done for all of here is just remarkable and we're all going to miss her and looking forward to being at her party tonight to display that affection that we do have for Marian. All the best to Marian.

All the best to the Member from Charlottetown-Parkdale. I hope she has a wonderful day today. It's going to be historic, but it'll be the first day of many.

Thank you.

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

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

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

I, too, want to welcome the Member from Charlottetown-Parkdale. I had to write that down in my paper here because for the last six years, the member who was from Charlottetown-Parkdale was a Cabinet minister so it was always minister of something. That's going to take a little bit getting used to.

Welcome to the Member from Charlottetown-Parkdale. Congratulations on your new job. I'm sure you'll fit in nicely and enjoy your role here.

I also wanted to say hello to my mom and dad all the way from Martinvale. The reason why I mention Martinvale, not many of you probably know where it is; the Premier probably does. The member from Morell does because he goes whizzing by there. The finance minister would. A few of you would know where Martinvale is, but Martinvale – and later in the week I'll be talking about Martinvale, again, as I present a petition from the residents of Martinvale asking to be removed from the Three Rivers process. There are quite a number of names on it.

Funny, I was reading it before I came down. I, of course, know them all. Martinvale will probably be talked about on this floor before the week is over, again. I want to welcome my parents here for this day. Hopefully, everyone has a great day.

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 today and welcome everyone watching from District 18 Rustico-Emerald, and everyone in the gallery. And, of course, I really want to welcome the new Member from Charlottetown-Parkdale. I think we're going to hear a bell ringing in the Legislature here very soon.

Although, the Leader of the Third Party, his Christmas has come early, I'm still dreaming of a white Christmas –

**Mr. R. Brown:** (Indistinct)

**Mr. Trivers:** – but, you know, if that doesn't happen –

**Mr. R. Brown:** (Indistinct) sing it.

**Mr. Trivers:** – if that doesn't happen, I might be a little blue, but that's okay, too.

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

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

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

I, too, would like to welcome the hon. Member from Charlottetown-Parkdale to this House.

I'd also like to take a brief moment and just acknowledge that December 13<sup>th</sup> is jour du souvenir acadien, commemorating the deportation of roughly 3,000 Acadian Prince Edward Islanders, predominately young folks that took place in 1758. There was a great event at Port-la-joye earlier today. I'll be talking about that more later.

I'd like to welcome Doug Deacon to the Chamber here. I'd also like to wish Marian Johnston well and certainly her competitors in the weightlifting world will probably be wished well after she has some more time to devote to that, as well, Mr. Speaker.

Thank you.

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

**Speaker:** Now, I'll call on, for the first time, the hon. Member from Charlottetown-Parkdale.

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

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

It is a privilege to be able to rise, for the first time, in the House today and to extend greetings to friends and family who are joining in the gallery. I particularly like to

recognize Dawn Wilson, executive director of the PEI coalition for government, who does exemplary work in our community on behalf of increasing the number of women in all variations of political life including; municipal, provincial and federal politics.

I'd also like to recognize my colleagues from the PEI Business Women's Association; Shannon Pratt and Anne Putnam, whom I am going to miss dearly. It's a pleasure to have you here today.

Of course, my friends and family, including my inspiration, my mother, Judith Bayliss, who is not only a key person working at PEI Council of People with Disabilities, but is, obviously, one of the most important people in my life.

Without these people in the gallery today, I would not be able to be here. There are many more names to mention, but it is a privilege and a pleasure to be here. I thank you so much for the opportunity to speak today, and I look forward to many more to come.

Thank you, Mr. Speaker.

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

#### Statements by Members

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

**Atara Yuill**

**Mr. Perry:** Thank you.

Mr. Speaker, I would like to take a moment to congratulate a young author from Tignish, on the launch of her new book. Atara Yuill's book, *Did I Take the Wrong Road?* Is the story of her family's life in rural PEI.

It really is a touching story. I will take a moment to read the synopsis of the book. A remarkable true story about one man's love for his family.

"When Lorna and Trevor married in 1985, they hoped their marriage would mark the beginning of a life filled with happiness, wealth, and blessings. Their dreams for an easy life came to a crushing halt when Trevor was injured less than three years after they were married. Atara, their

daughter, shares the heart-wrenching and witty journey of the Yuill family. She vividly writes about the small joys, courage, and strength that kept her family going in difficult situations.

She officially launched her book this past Saturday in Bloomfield and her book can be purchased at the Tignish Health Centre's Bargain Basement and Saunders' Variety Ltd. in Alberton. Or, if you're looking to have your book personally autographed by Atara, come to the Tignish Co-op this Saturday from 2:00-4:00 p.m. and she will have copies on hand and will sign a copy for you.

I encourage everyone to pick up a copy of this book. It's a wonderful story and there is nothing better than supporting a fellow Islander, especially around the holiday season. This is a great gift idea for those individuals who are hard to buy for.

Mr. Speaker, I thank Atara for sharing her story and wish her continued success.

Thank you.

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

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

#### **Municipal Grants Formula**

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

As a former city councilor, I was really pleased to see the Minister of Finance announce a new funding formula for municipalities. Under the new arrangement, government will shift the annual grants to tax credits, which will be based on property tax assessments. As the tax base increase, so will the tax credits. Municipalities will also receive 10 % on eligible capital expenditures.

This is great news for municipalities.

I was first elected to the city council in 1983 and I ran on a policy of helping the downtown area and improving the downtown area. The previous grant formula was unfair. And I saw it firsthand as I was a city councilor. With the province collecting property tax and redistributing them back to

municipalities as grants, the payments were open to political influence and the amounts could vary – different each and every year. So it made it very hard for municipalities to plan for the future of its city. The tax credit system is the best model.

I disagreed with the grant system and that was one of the main reasons I ran in 1997 for the provincial government. One year later, the provincial government of the day granted the city an extra million dollars, but it was still a grant system.

We have seen remarkable improvements in the City of Charlottetown over the last 25 years.

I remember people saying oil tanks on the waterfront will never be gone. Well, you just look at the waterfront today and it's fantastic. People laughed at Mary Sage when she went after the cruise ship business and today we see cruise ships in and out of our harbour each and every day and it is a major contribution towards tourism in Charlottetown.

I look around Victoria Park and I see the fantastic boardwalk we have around Victoria Park. I must commend Ian "Tex" MacDonald because at the time, lawyers were saying there was a substantial liability if we took down the fence. Tex MacDonald had the courage to say: It's coming down. And a boardwalk was put in place.

I again want to thank the Minister of Finance. The new municipal grants formula based on assessment will help Charlottetown and other municipalities throughout Prince Edward Island become a better place. It is often said: municipalities are the level of government closest to the people. For this reason, it is important that the province gives municipality an equal share of the property tax to provide the services to its residences. And we've seen that done by the Minister of Finance last week with his new legislation in the municipal grants.

Thank you very much, Minister.

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

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

### Urging Islanders and Government to Buy Locally

**Mr. Trivers:** Mr. Speaker, the holiday season is a time of giving and festivities and that means Island consumers head out shopping in search of the perfect gifts and stock up on food and beverages for the holidays. So I think all would agree this is a perfect time to remind and encourage all Islanders to think local and buy local.

Buying local supports our neighbours, communities, and province, as the money spent on local goods and services stays right here on Prince Edward Island. Before shopping off-Island, I encourage all Islanders to take a look at the vast array of excellent goods and services that are available here on PEI.

I am a big proponent of buying local whenever possible. When it comes to food products on Canada's Food Island, our home fridge is filled with products from across PEI, many from my home district of Rustico-Emerald. There are so many great Island success stories and so many Island businesses, large and small, that are playing great roles in our economy.

This government needs to take meaningful action that matches the branding of our great Island, especially when it comes to food. I have raised this issue multiple times in the past. This government's purchasing process for buying meat for 17 provincial institutions actively discriminates against local producers.

Government's protein tender specifies a preference for off-Island brands from large multi-national companies. I have repeatedly asked government to address this bias and make local brands their first choice.

In closing, I encourage all Islanders, and especially the Island government, to make buying local their priority. The goods and services are great and it is the best thing that we can do for our local businesses, communities and economy.

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.

Increasingly, communities and jurisdictions are turning to more innovative methods to improve access to health care. Last spring, for example, I put forward the idea of establishing a mobile mental health crisis team here on PEI and that included tabling a petition calling for the creation of a mobile mental health crisis team.

**Establishment of a mobile mental health crisis team**

Question to the Premier: Premier, can you update the House on what progress has been made, to date, on establishing a mobile mental health crisis team here on PEI?

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

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

**Mr. Henderson:** Mr. Speaker, our staff are looking at all kinds of different models to make sure that we can provide services to Islanders when it comes to mental health and addictions types of issues.

We are also in a contract situation with the Canadian Mental Health Association to develop a suicide prevention strategy. We are, once again, awaiting for a physician to come from out-of-country to practice here, who has some specialty in mobile crisis teams' concepts.

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

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

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

The out-of-country health professional that the minister is speaking of, I can only assume this is the health care professional that the minister had said, many months ago, that was actually here on the Island, when he wasn't even out of his home country, yet.

Mobile mental health teams are made up of a mix of health and law enforcement professionals that work together to provide collaborative services. Currently, all other Atlantic Provinces use this type of service to better focus community mental health services and I think Islanders could benefit tremendously from this type of service.

**Approval of funding for mental health crisis team**

Question, again, to the Premier: Has there been any funds approved, to date, towards establishing a mobile mental health crisis team here on PEI?

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

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

**Mr. Henderson:** Mr. Speaker, as I had mentioned earlier, our department is aware of the concept of a mobile mental health team. We have staff that have looked at the concept and we're exploring options on how to deliver it. Once again, deal with the budgetary issues as we move forward in the next fiscal year. We need to get a concept. We need to get a plan that makes sense and that's going to work for Islanders.

We are also working with the Canadian Mental Health Association in developing a suicide prevention strategy, as well, Mr. Speaker, that's specific to Prince Edward Island.

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

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

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

That answer, basically, says: no, there are no funds identified for a mobile mental health crisis team here on PEI.

Health PEI's latest annual report highlights that only 34% of youth clients are seeing community mental health services within current access standards being 70%. That 70% is a benchmark and we're at 34%.

### Expected timeline for mental health crisis team

Question to the Premier: What is the expected timeline to have a mobile mental health crisis team up and running here on PEI?

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

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

**Mr. Henderson:** Mr. Speaker, as I had mentioned earlier, that, once again, as a department, we are working on a plan to deal with that. We are also working to get some expertise on the subject. We have a physician, a psychiatrist that's coming to Prince Edward Island. At the moment the individual is having some struggles with their visa, but we're hopeful that that's going to be corrected in the very near future.

When we have that individual here, we'll be able to take a look and correlate the whole program and plan and commence the concept of implementation and the budgetary process to follow-up with that.

I do reiterate, we do work with a number of providers. We work in the hub model. Individuals have certain specific issues and needs, we have a collaborative approach to deal with that, Mr. Speaker.

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

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

Again, this minister speaks about the out-of-country psychiatrist that is being recruited to PEI and the last we have heard from this individual is that he was actually waiting to find out the exact details around the small business tax changes from the federal government because if they are as severe as he feels that they will be – and many health care professionals feel they will be – then he will not be coming to PEI.

There are no easy answers to improving access to health services, but I think it's important that we keep looking at options that may be considered outside the box by some.

### Innovative approaches in health care

Again, question to the Premier: Do you agree with me that more innovative approaches are needed in health care delivery to get better results?

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

**Speaker:** The hon. Premier.

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

I think we all understand that there's lots of room for innovation, lots of room for working together in a collaborative fashion. Let me mention three initiatives that have, in fact, offered services out-of-hospital – if that's a way of talking about mobile service. One is the walk-in clinics, now at five locations: Lennox Island, O'Leary, Westisle, Summerside, Charlottetown, could be further offerings of open seven days a week. More than 600 Islanders have benefitted from that.

We have the Seniors Mental Health Resource Team that's offering service to some seniors at home in community care and long-term care settings, the services of the transition unit, which enables people to be treated for addiction services without needing to be in an institution.

We are offering service to hundreds of Islanders in innovative ways and, of course, there's more to be done.

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.

The Premier just said that there is much more to be done and I couldn't agree more with that statement. In fact, some of the initiatives that the Premier spoke of are not, in fact, new initiatives; they've been around for quite some time.

One of the big road blocks to improved health care delivery is access and many

communities and provinces are coming at that problem in unique ways. In Saskatchewan, for example, a mobile primary health care clinic is used with a vision of providing mobile services. This initiative creates more healthy equity and closes the disparity gap for people who are geographically, socially, economically, and are culturally isolated.

### **Mobile primary health care clinic**

Question, again, to the Premier: Has your government looked at this model of health delivery to supplement existing services?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, I just want to be sure that people in the House and beyond appreciate the extent of new effort, new resources, collaboration, and innovation that are being put forward to service the needs of Prince Edward Islanders in the area of mental health. You have the school resource units that are in place now in Westisle and Montague and they're actually being responsive to the needs in a multi-disciplinary and collaborative way and those are new with a view to be in all of the families of schools.

There was an expansion of the transition unit from 10 to 18 beds in the past year. The Mental Health Resource Team, in fact, has expanded to King's County. So there are expansions in the efforts that we're making and we appreciate what these professionals are doing and we appreciate the service they're offering to Prince Edward Islanders with mental health needs.

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.

Again, the Premier talks about some initiatives that are, in fact, not new. He talks about some initiatives that are actually not meeting the needs of Islanders.

A mobile treatment venue is very proactive. It brings the services right to the location that needs it. We're seeing time and time again where emergency rooms are being closed for reasons that there are no doctors available. These mobile clinics could actually backfill those occurrences. This venue, combined with a trained team, would enhance access to services within the community itself.

Again, question to the Premier: Do you think that approaches like mobile mental health crisis teams and a mobile primary health clinic could help reduce the overcrowding and long waits in our emergency rooms and walk-in clinics?

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

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

**Mr. Henderson:** Mr. Speaker, I can assure the hon. member, we do have services all across Prince Edward Island. It's very rare that we would have one service in one location. Even if I take our women's wellness centre, we have a base of operations at the Prince County Hospital. We've already provided services all across Prince Edward Island for access to those types of services, which can include mental health issues around postpartum depression and the like.

When it comes to our mental health walk-in clinics – they're all over Prince Edward Island in different locations and these are new initiatives. If I even take our student wellbeing teams – these are new initiatives that were created in September. We certainly are cognizant of the issues around mental health and we're working hard to try to address the needs of mental health for Islanders.

Thank you, Mr. Speaker.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

Each year in the spring children preparing to enter kindergarten undergo what's known as an early years' evaluation.

### **Performance of early years' evaluations**

Question to the education minister: Who performs these early years' evaluation? Is it the kindergarten teacher, or someone else?

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

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

**Mr. J. Brown:** Hon. member, the answer to that question, simply put, would be it would be somebody else. But you're correct, there is a number of different programs that are available for students that are in the early years and going into kindergarten and we're expanding upon those resources as we speak, Mr. Speaker.

Thank you.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

It's my understanding that these evaluations are done by teaching professionals, hired by the province.

### **Dollars spent on early years' assessments**

Question to the education minister: How much does the province spend each year on these assessments?

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

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

I don't have the exact number as to what's spent on those assessments in each year, but I can say that those assessments are a very important tool to ensure that students coming into the system are met and addressed in terms of determining where needs may lie and resources at the classroom level are allocated based on those meetings on an annual basis. It's a very important

service overall to students that are coming in so that we might be able to determine what's required at the classroom level in each ensuing year.

Thank you, Mr. Speaker.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

These tests assess incoming kindergarten students to find out if they need extra help in the form of early intervention when they enter the classroom.

### **Kindergarten teacher and assessments**

Question to the minister: What role does the kindergarten teacher play in these assessments?

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

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

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

Again, hon. member, the kindergarten teacher does not play a role in the actual assessment that's taking place, but what does happen is that when the student comes into the kindergarten teacher's classroom, there is a piece where that kindergarten teacher would have training that would allow them to help to identify certain needs that might exist with that student and they work in partnership with the other folks at the school level, such as: special needs teachers, or resource teachers, or administrators, to determine what needs a child might have and to do their level best to ensure that they're addressed.

Thank you, Mr. Speaker.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

I'm not an education expert, but it would seem to me that a teacher that's going to work with a student for the next year probably has a role to play in the process.

**Timeline of evaluation shared with parents**

Question to the minister: When is information from these evaluations shared with parents?

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

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

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

Mr. Speaker, I guess the first thing that I should say is that when these assessments are conducted, the class composition is not determined – and that's a big part of the reason that these assessments are conducted is to determine what the classroom composition would look like from one class to the next and it all factors in.

I should say that as the children are going through those assessments, there is an interaction with parents that have children in them. In terms of the exact timing or formal reporting being given, I do not have the exact detail, but again, I can see if I can get that.

I will assure the member that – and I know this on a practical level, that I can tell you from having met with a number of constituents where certain issues were picked up on with a particular child and that was identified with the parent right away.

Thank you, Mr. Speaker.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

I've heard of situations where the results of the evaluation aren't shared with parents until after the student has started kindergarten.

Question to the minister: How can it be called early intervention if parents don't get the results of pre-kindergarten student evaluation until after their child enters kindergarten?

**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, hon. member, that we're talking the same thing here, but each student would undergo an assessment before they go into school, which would be kindergarten, to determine what issues might arise, their preparedness for kindergarten and that sort of a thing. Beyond that, when the student gets into the classroom there can be further interventions for assessments that might take place over the course of that student's education and they can have a range from something involving a learning disability to, as an example, a student that's struggling in reading and having to go through reading recovery or some testing relating to that.

So, I'm not exactly sure what testing you're asking me about, but I'd be happy to see what I can do to address that if you want to specify further.

Thank you, hon. member.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

Minister, it's the early years' education testing. If you don't get the results until after your child enters kindergarten that would seem to run counter to the idea of early intervention.

**Early years' evaluation sharing with parents**

Question to the minister: How much information from that early year's evaluation is shared with parents?

**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 hon. member, again, is correct and again the testing is done to determine preparedness for kindergarten, and parents do participate with the student in that testing. So, I would say, as with a lot of different things, the level of information that the parent gets depends on their participation in the process, and probably, in all honesty, in the individual assessor. We have to look at again, what the purpose of this is for. If it's an ordinary student with no issues, there's not a large report that's prepared to report on that student's preparedness for kindergarten. They would go into kindergarten in the normal course of things.

We're looking at a program that helps students to get lined up for success, kindergarten and on, and that's the purpose of this program.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

I understand that this evaluation uses a rating system of red, green, and yellow to assess the student on a series of key benchmarks. Sometimes families want more detailed information of where their child stands.

#### **Access of evaluation of child**

Question to the minister: How do parents access their child's evaluation data if they want to get more details of any learning challenges to be on the lookout for?

**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, this is a program that's conducted quite often by senior teachers or retired

teachers or that kind of thing. They're not diagnosing learning disabilities. They're not doing anything of that nature and so there is a scale that they are placed on in terms of their preparedness for kindergarten. I think we have to keep in mind that's the primary purpose of that assessment being done.

In terms of the access to the information, I'm not exactly sure as to a process to get any notes or whatever is required for that testing, but I can bring that back.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

#### **Access of EA support**

Question to the minister: If the assessment shows an incoming student has areas identified that need extra work, how does the student access EA support?

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

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

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

EA support is something that I'm proud to say we've invested tremendously in as a government over the past couple of years, and it's with good reason. I think what bears out here is that you would need to know what it is that the individual was having an issue with to be able to determine whether they might be eligible for that support.

I'm not sure in terms of the specifics of the question and it would differ for different individuals, but it's something that makes a great difference in classrooms and in the composition of classrooms and it's something that we're very proud to have invested significantly in, Mr. Speaker.

Thank you.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

I understand that EA support in the classroom for kindergarten is hard to come by and that the limited resources get targeted to students with highest need. Even then, classrooms often can only access limited support.

Question to the minister: How do parents get help for their children to keep from falling through the cracks if access to EA supports are limited?

**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, EAs is one element of support for students that are experiencing difficulty or have a diagnosed difficulty that would be going through our school system. We have done things like increased special needs grants, autism grants, to help to deal with children that have other issues that might fall within that, or on top of the EAs that might be there.

A lot depends, hon. member, in terms of what the issue is that that student is facing in terms of their access to it, and it's certainly something further to our discussion here in relation to health. We can always do more and we will continue to endeavour to do more. As I said, we have invested in 20 new EAs for our school system just in the last couple of months and we'll continue to look at that.

Thank you.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

These questions come from a constituent of mine that has great concerns of their child that is facing some challenges in kindergarten, so that's the reason for the set of questions today.

Sometimes a student may benefit from specialized support like speech language pathology or occupational therapy. In fact, I know one situation where a student was identified as needing some OT support, but they would have to wait for a year or more to access that support.

Question to the minister: Do wait times of more than a year for services like OT support really sound like early intervention?

**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, and I do appreciate what the hon. member is saying. We've all had those kinds of inquiries and it's something that, to be frank, I wish that we could have dealt with on an immediate basis. The one thing that is important to mention is that a big part of this is the early work with those kids to determine what the issues are and then to get them the proper help.

We all know that child psychology is something that we've been working on in our department over the last couple of months, and previous to that as well, and that's one big key to trying to determine what help it is that these students need and it's something that we're committed to addressing and we will address going forward, Mr. Speaker.

Thank you.

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

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

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

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

During second reading of amendments to the *Archives and Records Act* last spring, government was asked about what is being done to ensure that ministers and government employees are not using Blackberry messaging or text messaging to communicate on sensitive issues and bypass

the freedom of information and protection of privacy process.

At the time, the Provincial Archivist stated and I quote: We're going to continue to investigate and hopefully we'll be able to come up with a policy that will deal with all of the issues around government records that may be in that format.

### **Policy around government records**

A question to the Minister of Education, Early Learning and Culture: Have you come up with a policy to prevent this abuse?

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

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

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

What we have been doing is we've been working with the Auditor General and as, I believe, the hon. member is likely aware, we've invested significantly in our Public Archives and Records Office to help to ensure that we are moving forward in this regard –

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

**Mr. J. Brown:** – and those officers actually have just been hired to those positions. We have a total of nine new staff positions in that area, so we will be continuing forward in that department, Mr. Speaker.

Thank you very much.

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

**Speaker:** The hon. Member from Charlottetown-Parkdale, your first supplementary question.

**Ms. Bell:** This is a longstanding issue that does not seem to be taken seriously by this government.

In 2013, the information commissioner of Canada issued a special report on instant messaging, which I will be tabling later on today. In that report, she concluded that instant messaging presents an unacceptable risk to the right of access to information.

A question to the Minister of Education, Early Learning and Culture: Would you agree that instant messages are, in fact, government records and need to be preserved and that a failure to do so is an offence under your newly amended *Archives and Records Act*?

**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'm going to answer that question in two ways. The first is directly, which is to say: No, not automatically. Records aren't records by virtue of the medium that they're communicated in, or how they're communicated. Records are records based on what is contained in the content.

As I indicated, we have hired folks that will be experts in this area that will be actively providing advice to government departments. In fact, we have hired eight of them, to assist with the couple that we had previously, to ensure that we are doing our utmost on this. We've invested in different resources that those experts can use and we're looking to do our utmost to ensure that government records are maintained into the future.

Thank you, Mr. Speaker.

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

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

### **Destroying government records**

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

I'm very happy to hear that there are investments being made in staff and supports including those people, who may be able to identify the differences between transitory records and records of merit.

One of the reasons given for not tracking BlackBerry messages is that it is very difficult to access records that are on somebody else's BlackBerry. In reality, all

BlackBerry, PIN and SMS messages can be logged with the flick of a switch on the server.

A question to the minister: Will you commit to investigating this technology to help resolve the issue of ministers and staff destroying government records?

**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 previously indicated, we've worked with the Auditor General's office and we have committed to investing a great deal of this province's money to looking to determine what can be done to ensure that all government records are maintained into the future. And that, we are, again, doing our utmost to develop policies to ensure that records are kept as they should be and to ensure that all government employees are aware of what constitutes a record and what's required to be done to keep them.

Thank you, Mr. Speaker.

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

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

### **QEH parking fees eliminated**

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

My question is to the Minister of Health and Wellness: Minister, it's been a year-and-a-half since parking fees were eliminated at the QEH. Can you speak to how well this is going?

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

**Mr. Henderson:** Mr. Speaker, it's going fabulous.

In fact, as a department and as Health PEI, we certainly feel the importance of having loved ones being able to visit their patients while in hospital. To that degree, we decided to eliminate visiting hours. Anybody can

come to visit anytime. Also, we have seen, by eliminating parking fees, we have also had people's ability to not be inhibited by coming and visiting a loved one.

In fact, we have seen a volume of about 1,200 vehicles a day increase to about 1,500 vehicles a day, so there is uptake.

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

### **Public abusing free parking as car-pooling location**

**Speaker:** The hon. Member from West Royalty-Springvale, your first supplementary question.

**Mr. Dumville:** Minister, a recent letter to the editor in *The Guardian* suggested that the public is abusing the free parking at the QEH using it for carpooling; such as park-and-ride, parking and taking the bus downtown.

Is this happening and what is being done to prevent it?

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

**Mr. Henderson:** Mr. Speaker, to the hon. Member from West Royalty-Springvale, who did lobby extensively for having parking fees removed, we did (Indistinct) that letter to the editor. In fact, we can't really find any evidence that that's actually happening.

Our security that's revolved – been supporting the hospital, also supports the parking lot and reviews vehicles or takes note of vehicles that might be there an excessively long time. I think, more than anything, what's happened is, is because of our sizeable investment in our review of the linear accelerator bunker and getting that under construction, we had to take out 68 parking spaces at the QEH parking lot. We still have 40 spaces that have not been reinstated back into the system while construction continues.

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

**Speaker:** The hon. Member from West Royalty-Springvale, your second supplementary.

**Increasing size of QEH parking lot**

**Mr. Dumville:** Minister, that's good news that 40 spaces will be coming back.

Minister: Given how busy the hospital is and the high volume of cars always in the parking lot, is there an opportunity to increase the size of the QE parking lot?

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

**Mr. Henderson:** Mr. Speaker, yes, since we did have those 68 spaces that were removed during construction and we're certainly going to monitor that situation. I've been over numerous times myself, and sometimes it is hard to get a parking space. It's mostly based, sometimes, on volume, especially on Tuesday and Thursday mornings. We will be monitoring the situation and we will be putting a plan in place should we require more parking spaces at the QEH parking lot.

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

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

**Public consultations on the *Water Act***

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

My question today is to the Minister of Communities, Land and Environment: Minister, everyone has been impressed by your department's public consultation on the *Water Act*. However, I have heard that the public consultation for the *Water Act* regulations will only be accepted online.

Can you verify if this, indeed, is the case?

**Speaker:** The hon. Minister of Communities, Land and Environment.

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

I certainly want to ensure all that may be listening in today that that is certainly not the case. We will be using, basically, the mirror process that we used to develop the *Water Act* itself. We will be holding very open and public meetings all across the Island. We will be, though, taking online submissions for certain, as well as, face-to-

face meetings. We'll even take letters at the front desk of the department, Mr. Speaker.

Thank you very much.

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

**Speaker:** The hon. Member from Charlottetown-Lewis Point your first supplementary question.

**Timeline for completion of *Water Act* regulations**

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

Minister, while the *Water Act* is on the floor of the House, there have been many references to the *Water Act* regulations.

Can you update the House on the timeline for the completion of these regulations?

**Speaker:** The hon. Minister of Communities, Land and Environment.

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

Certainly, I appreciate the question. I would anticipate that early spring, staff, myself, will begin the process of booking gymnasiums and halls, probably in the same locations, or near where we were when we were collecting information as we developed the *Water Act*.

Those, I anticipate, will take some time, in the early spring. Again, we will use the summer months with staff to put together, what we will call draft regulations, moving forward. I would anticipate somewhere in the next probably 12 months. Probably about 12 months from this very time that we will be able to have the regulations complete and will be able to turn on the *Water Act*, Mr. Speaker.

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

**Speaker:** The hon. Member from Charlottetown-Lewis Point, your second supplementary.

**Posting *Water Act* regulations online**

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

Minister, I realize there will be many regulations for the *Water Act*. Communication is key to keeping Islanders informed on the progress of these regulations.

Would you commit to posting online any regulation as it gets completed?

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

**Speaker:** The hon. Minister of Communities, Land and Environment.

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

Certainly, the hon. member is correct, there will a substantial amount of regulations involved with a lot of different headings for process. I would certainly anticipate there should be no problem at all as draft pieces get completed that we can post them online for people to take a better, further look at them, and submit other responses if they do so chose.

Yes, we will do our absolute best to get things online when we have them ready.

Thank you, Mr. Speaker.

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

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

### Consultation on amendments to health acts

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

The health minister is amending the health act in this sitting of the Legislature. I'm just curious how much consultation has he done on the amendments to that bill?

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

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

**Mr. Henderson:** Mr. Speaker, there are three particular acts that we are looking at doing some amendments on. One is the *Health Services Act* and that act is one that dictates the terms of reference for the Health PEI board.

On that particular one, we probably didn't do a lot of consultation on. The other two ones are issues around the appeal of the nurses act, which we've had numerous consultations with the nursing profession.

The other is the *Regulated Health Professions Act*, which will, when we repeal the nurses act, we'll be able to put them under the regulated health professions. We've had lots of consultation with the profession on that.

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

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

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

Yes, that's the act I'm talking about is the one that changed the terms of the Health PEI board. I feel it's a perfect opportunity to try and make changes to that act, to make these Health PEI board meetings public. We know that they oversee a \$660 million budget.

### Health PEI and open public meetings

Will the minister bring changes that will enable Health PEI to have open public meetings, Mr. Speaker?

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

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

**Mr. Henderson:** Mr. Speaker, as far as the act and the board itself, once again, the amendments that we're looking at doing are to deal with term limits. As far as open and public meetings, I leave that to the Health PEI board itself to decide that.

But, we have, in this government, we've implemented the health community engagement committees which communicate with the Health PEI board in trying to get feedback from the public and to get good information transfer back and forth also with our local foundations. So, I think there would be lots of public engagement through those processes, Mr. Speaker.

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

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

### **Health PEI board meetings**

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

I wonder if the minister could tell us how many times the Health PEI board met in this past year.

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

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

**Mr. Henderson:** Mr. Speaker, I wouldn't have that information specifically on me, but I can tell you that they probably meet at least once a month. I, in fact, met with some of the board members, the chair and the CEO of Health PEI, this morning before I came to caucus. On each of those specific boards, they have committees and those committees usually meet about once a month as well.

There are a lot of meetings that they generally have, and we do have an annual meeting that is open to the general public for any questions. This year it was held at EastLink centre in Summerside, Mr. Speaker.

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

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

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

The minister says they've had a lot of meetings. I mentioned that this board oversees \$664 million in our budget. I think the public deserves to know how many times they're meeting, who's been at these meetings. One of the amendments that the minister is bringing in is about how many times a Health PEI board member has to show up.

### **Attendance record at meetings for Health PEI**

Can the minister table the attendance record for Health PEI over the past number of years?

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

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

**Mr. Henderson:** Mr. Speaker, the hon. member brings up a good point as far as that was one of the issues why we are amending the act, as we want to make sure that if there are individuals who have reasons to not be able to attend meetings; these are important meetings and they do meet rather frequently as far as approximately once a month or twice a month.

That's why we're making these amendments, to make sure we can have some sense of term limits. I'll see what I can find out as far as the attendance record. I don't think that would be a difficult thing to provide this House with information on, Mr. Speaker.

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

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

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

### **Tabling of remuneration for board members**

Will the minister of health table the remuneration for all board members since Health PEI came to light?

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

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

**Mr. Henderson:** Mr. Speaker, once again, there is remuneration for these board members. They give a lot of their time. They're dealing with a sizable budget and making some really challenging decisions and recommendations to the minister. So, I will go back to my department and see what information we can provide and I'd be happy table that if they provide it, Mr. Speaker.

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

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

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

This is why we're asking for these meetings to be public. We're asking for the remuneration to be public. We're asking to find out just how many times they're meeting. The minister is right. There are a lot of good people on Health PEI and they're doing a lot of good work, but we're making changes to the act for some reason. We're limiting terms. We're saying that you have to show up so many times. There are obviously issues, so that's why we believe in the opposition that they should be open and transparent.

### **Health PEI and open public meetings (further)**

Will the minister commit to having open public meetings? I can't get an answer, Mr. Speaker.

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

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

**Mr. Henderson:** Mr. Speaker, I can assure the hon. member that there's no sense of cynicism here of our board or anything of that nature.

It's just simply a case where we feel that there should be term limits. If there was a situation where a board member decided to want to stay on for whatever reason, I think it's important that we have diversity on the board, that we have turnover on the board, as well as if there's individuals that can't meet for particular reasons, I think it's important the minister have that authority to appoint somebody in their place because it is rather important.

Once again, I'll see what I can do to get the attendance records and if we can table any of the issues around remuneration. I think it's a top board within our Engage PEI concept and I know there's a set remuneration per board member, Mr. Speaker.

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

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

### **Tabling list of groups who lobbied Health PEI**

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

Mr. Speaker, we're seeing a lobbyist act come to the floor of the Legislature this House session. Here's another reason why they should be open: We don't know who Health PEI has been meeting with. On the floor of the Legislature, we were discussing the bill last week. The minister talked about – they had their monthly meetings, but they meet with a lot of different groups – all throughout, in between those meetings as well. I couldn't agree more. Diversity, turnover, all these things are great. Let's just open it up for taxpayers so we can see the good work they're doing.

Will the minister commit to tabling all the different groups and organizations that have lobbied Health PEI since its inception?

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

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

**Mr. Henderson:** Mr. Speaker, as far as people, or business, or organizers lobbying the Health PEI board – I don't think that's the premise behind the Health PEI board. It's usually discussions, internally, within staff and when they do seek issues around public engagement, there is a committee of public engagement on the Health PEI board and they work with our community health engagement committees, which we have one in the east and one in the west to make sure we're getting good consultation from the public on potential policy changes and initiatives that would be developed at Health PEI.

Like I say, I commit to the hon. member that I'd be happy to bring back whatever information that I can. I'm pretty sure we can find the attendance records and remuneration for that particular board.

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

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

### **Leaky roof at Mount Stewart Consolidated School**

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

The minister talks the talk there, but you know what? We don't know. We simply don't know all those meetings. He says: No, there's no lobbying. Nothing is going on. We don't know because they're not public.

My final question is to the minister of education.

Minister: The Mount Stewart school Christmas concert tonight, will you be going out to hold an umbrella over those kids while they do it? It's pouring rain out there and I'm not even joking. There's water coming in on the gym floor now.

Will you commit to that?

**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 will say that this is a great time of the year with Christmas concerts. In fact, I think there's one –

**Mr. Trivers:** (Indistinct)

**Mr. J. Brown:** – at the school in my district this evening. There's a few events on the go here this evening which I hope to get around to. I'm not sure that I can commit to that.

However, in response to the hon. member's ongoing line of questioning, we did have the director of the Public Schools Branch out to that school, I believe it was last Thursday, and he checked things out for me and is keeping an eye on it.

Thank you, Mr. Speaker.

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

**An Hon. Member:** Keeping an eye on it.

**Mr. Myers:** It's easy to watch the rain, boy.

**Mr. LaVie:** Put an umbrella on it.

**Mr. Myers:** Keeping an eye on it.

**Mr. LaVie:** An engineer keeping an eye on it.

**Mr. Myers:** You've got an engineer.

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

**Mr. Trivers:** (Indistinct)

#### Statements by Ministers

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

#### **Jour du Souvenir acadien 2017**

**Mr. J. Brown:** *Merci, Monsieur le Président.*

Thank you, Mr. Speaker.

*C'est avec plaisir que je prends la parole ici pour souligner la cérémonie du Jour du Souvenir acadien à laquelle j'ai eu l'honneur de participer aujourd'hui au nom du premier ministre MacLauchlan et du gouvernement provincial.*

It is my pleasure to address the House to highlight the Acadian Remembrance Day ceremony in which I had the honour of taking part today, on behalf of the Premier and the provincial government.

Government representatives and community members gather today in memory of all those who died from diseases and drowning during the Great Deportation, one of the most tragic events in the history of our province. Thousands of Acadians were deported from our Island and, unfortunately, almost 1,000 died when the transport ships Duke William, Violet, and Ruby sank in 1758.

The Acadian Remembrance Day ceremony is held every year at the national historic site Port-La-Joye, Fort Amherst. It provides an opportunity to celebrate the cultural vitality of Acadian Islanders who have succeeded in making their identity a common sense of belonging.

*Monsieur le président, le gouvernement de l'Île-du-Prince-Édouard est ravi de constater que la culture acadienne et la langue française demeurent bien vivantes à l'Île-du-Prince-Édouard.*

Mr. Speaker, the Government of Prince Edward Island is pleased to see that the Acadian culture and the French language remain alive and well in Prince Edward Island.

*Merci monsieur le président.*

Thank you, Mr. Speaker.

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

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

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

The Acadian Remembrance Day, *c'est un événement très (Indistinct), mais c'est un événement (Indistinct) la joie pour le futur parce que le peuple acadien de l'Île-du-Prince-Édouard est très fort et je pense que dans le futur, toutes les personnes (Indistinct) de célébration des Acadiens.*

The Acadian Remembrance Day is a very (Indistinct) event, but it is an event that will perhaps bring joy for the future, because the Acadian people of Prince Edward Island are very strong, and I think that in the future many will organize events to celebrate the Acadian people.

Mr. Speaker, the Acadian French community is very strong on the Island and although this is a very sad event from our past, it has made the Acadian community even stronger and I think that the things they do going forward benefit the Island greatly and in fact, the Acadian culture is a crown jewel, really, in the Prince Edward Island culture and that's why it's important to remember the past but look towards the future. I know in my district we have the community of Rustico, the community of North Rustico with very strong Acadian roots, and they're using that unfortunate past to forge relationships across North America, as well as to build our tourism.

*C'est un événement très tragique, mais c'est le temps pour une opportunité.*

It is a very tragic event, but it is a time of opportunity.

*Merci beaucoup.*

Thank you very much.

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

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

**Mr. LaVie:** (Indistinct)

**Ms. Bell:** *Merci monsieur le président.*

Thank you, Mr. Speaker.

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

**Mr. Myers:** (Indistinct)

**Ms. Bell:** *Merci monsieur le président.*

Thank you, Mr. Speaker.

That will be the extent of my French this afternoon.

I would also like to recognize the impact and influence of the Acadian culture in part of our rich Island history. We're reminded in the importance of storytelling and the truth in storytelling and being able to recognize the dark episodes of our past are as important as they are for Acadians as they are for – we are currently seeing the truth and reconciliation for indigenous peoples and in both cases, recognizing, celebrating and being able to confidently share those as part of our history is a key piece of being Islanders and a key piece of being recognizing the Island that we love.

So, much celebration and (Indistinct) Acadian.

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

**Speaker:** The hon. Minister of Communities, Land and Environment.

### Watershed Update

**Mr. Mitchell:** Mr. Speaker, watershed groups are doing tremendous work to protect the environment we all share as residents on Prince Edward Island.

They are working to restore our waterways, improve water quality and enhance our

riparian zones and forests, among many other activities. But, watershed groups are also making significant contributions to our Island's economy and society.

These groups support local community events, develop trails, offer educational programs, work with seniors and students, engage with municipal governments, and the list goes on. They also provide employment, especially in our rural communities.

Last year, watershed groups had 181 employees on Prince Edward Island, with a total payroll of \$1.8 million. In addition, there were nine summer students and two full-time permanent staff hired by the province exclusively for the watershed program. An impressive 20,000 volunteer hours were also reported by Watershed groups.

Our government is proud to support watershed groups with \$1.12 million, an all-time high, through our provincial Watershed Management Fund. This year, 2017-18 was the first under a new funding formula for our watershed organizations. The formula was developed collaboratively and treats all groups fairly. It also links funding to key performance indicators, and I am very pleased to say that performance indicator scores for every watershed group have improved this year over last year.

Non-provincial funds leveraged by watershed groups being invested in our Island economy is nearly \$1.5 million. The work and goals of watershed groups touch on every government department. Work on the PEI watershed strategy continues and we look forward to implementing ways to continue to improve communications between government departments and watershed groups in the coming year.

I want to thank our PEI Watershed Alliance, our watershed groups, and every Islander who engages in this vital work as they protect our Island watersheds.

Thank you, Mr. Speaker.

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

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

Thank you, minister for that statement.

It's very clear that Prince Edward Islanders take their water very, very seriously. They're very, very passionate about that, especially the watershed groups. The 20,000 hours in volunteer effort is a key indicator of that.

I want to thank all of the volunteers that put so much time and effort into the watersheds in this great province. That's why the *Water Act* is so important. That's why so many Islanders have been contacting me, and I'm sure all MLAs, to say fracking should be banned on the Island outright with no clause to reinstate it. That's why there should be something in the *Water Act* that talks about Islanders right to water. That's why the *Water Act* should use language that people – these passionate volunteers that work in the watershed groups have asked for; like precautionary principle, like intergenerational equity. These things are missing from the *Water Act*, so listen to these people.

I mean, \$1.12 million is a good amount of money. I'm very happy that's being invested in the watershed groups. We've been talking about this for two years. We had to fight to get the announcement of that \$1.2 million actually spent and it hasn't changed. I'm going to say it again. I'm going to keep saying it until the minister understands: It's a 10 to one return on every dollar invested in the watershed group; \$1.12 million is not enough money. Please put in more money to the watershed groups, and help out these passionate volunteers.

Another thing, this is the Minister of Workforce and Advanced Learning – this is something, as well as the Minister of Rural and Regional Development, I'd like you guys to tackle this if you can, please. Help out the Minister of Communities, Land and Environment. When it comes to the Job for Youth Program, especially for the watershed groups, they want to hire some of the best university students in the spring of the year, but they can't hire them until their funding is approved, so please, please approve their funding in April so they can hire the students and they can start right away and do the great work that they do.

Thank you, Mr. Speaker.

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

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

**Dr. Bevan-Baker:** I'm not going to take the whole day off.

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

**Dr. Bevan-Baker:** I welcome the announcement. Any dollar that's put towards the watershed associations, we know comes back ten-fold in the incredibly active work that they do in protecting and preserving and enhancing all of our watersheds across the Island.

I rise this afternoon and I want to echo the thoughts of my colleague from Rustico-Emerald, that these people, who are passionately concerned about a particular watershed, but water, in general, on Prince Edward Island would love to see that fracking ban with no loopholes attached to it.

Also, making sure that the watershed management areas are clearly defined and that that's done properly. I look forward to further debate on *Water Act* coming up.

This summer the Westmoreland River Nature Park was created on Highway 13, just north of Crapaud. I was there for a beautiful opening ceremony. Again, a typical watershed group; amazing people, extremely active, dedicated volunteers putting in hundreds and hundreds of hours. In over two years they created this beautiful nature space. A place where there's an educational component. There's recreational fishing and walking. There's nature conservancy. They planted a lot of things for Monarch butterflies. A real, wonderful piece of work. At the end of that they were given a tax bill by government for the property that they're leasing.

Now, I understand that that's going to be looked at. I know the watershed alliance sent you a letter, minister, asking that these watershed groups be exempt from paying land taxes on the provincial land that they lease and inevitably improve. I hope you make the right decision there and don't go ahead with that.

Thank you very much, Mr. Speaker.

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

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

**Kraft Hockeyville 2017**

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

When it was announced last spring that O'Leary had won the Kraft Hockeyville 2017 title for Canada, my entire community was full of enthusiasm and excitement.

O'Leary may be a small community, but like Prince Edward Island itself, it demonstrated how mighty it is when it comes to ambition, big dreams, and hard work of our residents.

As Kraft Hockeyville 2017, O'Leary hosted a Winning Weekend Celebration in September, where thousands of Islanders took in the family focused celebrations full of fun and interactive activities with CBC, Sportsnet, and many NHL personalities.

One highlight was a visit from the Stanley Cup. The cup and its keeper took time to visit O'Leary, the O'Leary Community Hospital, the long-term care residents at Margaret Stewart Ellis, and community care residents at Lady Slipper Villa, as well as numerous other stops like the Big Potato at the Canadian Potato Museum, and a community photo booth at the celebration grounds.

On September 25th, the focus shifted to the Credit Union Place in Summerside, where the O'Leary Hockeyville Committee played host to the New Jersey Devils and the Ottawa Senators.

Every school in western PEI, bused their students to attend the NHL team practices. And what an awesome experience it was for everyone including; students, staff, teachers and even bus drivers.

One student from each western school also got the opportunity to participate on an on-ice question and answer event with players from the NHL teams and hosted by Ron MacLean. For the big game, Credit Union Place was full to capacity.

Those fortunate to attend included all O'Leary Minor Hockey players, O'Leary Figure Skaters, and one team from every Minor Hockey Association across PEI, local O'Leary volunteer groups and organizations, as well as winners of the lottery.

Ron MacLean, Don Cherry hosted a special on-ice Coach's Corner at the event and the \$100,000 winning cheque was officially presented to the O'Leary Hockeyville Committee during an on-ice ceremony with Kraft Canada and Gary Bettman.

A committee has now been struck in O'Leary to plan for the renovations for the O'Leary Community Sports Center. Currently, the committee has a design company hired to look at the possibilities and decide on the greatest need for the renovation.

The passion for hockey in O'Leary is all-encompassing, a passion proven over the years by the resilience shown after twice losing their rink; once to a collapsed roof, and again to a fire. Yet, both times O'Leary rebuilt.

I'm so proud to be the MLA of O'Leary-Inverness, and to be surrounded everyday by these amazing, resilient individuals who work and show what Islanders can accomplish when we work together and make big things happen.

I want to thank all those involved, particularly the organizing committee of Billy MacKendrick, Dean Getson, Joanne Wallace, Tammy Rix, and Della Sweet, who have been named the fab five.

Ultimately, this event was all about community pride, spirit, cooperation and working together to reach a common goal. The support received from all over PEI, and even across Canada, is far beyond our borders, was very overwhelming. O'Leary thanks all our neighbours on PEI for their support.

Congratulations. Well done. O'Leary will forever be Kraft Hockeyville 2017 for PEI and Canada.

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

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

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

What an awesome statement by the minister. It was a wonderful time in PEI when O'Leary was hosting the Hockeyville. The whole Island was engaged, of course, in trying to win it.

It brought me right back. I was one of the lucky ones to be on the organizing committee for the Morell Kraft Hockeyville. We had the support of all of PEI at that time, just like O'Leary did this time. It reminded me back, you know, when we were younger and we were playing sports and the tiny little communities were fighting to the death on whatever you were playing hockey, but then when you got together and played on a Kings County team, then you were all together. That's what it was like with PEI pushing for it.

It's not a surprise. The minister talked about the organizing committee. They're wonderful people. As I say, it's not a surprise it was successful having Joanne Wallace there, originally from Peakes. A good eastern girl there, too. They combined all their skills and they did an awesome job.

I must say that we were one of the lucky ones. The Morell initiation team that I coach every year got picked to go and watch the game. Although, they're a pretty young crowd to take up there, 14 of them. They did wonderful. The organizers did such a wonderful job. The atmosphere was safe. I met the minister up there, too. Everyone had a smile on. I couldn't speak more highly of it. It was just a wonderful time for PEI in general. I thank the community of O'Leary for it.

Thank you, Mr. Speaker.

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

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

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

I think it's really important to commend the fantastic result for O'Leary and for the

province with winning the Hockeyville earlier.

You mentioned about the importance of volunteers and knowing that there were 15,000, I think, members in the Facebook group at one point supporting and over 2 million votes cast, sort of speaks to the commitment of those volunteers to make this happen. Volunteers are critical to community efforts in all aspects of our community development. I know that with the awarding of the prize, it's a significant amount of money – \$100,000 goes a long way, but we also know that that committee is going to need some extra help, so I'm really hopeful that we'll be able to see that moving forward, both from municipal, provincial, and hopefully even a federal basis and look forward to hearing more good news stories from O'Leary.

Thank you very much.

Thank you, Mr. Speaker.

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

Presenting and Receiving Petitions

#### Tabling of Documents

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

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

By leave of the House, I beg leave to table a written question to the Minister of Transportation, Infrastructure and Energy and I move, seconded by the Honourable Member from Charlottetown-Parkdale, that the said document be now received and do lie on the Table.

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

**Mr. R. Brown:** Lost your job.

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

**Mr. R. Brown:** Lost his job.

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

**Ms. Bell:** Mr. Speaker, by leave of the House, I beg leave to table Access to Information at Risk from Instant Messaging: A Special report to Parliament by Suzanne Legault, Information Commissioner of Canada from November, 2013 and I move, seconded by the Honourable Leader of the Third Party, that the said document be now received and do lie on the Table.

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

#### Reports by Committees

**Speaker:** Member from West Royalty-Springvale.

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

Mr. Speaker, as Chair of the Standing Committee on Infrastructure and Energy, I beg leave to introduce the report of the said committee on committee activities, and I move, seconded by the hon. Member from Summerside-Wilmot, that the same be now received and do lie on the Table.

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

**Mr. Dumville:** Mr. Speaker, I move, seconded by the Honourable Member from Member from Summerside-Wilmot that the report of the Committee be adopted.

Your committee is reporting on its activities since last reporting to the Legislative Assembly on May 10<sup>th</sup>, 2017.

Your committee received a briefing on Slemon Park on October the 26<sup>th</sup> from Shawn McCarvill, President of Slemon Park Corporation and Jamie Aiken, Executive Director of Island Investment Development Inc. These presenters provided a history of Slemon Park, a comprehensive overview of real estate and business in the park, as well as future infrastructure plans and direction for the business park.

Additionally, your committee sent letters seeking information on the August the 4<sup>th</sup>, 2017 telecommunication blackout from Bell Aliant, the Emergency Measures Organization and Information Technology Shared Services.

Your committee has received responses from all three organizations. An explanation

for the network outage in Atlantic Canada was provided, and an overview of preventative work was included. Bell Aliant took a number of actions, including increasing redundancies to reduce the possibility of a similar such occurrence in the future. The PEI Emergency Measures Organization explained that emergency service providers implemented their contingency plans in a response to the disruption and that a review and update of these plans has been undertaken since August 2017.

Additionally, in response to this event, departmental business continuity plans are being reviewed in order to respond to any similar future events. Information Technology Shared Services also provided an update regarding this event and shared that government's primary and secondary cellular service providers are on separate networks, which will provide for mitigation if the primary contractor's service is unavailable.

To conclude, your committee has a number of items on its agenda for consideration, and will report on those topics at a later time.

Thank you, Mr. Speaker.

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

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

The hon. Member from Rustico-Emerald.

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

It's great work that this committee does. Especially of interest to me is the work done with respect to providing high-speed Internet to Islanders. I know the chair of the committee and I have definitely worked together on that.

One thing in the meetings that I attended, and I'm not sure if it's covered by this report exactly, but when the Internet service providers were in to the committee, one thing that I believe that they committed to provide was a map to their existing Internet backbone on Prince Edward Island. We questioned them at committee and, to my knowledge, the map to the existing Internet backbone that is owned by the large Internet

service providers, like Bell Aliant and Eastlink, hasn't been provided.

I wanted to comment on that here because to me, I think that was a potential omission from the report. The fact that this is critical information for our smaller Internet service providers on Prince Edward Island to provide high-speed Internet access across PEI. This is one of the reasons why the government has announced they're going to spend an estimated \$30 million or more on a government-owned Internet backbone.

I would also encourage the committee going forward to look at the proposed government-owned Internet backbone. There are a lot of questions around how much it will actually cost, what are the timelines, and most importantly, exactly when reliable high-speed Internet is going to be provided to all Islanders. This is important work the committee's doing and I really do hope the committee looks further into this and comes back and makes recommendations to the Legislature in the spring sitting so that we can make some progress, because it's high-time that all Islanders had high-speed Internet.

Thank you, Mr. Speaker.

**An Hon. Member:** Hear, hear!

**Speaker:** Are there any other members who would like to –

**An Hon. Member:** No.

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

#### Introduction of Government Bills

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

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

Mr. Speaker, I beg leave to introduce a bill to be intituled *Supplementary Appropriation Act (No. 2) 2017* 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:** *Supplementary Appropriation Act (No. 2) 2017*, Bill No. 26, read a first time.

**Speaker:** You can give us a brief explanation, hon. minister.

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

The schedule attached to this act was the total amount of special warrants approved under the authority of the *Financial Administration Act* since the last sitting of this House.

**Speaker:** Thank you, hon. Minister.

**Mr. R. Brown:** That's pretty good.

Government Motions

Orders of the Day (Government)

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

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

I move, seconded by the hon. Premier, that the 15<sup>th</sup> order of the day be now read.

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

**Clerk:** Order No. 15, *An Act to Amend the Crown Proceedings Act*, Bill No. 4, ordered for second reading.

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

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

I move, seconded by the Honourable Premier, that the said bill be now read a second time.

**Clerk:** *An Act to Amend the Crown Proceedings Act*, Bill No. 4, read a second time.

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

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

I move, seconded by the Honourable Premier, 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 from Summerside-Wilmot to come and chair the Committee of the Whole House.

**Chair (Palmer):** The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *An Act to Amend the Crown Proceedings Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Mr. Fox:** Can we have an overview first?

**Chair:** Okay. Overview?

**Premier MacLauchlan:** Thank you, Mr. Chair.

This is a freestanding provision within the *Crown Proceedings Act* that provides for a order of a presiding body under, what has been to date, been known as the agreement on internal trade to become filed on Prince Edward Island and treated as if it's an order of the court for the payment of money or costs as if it's – if it's made against the Crown.

That Agreement on internal trade has been in force since 1994. In 2017 it was replaced by or superseded by the Canadian Free Trade Agreement.

These two changes will update the name from the agreement on internal trade to the Canadian Free Trade Agreement.

**Chair:** The hon. Member from Borden-Kinkora.

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

Premier, so why is the change really necessary?

**Premier MacLauchlan:** The agreement, the previous one, which was in place for 23 years, when it was adopted or when it was replaced and superseded by the Canadian Free Trade Agreement, it has a new name. The *Crown Proceedings Act* referred to the agreement on internal trade by name. Since it's now known as the Canadian Free Trade Agreement, which in effect, is a new agreement, it's to update the *Crown Proceedings Act* to enable it to work in line with the new free trade agreement.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Were there consultations with other provinces on this, or how does this fall in line with other provinces?

**Premier MacLauchlan:** The agreement on internal trade, and now the Canadian Free Trade Agreement, was negotiated with all of the provinces and territories at the table, and then, in turn, an involvement of the federal government over a period of, I'll say, three years. One of the terms of that agreement is that each of the jurisdictions will give force to decisions of presiding body established under the free trade agreement in cases where it makes an award against the Crown.

In effect, it allows that presiding body to have the force of law in each of the provinces and territories.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Back in New Brunswick, back, I think it was four years ago, now, we have the cross-border issue that took place with liquor being brought from Quebec into New Brunswick. Now, that's going before the Supreme Court of Canada.

Does this have anything to do with that movement of goods back and forth between provinces?

**Premier MacLauchlan:** The New Brunswick case is, the question and issue is the interpretation of section 1.21 of the British North America Act.

**Mr. Fox:** Right.

**Premier MacLauchlan:** That has to do with whether provinces are able to have tariffs at their border. That was heard on Thursday and Friday, indeed, of last week by the Supreme Court of Canada.

**Mr. Fox:** That's fine for now.

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

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

I understand what you're doing here and I guess my question has more to do with – sometimes I see government bringing a bill to the floor like this that has to be changed anytime the names of an agreement were to change, or for minor details. This would be a relatively minor change to bring you in line with the wording of the current agreement.

The other side I see, something like the *Water Act* came in with all the regulations put out on the side and could be decided by government whenever. This, in my opinion, would be something like, when some of these acts are coming, and I'm not going suggest take this one back, but when some of these acts are coming, why aren't you making these ones the types of things you can change in the regulations where it's just the name of an agreement.

Your wording could be more bland that an agreement that covers this type of trade that would be named in the regulations. I'm just wondering if you could explain why we would have one versus the other in legislation.

**Premier MacLauchlan:** I'm sure you could capture this through a definition clause that might say: or as succeeded by or superseded by. Because this is every – this is 25 years, or 23 since we had – when this act, when this provision was first introduced it was our first ever agreement on internal trade, and the further free trade agreement was a long time coming, and seen as quite a separate thing. One that we, I don't suppose, will be changed again for a while, and may indeed, have the same name. For that reason, it's being done to update it.

Let me say, further, that and as I said in the introduction, really, this is a freestanding clause within the *Crown Proceedings Act*. It doesn't affect it other provisions in the *Crown Proceedings Act*. For that reason, it probably was chosen not to do it as a definitional clause, I might say.

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

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

I guess I do understand, when you talk in terms of 25 years, it's not that often to bring to the floor. I guess it was more in a generic

sense, and it's not just now, it's been all the time since I have been elected, I have seen some things come to the floor and you're changing minor – and some of the them you would change often. Some of them I have seen two or three times now in six years.

Where other ones, it all gets kinds of written out to the regs and government has control over it. In some cases, I would be against things being put in the regs because that kind of where, sometimes, the meat ends up.

In the case of naming conventions, and dates or minor changes that you would see time over time, I just wondered more, on a high level, you know, not that we don't have time to do it here, but why you wouldn't save yourself even the hassle to have some of those kind of being written down more generic when they have to be changed so that whoever has to do them in the future doesn't have to change in this manner.

**Premier MacLauchlan:** Point taken. It is the, I'll call it, the likely longevity of the free trade agreement that would warrant, and the current structure of the act that would warrant doing it in the way we are.

**Mr. Myers:** Okay, thank you.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Thank you.

I'm curious, in the definitions, an officer, of course, refers to the minister, and then it refers to any other servants of the Crown. I'm wondering what are the duties actually of the servants of the Crown in this, or who would that apply to?

**Premier MacLauchlan:** The *Crown Proceedings Act*, in effect, envisages the Crown as the defendant in litigation. This enables the parties to sue the government.

**Mr. Fox:** Yeah.

**Premier MacLauchlan:** And this is legislation that has been in place, really, for centuries, or versions of it, because the Crown without legislation like this might claim immunity from being sued by a citizen. That's the whole history of Crown proceedings legislation. Indeed, that, it's in

that spirit or that, kind of, purpose of the legislation that an order under the free trade agreement does require legislation in each of the provinces and territories to ensure that those orders can be enforced.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** We know here that the company CMT is suing the Crown in regards to whatever. Why would that not apply under this? Or if you understand what I'm saying there, Premier?

**Premier MacLauchlan:** Chair, any suit seeking a remedy, seeking money from the Crown would have to come forward under the provisions of the *Crown Proceedings Act*.

**Mr. Fox:** Okay, thank you.

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

**Premier MacLauchlan:** I move the title.

**Chair:** *An Act to Amend the Crown Proceedings Act*.

Shall it carry? Carried.

**Premier MacLauchlan:** 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.

**Premier MacLauchlan:** 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 Crown Proceedings 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 Workforce and Advanced Learning.

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

I move, seconded by the hon. Minister of Health and Wellness, that the 3<sup>rd</sup> order of the day be now read.

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

**Mr. Gallant:** Mr. Speaker, I move –

**Clerk:** Order No. 3, *An Act to Amend the Health Services Act*, Bill No.6, in committee.

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

**Mr. Gallant:** Thank you, 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 call on the hon. Member from Tignish-Palmer Road to come and 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 intitled *An Act to Amend the Health Services Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

It has been – this is second time it's been on the floor and adjourned, do you want to continue with it being read clause by clause, or just a general overview?

**An Hon. Member:** Clause by clause.

**Chair:** Okay.

**Mr. Henderson:** Mr. Chair, can I ask to bring a stranger on the floor?

**Chair:** Permission to bring a stranger to the floor?

**Some Hon. Members:** Granted.

**Chair:** Okay.

**Mr. Fox:** Where did we leave off at, Chair?

**Chair:** This is just a general overview.

**Mr. Henderson:** We're about 15 minutes on the last time. The questions today in the –

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

**Mr. Henderson:** – QP.

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

**Mr. Henderson:** – whatever works.

**Mr. MacEwen:** I've got a few out early today.

**Mr. Henderson:** Yeah. So, they got a few answers already.

**Mr. MacEwen:** I wouldn't say that.

**Mr. Henderson:** I've mentioned answers.

**Mr. MacEwen:** I wouldn't say that (Indistinct)

**Chair:** Chair, did you finish your general overview?

**Mr. Henderson:** Yeah.

**Chair:** Okay. We'll start by reading the clause by clause.

1. Section 7 of the Health Services Act R.S.P.E.I. 1988, Cap. H-1.6, is repealed and the following substituted:

7. Board of Directors

(1) The affairs of Health PEI shall be controlled and managed by a Board of Directors, appointed by the Minister, consisting of not less than nine and not more than eleven members who shall

(a) possess the skills, knowledge, experience and competencies determined by the Minister as necessary to ensure the effective governance of Health PEI; and

(b) be representative of various community perspectives.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Thanks, Chair. Who are the nine or 11 members, who are presently sitting on the board?

**Mr. Henderson:** Do we have that?

**Nichola Hewitt Legislative Specialist:** (Indistinct) bring that back.

**Mr. Henderson:** I'll go a bit by memory on this, but the chair is Phyllis Horne, the vice-chair is Alex MacBeath, there's Jim Revell, Kay Lewis, Sally Lockheart, Dr. George Saunders –

**Mr. Fox:** Warren Ellis.

**Mr. Henderson:** No.

**Mr. Fox:** No.

**Mr. Henderson:** Warren's not on the board. I don't (Indistinct) I'm getting close to nine, but –

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Is it actually, so the minister, how do you come about these names before you appoint them?

**Mr. Henderson:** First issue is, is that as minister you make a request to Engage PEI to see who has made a – expressed an interest in sitting on a health-related board, or the Health PEI board. When you apply to Engage PEI you can choose different boards, or what have you.

We would review that, as minister, we would start to look at geographical representation, gender would be another component. A sense of an area of expertise, sometimes the board might say that we could use a bit more of a medical background on the board, or a bit more of a financial background on the board. I always sort of say that you need somebody else that has a bit of a patient background on the board because you know there are many components of the delivery of health care.

Those names get forwarded, eventually, on to Executive Council, and then eventually to Cabinet. And then, decisions get made.

**Mr. Fox:** Chair?

**Chair:** Before we move on, I'd just like to – we did bring a stranger on the floor and I forgot to ask for her for the Hansard, to state your name and position, please.

**Nichola Hewitt Legislative Specialist:** Nichola Hewitt, Legislative Specialist and Solicitor with the Department of Health and Wellness.

**Chair:** Thank you very much.

The hon. Member from Borden-Kinkora.

**Mr. Fox:** On that board was not Blaine MacPherson appointed to that?

**Mr. Henderson:** Blaine MacPherson is another one that's on that board, yes. I know you had referred before to Warren Ellis. Warren is not on the board. He was appointed to the board and resigned, I don't know, say, within a year afterwards.

**Mr. Fox:** Yeah.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Why does it have to go up through Executive Council and into the fifth floor to be approved? Why?

**Mr. Henderson:** That's what all board appointments are; they're approved by Executive Council. That's the process that works. Or that, I'm of the understanding that works, I'm not sure if there's a – maybe Nichola could answer if there's a specific.

**Nichola Hewitt Legislative Specialist:** Most agencies, boards and commissions are approved by Executive Council.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** I'm wondering why doesn't it allude to that in section 7(1)? Because it's saying: appointed by the ministers. It doesn't say anything about appointed by

Executive Council or going up into whoever's office.

**Nichola Hewitt Legislative Specialist:** The convention is, that Executive Council will authorize the minister to appoint, and that's consistent across the board.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Thank you for now.

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

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

Minister, can you give us a, kind of, a brief overview. I know you touched on some of it there, but around the skills of the members on the board and what kind of skill set you're looking for as you move forward with your board composition.

**Mr. Henderson:** Actually, I just got some information here on who actually does sit on the board, currently. I mentioned some of the names and I'll add a couple of more; Sandra Gaudet is one the board, Kay Lewis, I mentioned here, I guess, Dr. Dagny Dryer, is another individual and currently on the board, Dr. Rosemary Herbert, Blaine MacPherson, as stated earlier and John Horrelt would be another one. Just to give you an idea on the last name I just mentioned there for the hon. Member from Summerside-Wilmot, is in that particular case, as we're all aware in this House, that mental health has been a fairly significant issue in the province and Health PEI felt that it would be important to have somebody with a bit of a mental health background, and I believe John Horrelt sits on the Canadian Mental Health Association board.

As far as – these are highly capable individuals. I think Dr. Rosemary Herbert, Sally Lockhart – all those individuals have extensive experience in health delivery in some cases. If I take Wayne MacPherson in the management of large organizations and understanding corporate structure and business admin and how you deal with the financial side of it – same with Alex MacBeath.

These are highly capable individuals and once again, we see who is out there that has

expressed an interest in serving and we select from that.

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

**Mr. Palmer:** Thanks, minister. I guess just for clarification, you don't necessarily need to have a health background –

**Mr. Henderson:** No.

**Mr. Palmer:** – but we do have people with health backgrounds and we kind of look across the organization to see what gaps could be filled at a particular time and then you go back to try to fill those gaps?

**Mr. Henderson:** That's basically it, but I really emphasize there's an importance in the delivery of healthcare in this province to make sure you have people that have backgrounds in a myriad of issues.

If we have only, say, physicians or nurses on this board, I think then that sometimes can maybe skew decision-making. I think it's important that you have people on there that have, once again, financial backgrounds and understand cost delivery. I think it's also important to have people on there that understand the role of a patient. If you take Sally Lockhart, this individual has an extensive background in infection control –

**Mr. LaVie:** (Indistinct)

**Mr. Henderson:** – so same thing.

It's about trying to get a combination of people to come up with the best decision-making concepts and looking at all sides of a particular issue. So, I emphasize it's not about just only healthcare deliverers.

**Chair:** Okay, we will move on.

Term of office

(2) The term of office of a director shall not exceed three years.

Reappointment

(3) A director may be reappointed at the end of the director's term, but shall not serve more than two consecutive terms.

## Cessation of membership

(4) A director ceases to be a member of the Board

(a) if the director has resigned from the Board by notice in writing delivered to the Board, on the later of

(i) the day the notice is delivered, and

(ii) the day the resignation is to take effect, as specified in the notice;

(b) on the director's ceasing to reside in the province;

(c) on the death of the director; and

(d) on the revocation of the director's appointment, as specified in the revocation.

## Revocation by Minister

(5) The Minister may revoke the appointment of a director who

(a) fails to attend three consecutive meetings of the Board without, in the opinion of the Minister, a reasonable excuse;

(b) is convicted of an offence that, in the opinion of the Minister, renders the director unsuitable to continue to hold office as a director;

(c) commits an act, other than an offence referred to in clause (b), that in the opinion of the Minister undermines the ability of the director to act credibly as a director; or

(d) is, in the opinion of the Minister, unable to fulfil the director's duties on the Board due to physical or mental incapacity.

The hon. Member from Morell-Mermaid.

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

Minister, did you have these powers before?

**Mr. Henderson:** No, but I'll let Nichola answer that.

**Nichola Hewitt Legislative Specialist:** Typically, those who appoint cannot appoint, but we felt that it was important to

put parameters around, and we've done it with other pieces of legislation, parameters around the un-appointment process and it actually came in very handy about a year and a half ago because there had been an appointee to a regulatory body that the profession had nominated and they wanted that individual un-appointed, which kind of puts the minister in a bit of an awkward position. It wasn't even his nominee, right?

So, there were provisions in regulated health to allow for the un-appointment so we felt that that was probably a good thing, to put some parameters and put some power – and criteria for the minister to consider when un-appointing somebody, so that's why it's there.

**Mr. MacEwen:** Thank you.

**Chair:** The hon. Member from Morell-Mermaid.

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

I'm having trouble hearing, Chair.

**Chair:** Members, could we keep the chatter down a bit? Members are having trouble hearing.

Thank you.

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

Can the Health PEI board expel one of their own members?

**Nichola Hewitt Legislative Specialist:** No.

He who appoints is the only one who can un-appoint.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** Thank you.

We briefly talked about this last time, minister. Is there anything that happened specifically that made you concerned about the powers to expel somebody off the board? Is there any certain thing – and to the point that I was trying to make earlier in Question Period was that we don't really know and we can say everything, but we still don't know how many people were

there, who missed, what was going on, the dynamics – all that kind of thing.

It's tough to alleviate our concerns about it, but maybe you could speak to that.

**Mr. Henderson:** Okay, no.

Nothing in particular other than the issue would come back to – some board members are at the end of their term limit in that respect, so how many years can you sit on the board? As minister, I would say if you're on there for three terms, that would be nine years. That's a fairly long period of time and I think it's just a matter of – there's certainly nobody on the board that I would say, specifically, that I would want to expel. I would love to keep them all on forever, but I think it's important that we have turnover on boards.

We've had situations where some board members, due to illness, have decided to step down. We've had some that, due to business interests, weren't able to commit their time, so when the opportunity came up to say that we should look at this and we didn't have it specifically in an act, we decided to make sure we kind of get it all right this time around and looking at all the potential situations that could occur and provide that power to the minister so they can keep that continuity on the board, to keep a reasonable turnover. You don't want to have everybody stepping down at once either.

I think it's good to have that corporate knowledge to continue on.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. Henderson:** We'll add – Nichola has a few comments to make.

**Nichola Hewitt Legislative Specialist:** These amendments are consistent with amendments we've been making probably in the last three or so years to other acts. So, it's consistent with the *Funeral Services Professions Act* that we put in place. It's consistent with the new health community engagement committees. It's consistent with regulated health so we have been turning towards this, looking for rejuvenation of these boards and again, criteria for the

minister to know how are they selected and then in the event that they should no longer be sitting, what are the criteria that will apply?

**Chair:** The hon. Member from Morell-Mermaid.

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

Minister, was absences a concern for you? Like, were we having trouble meeting quorum? Were there members that – you had mentioned last time this bill was on the floor that some board members may have not realized the time commitment to the Health PEI board, especially with meetings in between the monthly meetings, so was absences a problem?

**Mr. Henderson:** I think the reality that we found – that some – and many people have the illusion that: I could sit on a board. But, this is a busy board. They do meet monthly, sometimes more than that. Most of them would all meet at least twice a month because like I say, there would be committees. Then there are meetings – whether it's annual meetings that they have to attend, so it's a big commitment and I think that was one of the issues by some of the people that are in business.

We want to make sure that they understand the size of this and it is important to attend and keep that continuity of attending these meetings. From my perspective, yeah, I want to make sure that people understand what they're committing to and that they're all in and do everything they can to attend.

Also because of that you tend to run into issues – an individual might have retired. Well, then sometimes issues can come up where there might be an illness or something along that nature, so you just have to have some authority that you can make sure that you are meeting quorum and that hasn't been an issue at the moment, but it has that potential.

**Chair:** The hon. Member from Morell-Mermaid.

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

Anyway, I appreciate that, and I think the turnover is a great idea and I think having the ability to monitor absences – if we've got someone important on there we know that it's an illness it's only going to be a month or two or something like that, that's understandable.

Can you tell us how many times that the Health PEI hasn't had quorum in the past year or two?

**Mr. Henderson:** Not that I'm aware of anytime that they didn't have quorum, but I'm sure that there have been times when they had to reschedule a meeting knowing that when they originally picked a date that maybe some couldn't make it, so that wouldn't be uncommon on any board.

**Chair:** The hon. Member from Morell-Mermaid.

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

Do Health PEI board members have the ability to Skype in or video conference for these meetings?

**Mr. Henderson:** That's correct. They do.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** How often does that happen?

**Mr. Henderson:** I don't think often, but I know there are times some might be on a vacation or something and they want to participate and they can call in by teleconference. I know I've had meetings with the board and there was one individual that wasn't able to be there, but was on teleconference. That would be common on any boards, but there would have to at least be a quorum there to start off with, right?

**Chair:** The hon. Member from Morell-Mermaid.

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

Is it common, Minister, for a board that doesn't meet publicly to be able to conference in, as far as privacy or security issues? I don't think we can do that in standing committees.

**Mr. Henderson:** I don't want to mention that they don't meet publicly. They do have annual meetings that they do meet publicly, okay?

**Mr. MacEwen:** Yes. One meeting a year, yeah.

**Mr. Henderson:** But not every meeting is a public meeting and would I believe, nor should it be. There's some pretty tough decision that have to be made; there's a lot of consultation and discussion that would occur; big decisions that – it could set panic in everybody's situation if there was a discussion on a certain subject.

You have to understand the complexities of what you're dealing with here, the sensitivities of what you're dealing with, the privacy issues – there's all those kinds of factors that would be – I would have concerns if everything is to the public, I guess, is what I'm saying. So we have the opportunity to deal with the public that we do have these community engagement committees around health that are there to hear views from the public where they're not dealing with, maybe, a specific issue that might have impacts on confidentiality and what not. I'm just trying to say that there's good communication. We want to be as open and transparent as possible, but you're running the largest corporation on Prince Edward Island here.

**Mr. MacEwen:** Yes.

**Chair:** The hon. Member from Morell-Mermaid.

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

That's exactly my point. Public oversight is a great thing. It does hold people –

**Mr. Henderson:** I'm not disputing that.

**Mr. MacEwen:** – responsible. You know yourself, as a member of Executive Council, when you make enough decisions that the public is not happy about, they'll let you know, right?

**Mr. Henderson:** Yes.

**Mr. MacEwen:** You hit the nail on the head that this group does oversee a significant

portion of our budget and I get that, no doubt, there serious issues or concerns or privacy issues, but many boards have that and still meet publicly. I guess I'm struggling that why public oversight wouldn't trump those other issues where the sub-committee or an in camera meeting, if there was something of significance, could do.

**Mr. Henderson:** Yes.

**Mr. MacEwen:** You could see when you go out in your constituency and once people start realizing that this board does meet in private and makes decisions in private.

Right off the bat when Health PEI was first brought in, there was a lot of criticism of the (Indistinct) minister the answer would be: Health PEI deals with that. That's a problem when we have – if a minister pushes that off to Health PEI, which is an unelected board, or an appointed board, that meets in private. You can see where I'm going with the concerns on this. I briefly mentioned it last time, but I'll ask it again today: When we're reviewing this act, is there any serious thoughts to making that a more public board?

**Mr. Henderson:** From my end, not. Like I said, I would look at – there's a lot of issues that are – it's no different than Cabinet – there has to be some sense of confidentiality in decisions that get made. I would put all of these individuals as highly honourable people.

Ultimately, as Minister of Health and Wellness, I'm responsible, as I am on the floor of the House, to issues that go on in Health PEI, but as minister, I don't want to know individual patients' situations per se and there are a lot of things that can be – you have to (Indistinct) privacy and confidentiality.

The other issue comes back to: if you have it only where the squeaky wheel gets the grease, as an example, if there's – the afflictions and issues out there from a health care delivery perspective, it's pretty complex. I think the system can work fairly well, but the key is having good, competent individuals appointed and giving them the latitude and mandate to run as efficient a system as possible and as service-delivery

oriented as possible, but it's a big organization. It's hard to accomplish 100% satisfaction in everything that you do in health care.

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

**Dr. Bevan-Baker:** Thank you, Chair.

I'd just like to start out by giving a shout-out to Kay Lewis, who's a friend and constituent in District 17.

**Mr. Henderson:** There you go.

**Dr. Bevan-Baker:** Wonderful woman – incredible experience that she brings to the board and just can't say enough good things about Kay.

**Mr. Henderson:** And they're all like Kay Lewis. They're (Indistinct) people.

**Dr. Bevan-Baker:** Yes.

A couple of questions about section (5): Clearly, I mean, if somebody's convicted of an offense that they should be removed, but the next clause, subsection (c) I think it says they can be removed for committing an act, and I'm just wondering what sort of acts we're talking about here.

**Mr. Henderson:** Maybe I'll let Nichola handle that interpretation.

**Nichola Hewitt Legislative Specialist:** Sometimes acts aren't necessarily offenses, so I may be conducting myself inappropriately in a social setting or in a public setting – at a hockey game or something – that's not necessarily an offense, but it's an act that would probably render me inappropriate – that could render me inappropriate to be sitting in that kind of a position.

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

**Dr. Bevan-Baker:** Thanks, Chair.

This is at the minister's discretion, so I'm just wondering how the minister is going to make a judgment on what constitutes a serious enough act to merit removal.

**Mr. Henderson:** I would have my own ethics and standards on how I would expect

a particular board member to represent the Health PEI concept on its delivery. I don't know if I'd want to get into specific things, but I think I could think of some things that probably would be inappropriate that may not be – like you mentioned, at a hockey game.

Maybe some accusations or comments were made that might be deemed inappropriate. If that information came back to a minister, things may be of confidentiality, that would probably not be an offense to the law, but it would be something that would break privilege that I would expect individuals to uphold. So I guess that would be an example, but any minister who sits in this seat would have to use their judgment on what they would deem to be appropriate or inappropriate.

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

**Dr. Bevan-Baker:** Thanks, Chair.

Nichola, you were mentioning that this is sort of aligned with some other acts that have recently –

**Nichola Hewitt Legislative Specialist:** Yes.

**Dr. Bevan-Baker:** – been updated and is it similar language that you would find in those acts?

**Nichola Hewitt Legislative Specialist:** That's where I got it from.

**Dr. Bevan-Baker:** Yeah. Okay.

**Nichola Hewitt Legislative Specialist:** I'll be honest.

**Mr. Henderson:** (Indistinct) develop this.

**Nichola Hewitt Legislative Specialist:** No. You did such a good job.

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

**Dr. Bevan-Baker:** Thank you, Chair.

I'm assuming I'll get a similar answer to this next question. It's about the minister's opinion on somebody's – particularly mental capacity and whether they'd be suitable for the board. Is the minister really the person –

**Nichola Hewitt Legislative Specialist:** No.

**Dr. Bevan-Baker:** – who should be making that judgment?

**Nichola Hewitt Legislative Specialist:** The minister, in any of these, I would assume would be consulting with his legal advisors to make sure that – because of course, any ministerial decision is subject to judicial review, right? So you want to make sure that when you're acting in these kinds of capacities, that you're doing it in a reasonable manner and an informed manner and you've got the advice that you need.

**Dr. Bevan-Baker:** Okay. I'm good.

Thank you, Chair.

**Chair:** Good?

**Dr. Bevan-Baker:** Thanks.

**Chair:** Okay.

Notice to director

(6) The Minister shall give a director notice in writing of the revocation of the director's appointment, and the revocation shall take effect on the service of the notice on the director or on a later date specified in the notice.

Replacement of director

(7) Where a director ceases to hold office before his or her term expires, the Minister may appoint a new director in accordance with subsection (1) to hold office for the unexpired portion of the term.

**Chair:** The hon. Member from Morell-Mermaid.

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

Minister, if a director misled, say, a member of the public, or a member of the media, or an MLA, or anything like that, would that constitute undermining? Would that be potentially removal from the board?

**Mr. Henderson:** Well, I guess, once again, if it was intentional or just a miscommunication. If somebody's purposely misleading the media for some

particular reason, I would have concerns about that as a minister. If they're purposely doing that – we did a review of what happened in the situation.

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

**Chair:** Continuation after expiry

(8) A director continues to hold office after the expiry of the director's term until

(a) the director ceases to be a member of the Board in accordance with clauses (4)(a) to (c);

(b) the director is reappointed; or

(c) a successor is appointed.

Remuneration

(9) The directors shall be paid the remuneration and be reimbursed for their expenses by Health PEI as the Lieutenant Governor in Council considers appropriate.

Quorum

(10) A majority of the appointed directors constitutes a quorum of the Board.

Shall the clause carry? Carried.

Before we carry this bill, we're missing an enacting clause, so we'll have the minister –

**Mr. Henderson:** I move that the following words be added before clause 1 of the bill.

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

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

Shall the bill carry? Carried.

**Mr. Henderson:** I move the title, *An Act to Amend the Health Services Act*.

**Chair:** *An Act to Amend the Health Services Act*.

Shall it carry? Carried.

**Mr. Henderson:** 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. Henderson:** Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to with 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 intitled *An Act to Amend the Health Services Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same with amendment. I move that the report of committee be adopted.

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

The hon. Minister of Workforce and Advanced Learning.

**Mr. Gallant:** Mr. Speaker, I move, seconded by the hon. Minister of Health and Wellness, that the 4<sup>th</sup> order of the day be now read.

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

**Clerk:** Order No. 4, *An Act to Repeal the Registered Nurses Act*, Bill No. 10, ordered for second reading.

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

**Mr. Gallant:** Thank you, 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 Repeal the Registered Nurses Act*, Bill No. 10, read a second time.

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

**Mr. Gallant:** Thank you, 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. Deputy Speaker to come and Chair the Committee of the Whole House.

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

**Mr. MacEwen:** Can we get an overview, Chair?

**Chair:** Can we bring somebody to the floor, first?

**Mr. Henderson:** Yeah, we can. Can we bring a stranger –

**Chair:** Permission to bring a stranger to the floor?

**An Hon. Member:** Granted.

**Chair:** We'll just wait until she's identified...

Good afternoon, could you identify yourself and your title for the record?

**Nichola Hewitt Legislative Specialist:** Nichola Hewitt, Solicitor and Legislative Specialist with the Department of Health and Wellness.

**Chair:** Welcome.

Minister, there's been a request just to give an overview –

**Mr. Henderson:** Just a quick– as you might be aware, we know have a *Regulated Health Professions Act*. This is really to take the nurses out of their own particular act and put them under like all the other regulated health professions.

Nichola, do you have anything to add to that, that sums it up?

**Nichola Hewitt Legislative Specialist:** We can't have a health profession under two different acts. We expect registered nurses and nurse practitioners will be coming under regulated health as of April 1 of this year. We have to be prepared to repeal their current act.

**Chair:** The hon. Member from Morell-Mermaid.

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

Is the Nurses Union good with this bill, minister?

**Mr. Henderson:** Indeed, they are.

**Mr. MacEwen:** Sounds good to me.

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

**Mr. Henderson:** I move the title.

**Chair:** *An Act to Repeal the Registered Nurses Act*.

Shall it carry? Carried.

**Mr. Henderson:** 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. Henderson:** Madam 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 Repeal the Registered Nurses 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 Workforce and Advanced Learning.

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

I move, seconded by the hon. Minister of Health and Wellness, that the 5<sup>th</sup> order of the day be now read.

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

**Clerk:** Order No. 5, *An Act to Amend the Regulated Health Professions Act*, Bill No. 11, ordered for second reading.

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

**Mr. Gallant:** Thank you, 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 Regulated Health Professions Act*, Bill No. 11, read a second time.

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

**Mr. Gallant:** Thank you, 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 from Charlottetown-Lewis Point to come and Chair the Committee of the Whole House.

**Chair (Casey):** The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *An Act to Amend the Regulated Health Professions Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Mr. MacKay:** Sure, Chair.

**Chair:** Thank you.

Permission to bring a stranger on the floor?

**Some Hon. Members:** Granted.

**Leader of the Opposition:** Chair? Before we go clause by clause, can we have an overview first?

**Chair:** Thank you.

**Chair:** Sorry.

Welcome, could you introduce yourself, your title and your name for the record.

Thank you.

**Nichola Hewitt Legislative Specialist:** Nichola Hewitt, Solicitor and Legislative Specialist with the Department of Health and Wellness.

**Chair:** Welcome.

**Nichola Hewitt Legislative Specialist:** Thank you.

**Chair:** Minister, an overview of the bill – hon. members, I'm having a little hard time hearing. Minister, a brief overview –

**Mr. Henderson:** The big rationale of this, as we just repealed the nurses act, now it's to put the nurses under the *Regulated Health Professions Act*, which would be comparable to many other health care professions that we deliver services to Islanders with.

Nichola, you, maybe, could add a bit more because there are more specifics.

**Nichola Hewitt Legislative Specialist:** I've been working extensively with about 10 or 12 different health professions in the last six months on preparing to bring them into regulated health.

The more I delved into it the more issues I identified with the act. Because these professions are not cookie-cutter, they're very unique. Some, we may have one or two classes of registrants, some of them, we may have multiple classes of registrants.

Some of them, for example, the College of Physicians and Surgeons had identified to me that the way they set-up things, their

registrar currently, the role of the registrar allow – or, sorry, their registrar delegates some of their functions to the deputy registrar. Their registrar just does licensing and their deputy registrar does discipline matters.

We had to amend regulated health to allow the registrar to delegate some of their authorities to accommodate some of these professions.

What this is doing, is, sort of, making this a more robust piece of legislation that will identify the needs of multiple, different professions.

In the course of preparing this, we did consult with the College of Physicians and Surgeons. We have consulted with pharmacy, LPNs, dieticians, occupational therapists, so everybody – nurses. Everybody, who is on the cusp has been consulted about these amendments. There is absolutely no opposition.

In addition to facilitating things, we identified common threads that were appearing in a lot of the regulations. For example, information that is required in a register. Instead of putting in every regulation, we have put in the act.

There's other things, such as; factors a hearing committee should consider in imposing a fine. That was going to be the same for every single profession, so rather than put in every set of regulations, we have put it right into the act.

Long story short, these changes were brought about as we working with the professions.

**Chair:** Thank you.

The hon. Member from Borden-Kinkora.

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

Who all does this act apply to?

**Nichola Hewitt Legislative Specialist:** Currently?

**Mr. Fox:** Yes.

**Nichola Hewitt Legislative Specialist:** Pharmacy and pharmacy technicians. Assuming the bill passes and gets Royal Assent, it will apply – we're going to be seeking Cabinet approved on February 1<sup>st</sup>, for dieticians and occupational therapists. April 1<sup>st</sup>, we're looking for LPNs and registered nurses and nurse practitioners. And then, I haven't got definite dates for the others, but I can tell who we have applications from if you're interested.

**Mr. Fox:** No –

**Nichola Hewitt Legislative Specialist:** If you want to know.

**Mr. Fox:** – that's fine. I was just interested in who it applies to.

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Something that has been brought to my attention by several nurses that have extensive years in service. We're talking 25 and above. When a job is posted, how much weight is looked at for years of service for a position?

**Mr. Henderson:** (Indistinct)

**Nichola Hewitt Legislative Specialist:** That has nothing to do with this –

**Mr. Fox:** Doesn't it –

**Nichola Hewitt Legislative Specialist:** – that would be the public –

**Mr. Henderson:** Public Service Commission.

**Nichola Hewitt Legislative Specialist:** – Public Service Commission. The employer, whatever. I'm assuming it's the PSC for all of that.

**Mr. Fox:** So, we're talking – yeah, we're talking about Health PEI –

**Nichola Hewitt Legislative Specialist:** - Public –

**Mr. Fox:** – and the – fall under –

**Nichola Hewitt Legislative Specialist:** – Service Commission.

**Mr. Fox:** – them.

**Mr. Henderson:** We fall under the Public Service Commission, so there are rules and processes for advertising, hiring, internal competitions, all those kinds of things.

**Mr. Fox:** Okay, thank you.

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

**Dr. Bevan-Baker:** Thank you. Thanks for that explanation, Nichola.

I remember when we were debating this, was it last year? Yeah. That you described this as a novel piece of legislation –

**Nichola Hewitt Legislative Specialist:**  
Sorry –

**Dr. Bevan-Baker:** (Indistinct)

**Nichola Hewitt Legislative Specialist:** – that was registered –

**Dr. Bevan-Baker:** Registered, excuse me –

**Nichola Hewitt Legislative Specialist:** – this is regulated, yeah.

**Dr. Bevan-Baker:** Okay, in that case, I will hold my questions.

**Chair:** Great.

**Dr. Bevan-Baker:** My apologies.

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

Minister, we need you to say –

**Mr. Henderson:** I move the title.

**Chair:** *An Act to Amend the Regulated Health Professions Act.*

Shall it carry? Carried.

**Mr. Henderson:** 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. Henderson:** Madam 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 Regulated Health Professions 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 Workforce and Advanced Learning.

**Mr. Gallant:** Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the order No. 1 be now read.

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

**Clerk:** Order No. 1, Consideration of the Supplementary Estimates, in committee.

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

**Mr. Gallant:** Mr. Speaker, I move, seconded by the Honourable Minister of Finance, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

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

I will, once again, ask the hon. Member from Charlottetown-Lewis Point to come and Chair the Committee of the Whole House.

**Chair (Casey):** The House is now in a Committee of the Whole House to further consider the grant of supplementary supply to Her Majesty.

Hon. members, permission to bring a stranger on the floor?

**Some Hon. Members:** Granted.

**Chair:** We'll just wait until - I'll be reading the totals.

**Mr. Roach:** Yeah.

**Chair:** Do you want a brief explanation or –

**Mr. Roach:** No. We've been here.

**Chair:** Okay.

Good afternoon, could you introduce yourself and your title for the record?

**Jim Miles Executive Director:** Jim Miles, Executive Director of Fiscal Management for the Department of Finance.

**Chair:** Thank you.

Hon. members, I am going to read on page 7 and page 11. I am going to be reading the totals. We've already had the discussion on the estimates. I think this is the final step.

Page 7. Expenditure.

Communities, Land and Environment-Capital: 91,000.

Family and Human Services-Capital: 48,200.

Justice and Public –

**Mr. Myers:** (Indistinct) I'm just confused here.

**Chair:** Oh, sorry.

**Mr. Myers:** Is it the supplementary –

**Chair:** Yes.

**Mr. Myers:** – appropriation –

**Chair:** Yes.

**Mr. Roach:** We're in the wrong one.

**Jim Miles Executive Director:** (Indistinct)

**Mr. Roach:** (Indistinct) yeah, okay.

**Chair:** Am I good?

**Mr. Roach:** Okay.

**Chair:** All right. Where was I?

**Mr. Roach:** I thought, no, we're doing Capital Estimates –

**Jim Miles Executive Director:** No, we're doing the (Indistinct)

**Mr. Roach:** Well, we have to get –

**Jim Miles Executive Director:** (Indistinct)

**Mr. Roach:** I'm with him. I got confused.

**Chair:** Okay, sorry.

**Mr. Roach:** But we don't –

**Jim Miles Executive Director:** This is what we're doing.

**Chair:** Yeah, this is – we're doing –

**Mr. Roach:** Okay, all right.

**Chair:** Yeah. We're good. Thank you for the clarification, but we are aware.

**An Hon. Member:** Okay.

**Chair:** We are . Thanks, but I appreciate that.

**Mr. Myers:** (Indistinct)

**Mr. Roach:** (Indistinct)

**Chair:** I've read communities, land and environment. I've read family and human services.

Justice and Public Safety –Capital: 70,000.

Transportation, Infrastructure and Energy-Capital: 177,000.

Family and Human Services Total: 4,132,000.

Health PEI Total: 21,502,100.

Justice and Public Safety: 75,000.

Workforce and Advanced Learning: 11,000.

Legislative Assembly Total: 49,100.

Total Special Warrants: 26,155,400

Onto page 11. Am I good for that? Are you following it? Yes, okay.

**Unidentified Voice:** (Indistinct)

**Chair:** Okay, thank you.

Shall that page carry? Carried.  
Thank you.

Page 11 - Schedule "B"

2017-2018 Supplementary Estimates

Summary of Special Warrants

Education, Early Learning and Culture-  
Capital: 9,725,000.

Family and Human Services: 917,300.

Total Special Warrants: 10,642,300.

The hon. Member from Belfast-Murray  
River.

**Ms. Compton:** On the special warrant for education, early learning and culture, is that the additional costs – where did they go? Is it to Three Oaks or –

**Jim Miles Executive Director:** They were for Three Oaks and *École la Belle Cloche*.

**Ms. Compton:** (Indistinct) in total?

**Chair:** The hon. Member from Borden-Kinkora.

**Mr. Fox:** Just along with that, Three Oaks, my understanding – they were over budget?

**Jim Miles Executive Director:** Yes.

**Mr. Fox:** So what has brought them over budget?

**Jim Miles Executive Director:** The original estimates were done three or four years ago, so that's part of it. The other part of it is that construction costs are rising as a result of a lot of activity going on, so –

**Mr. Fox:** Which would fall in you're saying with the three or four years (Indistinct) basically?

**Jim Miles Executive Director:** Yeah, exactly.

**Mr. Fox:** Thank you.

**Chair:** Shall Schedule B carry? Carried.  
Shall the Supplementary Estimates carry? Carried.

**Mr. Roach:** Madam Chair, I move that the Speaker take the chair and that the Chair make report to Mr. Speaker.

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

Mr. Speaker, as Chair of the Committee of the Whole House, I wish to report that the committee has gone into Supplementary Supply to be granted to Her Majesty and has come to certain resolutions thereon, which said resolutions I am directed to report to the House whenever it should be pleased to receive same.

**Mr. Roach:** Mr. Speaker, I move, seconded by the Honourable Premier, that the report of the committee be now received.

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

**Chair:** Mr. Speaker, I move that the report of the committee be now adopted.

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

The hon. Minister of Workforce and Advanced Learning.

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

I move, seconded by the hon. Minister of Finance, that the 8<sup>th</sup> Order of the Day be now read.

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

**Clerk:** Order No. 8, *Appropriation Act (Capital Expenditures) 2018*, Bill No. 19, ordered for second reading.

**Speaker:** the hon. Minister of Workforce and Advanced Learning.

**Mr. Gallant:** Mr. Speaker, I move, seconded by the Honourable Minister of Finance, that the said bill be now read a second time.

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

**Clerk:** *Appropriation Act (Capital Expenditures) 2018*, Bill No. 19, read a second time.

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

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

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

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

The hon. Member from Charlottetown-Lewis Point.

**Chair (Casey):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Appropriation Act (Capital Expenditures) 2018*. Is it the pleasure of the committee that the bill be now read clause by clause?

**An Hon. Member:** Carry the bill.

**Chair:** Carry the bill?

Thank you.

Shall it carry? Carried.

Shall the schedule carry? Carried.

**Mr. Roach:** I move the title.

**Chair:** *Appropriation Act (Capital Expenditures) 2018*.

**Mr. Roach:** I move the enacting clause.

**Chair:** May it please Your Honour:

We, Her Majesty's dutiful and loyal servants, the Legislative Assembly of the Province of Prince Edward Island, towards appropriating the several supplies raised for the exigencies of Her Majesty's Government and for the other purposes hereinafter mentioned, do humbly beseech that it be enacted:

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

Shall it carry? Carried.

**Mr. Roach:** Madam Chair, I move that the Speaker take the chair and that the Chair report the bill agreed to without amendment.

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

Mr. Speaker, as Chair of Committee of the Whole House, having had under consideration a bill to be intituled *Appropriation Act (Capital Expenditures) 2018*, 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 Workforce and Advanced Learning.

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

Mr. Speaker, at this time I would like to seek unanimous consent to bring on Order No. 19, *Supplementary Appropriation Act (No. 2) 2017*, Bill No. 26.

**Mr. Roach:** It's already passed.

**Speaker:** Hon. members, do we have unanimous consent to bring on Bill No. 26, *Supplementary Appropriation Act (No. 2) 2017*?

**Some Hon. Members:** Yes.

**Speaker:** Carry on, hon. Minister of Workforce and Advanced Learning.

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

I move, seconded by the hon. Minister of Finance, that the 19<sup>th</sup> Order of the Day be now read.

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

**Clerk:** Order No. 19, *Supplementary Appropriation Act (No. 2) 2017*, Bill No. 26, ordered for second reading.

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

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

I move, seconded by the Honourable Minister of Finance, that the said bill be now read a second time.

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

**Clerk:** *Supplementary Appropriation Act (No. 2) 2017*, Bill No. 26, read a second time.

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

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

I move, seconded by the Honourable Minister of Finance, that the said bill be now read a second time.

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

**Clerk:** *Supplementary Appropriation Act (No. 2) 2017*, Bill No. 26, read a second time.

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

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

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

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

The hon. Member from Charlottetown-Lewis Point.

**Chair (Casey):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Supplementary Appropriation Act (No. 2) 2017*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Mr. Fox:** Carry the bill.

**Some Hon. Members:** Carry the bill.

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

Shall the schedule carry? Carried.

Shall Schedule A carry? Carried.

Shall Schedule B carry? Carried.

Thank you.

**Mr. Roach:** I move the title.

**Chair:** *Supplementary Appropriation Act (No. 2) 2017*.

**Mr. Roach:** I move the enacting clause.

**Chair:** May it please Your Honour be it therefore enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

**Mr. Roach:** Madame 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 *Supplementary Appropriation Act (No. 2) 2017*, 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 Workforce and Advanced Learning.

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

I move, seconded by the hon. Minister of Transportation, Infrastructure and Energy, that we revert back to government Motion No. 3.

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

**Clerk:** Motion No. 3.

The hon. Minister of Transportation, Infrastructure and Energy moves, seconded by the hon. Member from West Royalty-Springvale, the following motion:

**WHEREAS** Prince Edward Island is a province famous for the natural beauty of its shores and woodlands;

**AND WHEREAS** the provincial government and community partners have worked to develop a system of recreational trails for hiking and cycling in communities across our Island;

**AND WHEREAS** continued work to develop and protect Island trail systems helps encourage Islanders and visitors to engage in outdoor activity;

**AND WHEREAS** outdoor activity not only leads to greater understanding and appreciation of our province's natural areas but also has benefits for mental and physical health;

**THEREFORE BE IT RESOLVED** that this House recognize the importance of our Island trails as a place for recreation, tourism, exercise and learning;

**THEREFORE BE IT FURTHER RESOLVED** that Government commit itself to working with community partners, municipalities and landowners to continue to develop and maintain trail systems across the province for the enjoyment of all Islanders and visitors.

**Speaker:** I will now as the mover of the motion, the hon. Minister of Transportation, Infrastructure and Energy to speak to the motion.

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

It's a pleasure to rise today to highlight, I'd say, the importance of the Confederation Trail. If we look back about how it came to be: when the railway system itself closed down, we had an asset that ran tip-to-tip across Prince Edward Island. Back in the 1970s, the train stopped running. It left Islanders with an asset that we could develop into something that would be a benefit to all Islanders to have as a legacy from the railway time, actually.

Taking that forward, we look at what the Confederation Trail is today and the activity that happens on it. You see biking tip-to-tip. A lot of people use it for walking, for exercise. I know, in Tyne Valley area

specifically, there's a walking club. They do different sections of the trail. They meet up, probably in Northam, and they'll walk over to Tyne Valley. They do that on a regular basis just to get out as a community group and walking.

But when I look – my department invests dollars in maintaining the trail. We have workers within our department that maintain the trail during the summer. They cut the bushes, they replace bridges that may wash out over the summer, we groom it, we insure that there's proper signage along the trails for when there are visitors there that may not be familiar with where they are. We have built picnic tables so that every certain section of the trail, you have an opportunity to sit and to enjoy the scenery in that particular community. I know in Ellerslie, for instance, it comes right into the community of Ellerslie. You can sit there, watch the traffic go. There's a store there; you can go and get a little snack and have a little break.

It is providing an opportunity as well for tourism opportunities in Prince Edward Island. People love to come here where they know they can get out in the fresh air and go biking on that trail. They know it's safe to use. But within my department, again, during the summer months, from May until November, we maintain the trail; we replace it; work with communities on what is happening and what is needed in that area.

But also, we have an agreement with the PEI Snowmobile Association who have a contract with government to use the trail exclusively for snowmobiles and, of course, we have skiers that use it in the winter. But from November to May, the snowmobile association has access to the trail. They do all the grooming on the trail. You see a lot of snowmobile runs going and a lot of those snowmobile runs, they use that for charity. I see that quite often happening, where there's a snowmobile run on a weekend and it's community getting together to support charity, but the work that the snowmobile association does, we're a partner with them through our Access PEI.

We sell the permits for the snowmobile association. We do the work for them to maintain that and they get about \$300,000 back as a result of the number of trail passes

that are paid for by snowmobile association members. That helps keep the trail up during the winter. It helps them purchase equipment for grooming and it has been very effective in promoting the trail for use in winter as well.

I think we need to continue to work together with communities so that we can celebrate the resource that has been given to us as a result of – as I said, when the railway closed down. You don't see that in a lot of other communities, but it's an asset that I know we will continue to promote, continue to use. It's very important and it's something that, in working with landowners and communities.

But we work, as well, with the ATV clubs. We have given them permission to cross the trail. We cannot allow ATVs on the trail because of the bed that's on the trail. It just will not take that kind of traffic on the trail itself.

We are working with the ATV association. My department has provided, free-of-charge, culverts for them to maintain – to, build new trails. But we have, as I said, again: we try to work with them to allow them to cross across the trail. We want to promote that and working and ensure that we protect our trail.

I do congratulate the ATV association for the work they're doing and we will continue to work with them. The snowmobile association, as I noted, has the exclusive right to that in the winter. We are always, you know, appreciative of the work that the association does. Dale Hickox is the president. I know, in meeting with him, at different times, they're very dedicated to the work that they do on behalf of the PEI Snowmobile Association. They reach out to other communities. They're reaching out to the farmers; to work together with different landowners in the area.

Something we did recently with our, it was a concern about the speed of snowmobiles that going through highly populated areas, through the department, through Highway Safety. We adjusted our act to ensure that it could be enforced. That if someone is speeding in a residential area that we have the authority, or the authorities have the power now to give a fine.

The snowmobile association, again, as I noted, working with Dale Hickox, they also enforce the trail themselves. With our communities, with our enforcement, it has provided a great asset to Prince Edward Island.

Mr. Speaker, I know there are number of other members that would like to highlight their experience with the trail, so I'll end at that.

Thank you.

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

**Ms. Biggar:** Thanks for his name.

**Speaker:** Speaking to the motion will be the seconder of the motion, the hon. Member from West Royalty-Springvale.

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

It's a pleasure to get up and talk about our trail system here on Prince Edward Island. It's a wonderful legacy that was left to us by the railway.

You know, when we look back it's not all that long ago that we had a railway on Prince Edward Island. As a young kid growing up in O'Leary. I could tell you what time the train would come through O'Leary. It was a lonesome whistle in the wintertime. It would roll through there at 10:20 p.m. in the evening. You knew the mail was coming to the west.

Some people probably wouldn't remember this, but the train system, even our ferries had railway tracks on them. A lot of freight used to come to the Island through, over the Strait with the trains and connected all our communities.

The only trouble I had with a train, one time, it was in Bloomfield. I was dating my wife and I arranged to get stuck out there in a snowstorm –

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

**Mr. Dumville:** – and I thought I could spend the weekend out there. What

happened, the darn train came through. My father-in-law he –

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

**Mr. Dumville:** – he threw me on the train –

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

**Mr. Dumville:** – and I was back in O’Leary, and my car was still in Bloomfield, but –

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

**Mr. Dumville:** – that was the only problem I had with the trains on Prince Edward Island.

It’s a wonderful legacy that the railway system did leave for Prince Edward Island in the trail system.

I have got to thank Don Deacon. Don Deacon and those people, they fought hard and long to make sure that the trail was not interrupted from one end of the Island to the other. It’s such a great thing and the hon. Member from Charlottetown-Lewis Point, she and her group biked the whole length of the trail this past summer, and they had a wonderful time, and gave a lot of publicity out there.

It’s – I’m so pleased to see the bikers and the hikers and everybody that uses the trail. The snowmobile association, they’re wonderful people. They’re very community-minded people. I’m so pleased to hear that the minister is talking to the ATV group.

The ATV industry in New Brunswick, it’s just absolutely fantastic. They bring a lot of money. I hope that – and I understand some of our private government roads are used to connect ATVs the length of the Island.

What I worry about is that the trail is great. I always wonder 10 kilometres out from Charlottetown, or 10 kilometres out each way from Summerside, maybe that is where the bulk of the trail is being used. I always wonder, you know, are we really using the trail effectively in the large areas between communities?

I think we could do much better –

**Ms. Casey:** Call the hour.

**Mr. LaVie:** Extend the hour.

**Speaker:** The –

**Ms. Casey:** Call the hour.

**Speaker:** The hour has been called.

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

**Speaker:** Order! Order, hon. members.

The hon. Minister of Workforce and Advanced Learning.

**Mr. Gallant:** I move, seconded by the hon. Member from West Royalty-Springvale, that this House adjourn until Thursday, December 14<sup>th</sup>, at 2:00 p.m.

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

The Legislature adjourned until tomorrow, Thursday, at 2:00 p.m.