

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature met at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Greetings to everyone here inside the rail, and to those joining us in the gallery, and, of course, those watching on devices from a distance.

I may start with the group on the bench at the far side; great representation from the district of Charlottetown-Lewis Point. Sean Casey is here, our Member of Parliament for Charlottetown, and also happens to Mr. Casey's birthday, so Happy Birthday.

Some Hon. Members: Hear, hear!

Mr. R. Brown: He's getting the Canada pension.

Some Hon. Members: [Laughter]

Ms. Casey: He's a long way from that.

Premier MacLauchlan: Joining on that bench we've got; Mary Lynn Kane; Andrea Greenan, Meaghan Hughes, Nicole Peters, Chelsea Rogerson, Nicholas Wright. And Nicholas' mother, who works with us upstairs, Stacie Tiffin-Wright. Welcome to everyone, who is here from District 14 Charlottetown-Lewis Point.

We've got some great representation here from, I'll simply call it, Prince County; Brenda McAlduff and Betty Aubin are here.

On a Madame Claudette Thériault et son équipe du Congrès mondial acadien, et je ferai un commentaire tantôt.

We have Madam Claudette Thériault and her team from the World Acadian Congress, and I will make a statement later on.

I want to welcome the group that's here on behalf of the Acadian national (Indistinct) congress. We'll be saying more about that later. Claudette Thériault is the president of the congress. It's a great occasion to

celebrate everyone who is here in that connection.

Welcome everyone else, who is in the gallery today, Mr. Speaker.

Thank you.

Speaker: The hon. Leader of the Opposition.

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

It's certainly a pleasure for me to rise today, as well, and to bring a greeting to all of those that may be watching in on the Internet or Eastlink. Particularly, those individuals, our most stalwart watchers, I would think that are residents of the some of the long-term care homes here on PEI.

I'd also like to send out best wishes to many of our high schools students, who are starting the exam process here on PEI. I know it's quite stressful time of the year for students, but I know that the hard work that they've put in over the last number of years will certainly pay off.

I just want to say a special comment, with regards to the students at Three Oaks high school. I know that there's some major construction, renovations going on in that school. I hope that all of that work, they'll take into account the students writing exams and recognize that they do need some quiet and solitude while they're writing their exams.

I'd also like to recognize the group that have joined us here today from the Acadian national worldwide congress. Like the Premier, I'd also like to welcome the group that have joined us here on the backbench. It certainly great to see more and more Liberals all the time coming to this side of the floor –

Some Hon. Members: [Laughter]

Leader of the Opposition: – and Sean, Happy Birthday, as well.

Thank you very much, Mr. Speaker.

Mr. Roach: (Indistinct) surrounded every day –

Mr. MacEwen: Every day.

Speaker: The hon. Leader of the Third Party.

Leader of the Opposition: (Indistinct) everyday.

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

I'd like to welcome everybody to the gallery today; Cheryl MacLean, it's so nice to see you again, and Suzanne Keough. And particularly to Chelsea Rogerson, who – we've known each other for many years, I'm not sure if she still does, but she certainly did, at one time, live in District 17. Also, welcome to Monsieur Theriault, *bienvenue*, from the Acadian world congress.

Today, this week marks the start of Ramadan. That is, of course, the holy festival for more than a billion Muslims around the world. The month-long observance will see those Muslims fasting from sunset to sunrise, sorry, sunrise to sunset and reciting verses from the Koran, and attending prayer sessions. For many of those observing Ramadan, it is a time for them to become closer to their god. It's also a time for joy and for spending time with your family and giving to charity and those in need. For those, who are celebrating Ramadan: *Ramadan Mubarak*. Happy Ramadan.

Thank you very much, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

I, too, would like to welcome all the Liberals to this side of the floor. It's good to see Sean with us today. I'd also like to welcome Chelsea Rogerson, who is a great Rotarian. She does a lot of work for us in there. And Stacie Tiffin-Wright; she was a great help to me, and I thank all she's done for me over the past few years.

Thank you, Mr. Speaker.

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

Ms. Biggar: Thank you, Mr. Speaker.

I'd like to welcome everyone watching at home and my mother, who watches from Stewart Memorial manor, Pauline Dymont.

I'd also like to welcome Brenda McAlduff here. Brenda is going to be joining the new district of Tyne Valley-Sherbrooke. She has given me the honour of also coming on board of my district Liberal association. I know she offers great experience in that. I'll certainly be using that in the upcoming times ahead.

Betty Aubin is with here. I think her MLA from District 21 will probably recognize her. And Eddie Lund, again, thank you for being here and everyone for being here.

Thank you, Mr. Speaker.

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

Ms. Mundy: Thank you, Mr. Speaker.

It has given me great pleasure to rise today and welcome the Casey crew, as well as anyone at home in District 22 Summerside-St. Eleanors that is watching.

I would like to recognize Betty Aubin, current District 22 resident and will be after the next election, as well. I'm actually still going to lay claim to Brenda McAlduff because technically the boundaries have not been redrawn yet, and she is still a District 22 resident. I'll still lay claim to her. I welcome both of these ladies to the Legislature today.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

I'd like to recognize Suzanne Keough, who is with us here, today in the gallery. Suzanne is owner of Rawsome Juice company on Queen Street.

In 2016, Suzanne was awarded a grant from the Ignition Fund and we'll here a little bit more about that later on today. I'd like to

welcome Suzanne and congratulate her on her company's success.

Some Hon. Members: Hear, hear!

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

Mr. Gallant: *Merci monsieur le président.*

Thank you, Mr. Speaker.

Bienvenue à la présidente Claudette Thériault of the Acadian congress 2019, her husband Théodore, as well as Ricky Hitchcock and Karen Gallant, all constituents from Evangeline-Miscouche. I'd certainly like to welcome them here.

Merci beaucoup.

Thank you very much.

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

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

I'd like to welcome a couple of great lawyers here to the gallery; Mary Lynn Kane, who is actually a cousin of my, and would have been a constituent, but she decided to move to Stratford. We'll see just how much she has moved over to that side, I'm sure in the upcoming election. And Meaghan Hughes, here as well, both worked at the firm I used to work at. And Sean Casey, as well, used to be a lawyer, so we'll lay claim to him, as well. All three are great community people. We've had some question about lawyers and their community involvement in this Chamber this session. I'd like to point all three of them out as shining examples of lawyers' community involvement.

Cheryl, as well, I'd welcome and Madame Theriault, I'd welcome as well.

Thank you, Mr. Speaker.

Speaker: Hon. members, I would like to bring your attention to a young gentleman, who is seated over there. His name is Zachary Rowswell from Hunter River, Prince Edward Island. He's going to begin working with us at the Legislative Assembly

on the 28th of May, as the student visitor guide for the summer.

Following a summer with us, he will then go on to pursue his master's in global affairs at the University of Toronto. This young gentleman speaks only three languages, and I understand he's working on his fourth. We welcome Zachary to the gallery. I hope you enjoy your summer with us.

Some Hon. Members: Hear, hear!

Statements by Members

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

Kathleen Casey, MLA

Ms. Casey: Thank you, Mr. Speaker.

I rise today with a heart full of gratitude to people of Charlottetown-Lewis Point, who, for three terms, chose me to be their voice in the Legislative Assembly.

The feeling I had in the first time I turned the door knob to magnificent Province House in 2007, will remain with me forever. Serving the majority of my time as your Speaker and Deputy Speaker has been a tremendous and valuable experience. I have come to appreciate the rules, the traditions, debate and the work of the legislative branch. I believe that all words spoken here should be tempered and worthy of this House.

I am forever grateful to Charles MacKay, Marian Johnston, Barb O'Donnell and all of the legislative staff, who instilled in me an appreciation for the legislative branch.

Anyone in public office knows it takes a team of supporters to be successful and to be effective in their representation. I am grateful to have some supporters, who have been with me since day one here in the gallery today; Mary Lynn Kane, Andrea Greenan, Meaghan Hughes, Stacie Tiffin-Wright, and, of course, Sean Casey, the Member of Parliament and our boys, Ryan and Dean, who were only four and seven at the time of my first election, are watching online today.

Often, when I speak at a campaign school or those interested women, who are interested in running for politics, I always say you need support at home. My kids might not have realized what their mom was doing when they were four and seven, but they get it now. Sean, I couldn't have done this without you, and you have been one of my greatest supporters. I love you.

To each of you, I am grateful for your advice, wisdom, patience, and lots of laughs over the years, I'm losing it. As we work together to win the respect and confidence of Charlottetown-Lewis Point, our priorities have always been to improve the lives of the people that I've had the privilege to represent and to leave the place in better shape than we found it. Together we have accomplished those goals.

The district has money in the bank. It has a dedicated team. We are prepared to keep the seat Liberal after the next election.

We have just passed the three-year mark of my third term. I feel the time is right for me to contribute to renewal of Charlottetown-Lewis Point by enabling, promoting, and encouraging young people to step up and make their contribution and bring their voices into this House.

Today, I want to inform the House that this is going to be my final term. I will fulfill my commitment and serve out my mandate. However, I will not be seeking re-election. To my colleagues in the House, past and present, I hope history will be kind in how I treated each and every one of you.

I am grateful for the courtesy shown to me on both sides of the House. I have never really lost sight of the fact that, although, we may have differences of opinion, we can agree that every member of this House is here to serve and improve the lives of the people of Prince Edward Island.

It has been a tremendous privilege to represent Charlottetown-Lewis Point. I will be forever grateful for the important responsibility my constituents placed in me to be their voice in the Legislative Assembly of Prince Edward Island.

Thank you.

Some Hon. Members: Hear, hear!

Mr. Myers: You're next, Brownie.

Some Hon. Members: [Laughter]

Mr. R. Brown: Old dogs go down tough.

Speaker: The hon. Leader of the Opposition.

Three Oaks High School

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

I don't have quite the same announcement here today.

I want to read a letter I received from a very concerned parent of a student at Three Oaks high school:

This is the letter than I recently sent to Liberal MLAs, I'm looking for your help. That's how the quote starts.

It is Mother's Day and somehow I feel that I have left my oldest son, who is in Grade 12, down. The reason for this is that I cannot understand why he is in a school that is currently under construction. First of all, I feel that there should have been a brand new school built for the students and the staff of Three Oaks in Summerside.

Today, I would like to express my concerns because the whole situation is terrible, and I am speaking up about it. There were no meetings held to consult the parents if we wanted to renovate this building in the first place. This is because our wishes have been taken away because government-appointed committees were created and local school boards were taken away.

I find it hard to believe that anyone would want to have their children be in a building that is having asbestos being removed from it. I trusted the PEI government to do the right thing, and that would have been to leave this building alone and to build a brand new school. But, instead, the renovations were going to happen.

I then trusted the PEI government to follow strict regulations in order to protect the health and safety of the students and staff,

but that didn't happen either. The regular phys. ed classes have gone on as usual. What were the students and staff exposed to? It scares me when I think about it. My son would go to his basketball practices and would come home coughing more than usual. He actually ended his basketball season early because of this. He still has a chronic cough.

The other big concern is the amount of noise level throughout the building. The students were having a hard time listening to their teachers and understanding what they were saying. This is supposed to be the best year of high school and it has been a real struggle.

I really think that everyone's health and well-being should have been considered. We do everything to protect our children and our school should be a safe place to go. I would like for you to stand up and voice my concerns to the proper authorities.

Also, please take the time to go to the school and be a student for one day. Only then will you truly understand what they are going through. Please stand up for the students because most of them are only 15, 16 and 17 years of age.

Thank you for your time and consideration.

Sincerely,

Jo-Anne Wambolt

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Malpeque Bay Credit Union

Mr. MacKay: Thank you, Mr. Speaker.

I rise today to acknowledge the tremendous community accomplishments of Malpeque Bay Credit Union.

It originally began in 1939, as the Kensington credit union. In 1982, the credit union merged with the Malpeque Bay Credit Union and has served the community since then.

Over those years, the Credit Union has been a key partner in the development and growth of small business in our area, especially in the fishing and farming sectors.

Credit unions operate on the principle of people helping people, and Malpeque Bay Credit Union is proud to be a part of our community and to support the communities where we live, work and play.

Each year, the Credit Union donates over \$60,000 in scholarships and donations to organizations, school groups, charities and special events. Among some of the local initiatives supported by the Credit Union are: Kensington Scouts and Girl Guides; Kensington Intermediate High School Safe Prom and Safe Grad; Harvest Festival Road Race; Children's Wish Foundation; children's day at the Kensington Winter Carnival; sponsorship of the Kensington & Area Figure Skating show; the Kensington Fishing Derby; title sponsorships for local minor sports teams, the Credit Union Centre, Prince County Hospital Lights for Life campaign.

In 2017, staff from the Credit Union volunteered over 1,000 hours to local events. The staff are coaches and Sunday school teachers and you can also find them volunteering their time at church suppers, barbecues, and benefits held throughout the community.

It's a group like the Malpeque Bay Credit Union and the people, who work there, who help make our community such a great place to live, work, play and raise families.

I want to applaud and thank them for their ongoing support to our community.

Thank you, Mr. Speaker.

Responses to Questions Taken As Notice

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

Yesterday in the House, the Leader of the Opposition equated the province issuing promissory notes to our pension plans in writing as: IOUs to ourselves. He further suggested these promissory notes allowed us to balance the books and asserted that we

were, essentially, cooking the books. And asserted that yes, and these are misleading statements.

I would like to make some clarifications –

Mr. Myers: Oh, I don't think you can accuse him of that.

Mr. MacDonald: – we are not writing a cheque to ourselves –

Mr. Myers: Actually, I'm quite positive –

Mr. MacDonald: – in 2014, which is when we last issued a promissory note, we proposed –

Mr. Myers: We're allowed to say 'misleading' are we?

Mr. MacDonald: – an interest-bearing repayment schedule to the master trust. This agreement was accepted by the –

Mr. Myers: I'll be using it all day.

Mr. MacDonald: – unions and by government.

I would note, for the Leader of the Opposition that we pay the Master Trust a market rate of interest during the life of the note, and any money contributed by employees or employers to these funds cannot be used for anything other than pension, benefits paid to members, or for plan expenses.

The Teachers' Superannuation Fund and the Civil Service Superannuation Fund are legal entities separate from the province. They have independent governing boards consisting of representatives from government and the unions.

These notes have nothing to do with balancing the books. The expenses related to pension costs are recorded annually in the books of the province. The province's financial statements are audited by the Auditor General.

All the expenses related to pensions have been recorded and have been audited. Not only are the books balanced, we are projecting a surplus.

Though our last promissory note was issued in 2014, we did just finish paying notes issued by the Conservative government in 2005, and 2006. You can see the province's well-established history of repaying these notes. Repaying these notes is a legal obligation.

The Leader of the Opposition claimed we are the only jurisdiction in Canada actually to write such notes. In a news release from June, 2015, in which then Conservative premier, Paul Davis announced the Government of Newfoundland and Labrador would be issuing promissory notes to ensure the stability of their teachers pension plan.

Thank you, Mr. Speaker.

Questions by Members

Speaker: The hon. Leader of the Opposition.

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

The ongoing revelations of chronic mismanagement in the Provincial Nominee Program, underscores the need to make big improvements in our retention rates.

Improvements to retention rates for immigrants

Question to the Premier: Why isn't your government more concerned with improving retention rates for immigrants to PEI?

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

As the Minister of Economic Development and Tourism informed the House yesterday, we have accurate and up-to-date numbers for the people, who came in 2014 over a two-year period and 2015 over a one-year period. Those numbers are 57 and 54%, as I recall him saying.

May I also say, if the hon. members are looking for an accurate measure of how our province is doing and doing on retention when it comes to immigration –

Mr. MacKay: (Indistinct)

Premier MacLauchlan: – look at the 2016-2017 report from Statistics Canada, which is a national survey by province and territory and you will find that Prince Edward Island led the country; led the country among provinces and territories for gains in immigration on a per capita basis. Those people are in Prince Edward Island and they're part of our population and we're proud of it.

Thank you, Mr. Speaker.

Mr. R. Brown: Great.

Speaker: The hon. Leader –

Mr. Myers: (Indistinct) used to (Indistinct)

Speaker: – of the Opposition.

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

In fact, a new study by the Conference Board of Canada sheds light on the economic importance of better retention of immigrants.

It found that here on PEI and throughout Atlantic Canada, that immigrants under the family and refugee classes both had higher retention rates than the business class.

Retention rates of immigrants

Question to the Premier: If these other immigrant classes have higher retention rates, is your government's focus on the business class really just about the money?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker. I'm glad we're talking about retention rates. In 2008, our retention rate was 15%. We have improved our programs based on recommendations from the Auditor General –

Mr. Myers: (Indistinct)

Mr. Palmer: – and consultants.

We've also strengthened settlement services to help immigrants integrate into our community and call PEI their home.

Our 2015 retention rates, based on tax file or data is 57% –

Mr. R. Brown: Oh! Great.

Mr. Palmer: – this is a significant improvement, but it's still not good enough. We'll continue to support settlement services –

Mr. MacEwen: (Indistinct) misleading –

Ms. Biggar: (Indistinct)

Mr. MacEwen: (Indistinct)

Mr. Palmer: – and work hard to make this even better.

Thank you, Mr. Speaker.

Mr. R. Brown: Great.

Speaker: The hon. Leader of the Opposition.

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

While your government has concentrated on the lucrative business class, the other immigration classes have much better retention rates; nearly three times better under the refugee class at 37%, and more than four times better than the family class at 62%.

Question to the Premier: Shouldn't your government look at shifting its focus to immigration streams that provide more long-term benefit to PEI?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, our government has a population action plan. In that population action plan, you will see this issue spoken to.

Indeed, we are dealing with all of the streams; the Atlantic pilot; refugees; working class, increasing emphasis on that.

When it came to receiving Syrian refugees, our province took two times on a per capita basis the refugees that were taken across Canada and received and they're here and they're doing well.

If you look in all of our classes, we are working with people. They are settling. They are in our communities. They are doing well and they are providing a great contribution to this province. I hope that everything that we are saying in this House will encourage that.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

The Conference Board of Canada also noted that female immigrants have a lower labour force participation rate.

We know that greater female participation in the workforce has countless economic benefits.

Greater female participation in workforce

Question to the Premier: What sort of gender lens has been used on our immigration programs here on PEI to remove barriers and enable greater female participation in the workforce?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

We continuously review all of our programs and as I've stated in the House before, in 2009, the program was reviewed by the Auditor General and recommendations were all implemented. In 2010, the AG did a follow-up review and recommendations were all implemented.

Mr. R. Brown: Great.

Mr. Palmer: In 2012, Grant Thornton was hired to review and the recommendations were implemented, and in 2015, we reviewed the program with Grant Thornton again. We continually evaluate all of our programs to make them better and we will continue to do that. Now we're meeting with our agents to review the activity as it relates to the immigration program.

Thank you, Mr. Speaker.

Mr. R. Brown: Great.

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

Mr. Myers: Thank you, Mr. Speaker.

Ever since the federal residency fraud charges were laid, this government has desperately tried to distance itself from the program that they created and run.

Applicants put through after program shut down

Question to the Minister of Communities, Land and Environment: Will you stand in this House today and explain why you, as minister, jammed through thousands of PNP applicants after Ottawa tried to shut the program down?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

Our immigration program continues to evolve. As I had just mentioned, we made a lot of improvements to the program over the years. We now have an expression of interest model that engages the community and they can also work with immigrants to supply a community endorsement letter –

Mr. R. Brown: Great.

Mr. Palmer: – so they can settle in their community. We continue to make improvements and it's working. As we say in – as I'd mentioned earlier – our 2015 retention rate is 57%, which is a dramatic improvement from where it was when it started.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

That's a pretty misleading answer to the nature of the program and how it was used by this government. Any pretense of carefully matching immigrants with businesses was all thrown out the window

when the Minister of Communities, Land and Environment decided he was going to sign 3,000 applications on the final day of it. Federal staff stated that in 2008 immigration levels, PEI estimated they would nominate 1,000 nominees. In 2008, what they actually nominated were 8,000 nominees – that's how many went to the federal government.

Trust of government in immigration program (further)

Question to the Minister of Communities, Land and Environment: Why did you abuse the PNP program to the extent that you did?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

As I said, our 2008 retention rate was 15%. We've learned to improve our program and our retention rate in 2015 is now 57%. Our goal is to attract the very best and brightest immigrants to our province. Our new model, as I said, has immigrants applying to the province. It's no longer a first in, first out system as it had been in the past. We are working hard to make sure the new nominees are a good fit for PEI. As I said, we're meeting with agents now to review their activity as it relates to the immigration program in PEI.

Ms. Biggar: Good.

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

Mr. Myers: Thank you, Mr. Speaker.

So again, the numbers that the minister is using are misleading because 14% of business applicants are actually retained here in the province, so I don't know where he's getting 57% from, but it's not the case.

Speaker: Hon. member, I think you should refrain from using the term 'misleading'. Okay?

Mr. Myers: Okay.

Speaker: Go ahead.

Mr. Myers: I thought it was okay today.

The Minister of Communities, Land and Environment testified before Public Accounts at the time and he said that PNP was a free-for-all and I'll quote him: It was like the pension plan was closing down. It was like, this is closing. I'm out of business. I had certain rules I could apply and the decision was made. I ran it, or – you know – it was run like a private sector company. I know the criticism is going to be that it's a Crown corporation and we ran it. We ran it to the maximum benefits to the Province of Prince Edward Island.

CLE in charge of PNP program

Question to the Premier: Do you agree with how the Minister of Communities, Land and Environment ran the PNP program when he was in charge of it that has now resulted in fraud charges in this province?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

I'd like to start by citing my reference points, which was Stats Canada – is the information that I'm using. This all comes around from federal charges that – there's an allegation from border services that the folks who were – and border services are the folks that allow or deny entrance to the country at the airport or the border.

Mr. MacKay: You took the money. You cashed the cheque.

Mr. Palmer: So this is where the alleged false information was provided – after the immigrants had landed on PEI. We continue to work with border services and provide any information if they ask for it – and we're happy to do that. I want to also remind everyone that the province is not under investigation.

Thanks, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

Again, the 57% that he's talking about includes refugees and it includes immigrants who came through the family program. So,

14% of the business-class applicants remained in this province which is a shameful number.

I want to also caution the member in his use of ‘allegation’ because he’s trying to make Islanders believe that there hasn’t been charges and there have been charges. So it’s more than allegations. They flew down from Ottawa and decided: Bam, there’s going to be charges. He should be careful that he’s not siding with the fraudsters here and that he’s instead siding with Islanders because Islanders are who he should be – he shouldn’t be sticking up for fraudsters. He shouldn’t be sticking up for organized crime or whoever he thinks standing up for.

The Minister of Communities, Land and Environment at the time notified Ottawa. He was flying Island bureaucrats to Hong Kong and Dubai to interview immigrants overseas rather than having immigrants come to PEI. They didn’t even have to set foot in Canada for this government to approve their application into the PNP program.

Cash and dash mentality and fraud charges

Premier: Would you agree that this cash and dash mentality has contributed to the recent fraud charges here in this province?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

These charges and the allegations are from the 2008 model that we had. As I had said, we continue to review our models and continue to improve on those. We also, as part of our ongoing business, we review our database and we look for any patterns that could, potentially, be found. We also now use qualified third-party vendor for verification process to further assist our office.

Again, this province is not under investigation.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

There was fraud charges laid. It lays at the feet of this government because the minister can run and hide from it all he wants, but he implicated his buddy who’s sitting beside him when he was minister because he keeps referring to the program in 2008, well guess who was the minister? The guy who’s sitting next to you. The guy who I’m trying to ask questions of. The guy who I’m trying to get answers about. The guy who you refuse to answer questions about.

We were the only province in the whole country that was flying staff to other countries to try to attract immigrants. Minister, when he was in front of Public Accounts said: We could have as many as we want, basically. I said: Let’s go out and try to get as many as we want because I want my queue filled for the population in the upcoming years and I want to remind the House that he signed 8,000 through in one year.

Question to the Premier: How is it that this is the way this government has done business in the past and now again here in the present?

Speaker: The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Mr. Speaker.

Our retention rates were 15%. That was not acceptable. We did some work with the Auditor General and with consultants. We continued to strengthen settlement services. Our retention rate in 2015 is 57%. We continue to make improvements. That number is not good enough and we’re going to continue to work on that and we’ve implemented a new expression of interest model that engages communities so they can work with immigrants as they come to land in PEI and the community can endorse them.

We’re very proud of the gains that we’ve made over the years and we will continue to do that.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

Ninety-nine per cent of the 565 PNP clients registered as living at the Sherwood Motel have been nominated for permanent residency by the province.

PNP clients and PEI health cards

Question to the health minister: Can you confirm how many of these 565 individuals have PEI health cards?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

I had the opportunity this week to speak with some foreign temporary workers, so the way that works is you have to be a resident of Prince Edward Island for 183 days in order to be afforded a PEI health card, unless you're here under some other program working with a visa.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: I'd look to another minister to answer the questions now too, Mr. Speaker, if I delivered that answer. It had nothing to do with my question.

We're curious how many of these PEI health cards are registered to addresses at the Sherwood Motel. These health cards are one of the most important public documents that an Islander can have. Your PEI health card lets you access a wide range of health services, physician, in-hospital services, primary care services, home care, and drug programs.

Protection of health cards from theft and fraud

Question to the health minister: What safeguards are in place to protect the integrity of our health card system from identity theft and fraud?

Mr. Myers: Good question.

Speaker: The hon. Minister of Economic Development and Tourism

Mr. Palmer: Thank you, Mr. Speaker.

As I said, we regularly review our database for common elements such as addresses, and we will investigate any patterns –

Mr. Trivers: (Indistinct)

Mr. Palmer: – that we do find.

We also have a third party that does verification for us, and –

Mr. Trivers: (Indistinct) won't let you do anything else.

Mr. Myers: (Indistinct) Spencer Campbell? Is Spencer Campbell the third party?

Mr. Palmer: – these charges are related to individuals who allegedly gave false information –

Mr. Myers: You just ask him if it's okay (Indistinct)

Mr. Palmer: – to the federal government, to border services and border services, they're the folks who allow or deny access to the country at the airport or at the border. This is where the alleged false information –

Mr. Fox: (Indistinct)

Mr. Palmer: – was delivered after the immigrants had landed in PEI.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

That's two ministers that answered with something that had nothing to do with my questions.

A PEI health card entitles a person to receive health coverage if they're in another province within Canada through out-of-province health services. This year's budget for out-of-province health services is over \$52 million.

Security and integrity of health card records

Question to the health minister: With so much money being spent each year on out-of-province health services, shouldn't the security and integrity of our PEI health card records be a high priority?

Mr. Myers: Good question.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Absolutely the integrity of Islanders' health – responsibilities with their health cards is a very important issue from the department of health.

As I said earlier, you have to be an Island resident for 183 days to qualify for health care on Prince Edward Island. If you're coming from another province, the first six months you're dealt with the province that you came from. After that point in time, you'll be given a PEI health card and you can show up at any of our facilities and reserve Island health care based on that card.

We will continue to do that. We will continue to monitor who has health cards on Prince Edward Island to ensure that all those needs are being met and the needs of immigrants are being met when they come and they spend six months on Prince Edward Island, or 183 days, and that they do receive those health cares.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

The minister is right. 183 days or, perhaps, if you're living at the Sherwood Motel since 2008 qualifies you too.

The 2015 Auditor General's report looked at out-of-province health services and found that, and I quote: Health PEI's process for approving physician referrals for out-of-province health services requires improvement as we noted a significant proportion of out-of-province claims did not have the required physician referral request.

Out-of-province health service claims

Question to the health minister: In light of what we now know about the questionable practices in the Provincial Nominee Program, what concerns do you have that some of these out-of-province health claims may be for people not living in PEI?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

On Prince Edward Island, we are a small jurisdiction and we don't have health care professionals to serve for every health care need for Islanders. It's a must that we have to have Islanders go to other provinces, mainly Nova Scotia and mainly New Brunswick, and sometimes Ontario, for their health care needs met.

If an Islander who has a health care card, has obviously been a resident on Prince Edward Island for the 183 days, they are permitted to go out of Island to have their health care needs met. However, we do monitor those situations. It is a concern of costing, so we look at that very closely. But, we are not able to provide every health care measure on Prince Edward Island, including when it comes to areas of heart disease and orthos that have to be sent off-Island, Mr. Speaker.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

A person becomes eligible for a PEI health card on the first day they become a permanent resident; a process that begins with the province nominating them for permanent residency.

The 2015 AG report found a significant proportion of out-of-province health claims didn't have the required paperwork. This year's AG report looked to see what had been found out, and they said and I quote: Health PEI has not been monitoring the extent to which referrals required by policy are submitted.

Exploitation of health care system

Question to the health minister: The immigration minister didn't know that 565 people nominated by his own department were using fake addresses. Do you know

whether or not our health care system is also being exploited?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Fortunately, as Islanders, we are able to have a great health care system on Prince Edward Island. We have a frontline of doctors and nurses providing wonderful care to all Islanders. Whether you're an immigrant to Prince Edward Island or whether you were born and bred on Prince Edward Island, it's imperative that when you need your health care needs met and we're unable to perform that specific surgery or treatment on Prince Edward Island that you do have a place, a neighbouring province, to go to get that service.

We've been doing that for years. We will continue to do that, and we will monitor those costs, as any good government would do, Mr. Speaker.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

I know darn well that we've got the best health care system going. That's why people are trying to get here.

Audit of health cards

Is the minister auditing our health cards to see if folks who are just trying to buy their way into Canada are billing taxpayers for our health care coverage?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

It is great to see the health care critic acknowledging our wonderful system on Prince Edward Island. He knows full well from his perspective just how valuable it is on Prince Edward Island.

When it comes to health care needs, such as Medicare cards and others on Prince Edward Island, we do monitor. We do research on that to ensure Islanders have those cards and

health care needs and access to the services that they need right here in Prince Edward Island.

This is a foremost priority of the department of Health PEI that people when they need health care are provided that service in an effective and efficient way and provision of those health cards is one piece of that, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

Last week government tabled their long-awaited Climate Change Action Plan and I stood in this House and I said: Let's give credit where credit is due – because now we have a plan. But upon closer examination, I was disappointed that it did not directly discuss the issue of carbon pricing in spite of the fact that the federal government has mandated that every province submit a carbon pricing plan by September 1st of this year.

I can appreciate that carbon pricing is a hard thing for politicians to talk about and we'd like to kick it down the road. But, the time for denial and evasion is over. On Friday, I said that climate change is universally accepted as the biggest challenge that humanity faces today. I believe Islanders deserve political leaders who are courageous enough to initiate an honest conversation on this and other potentially unpopular and touchy subjects.

Climate Change Action Plan in lieu of carbon pricing

A question to the Minister of Communities, Land and Environment: Do you honestly believe that the federal government will accept your climate change action plan in lieu of carbon pricing?

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

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

I thank the Leader of the Third Party for that question because it's a good time to have a good debate about climate change.

The federal government's objective is to reduce carbon in the atmosphere. That's number one. We have presented a plan that will reduce carbon in our environment by 600,000 tonnes. We're already down by 200,000 tonnes and we haven't even begun yet. We have a good plan. The federal government wants reductions in carbon in the atmosphere. This plan provides that, and the federal government should accept our plan.

Thank you very much.

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

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

CBC published a report yesterday in which Dale Beugin, executive director of Canada's eco-fiscal commission stated that: the PEI action plan is inadequate, and he expects Ottawa will impose its carbon tax on PEI in January if the province does not amend its proposal.

Federal government and carbon pricing

A question to the same minister: Has this been your plan all along? To force the federal government to impose carbon pricing on Islanders so Liberal MLAs won't have to have an honest conversation with their constituents?

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

Mr. Myers: (Indistinct) and why did you abuse the PNP program.

Mr. R. Brown: Thank you, Mr. Speaker. We have had honest –

Mr. Myers: While you're there.

Mr. R. Brown: – conversations with Islanders.

When it comes to listening to people, I'm not going to listen from somebody from Toronto in an ivory tower. I'm going to listen to the people of Prince Edward Island –

Mr. MacKay: (Indistinct)

Mr. R. Brown: – who have achieved climate change reductions here on Prince Edward Island.

Mr. Fox: (Indistinct)

Mr. R. Brown: The people of Prince Edward Island have in the past, and will continue in the future, to contribute to the reduction of carbon in the atmosphere.

We have. We will, and we will do it right.

Thank you, Mr. Speaker.

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

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

In the spring of 2015, the Premier ignored PEI's fixed-date election laws. He called a snap election and then less than a year later, he imposed a surprise HST increase on all Islanders.

Reluctance to answer questions re: carbon pricing

A question to the same minister: Is your reluctance to discuss the need for carbon pricing in any related to the Premier's refusal to answer a direct question on whether he intends to respect PEI's fixed-date election law?

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

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

We are talking about carbon pricing. We have in our budget carbon pricing. We're reducing the price of electricity to Islanders and that will, as it did in 2011 under the energy accord, reduced carbon in the atmosphere.

That one project in 2011 saved over 100,000 tonnes of carbon in the atmosphere. We have a plan that'll reduce carbon now and into the future and I believe in the plan that we presented and if the federal government believes in reducing carbon in the atmosphere, they will look to PEI to how it should be done.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Mr. Speaker.

Today my question is for the Minister of Agriculture and Fisheries.

Minister, from time to time we hear about disease outbreaks affecting livestock in Canada and, indeed, in other parts of the world. These outbreaks have devastating on the farm, farmers, and their families, industry, and often trade. Some of these diseases are new and often have the potential to impact human life.

With Old Home Week shows and the movement of animals and our harness racing industry – such an important industry here in the province – you can understand concerns.

Preparation for possible livestock disease outbreaks

Minister: What is your department doing to prepare for such an event in Prince Edward Island or in the Maritimes?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Thank you, Mr. Speaker.

Food traceability, biosecurity, emergency management plans are all very important when it comes to the transmission of diseases and the impacts that it can have on our Island economy.

I want to reiterate: Currently there is no provincial requirement for livestock movement within the province as far as documentation, but Health Canada, through the CFIA, has proposed changes to its federal health livestock regulations promoting food traceability and in that particular case, we are working with our provincial veterinarian to try to implement biosecurity measures and traceability measures for all livestock sectors within the province.

Speaker: The hon. Member from Montague-Kilmuir, your first supplementary.

Mr. Roach: Thank you, Mr. Speaker.

That's good to hear where we have beef animals, in particular, and certainly horses traveling across provincial borders.

Funding for possible outbreak

Minister: Within your budget, do you have funding available to be used in the event there is an outbreak and we have to respond?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, we wouldn't have money specifically for an outbreak per se because some of those things come under the Health Canada and the CFIA regulations around quarantinable pests and the quarantinable process of livestock, but our department has, in this last provincial Budget, has implemented a provincial veterinarian and that person is working with – making sure that we have excellent biosecurity measures for should an outbreak occur.

One of those particular issues when things have happened in the past – instead of basically shutting down the whole entire province or a whole county, we now can implement a plan that will be much more limited to the amount of quarantinable animals that would be affected.

Speaker: The hon. Member from Montague-Kilmuir, your second supplementary.

Mr. Roach: Thank you, Mr. Speaker.

Identifying farms with diseased livestock

Minister, that's great that we have a plan that's there, but I'd like to know: Does your department have in place a system, or a plan, or any kind of a way of identifying farms that have livestock in PEI that become diseased and do you have anything in place for that farm to ensure that it doesn't spread beyond that farm?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, as I'd mentioned earlier, out of the proposals, all domestic movement of livestock will be reported. This is implemented through CFIA and our provincial vet is working with each particular livestock sector to implement a plan around identifying those particular animals –

Mr. LaVie: (Indistinct)

Mr. Henderson: – and then making sure that they're going to be reported and that process is also about if an outbreak should occur, that we have the proper biosecurity measures that are in place to prevent any potential spread from that, but also not to impact our other livestock sectors so it is not going to impact our industries that are so fundamental to Prince Edward Island.

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

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

My question is for the minister of health and we've already had a little discussion here this morning between the minister and his critic with regards to the value of our health care system.

Last week, right across Canada, we were celebrating nurses' week and I think we all heard and we know the great value of the nurses in our system and the terrific role that they play to keep our health system in as good as shape as it is.

Registered nurse vacancies

Question to the minister: Could you give us a bit of a rundown on how many registered nurse vacancies there may be in the province at this time?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Yes, the hon. member is absolutely right. Last week, of course, was nurses' week here on PEI and I was very honoured and pleased to be able to attend several of their events. Nurses play a vital role in our frontline health care system and we're very fortunate

to have the quality of nurses we have on Prince Edward Island.

Currently, we are recruiting for 57 nursing positions here on the Island. Of those 57 positions, 10 are permanent full-time, 10 are permanent part-time and the part-time positions would range from the 10% of time per cent to 90% time work percentage. We also are currently looking for 37 temporary positions to cover needs of things such as maternal leaves and other reasons why people need time off. Of those, 14, I believe, are full-time and the rest then make up the part-time percents and they go from a 40% position up to a 75% position.

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

Mr. McIsaac: Thank you very much.

Recent UPEI graduates of nursing students

That kind of leads right into my next question. Now that you're recruiting, I know last weekend we saw many, many – I think there were hundreds of students graduated from UPEI. I'm wondering if the minister may know how many of those graduates happen to be nursing students and what you're doing with regards to the university there to make sure some of them stay here in PEI.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

The hon. member is absolutely correct once again. We have a phenomenal nursing program at here at Prince Edward Island. I'm a little biased, I say second to none, but the grads they roll out of UPEI are top-of-the-line graduates.

Our recruitment team at the department work very closely with administration at UPEI to be able to go out and talk to these nurses. I had an opportunity just a couple of weeks ago to go out and spend some time with the third and fourth year nurses to kind of indicate to them that we'd really like to have them stay on Prince Edward Island. Last Saturday, we were thrilled to see 78 nurses crossing the stage. Of those 78 nursing students that crossed the stage,

seven of those included Masters of Nursing and five nurse practitioners as well.

As well, this fall, Holland College will be graduation – I think the number's around 20 LPNs to add to our nursing care – and we are currently out and talking to all of those nurses to see if we can secure employment and have them stay right here on PEI.

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

Mr. McIsaac: Thank you very much, Mr. Speaker, your second supplementary.

Filling nursing positions

I'm just wondering: I know there are students actually graduating in other universities across the Maritimes. I don't know if you're looking at that area as well, but between them and with UPEI, do you have a rough idea how many we may get to fill those recruitments that you need for our health care system here in PEI?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thanks, Mr. Speaker.

It's a little early for those exact numbers, hon. member, but we're working on that. What I do know, though, that we have 18 sponsorship science nursing students, 12 of whom are from UPEI, the rest are made up – they are attending nursing programs in other areas and we're keeping them all back here.

As well, 21 of the students that graduated last Saturday will be part of our New Graduate Employment Guarantee program and those 21 nursing students will all begin working right here on Prince Edward Island this spring.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

The government's climate action plan contains some good measures that the Progressive Conservative caucus, us over here, have been championing for some time now. Hopefully, we'll finally see some positive action, unlike when your Liberal

government cut the subsidies for hybrid vehicles.

One thing the plan lacked was a clear picture of what carbon pricing will look like for Islanders. We have similar concerns as the Leader of the Third Party.

It uses statements like: relative pricing on cleaner energy.

Carbon tax to PEI

Question to the minister of the environment: Why are you being so unclear, even evasive, about whether you are bringing in a carbon tax to Prince Edward Island?

Mr. MacEwen: Misleading.

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

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

I thank the member's question because it's always great when we're talking about the environment here on Prince Edward Island. I am so proud of Islanders, in the reference when it comes to the environment.

I would have to say, Islanders are the most environmentally-friendly people on this planet. We go back to 1981 when we really got into the Climate Change Action Plan. We were ahead of the curve far before anyone else when it comes to climate change because we recognize the impacts climate change could have on our Island and that's why each and every Islander is concerned about climate.

When we went out for consultation, each and every Islander said: we have to do our part. And we're willing to do our part.

I want to thank each and every Islander. Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Here's what the minister said last Friday. He said: There are two options. You can increase the price, ask people to pay more and get them to move off carbon from that,

or you can incentivize it; and to incent people to move off carbon. He said: We believe in incenting.

Over here, we believe in the carrot and not the stick, too. We've said so many times. But, the minister's own plan says it will work to achieve the goals of the pan-Canadian framework on climate change. A framework that government helped developed in 2016.

The framework has four main pillars; the first one being pricing carbon pollutions, in other words, a carbon tax.

Minister, Islanders don't want a carbon tax –

Mr. J. Brown: You do –

Mr. Trivers: – question to the environment minister –

Mr. J. Brown: – (Indistinct) asking for one (Indistinct)

Mr. Trivers: – can you confirm –

Mr. J. Brown: (Indistinct)

Mr. Trivers: – that you're breaking your commitment to a carbon tax that you made as part of the pan-Canadian framework, because I hope you are.

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

Mr. R. Brown: Mr. Speaker, the pan-Canadian agreement was about reducing carbon. That's the main item here.

How do we get –

Mr. Trivers: (Indistinct) carbon tax

Mr. R. Brown: – this carbon out of atmosphere –

Mr. Myers: One of the four pillars.

Mr. R. Brown: – how do we save the environment? That's what this is all –

Mr. Myers: (Indistinct)

Mr. R. Brown: – about. We have a percent of the plan –

Mr. Myers: (Indistinct)

Mr. R. Brown: – that will reduce carbon.

This plan has been proven in 2011 with the Energy Accord. We gave 14% reduction to energy prices in 2010. What did that do? Took 90,000 tonnes of carbon out of the atmosphere. So we are pricing carbon. We're reducing the price of electricity so Islanders will move to electricity, which is a cleaner fuel.

Thank you, Mr. Speaker.

Mr. Myers: Awful worked up.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, thank goodness for the actions of previous Progressive Conservative governments on this Island because nothing significant has happened to address climate change since 2008 –

Ms. Biggar: (Indistinct) talk (Indistinct)

Mr. Trivers: – and you can look at the Climate Change Action Plan.

The Trudeau government has been clear of that province – about –

Mr. Myers: Worry about (Indistinct)

Mr. Trivers: – when provinces want to avoid a carbon tax.

Here's what the federal environment minister said. They told this to Saskatchewan, "In the event that your government does not adopt a price on pollution that meets our standard, we would have no choice but to ensure that a price on pollution applies in Saskatchewan, just as we would anywhere else in the country."

Islanders don't want a carbon tax, and need clarification from this government that they will fight against one –

Mr. J. Brown: You want it –

Mr. Trivers: – we know that the environment minister wants to fight for Islanders.

Ms. Biggar: You're (Indistinct)

Mr. Trivers: Question to the environment minister: Can you commit here today that you are prepared to fight for Islanders against a forced carbon tax by the Trudeau government?

Ms. Biggar: (Indistinct)

Mr. Myers: Stand up for Islanders.

Ms. Biggar: (Indistinct) Trudeau (Indistinct)

Speaker: The hon. Minister –

Mr. Myers: Stand up for the drama teachers.

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

We are fighting for Islanders. This side and Liberals have been fighting for Islanders since 1854. We will continue to fight for Islanders –

Some Hon. Members: (Indistinct)

Mr. R. Brown: – I have been in Ottawa. I have been in Ottawa and I presented my plan to the environment minister –

An Hon. Member: Forward looking.

Mr. R. Brown: – we have a plan to reduce carbon and to help the environment. That is why we reduced the price of electricity, propane and wood pellets. They are an environmentally-friendly, carbon-reducing fuels.

We want to get off oil. My dream is to have no big oil tanks on the waterfront, at all. My dream is having our biomass here –

Mr. LaVie: No plan.

An Hon. Member: I have (Indistinct)

Mr. R. Brown: – employing Islanders and make it our own way. We can become a carbon-neutral province –

Mr. Myers: Oh, Brownie's Island (Indistinct)

Mr. R. Brown: – we're on a road there and we're going to get there.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

We're just a little unsure about this government over here.

Starting in 2016, this government has taken actions that appeared to commit Islanders to a carbon tax. They call it carbon pricing, but there is no difference. Really, that's just a nice way of saying tax.

Like the Leader of the Third Party told the federation of municipalities –

An Hon. Member: (Indistinct) not like you to (Indistinct)

Mr. Trivers: – carbon pricing, taxation: take your pick.

We want to believe that no carbon tax is coming. Islanders want to believe that no carbon tax is coming, but given this Liberal track record of broken promises –

Mr. Myers: Yes (Indistinct)

Mr. Trivers: – the Climate Change Action Plan –

Mr. LaVie: No plan.

Mr. Trivers: – is being met –

An Hon. Member: Good plan.

Mr. Trivers: – is being met –

Mr. LaVie: No plan.

Mr. Trivers: – with a wall of doubt. We have a wall of doubt over here.

Real plan for carbon tax for Islanders

Question to the minister: Will you level with Islanders about what the real plan is for a carbon tax?

Mr. LaVie: You don't have one –

Mr. Myers: Good question. That's a good –

Speaker: The hon. –

Mr. Myers: – question.

Speaker: – Minister of Communities, Land and Environment.

Mr. Myers: Come on, give us the, I Have A Dream speech.

Mr. R. Brown: Mr. Speaker – yeah, I do have a dream –

Mr. Myers: (Indistinct)

Mr. R. Brown: – and Liberals have a dream –

Mr. Myers: (Indistinct)

Mr. R. Brown: – we have a dream to make Prince Edward Island a carbon-neutral province. We have plants here. Down there at Holland College they built a building: carbon neutral, Holland College.

We have the University of Prince Edward Island. We have Holland College. We have some of the brightest students here on Prince Edward Island. We have some of the brightest people here in the world.

I saw students on Friday that are going coming up with innovations and innovations that will reduce carbon in the atmosphere. I have faith in the Island students that are coming ahead. I don't know if the opposition do, but I recommend that they go visit them –

An Hon. Member: No faith (Indistinct)

Mr. Myers: (Indistinct) no (Indistinct)

Ms. Biggar: (Indistinct) no faith (Indistinct)

Some Hon. Members: Hear, hear!

Mr. R. Brown: – because they will get the faith I got in Island students.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald, your final question.

Mr. Trivers: Thank you, Mr. Speaker –

Mr. Myers: (Indistinct)

Mr. Trivers: – over here we have a dream, too.

We have a dream of a government that works for Islanders –

An Hon. Member: (Indistinct)

Mr. Trivers: – that's open. That's transparent. That tells Islanders what's going on. And just listens and does what they say they were going to do.

Islanders can see what's going on here. This minister is dancing. I'm not sure what he's talking about half the time. After all –

Mr. Myers: Neither does he.

Mr. Trivers: – this is the same minister, who famously said: keep her afloat until after the vote –

Mr. Myers: Yes (Indistinct)

An Hon. Member: The Tories (Indistinct)

Mr. Trivers: – this was the minister that said that –

An Hon. Member: (Indistinct) me up.

Mr. Trivers: This is a question to the minister –

Mr. Henderson: Until the Tories ran aground.

Mr. Trivers: – Minister: Will you come clean and admit –

Mr. J. Brown: (Indistinct) the Green Party now.

Mr. Trivers: – that you're trying to stall on bringing in a carbon tax until after the next election just like you did with the HST?

Some Hon. Members: (Indistinct)

Mr. Myers: There it is! There it is!

Ms. Biggar: Here's your lesson.

Speaker: The hon. Minister –

Mr. Fox: Can't run now!

Ms. Biggar: (Indistinct)

Speaker: –Communities, Land and Environment.

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

Ms. Biggar: (Indistinct)

Mr. R. Brown: – and in that reference: keep her afloat until after the vote. That's what the Tories did when Polar Foods happened. They had a Cabinet meeting and they said just before the election: let's keep her afloat until after the vote. So, let's get that fact straight –

Mr. Trivers: (Indistinct)

Mr. R. Brown: – we have a plan. It is a good plan. Our plan is backed by science –

Mr. Myers: A dream or a plan –

Mr. R. Brown: – Mr. Speaker, because –

Mr. Myers: – I'm confused –

Mr. R. Brown: – we've tested our plan in 2010 when we –

Mr. Myers: (Indistinct) plan (Indistinct)

Mr. R. Brown: – reduced electric power rates, then.

We will remove carbon from the atmosphere. We will play our part. We will exceed other countries –

An Hon. Member: Misleading!

Mr. R. Brown: – in lowering our carbon. When it comes to doing the right things, Islanders –

Mr. Trivers: Your targets are less than the –

Mr. R. Brown: – will do the right –

Mr. Trivers: – last ones you had –

Mr. R. Brown: – thing. And under the –

Mr. Trivers: (Indistinct)

Mr. R. Brown: – right leadership –

Mr. Trivers: (Indistinct)

Mr. R. Brown: – we will get –

An Hon. Member: You're misleading.

Mr. R. Brown: – there and the right Liberal – the right leadership –

An Hon. Member: What (Indistinct)

Mr. R. Brown: – here is simple –

Some Hon. Members: (Indistinct)

Mr. R. Brown: – it's Liberal leadership –

Some Hon. Members: (Indistinct)

Mr. R. Brown: – that is the best thing of all, Mr. Speaker.

Some Hon. Members: Hear, hear!

An Hon. Member: (Indistinct) that's the plan. That's the plan (Indistinct)

Mr. Myers: (Indistinct) leadership race is on. The right leader, you said it. You said it all.

Mr. LaVie: (Indistinct) leader (Indistinct)

Leader of the Opposition: I didn't realize this was Friday –

Ms. Biggar: Every day is Friday.

Mr. Myers: From here on in.

Mr. Fox: How long have we been here?

Ms. Biggar: Seven weeks.

Speaker: All right. Let's get into some ministerial statements.

Ms. Biggar: Going on eight.

Statements by Ministers

Speaker: The hon. Premier.

Congres mondial acadien 2019/World Acadian Congress 2019

Premier MacLauchlan: *Merci monsieur le président.*

Thank you, Mr. Speaker.

Tout d'abord je reconnais les visiteurs dans la salle : Madame Claudette Thériault, qui est présidente du Congrès mondial acadien, avec son époux Théodore, et avec Ricky Hitchcock et Karen Gallant. Je vous souhaite tous la bienvenue.

First of all, I'd like to recognize the visitors in the room: Madam Claudette Thériault, who is President of the World Acadian Congress, with her husband Théodore, and with Ricky Hitchcock and Karen Gallant. I welcome you all.

C'est avec plaisir que je prends la parole aujourd'hui, à titre de ministre responsable des Affaires acadiennes et francophones. Ce matin, j'ai eu le privilège d'annoncer un investissement important pour notre province, notamment pour la communauté acadienne et francophone et les Insulaires d'expression française.

As minister of Acadian and Francophone Affairs, I had the privilege of confirming this morning an important investment for our mighty Island, notably for the Acadian and Francophone community and French-speaking Islanders.

Next August, August of 2019, our province will be opening our doors to the world, for the 2019 World Acadian Congress.

L'été prochain, au mois d'août, l'Île-du-Prince-Édouard accueillera des Acadiens, des francophones et des francophiles des quatre coins du monde pour le Congrès mondial acadien.

Le Congrès est d'une grande importance pour la communauté acadienne et francophone de l'Île. Cet événement est une occasion à la fois de renforcer les liens forts qui unissent les communautés acadiennes partout et de mettre en lumière l'identité acadienne moderne et accueillante.

The Congress is an opportunity to fortify the strong ties of Acadian communities globally. It also shines a light on the open and inviting nature of the Acadian identity and culture, a characteristic shared by our province as a whole.

The benefits of co-hosting, along with southeast New Brunswick, the World Acadian Congress, will have meaningful impacts culturally, socially and economically for our province.

Pour l'Île-du-Prince-Édouard, cet événement implique de nombreuses retombées favorables autant sur le plan social et culturel que sur le plan économique.

Grâce à la forte croissance de l'économie provinciale ainsi que la gestion fiscale responsable de notre gouvernement, nous nous sommes engagés d'être un partenaire actif du Congrès mondial acadien avec un investissement de 1 million de dollars.

Thanks to our strong economy and responsible government spending, I was pleased to confirm this morning that our government will provide \$1 million in funding to support this important event for the Acadian and Francophone community of Prince Edward Island, and for Islanders alike.

Ce support financier permettra de mettre en valeur tout ce que notre province a à offrir, de souligner la vaillance insulaire, et surtout de reconnaître l'importance de la communauté acadienne et francophone de l'Île-du-Prince-Édouard.

La culture acadienne et la langue française occupent une place importante dans notre histoire, et justement dans la vie actuelle de notre province, et elles demeurent bien vivantes aujourd'hui.

This financial support and the partnerships, and there are many, with the organizing team of the *Congrès mondial*, will allow Prince Edward Island to share with the world what makes our Island, the Mighty Island, *l'Île des possibilités*.

In addition to that, we recognize the important role of the Acadian and Francophone community of Prince Edward

Island, and what it offers and continues to contribute to the shaping of our province.

The Acadian and francophone culture and the French language remain strong and vibrant to this day.

Je félicite le comité organisateur et je leur souhaite du bon courage et plein de succès.

I congratulate the organizing committee and wish them courage and much success.

I might say, in closing, I congratulate the Minister of Workforce and Advanced Learning who offered an entire speech in French at this morning's event to the point where he made a Grade 1 teacher cry.

Ms. Biggar: That's why it's 80% in his district.

Premier MacLauchlan: Thank you, Mr. Speaker.

Merci monsieur le président.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: *Merci monsieur le président.*

Thank you, Mr. Speaker.

Monsieur le président, c'est une annonce très importante pour beaucoup de raisons.

This is a very important announcement for many reasons.

Pour les familles de jeunes acadiens et francophones qui cherchent le leadership et le changement dans leur communauté; pour le développement économique.

This is really important for the families of Acadian and Francophone communities who are looking for leadership roles, as well as looking to change their communities for the better. It's also important for economic development.

Je pense que tous les investissements nous reviendront avec une augmentation du tourisme.

I think that all of the investment we'll get back just by an increase in tourism, if not more. This is a great announcement.

C'est une décision très facile, et il y aura beaucoup de presse publique positive.

This is an easy decision to give them \$1 million. There will be a lot of public press.

Mais, l'Île-du-Prince-Édouard reçoit 1.5 million de dollars par année d'Ottawa en vertu de l'Entente fédérale-provinciale en matière d'enseignement de langue française.

But every year, this government receives \$1.5 million from the agreement between the federal and provincial governments, and this is supposed to go to help support the French language on Prince Edward Island.

Cet estimé affirme qu'au moins un million de dollars par année sont tout simplement mal dépensés par la province.

But, it's generally accepted that about \$1 million of that \$1.5 million is not spent well in this province.

Ce million de dollars par année est très important pour la santé et le bien-être culturel, linguistique, économique, etc. de la communauté à long terme.

This million dollars per year is very important for a number of reasons: cultural, language-wise, economic, for the long-term health of the community.

Maintenant c'est le temps de prendre des décisions difficiles mais justes, et mettre tous les dollars de l'entente fédérale-provinciale vers la communauté acadienne et francophone de l'Île-du-Prince-Édouard.

Now is the time to make the difficult decision and give that million dollars a year, that's part of the federal-provincial agreement, to the Acadian and Francophone communities on this Island so they can use it as it's intended.

Merci monsieur le Président.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

I am very pleased to hear that the province is supporting the 2019 edition of the World Acadian Congress, which will be jointly hosted by southeast New Brunswick and PEI in August 2019.

This edition will mark the sixth edition of the congress and the 25th anniversary of the organization. The organizing committee, comprised of individuals from both host regions, have been hard at work for the past two years and I would like to thank the chair, Claudette Thériault, and the committee members for the volunteer time that they have dedicated to this worthy project.

This year's theme is "A link that brings us together", referring, of course, to the bridge that connects PEI and New Brunswick, and the congress will include a conference component, community activities, commemorations and family reunions, reuniting local Acadians with cousins who have been scattered to the four corners.

Le Congrès mondial acadien va offrir aussi de grands spectacles, des activités organisées spécialement pour les jeunes, des activités culturelles et artistiques, et beaucoup plus.

The World Acadian Congress will also offer great entertainment, activities organized specifically for young people, cultural and artistic activities, and much more.

The first part of the programming will mostly be held in PEI and the second part in New Brunswick with over 100,000 people taking part in the festivities. I, for one, am certainly looking forward to the *Congrès mondial acadien*, although I do have to brush up on my French before next summer.

Merci monsieur le président.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Economic Development and Tourism.

Ignition Fund

Mr. Palmer: Thank you, Mr. Speaker.

Thank you, Mr. Speaker.

Small businesses are the fuel that powers Prince Edward Island's economy. It helps us create jobs and enables our government to deliver services to all Islanders. Our government is committed to supporting our ambitious, hard-working entrepreneurs whose efforts help to increase our exports and grow our economy.

With that in mind today, we are launching the 2018 Ignition Fund grant process.

Over the last four years the province has supported 38 early stage companies through Ignition with \$950,000 in grants. We provide 10 grants of \$25,000 each to assist new companies as they execute their business plans, prepare to commercialize a product, or purchase equipment critical to the development of their business. And we've seen tremendous success with this program.

Companies like Fauxmage, Bam Text -

Mr. Palmer: – provide 10 grants of \$25,000 each to assist new companies as they execute their business plans, prepare to commercialize a product or purchase equipment critical to the development of their business. We've seen tremendous success with this program.

Companies like Fauxmage, BamText, Exit Speed, Deep Roots Distillery, Moth Lane brewery and many others have made great strides since applying for and receiving an Ignition grant.

The owner of Rawsome Juice company is here with us today. It was on her birthday in 2016 that Suzanne Keough got the happy news that she had been awarded an Ignition grant.

Mr. R. Brown: Good.

Mr. Palmer: She received— since she's received the grant, she has purchased new equipment, moved to a new location and expanded her product offering and customer base. I'm told, there is another expansion on the way.

Ms. Casey: Yay.

Mr. R. Brown: Great.

Some Hon. Members: Hear, hear!

Mr. Palmer: Those are exactly the kind of results we want to see from this program. When you combine Ignition Fund support with new initiatives in our balanced 2018-2019 Budget, like the small business investment grant and tax breaks for small businesses, we are putting Island entrepreneurs in a better position to succeed than ever before.

Even if a business is not selected to receive support through the Ignition Fund, this program is a great way for entrepreneurs to connect with Innovation PEI. They can learn about opportunities like microloans, venture capital and seed funding, the Startup Zone, LaunchPad, and many other supports.

The Ignition Fund is a great example of this government's steadfast commitment to entrepreneurship in a way to grow the economy; to increase exports; create jobs, and help Islanders prosper.

Thank you, Mr. Speaker.

Mr. R. Brown: Good.

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

Mr. Myers: Thank you, Mr. Speaker.

It's always great to be able to put into the business community here on Prince Edward Island, and it's great to invest in entrepreneurs. I think government sometimes misses the mark and thinks that they're doing much more than they probably could be.

It's great to see a recipient here. It's great to hear that she's doing well. It's great to hear she's ready to expand. I think this is where government really has to come to the table.

We know that you gave \$4 million to Paul Murphy to buy a hotel and renovate it completely. We know you gave \$7 million to a failed Liberal candidate. We know you gave \$8 million to Kevin Murphy to make

beer over there. You have lots of money to give away.

You have a grant program here where you offer 10 – \$25,000 grants. You can obviously do more and you can obviously do better.

It's great to see that entrepreneurs are able to have some benefit from it. Those entrepreneurs, you should be at the table with right now, if they've been successful through their first cycle, you should be back to the table and say, we have real money we can offer. Because you do, because you're offering it other people; that there's a real opportunity to say: okay, let's grow your business, or maybe we can help you franchise; create a full brand. Maybe we can take you to another province. Maybe we could really grow that business.

If \$25,000 helped create a good business here in Charlottetown, then a further injection of money can help grow that brand. The type of injection that you made in other businesses here on Prince Edward Island could really help them grow to a large business here on Prince Edward Island that would employ many people and allow companies to branch out all over the Maritimes with what they do.

While it's great that you're doing something, I really think that you need to look at the entrepreneurs, especially when you have young people that are ambitious and striking out to do it. You really should be doing whatever you can to invest in them in the level that you're investing in other people in this province, that's all.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

I'm really pleased to hear that this program is coming back. It's one of the few opportunities that Island entrepreneurs have to be able to access funds in a grant form. As my hon. colleague has mentioned, it could be more, but we will not refuse an offer of help where there is one, especially when it comes with dollars in the bank.

The scale of this, though, is not just in terms of the investment that's made, but in those other supports that the minister mentioned. While we know that, for instance, the microloan program is not an Innovation PEI program, but a Finance PEI program and the Startup Zone is a non-profit, which receives funding in support from the government, we need to be careful of ensuring that we have some kind of coordination of activities and supports. Money is not the only thing that entrepreneurs need.

Having to go through a competitive process with 100 applicants to get the funds is, in itself, a huge challenge. I commend Suzanne. I know how hard and stressful it is. We've had some good conversations about the challenges that come of the day-to-day of being an entrepreneur. While money is often not the challenge; it's managing time; it's understanding and achieving success within the new life that you've entered into.

As I have said before, minister, a coordination of supports that go beyond just the funds offered will be much more likely to ensure success. I look forward to seeing some solid numbers about, sort of, the ongoing success rate of long-term investments that are being made by this government into entrepreneurship on PEI.

Thank you, Mr. Speaker.

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

PEI Watershed Alliance

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

This past weekend, I attended the annual general meeting of the PEI Watershed Alliance to hear about the important work watershed groups are doing across Prince Edward Island.

I was really pleased to welcome a new group from the Belfast area into the Watershed Alliance. This means we now have 24 watershed groups operating across the province. This means 97% of the Island is now covered by a watershed group.

Some Hon. Members: Hear, hear!

Mr. R. Brown: Government appreciates the work that the watershed groups do in their communities. In recognition of this we have increased the Watershed Management Fund by \$75,000. It now stands at an all-time high of almost \$1.2 million.

Some Hon. Members: Hear, hear!

Mr. R. Brown: The Watershed Alliance has had a very productive year. I would like to mention the progress made by the government watershed hub committee, which has been set-up to improve communications between the government and the alliance.

The committee is also looking at standards for irrigation ponds; taxation on lands leased to watershed groups; and launching a pilot project on secondary road management. I believe all these initiatives; the work of the hub committee; our Climate Change Action Plan; the addition of the new watershed group; the increased funding for the watershed management, will help us achieve our shared goal of protecting and enhancing the Island natural resources.

In addition to the environmental benefits of the watersheds, they also contribute to our economic well-being. Last year, the watershed group directly employed 181 Islanders, mostly in rural PEI, with a payroll in excess of \$1.8 million.

With the Watershed Strategy, we are increasing the capacity of individuals; organizations; industries, to take responsibility for protecting and managing our watersheds using environmentally sustainable practices.

Community-based watershed planning is a successful collaborative approach to protecting our environment resources for the present and into the future. We all have a role to play in watershed protection.

Part of what makes the mighty Island is that, although Prince Edward Island is small, our smallness connects us all. We are able to work closely together and focus on accomplishing things that matter the most.

I want to express my appreciation to all the watershed members for their partnership with government. Our combined efforts will

help ensure Island waterways are conserved, protected, and enhanced into the future, and for future generations, Mr. Speaker.

Thank you very much.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Anytime you can get up and make a minister's statement and talk about the great work that watershed groups do, I'm going to support that.

I really want to thank the Minister of Communities, Land and Environment for the work he's doing with the watershed groups. I'd like to thank the former minister of communities, land and environment for the work that he did.

They do so much in our province. They're asked to do so much by this government. That's why I always ask for you to increase their funding. It's great that you've announced that same \$75,000 for the last three years but they could use more and they will use more.

The watershed groups are fantastic people because they're never going to complain about funding. They find a way to get things done with what they have. They make it work. But, please consider, given the importance of our watersheds and our water, giving more funding to the watershed groups. We know the accepted figure is a ten-to-one return on every dollar that's put in.

The other thing and I mention this every time we talk about watershed groups because it hasn't happened yet, the current Minister of Communities, Land and Environment was the minister of workforce and I asked him about it then, is in the spring those 181 people that they hire, it's great to see that Jobs for Youth and Canada's Summer Jobs and some of those other programs you're able to use to help hire those people, but they really want to hire them more in the March/April timeframe, not wait until the June/July timeframe, especially the Jobs for Youth. If you can please, just work on that, get together. You know what I'm talking about.

The Minister of Rural and Regional Development, I think he's the guy who's responsible for that now, working with the minister of workforce. If you guys can get together and somehow fix that. Unfortunately another year has passed and they're in the same boat, it's been three years we've been talking about this.

Once again, let's applaud the work of the watershed groups but let's take action to help them out with all the great work they do.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

Of course, I welcome this announcement from the minister. Who could be against water? Who could be against watersheds? All of us in this House and across the Island appreciate the water that we have, the work of the watershed groups and all of the watersheds that supply the water for all of the needs that we have here, the human needs and for all of the other species that we share this little sandbar with. We're acutely aware here of how precious our water is, because of the fact that we are a sandbar sitting in the middle of an ocean, really.

Water is fundamental to life, actually, to everything. Whether that's human life or any other form and it's also fundamental to the well-being of our economy here. There's so many of the industries here and it's not just agriculture, but so many industries here on Prince Edward Island rely on good water on a reliable supply of pristine water.

When government's talk about the priorities that they have, they can mention all kinds of priorities, but if you want to look for their priorities, you look where they spend their money. Unfortunately \$75,000 – and it's not as my hon. friend just suggested the first time that we've heard this number – that's not a large amount of money in a billions of dollars budget that we deal with over there. You may claim that watersheds are a priority, but really, if it were a priority I

think we'd see more money put towards these organizations.

I want to salute the 24 watershed groups for all the work that they do, the Watershed Alliance, just a fantastic organization, those who are employed and the huge number of volunteers that make them work. I applaud them. I thank the minister for this announcement, but if it were truly a priority, I hope next year we will see much more money.

Thank you, Mr. Speaker.

Ms. Biggar: (Indistinct) conservation –

Mr. LaVie: We'll give them more next year.

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Premier.

Premier MacLauchlan: By leave of the House, I beg leave to table Archeology in Action by the Aboriginal Affairs Secretariat of Prince Edward Island and I move, seconded by the Honourable Minister of Workforce and Advanced Learning, that the said document be received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Minister of Rural and Regional Development.

Mr. Murphy: Thank you, Mr. Speaker.

By leave of the House, I beg leave to table the document Program Performance Monitoring and Reporting Plan for the Rural Growth Initiative and I move, seconded by the Honourable Member from Montague-Kilmuir, that the said document be received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

Introduction of Government Bills

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: I beg leave to introduce a bill to be intituled, *An Act to Amend the Health Services Act* and I move, seconded by the Honourable Minister of Agriculture and Fisheries that the same be now received and read a first time.

Speaker: Shall it carry. Carried.

Clerk: *An Act to Amend the Health Services Act (No. 2)*, Bill No. 36, read a first time.

Speaker: Hon. Minister of Health and Wellness, could you give us a brief explanation as to what this bill is about?

Mr. Mitchell: Yes, Mr. Speaker.

These amendments, which are administrative in nature have been designed to increase accountability within our health system; create stronger linkages to the community, and clearly define roles and responsibility for both the ministry and the health authority, Mr. Speaker.

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 12th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 12, *An Act to Respond to the Legalization of Cannabis*, Bill No. 29, in committee.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: 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'll ask the hon. Member from Vernon River-Stratford to come and Chair this bill.

Chair (McIsaac): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Respond to the Legalization of Cannabis*.

We are now at section 7. I believe we had to read, we're going to read, then we're going to carry – we're going to go title by title unless it's needed.

Mr. MacDonald: Can I bring a stranger on the floor?

Chair: Yes. Can we bring a stranger on the floor?

Some Hon. Members: Yes.

Chair: Great, thank you.

Mr. Trivers: Chair, I have a question (Indistinct)

Chair: Pardon me?

Mr. Trivers: (Indistinct) bring back from yesterday (Indistinct)

Chair: Minister, do you have anything to bring back from yesterday?

Mr. MacDonald: Yeah. Just give us a second.

Chair: Give us a second. We'll get it there.

The hon. Minister of Finance, do you have that?

Mr. MacDonald: I'll read it to you, hon. member, is that okay?

Mr. Trivers: Is it possible to get actual copies?

An Hon. Member: Copies, please.

Mr. MacDonald: Not of this one, but we can get it separated out.

Chair: Do you want to hear it, or do you want get a copy to you, hon. Member from Rustico-Emerald?

Mr. Trivers: Thank you, Chair.

Just to be clear, this is the information or the interpretation of the federal act that

disallows distribution of cannabis in pharmacies, is that what you're reading?

Mr. MacDonald: Yeah. We had two items to take back. One from WCB and one from the pharmacists.

Mr. Trivers: Okay.

Mr. MacDonald: You want – you're asking –

Mr. Trivers: I'm most interested in the one from the pharmacists –

Mr. MacDonald: – okay –

Mr. Trivers: – but I'm also interested in the one from WCB. Copies of both of them would be great.

Chair: Do you wish to have it read, or do you wish to just get a copy of it? They don't have the copy here today, but they can get a copy. It's part of a bigger document, apparently.

The hon. Member from Rustico-Emerald.

Mr. Trivers: I'll leave it up to the minister what he'd like to do –

Mr. MacDonald: I can read it –

Mr. Trivers: – I'd like to understand the reasoning behind why you can't distribute cannabis in pharmacies, when you can distribute all kinds of other much harder drugs.

Chair: I'll ask the minister to read it. Then, if you still want a copy, we'll bring it back, okay?

Minister, can you read that –

Mr. MacDonald: Yeah –

Chair: – section?

Mr. MacDonald: This is under the *Controlled Substances and Drugs Act*, “No pharmacist shall sell or provide narcotics except in accordance with this section and sections 34 to 36 and 45.”

“A pharmacist may sell or provide a narcotic — other than fresh or dried marijuana or

cannabis oil received from a licensed producer or methadone — to a person”

This is medicinal marijuana: cannabis.

Mr. Trivers: (Indistinct)

Chair: Do you have any questions on that, the hon. Member from Rustico-Emerald?

Mr. Trivers: (Indistinct) can you repeat that last one? Did you say they may or they can't?

Mr. MacDonald: Yeah, I'm going to let (Indistinct) explain it to there, Brad, or minister (Indistinct) member.

Blair Barbour Manager: The reference is from the Narcotic Control Regulations under the *Controlled Substances and Drugs Act*. It was passed by the Parliament of Canada.

31 sub 1 says, “No pharmacist shall sell or provide narcotics except in accordance with this section and sections 34 to 36 and 45.”

Subsection 2 says, “A pharmacist may sell or provide a narcotic — other than fresh or dried marijuana or cannabis oil received from a licensed producer or methadone — to a person”

Essentially, this act, this regulation says a pharmacist cannot sell or provide a narcotic except in accordance with that section of the regulations.

Subsection 2 says: They can provide, sell or provide a narcotic other than marijuana.

Chair: I'm just going to pause for a second. I've got a stranger on the floor, and I never asked you to introduce yourself, Blair. If you would do that, please?

Blair Barbour Manager: Blair Barbour, Manager of Policy, Planning and FPT Relations for justice and public safety.

Chair: Thank you very much, for that.

Did you have a question on that hon. Member from Rustico-Emerald?

Mr. Trivers: I do.

Chair: Do you have one?

Mr. Trivers: Yeah.

Chair: Go ahead.

Mr. Trivers: Blair, why do you think they would have put that in there? If you think you can comment on that. I realize it's federal legislation. Is this really just a blatant oversight of the feds, or what's going on here?

Blair Barbour Manager: Actually, if I was to speculate, and that is what this is, there was, some years back cannabis wasn't a legal substance period. There is a constitutional challenge on the basis that people wanted to use it for medical purposes. I believe this section and others in the *Controlled Substances and Drugs Act* and in the regulations were written in such a way to provide controlled access to medical cannabis.

As I mentioned yesterday, the way that works currently is through a licenced — directly from a licenced producer.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thanks, Chair.

My understanding is, that the federal legislation is now before the senate. Do you expect the senate will recommend any changes, potentially, to the legislation you just talked about, as well, outside, in order to allow things like distribution for pharmacies?

It really seems absolutely ridiculous that it's not allowed with the legalization of cannabis.

Blair Barbour Manager: This piece of legislation, obviously, is what's in place for medical cannabis now.

In terms, of what is in front of the Senate, what they may recommend, I can't say for sure. I have read a statement from the Canadian Pharmacists Association advocating that they have more of a role in the dispensing medical cannabis only.

Mr. Trivers: Question for the minister: Do you agree that distribution for pharmacies would be a far better way to distribute

cannabis if, indeed, the federal legislation changed to support it?

Mr. MacDonald: The legislation that's before the Senate now is for medicinal, right? Which is a federal regulation and body, but as far as what we're doing here is recreational cannabis. Are you asking me if we want to advocate on behalf of pharmacies to sell recreational cannabis? I'm not sure what you're asking.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: I'm asking you if you think having pharmacists distribute all cannabis, whether it's recreational or medicinal through pharmacies, of which 48 exist on the Island – there's really low additional cost, I would imagine. Do you think that's a good way to go if you could? Is that something you'd consider?

Mr. MacDonald: Without being advised from the pharmacists themselves, I really – likely out of the realm of whether I think it's right or wrong or what it would do to them. I have no idea so that would be something I'd ask the Prince Edward Island Pharmacists Association.

Mr. Trivers: Let me ask this: Do you think that distributing cannabis, whether it be medicinal or recreational out of a pharmacy would be as secure as your new facilities that you're putting up, along with the supporting employees and bureaucracy?

Mr. MacDonald: Based on the regulations and what we have to do to build the retail outlets right now, there would have to be changes to a pharmacy.

Mr. Trivers: I don't understand that statement because pharmacies are already distributing drugs that are much more – are harder drugs like oxycodone for example. Can you outline what some of the changes might be that would limit them?

Mr. MacDonald: Well, when I say the security of the structure, under the federal regulations that we have to abide by to sell recreational cannabis, there's securities, there's securities through entrances, there's securities through packaging, there's all kinds of different securities than you would

have on the average pharmacy and I'm not going to sit here and say one's better and they're not selling oxycodone or they are selling and one drug is stronger than the other. That's not for me to say. My job here is to prepare Prince Edward Island based on the federal regulations for the sale of recreational cannabis.

Mr. Trivers: I believe the figure that you quoted, minister, was \$2.4 million – \$2.4 million taxpayer dollars it's going to take to set up the new distribution of cannabis on the Island. I would expect the one thing that – as a minister of finance – Islanders would like you to advocate for is to spend their taxpayer dollars wisely. If you could distribute through pharmacies at a lower cost, that could potentially save literally millions of dollars. I was wondering if you're prepared to look into that and advocate with the federal government for Islanders to reduce the cost of distribution of cannabis, potentially through pharmacies, which just seems to be looking us straight in the face as a great way to do it.

That's my question to him.

Mr. MacDonald: To my knowledge, I haven't personally, or my department, as far as I know, been lobbied by any pharmacies in Prince Edward Island to sell recreational cannabis. So this is totally new to me. I am aware of what's before the Senate on medicinal marijuana, but I guess if I'm approached by – and I've just recently met with the Prince Edward Island Association of Pharmacies – likely within the last six weeks. The topic of this conversation has not come up.

Mr. Trivers: I'm not asking you to advocate on behalf of pharmacies, I'm asking you to advocate on behalf of Islanders as the Minister of Finance to try and spend our taxpayer dollars wisely. In that vein, will you pursue it with the pharmacists, the pharmacy association, and most importantly, advocate for Islanders with the federal government to try and find a more efficient and less costly way of distributing cannabis on the Island.

Mr. MacDonald: I'll take that into consideration.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

The history of cannabis, of course, is very interesting and it's – for a long time it was demonized and the law that you just described – federal law regarding its limitations in terms of being bought and sold through pharmacies is one of the knock-ons from that. Obviously there's a lot of moving parts, legislatively, regarding cannabis at the moment, both at the federal level and the provincial level. Have you had any indication that that particular statute is under review because of all of the things that are happening legislatively at the moment – at a federal level, I'm talking about.

Blair Barbour Manager: Interesting question. I couldn't tell you that I have direct knowledge of that occurring. I would have to look at the complete package in Bill C-45 to see in C-46 – to see what changes they have in there. It's not one that I would have looked for in preparation for today.

Dr. Bevan-Baker: Let's assume that that is not changed and that that federal statute remains on the books; would it be possible provincially to develop a different set of standards and laws here, or would the federal law have precedence over anything that we would do here – if we decided, for example, that we did want to distribute and sell it through pharmacies.

Blair Barbour Manager: So long as the federal government uses its constitutional authority over criminal law to regulate cannabis, we certainly can't interfere with that ability to do so. Again, it would be speculation. I think I would need to look at the question more deeply to determine whether or not we would have the constitutional jurisdiction to make it more simple to have cannabis dispensed through pharmacies.

Dr. Bevan-Baker: As with the other drugs that we use that have efficacious aspects to them – oxycodone is one of them – it certainly has an addictive potential also – and cannabis is – at least portions of cannabis would fall under the same category, but CBD oil, for example, is not addictive, it's not hallucinogenic, there's no addictive potential there and yet it's treated

in the same way that THC elements of cannabis is.

For example, in a nursing home, if somebody is using CBD for rheumatism or any other ailment – more and more people are using cannabis medicinally like that – the nurses – there's a whole different set of rules around it. It's as if it's this substance that we can't touch and we can't use and it has all these special rules surrounding it. I hope that through this process that we come to some sort of recognition that cannabis is more than one thing. It's a whole bunch of things. And that we do end up with a situation where the therapeutic potential of so many of the aspects of cannabis is appreciated and regulated in a sensible way, rather than the manner that we have now.

I'm wondering – my question is – I'm not sure if Rustico-Emerald asked this or not. I don't think he did, but did you actually speak to pharmacists about the potential of them, or whether they were even interested in getting involved in this?

Blair Barbour Manager: To my knowledge, there wasn't any reach-out from the pharmacist community to the provincial cannabis committee or to a constituent part of the provincial cannabis committee. I'm not aware of the committee reaching out, either, to the pharmacist community.

Dr. Bevan-Baker: Those that do use marijuana for medical reasons, whether it's THC or CBD, were there any consultations with those medical users – with patients who are using cannabis products in the development of this legislation?

Blair Barbour Manager: I would have to check with my colleagues at health and wellness or the Chief Public Health Office to see if they would have done that. I can't answer your question today.

Dr. Bevan-Baker: My last question on this particular topic. Are you aware of any other provinces where this discussion around using pharmacists as potential sales points has been had?

Blair Barbour Manager: No, we've looked at the distribution systems of the various jurisdictions. Eastern Canada tends to go with the Crown corporation-type model, the

public model, and Western Canada, there's no specific initiative that I'm aware of where they're reaching out to pharmacists. It's more, generally, to private retailers.

Ms. Biggar: Okay. I appreciate that.

Thank you, Chair.

Chair: We'll go back to the bill now and we were starting section Part III - Prohibitions Respecting Cannabis.

We had introduced number 7, possession.

Question from the hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Chair.

The question actually ties in with question 7 and also question in 13(3) and (4). These questions, I'd say, are from concerns from the police departments and the RCMP.

Their question is basically: If a youth can have possession of cannabis up to five grams. So if at a school the youth is found with five grams, the police can seize it and that's the end of it. What happens with subsequent times, say next week, he has another five grams and the third week he has another five grams. There would be showing a pattern here that we could be in a case where a youth or a child is actually distributed. Will the regulations have a penal section in there or some way to deal with that?

Blair Barbour Manager: The five gram limit that you're referring to is actually in the federal legislation. So under the federal legislation you can have up to five grams. The Cannabis Control Act doesn't allow any possession use –

Mr. Fox: Period.

Blair Barbour Manager: – period. In the provisions we have towards the back end of the act there are provisions for ceasing of cannabis and confiscating it from youth. Also for diversion, if appropriate, and we'll get to that section. It nears the youth criminal justice – the *Youth Justice Act*, in terms of the ability for the officer to divert at the discretions of the officer.

Mr. Fox: So that provision, I understand that.

Blair Barbour Manager: That's correct.

Mr. Fox: Good enough on that one.

Chair: Shall we carry section 7?

Mr. Fox: Carry 7.

Chair: Carried.

Section 8 on storage.

The hon. Member from Borden-Kinkora.

Mr. Fox: The section 8 outlines requirements for (Indistinct) secure storage within a private dwelling, presumably storage regulations will be highlighted and outlined in regulation for authorized vendors.

So the question is: Will the regulation actually outline in detail the actual safe storage and what is required in a house? Prime example would be of course under the firearms act, ammunition has to be stored separate from actual fire arm. So will there be a similar type of provision in there to deal with how it's actually stored?

Chair: Blair.

Blair Barbour Manager: We certainly have the regulation-making authority to set the manner in which its stored to put a cap on the amount of cannabis that is stored. We are looking at what those might be. We're looking to other jurisdictions to see what those storage requirements could be.

Mr. Fox: Okay, thank you.

Chair: We have a question from the Leader of the Third Party on section 8.

Dr. Bevan-Baker: I'm looking at the wording here: that cannabis be stored in a secure place that's inaccessible to any person under 19.

I'm wondering how you envision that somebody could accomplish that?

Mr. Fox: Can I intervention that?

Chair: We'll let Blair try it first, okay?

Blair Barbour Manager: One could accomplish it by putting it in a locked room in a locked container. Those are two ways one could secure cannabis.

Chair: Would you like an intervention on that, Borden-Kinkora?

Mr. Fox: Ammunition and fire arms are identical to this, basically. We have fire arms and ammunition in my house. The keys for the cabinet cannot be accessible to a child under – who is not licensed or a person (Indistinct) going to have access to that. It's basically a cabinet with a lock on it and I have to make sure the keys are somewhere where they can't get at it.

I take it presumably you would deal the same with cannabis.

Chair: I think that's what Blair was suggesting.

Anything further on this.

Dr. Bevan-Baker: I'm just wondering if there's any other – I think you mentioned yesterday in our briefing, Blair, some specify a locked room as you just said, but you've decided not to be as prescriptive as that?

Blair Barbour Manager: Not here. Those are two possibilities. The reason why we worded this the way it is worded was to take some more time to look at the situation. If we didn't want to go in regulations to a locked box or a locked room, it could be more subjective. The way it is currently worded, if I am a 65-year-old at home living alone, obviously, I don't have to worry about that storage requirement. If I have a child who is a toddler, it might be sufficient to put the cannabis in a stored container that's securely out of reach of the child. If I have a 17-year-old teenager at home, the requirement might be different based on the wording we have in this section.

Dr. Bevan-Baker: I'm good, thank you, Chair.

Chair: Shall we carry section 8?

The hon. Member from Rustico-Emerald.

Mr. Trivers: I just wanted to table a document that I mentioned yesterday. It was provided to the Leader of the Opposition by a Dr. Colin MacMillan, and I believe it was compiled by Regis Duffy on December 9th, 2017. Of course, Regis Duffy, a doctorate, formally dean of science at UPEI and president and also the founder of Diagnostic Chemicals.

It contains a summary of a lot of issues surrounding marijuana and its uses from an article called World Psychiatry by Dr. Robin M. Murray et al. from 2016. It's the one I referred to yesterday.

It highlights one of the issues that the Leader of the Third Party brought up, as well. How there's many, many different types of cannabis and then, even within different types of cannabis the THC-CBD ratios really make a huge difference in how it impacts someone who uses it.

I thought it would be a really useful document for you to have. I'm not sure if the minister has seen it before, but I wanted to table that.

Chair: Shall it carry? Carried.

Shall we carry section 8? Carried.

Section 9 has to do with distribution and sale.

The hon. Member from Borden-Kinkora.

Mr. Fox: Section 9 outlines distribution provision strictly to authorize vendors and sets up exemption in 15 (c). Section 15 (3) outlines the exemption provisions that apply to those transporting on behalf of a licenced producer or authorized vendor.

The question would be: All those section 15 (3) is required to provide an exception, exemption. It does not make any reference to how the commodity would be secured in the vehicle. Nor, does it provide any guidelines with respect to secure storage within the transport facility if the commodity is held overnight.

Will the regulations have a provision that, if I'm the delivery guy; I go to the minister's house. I can't drop it off because he's not

there. I have to take it back to the secure facility at FedEx. Would there be a provision there, or something, a regulation to deal with that?

Chair: Blair.

Blair Barbour Manager: The storage at the facility where the person is transporting it, I believe it would be covered under the federal regime –

Mr. Fox: Okay.

Blair Barbour Manager: – in terms of security requirements at a licenced producer, for instance. I believe, also, an authorized vendor.

Mr. Fox: Okay.

Chair: Shall we carry section 9? Carried.

Mr. Fox: Carry section 9.

Number 10 has to do with purchase, shall we – the hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

“No person shall purchase or attempt to purchase ... other than an authorized vendor.”

Chair: Order!

Dr. Bevan-Baker: I’m wondering if somebody – I think the answer to this will be no – I just want to check. If somebody purchases cannabis from an authorized vendor, can they resell that cannabis?

Blair Barbour Manager: The short answer is no. They may gift the cannabis. They may share the cannabis, but they may not sell the cannabis.

Dr. Bevan-Baker: Okay, that’s very clear.

Thank you.

Chair: Any other questions on 10?

Shall we carry number 10? Carried.

Number 11 is a gift.

Any questions on section 11?

Mr. Fox: No.

Chair: Carry 11? Carried.

Number 12 definitions. Any questions on the –

Mr. Fox: Question.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Section 12 sets out the perimeters in respect to cultivation, which makes it permissible for an individual to cultivate upwards to four plants with provisions for inaccessibility to persons under 19 years, and subject to what requirements may be specified in the regulations.

Why not simply adopt a stance similar to that of Quebec and Manitoba, which prohibits individual cultivation?

Chair: Blair.

Blair Barbour Manager: We did look at this option. We looked at all jurisdictions and the approaches that were being taken. We also looked at the federal lead in terms of their jurisdiction in setting the four-plant limit and permitting cannabis.

We looked at it from a constitutional perspective. From our perspective to remove the ability to cultivate cannabis in provincial legislation would be interfering with the federal jurisdiction over the subject matter under the criminal (Indistinct)

Mr. Fox: Okay. You could carry, Chair, if you wanted section 12.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Just to check. If I remember right, going back to the definitions a dwelling also includes the land around a dwelling, is that correct, Blair?

Blair Barbour Manager: That is correct.

Dr. Bevan-Baker: I’m assuming that all of this cultivation in a greenhouse in your garden, there will be no problem with that?

Blair Barbour Manager: It is subject to any requirements that we would put in the regulations –

Dr. Bevan-Baker: Right.

Blair Barbour Manager: – so, for instance, some jurisdictions, New Brunswick comes to mind. If you cultivate outside you have to have a fence so high. You have to have a locked door. Some jurisdictions have said it shouldn't be visible from the street or an adjoining property.

Those are the sorts of restrictions, I think, we're seeing from other jurisdictions, in terms of how to meet the policy goal, the normalization of cannabis and also of protecting from youth access to cannabis.

Dr. Bevan-Baker: Okay.

You mentioned a couple of regulations that you foresee coming in section C and D here, Blair.

Blair Barbour Manager: Yes.

Dr. Bevan-Baker: Would regulations there surround the height of the – I know the number of plants is very strictly regulated, but how about the size of those plants?

Blair Barbour Manager: The federal government and its legislation originally had that in their bill. I think, what they heard through committee is that that's not really an effective way of controlling the amount of cannabis that can be produced.

I'm not an expert, obviously, in cannabis cultivation, but I understand that height can be – height is an arbitrary measure to control how much cannabis one can grow.

Dr. Bevan-Baker: In terms of other regulations associated with subsection C and D, can you give us a sense of what they may be or what you're planning there?

Blair Barbour Manager: Sure. We're looking at fire code, municipal bylaw requirements, building code requirements, those sorts of things.

For instance, if I want to cultivate cannabis in my home, and I want to set-up the power

in a particular room, I may need ventilation for instance to avoid mold. We're really looking at health and safety-related requirements. Again, being very cautious of not interfering with the federal policy and their legislation. We will be tying those requirements to very obvious heads of power for the province under section 92 the constitution (Indistinct)

Dr. Bevan-Baker: Thank you Blair.

Chair: Shall we carry section 12? Carried.

Section 13 consumption general. Carried?

No. The hon. Leader of the Third Party.

Dr. Bevan-Baker: Again, we talked a little bit during the briefing about this, Blair, about the exemption for medical users.

The age prohibition here of 19 years, would that apply to medical users, who are under 19 or is that a blanket exemption for them?

Blair Barbour Manager: No. I'll refer the member to section 2.1 (a) where it says, "This Act does not apply to ... an activity in respect of medical use cannabis;"

There are two sections in this act that do apply to medical use cannabis, but this is not one of them.

Dr. Bevan-Baker: This is not – okay, thank you.

Chair: Carry 13? Carried.

14 is consumption vehicle.

Any questions there? Carry 14? Carried.

Dr. Bevan-Baker: Sorry, Chair (Indistinct)

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: This is a very specific thing here, Blair.

People who don't like to smoke in their home, for a number of reasons might go out and smoke in their parked car. Would this prohibition also apply if the car is parked at the curb next to your house, for example, or in your driveway.

Blair Barbour Manager: You are not able to consume cannabis or medical use cannabis on a highway as defined in the *Highway Traffic Act*, I think my colleague will be here soon; will be able to speak to the definition of ‘highway.’ My understanding is, is that your driveway – smoking in your car, period, is not permitted.

Chair: An intervention from the hon. Minister of Justice and Public Safety.

Mr. J. Brown: (Indistinct) and the hon. Member from Borden-Kinkora might be looking to jump in on this one, too.

You cannot, if you are there, in your car, particularly with the keys in your hand or in your possession, you’re in care and control of that motor vehicle and you’re consuming a substance that you’re not allowed to consume while you’re there. You could be charged for impaired pursuant to Section 253 (a) of the Criminal Code for doing that.

There have been a number of different cases that have been fought in relation to that through our court system in Canada around the definition of care and control.

My advice to anybody that is listening would be: that’s not a wise idea, at all.

Dr. Bevan-Baker: Thank you (Indistinct)

Mr. Fox: I’d add very briefly (Indistinct)

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: If the keys are accessible to the individual sitting in the car, he has care and control and he can be charged under Section 253. The hon. member is right.

Chair: Okay, carry section –

Some Hon. Members: Oh! Oh!

Ms. Biggar: (Indistinct)

Chair: Carry section 14 –

An Hon. Member: (Indistinct) the fox. The fox.

Chair: Section 15 Cannabis in vehicle or boat.

Any questions here? Carry 15? Carried.

16, Application of *Smoke-free Places Act*.

Carry? Carried.

Section 17 –

Mr. Fox: (Indistinct) question –

Chair: – Provision to intoxicated, impaired person.

The hon. Member from Borden-Kinkora.

Mr. Fox: Chair, I’d like to submit an amendment to section 17(1) on behalf of the police departments. 17(1) strictly says: No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated, impaired by a drug or both.

It has been requested that this be amended to: No person – and I have copies –

No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated or impaired by alcohol or drug or both.

The police departments would like to have the word simply ‘alcohol’ submitted in there. I have copies for everyone and I have talked to the minister on this.

Mr. LaVie: So it’s no big deal.

Mr. Fox: It’s no big deal. We’re adding one word: alcohol.

Chair: So we’ll circulate the – you circulate the amendment?

Great.

Ms. Biggar: Better take it while you can.

Chair: Okay, everyone has a copy of the amendment. They can see what this is. We’re going to hear a comment from the minister on the amendment.

Checking with the highways department here.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: I'm just wondering – I always imagined intoxicated meant impaired by alcohol, so is it redundant? How can you be intoxicated and not be impaired by alcohol?

Mr. Fox: Lysol.

Dr. Bevan-Baker: That is alcohol.

Mr. Fox: It corresponds with other regulations (Indistinct) we mentioned alcohol and drugs.

Chair: Okay, folks, we're going to have a comment from the minister.

Mr. MacDonald: As far as we're concerned, based on the policy, Blair has indicated that it's not going to really change anything, so we're fine with it.

Chair: All those in favour of the amendment, signify by saying 'aye'.

Some Hon. Members: Aye!

Chair: Contrary minded, 'nay'.

The amendment is carried.

Anything else on 17?

Mr. Fox: No.

Chair: Shall it carry?

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

Mr. J. Brown: We have remove the comma out of there, I think, and I'm not sure whether that's significant here.

Chair: Can you speak into the mic, minister?

Mr. J. Brown: Yes. Sorry.

Mr. Fox: We already voted.

Mr. J. Brown: Just a stylistic thing. In the initial version: No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated comma impaired by a drug or both.

In this one: No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated or impaired by alcohol or a drug or both. And the 'or both' changes, I think, when you take the comma out and put in just the 'or'.

Mr. Fox: Okay.

Ms. Casey: Yes.

Mr. J. Brown: So I just wanted to make that point. I don't know what your intent is, but I just wanted to make that point.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: (Indistinct) simply make sure that the word alcohol is in there – specifically relates to that – also with a drug.

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

Mr. J. Brown: The 'or both' in the first version means intoxicated or impaired.

Mr. Fox: Right, but doesn't specify the alcohol (Indistinct)

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: But it doesn't specify the alcohol in there and that's what they're concerned about. So we could actually drop out the 'or both' if you think

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

Mr. J. Brown: And I guess that's my point in the end is that you get around to that. Anyway, I just wanted to make that point that the meaning gets changed: that 'or both' changes in your wording versus what's here already.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I will amend the motion to say: No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated or impaired by alcohol or a drug.

Chair: We already passed this. What do we do?

Can you repeat your amendment there to the passed amendment already?

Mr. Fox: So the amendment passed. I'm making an amendment to the amendment:

No person shall sell or otherwise provide cannabis to a person who appears to be intoxicated or impaired by alcohol or a drug.

Chair: You're making an amendment to the amended section.

Mr. Fox: Right.

Chair: All those in favour, signify by saying 'aye'.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: I'm not trying to be oppositional here, but it strikes me that the word 'intoxicated' would encompass those who are either affected by alcohol, or glue, or sniffing gasoline, or Lysol, or whatever it is. I'm quite sure why we're specifying alcohol here as a separate category. How does it not fit under intoxicated?

Mr. Fox: There is sections in the *Highway Traffic Act* that specifically relate and state: alcohol or drug. So this – basically they want to make sure this comes in line with provisions that are in place.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: No, I just don't understand why we have to – with the word – I understand alcohol and drug, but if we have the word 'intoxicated' in there, it strikes me that alcohol would be encompassed by that.

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

Mr. J. Brown: I'm not even prepared at this point in time to say exactly where, but typically in my experience, the term intoxicated would refer to a certain level of – a technical level of intoxication, whereas impaired would often be a lower threshold, but result more typically from a field sobriety test.

In other words, you could have two beer and seem to be groggy and be all over the place and if you were driving, you might be charged pursuant to section 253(a) of the Criminal Code, but you might not be over 80, or you might not be in violation of section 253(b). That's why you get charged pursuant to two different sections of the Criminal Code. We're talking about something totally – none of this is hinged on that technical definition from the Criminal Code, other than if there was a violation of this section, that case law might be relevant. So I guess this is why I was saying the comma was important too. Maybe I should apologize for taking us all down that road, but it is something that –

Mr. Myers: We're used to it.

Mr. J. Brown: – maybe we should be aware of.

Chair: Okay, folks, we have an amendment to the section that was amended. The amendment wants us to remove the words 'or both'.

All those in favour of the amendment to the amended section, signify by saying 'aye'.

Some Hon. Members: Aye!

Chair: Contrary minded, 'nay'.

Dr. Bevan-Baker: Nay!

Chair: Okay, it's passed.

Anything further on that section?

Section 18 is passed.

Some Hon. Members: Yes.

Chair: Section 19, Promotion.

Any questions on 19?

Mr. Fox: Carried.

Chair: Carry? Carried.

We'll just go back to legally clarify 17 as amended.

Shall it carry? Carried.

Okay, number 20, Prohibition.

Any questions?

Shall section 20 carry? Carried.

Inspection

Carried.

Section 22, Assistance from police officer.
Carried.

Section 23, Prohibition - hindering or obstructing. Carried.

Section 24, Assistance by other persons.
Carried.

Section 25, Responsibility of occupant, etc.
Carried.

Section 26, Onus on person claiming exemption.

Shall it carry? Carried.

Section 27 –

Ms. Biggar: Carry the bill.

Chair: Shall the bill carry?

Some Hon. Members: Carried.

Mr. Fox: Carry the bill.

Some Hon. Members: No.

Mr. MacEwen: Chair?

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: I sense a lot of anxiety here.

I know a number of hon. members have questioned prepared on specific sections.

Chair: Yeah.

Mr. MacEwen: Would you be willing to entertain hon. members asking, you know –

Chair: Are we in agreement to do that –

Some Hon. Members: Yes.

Chair: – if we go in order?

Mr. MacEwen: Is that okay, for everybody though?

An Hon. Member: Yeah.

Chair: Everybody? Okay, we'll do that.

Mr. MacEwen: Thank you.

Chair: I'll call out then each section as we go through it and if you have a question, otherwise we'll just carry, okay?

Section 27, questions there?

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Sub (9): Presumption respecting sale.

How could the vendor prove that they did not supply cannabis to a person?

Chair: Blair?

Blair Barbour Manager: Just one second, please, Chair.

Chair: Okay.

Mr. J. Brown: Chair, could the question be repeated, please?

Dr. Bevan-Baker: Sure.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

This is in section 27, sub (9): Presumption respecting sale.

My question is: How could the vendor prove they did not provide cannabis to a person?

Chair: Blair.

Blair Barbour Manager: I'm not as familiar with the security set-up in this store. But, for instance, an authorized vendor may have a video camera; may have video evidence that the person did not get the cannabis from the authorized vendor.

Mr. MacDonald: There are videos in the stores.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: That was going to be my question. Will that be –

Chair: Further questions?

Shall section 27 carry? Carried.

Section 28 Application to court.

Questions? Shall it carry? Carried.

Section 29 Immediate forfeiture – persons under 19 years of age.

Any questions there?

Shall it carry? Carried. Good.

Section 30 Warning or caution.

Questions? Shall it carry? Carried.

Section 31 Diversion – persons under 19 years of age or Diversion on stay of proceedings.

Shall it carry? Carried.

Section 32 Penalty on conviction.

Questions there? Shall it carry? Carried.

Section 33 Defence, where reasonable steps taken.

Questions? Shall it carry? Carried.

Section 34 Approved program for person under 19 years of age. Shall it carry? Carried.

Section 35 Limitation of liability. Shall it carry? Carried.

Section 36 Regulations. Shall it carry? Carried.

Section 37 Coming into force. Condition. Carried.

Chair: That's it? What else are we –

Blair Barbour Manager: We're onto schedule 2, now.

Chair: Schedule 2. Okay, we're moving to Schedule 2 on page 21.

Ms. Biggar: Carried.

Chair: Questions on – the hon. Member from Charlottetown-Parkdale, on definitions.

Ms. Bell: Sorry, no. Wrong section.

Chair: Okay, shall section 1 carry? Carried.

Section 2 Purposes. Shall it carry? Carried.

Section 3 Corporation established – the hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Chair.

You're talking about the directors being appointed. What is the process of those directors are going to be identified for appointment?

Mr. MacDonald: Basically, right now, what we're utilizing the PEI LCC board of directors. As we move forward if we feel we need a specialized individual or individuals in regards to this file then we will seek out those individuals, and likely utilize, or we will utilize Engage PEI. That's kind of where it's at, now.

Ms. Bell: That future potential for Engage PEI is after you've got your initial set-up and expanding looking for a specific skill sets?

Mr. MacDonald: Yeah.

Ms. Bell: What is the, I was just looking to see if it's somewhere else later on, but what's the future scope of the size of the board of directors? Because you're starting with just three?

Mr. MacDonald: Yes. I think it was six?

Blair Barbour Manager: (Indistinct)

Mr. MacDonald: Five? Five.

Ms. Bell: Oh, I think I might have found it. Five. It's all the way down in –

Chair: Further questions?

Ms. Biggar: Carried.

Ms. Bell: Not on that section.

Thank you, Chair.

Chair: Shall it carry? Okay.

Section 4 Head Office and Agent of Crown.

Dr. Bevan-Baker: Chair.

Chair: Who said that?

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

We're talking here about the municipal of the City of Charlottetown. As we all know the – all of the new legal frameworks surrounding cannabis is, it happens at all three levels of government and there are some specific federal jurisdiction; some specific provincial and overlap in some.

What is the level conversation that you've had with, here at the municipal level, we're talking about the City of Charlottetown. What their responsibilities will be and what kind of conversations have you had with them?

Mr. MacDonald: Can we take another person on the floor?

Chair: Can we take another stranger on the floor?

Some Hon. Members: Agreed.

Chair: Thank you.

Mr. Myers: We have 600 immigrants in one motel. We can do a stranger (Indistinct)

Some Hon. Members: [Laughter]

Ms. Compton: Especially when it's this one.

Mr. J. Brown: Goes to show anything's possible.

Chair: Can you introduce yourself and your title, please?

Jamie MacLeod Director: Jamie MacLeod, Director of Corporate Services, the PEI Liquor Control Commission.

Chair: Okay, if you wish to ask that question again, the hon. Leader of the Third Party?

Dr. Bevan-Baker: Perhaps, you would have heard, Jamie that I was talking about the levels of government and the jurisdiction of which they all control. I know there is some shared.

I was wondering what level of conversation the provincial government has had with the City of Charlottetown, for example as a municipal provider, who is going to have these sales, distribution centres within their jurisdiction.

Jamie MacLeod Director: The conversations that the commission would have had with the city, would have been, at this point in time, strictly around the approved location of the pending retail store.

Obviously, as we move, forward there will discussions with the police department. I personally have had some informal conversation in that regard regarding the security of the premises and some other related matters. They certainly will unfold as the retail store is developed, absolutely.

Dr. Bevan-Baker: I know that the province has dictated the number of distributions centres that will be on the Island here.

The location of those centres, is that – does that fall under municipal control, or does the province have some influence in the discussion around that? How close they are to schools, for example, things like that?

Jamie MacLeod Director: Before the province issued the request for proposals, we had identified proposed locations. We then consulted with the four locations where we had proposed that these stores go for municipal feedback if they had any issues or concerns. None were received. On that basis we went forward with the issuing of the RFPs.

Dr. Bevan-Baker: Thank you, Chair.

Chair: Shall it carry? Carried.

Section 5 Exclusive rights, Exceptions, Sale of accessories.

Shall it carry? Carried.

The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Chair.

Minister, there had been a previous press release that said that you had made agreements with three licenced producers at this time.

What's the total volume that you've got an agreement for?

Mr. MacDonald: Three hundred what? Go ahead, you can answer that.

Chair: Jamie.

Jamie MacLeod Director: We have not finalized any agreements because of the memorandums of understanding which is negotiations in good faith. We have not determined it or finalized it yet, as to exactly how many products we're going to be carrying at each store. We have a reasonable idea, if I may say. We're probably looking in total about 300.

That'll be obviously closely monitored as the stores open. The future what we carry may change (Indistinct) but starting off it's approximately 300.

Ms. Bell: It's 300 products?

Jamie MacLeod Director: Yeah, different strains –

Ms. Bell: Right.

Jamie MacLeod Director: – and variations, yes.

Chair: Shall it carry?

Ms. Bell: No, I've got another question, Chair. Sorry.

Chair: You have another question? The hon. Member from Charlottetown-Parkdale, sorry.

Ms. Bell: Thank you, Chair.

You also have got a mention in here regarding accessories, which is something that is currently part of the private market sale.

Has there been any consideration in terms of how to ensure that doesn't create unfair competition?

Jamie MacLeod Director: Absolutely, we intend to have very limited, in terms, of additional non-cannabis product in our stores. It'll simply be a very select, limited supply of these additional products for customer convenience, if you will, but in no way do we intend to compete with the private market in that regard.

Ms. Bell: Okay.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Looking ahead, and I know this isn't part of this round of legislation, but the consumables, edibles. Are you imagining when that brand comes through that you will use the same facilities to distribute and sell those products?

Jamie MacLeod Director: I believe, at this point in time, yes. Obviously, we will have to defer to the federal government because what we will be allowed to sell will be predicated by what federal legislation allows.

If there are changes in that, we would have to look if we're allowed to sell additional product lines and make the necessary retail adjustments because our intention will be to operate this in the same business model that we use for the liquor control commission where we have products listed, delist, et cetera, to bring the best bottom line to the corporation.

Dr. Bevan-Baker: Thank you, Chair.

Chair: Shall it carry? Carried.?

Section 6. Objects of Corporation

Functions of Corporation

Shall it carry?

The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Chair.

A quick question on this one regarding facilitation and promotion that reads as education or marketing or something similar; is there going to be a budget for that corporation to do that activity or is that going to be done in partnership with other departments?

Mr. MacDonald: Right now, we released an RFP yesterday on –

Ms. Bell: That's the RFP?

Mr. MacDonald: Yeah, so with other departments as well.

Ms. Bell: Thank you.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: We have the product – the oil or the weed or whatever, the cannabis product, but there's all kinds of paraphernalia surrounding the use and consumption of cannabis.

Will government be prohibiting sale of that paraphernalia to just these outlets? Or will that be available in other stores?

Blair Barbour Manager: The provincial legislation doesn't prohibit the sale of the paraphernalia.

Dr. Bevan-Baker: Okay.

Thank you for that.

Chair: Shall it carry? Carried.

Section 7

Powers

Subsidiaries

Staff

Limitations, acquisition of real property

Terms, conditions

Shall it carry? Carried.

Section 8

Duties of Board

Delegation

Further delegation

Composition

Terms of office

Maximum consecutive service

Holdover

Chair

Vice-chair

Acting chair

Quorum

Remuneration

Publication

Bylaws

Financial bylaws

Effective date of bylaws

(Indistinct) publication (Indistinct) ending at Section 9.

Shall it carry?

The hon. Leader of the Third Party

Dr. Bevan-Baker: Thank you.

I'm wondering about the very first subsection here, the board will consist of five members appointed by Lieutenant Governor in Council. How will cabinet choose those board members?

Mr. MacDonald: Through Engage PEI, we are initial and I believe, if the situation

transpires, that we require additional expertise in a new field that we're entering this, then we will wait, the Engage PEI resumes towards that, results of the (Indistinct)

Chair: Any other questions on 8?

Shall it carry? Carried.

Section 9

Shall it carry? Carried.

Section 10

Bylaws as such.

Any questions on that section?

Shall it carry? Carried.

Section 11

Chief executive officer. Carried.

Section 12

Agreements. Shall it carry? Carried.

Thank you.

Section 13

Immunity of employees and others.

Shall it carry? Carried.

Section 14

Government property.

Shall it carry? Carried.

Section 15

Audit

Shall it carry? Carried.

Section 16

Payment of expenses in administration –

Dr. Bevan-Baker: Question on 15.

Chair: On 15? Okay, sorry.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks.

It's about the annual report. There's no timeline specified for the submission of that annual report. Could you let us know?

An Hon. Member: (Indistinct) report annually –

Chair: Minister? Blair? Jamie?

Mr. MacDonald: I think we moved them ahead – I think it was August of each year there's an annual report for all corporations of government, Crown corps.

Dr. Bevan-Baker: I'm aware of the requirement. But it's not always met, though. We sometimes go many years without a report. It will be in August you're saying?

Mr. MacDonald: What was that?

Jamie MacLeod Director: I would envision that it would be tabled at the same time as the liquor control commission annual report is tabled.

Dr. Bevan-Baker: Okay.

Mr. MacDonald: Which is annually.

Chair: Shall it carry? Carried.

Section 16

Payment of expenses in administration of Act.

Shall it carry? Carried.

Section 17

Net profits.

The hon. Member from Rustico-Emerald.

Mr. Trivers: In section 17, it talks about net profits being paid into the operating fund from time to time to the appropriate public service of the province, and appropriated to, pardon me.

I was wondering if you have revenue projections that you could table going out,

you know, maybe for the first year, maybe first three years, first five years. I'd be interested to know what you're thinking the revenue will be.

Chair: Jamie.

Jamie MacLeod Director: I would suggest this time it would not be particularly wise to provide publicly any of the financial projections because they involve the cost of the product which is still being negotiated, and obviously we have not finalized in our negotiations the selling price. To disclose them at that time could cause us and the vendors, legalized vendors that we're dealing with, a level of severe uncomfort, if you (Indistinct)

Mr. Trivers: Thanks

It's unfortunate but I guess that's a valid reason.

I was wondering why the Crown corporation is really allowed to retain profits for indefinite periods of time. There's no specific schedule there. It's just: You can keep it until you decide you want to pay it out. Why would you need that in there?

Jamie MacLeod Director: We don't retain at the end of each year. Any profits from the liquor control commission we return to government. With this particular corporation, it would be the same (Indistinct) understand your question.

Mr. Trivers: I'm having a little hard time hearing.

Was it every year you plan to pay profits back to the government, is that what you said?

Jamie MacLeod Director: That is correct.

You'd be operating the exact same way as the liquor control commission.

Mr. Trivers: And so, why would have this verbiage of 'time to time' in the legislation?

Mr. MacDonald: As far as I know, the 43 million that came back to the government this year from the PEILCC, I would see no difference in this.

Mr. Trivers: Okay.

Chair: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you.

Minister, given that we've had some conversations before about Crown corporations and the limited amount of information that is available in the Legislature, is there intent for there to be more extensive information in terms of the activities that the corporation made available to the Legislature when it comes time to review?

Mr. MacDonald: I think through the open data, there may be strong possibilities that some of the information may be available.

We have done a scan across the country and it's the same, basically, everywhere as it is on Prince Edward Island right now. But, that's notwithstanding the fact that the open data may be an opportunity to do that. But the audited financial statements of the Crowns are published each and every year.

Ms. Bell: Thank you, Chair.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: I just want to follow up on something the minister said.

When you were saying that we're similar to the rest of the country here, were you referring to the amount of information that the Crown corporations make public?

Unidentified Voice: (Indistinct)

Dr. Bevan-Baker: Really?

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Chair, the rest of the clauses in this schedule 2, our caucus doesn't have any more questions on that schedule. They were answered during the briefing. Just so it –

Chair: Do you have any questions on the (Indistinct)

Mr. MacEwen: If you guys wanted to go straight – or any government members want to go straight through your sections, you're more than welcome to.

Chair: Shall we carry 17? Carried.

18. Carried.

19. Carried.

20. Carried.

21. Carried.

22.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: So this is the dissolution of 102173 PEI Inc. and I'm wondering what is that company that's being dissolved and why?

Mr. MacDonald: It's basically because we had to put this legislation together.

At the time we didn't have the – the company wasn't necessarily – we had to set up a company for this legislation. Right, Jamie?

Jamie MacLeod Director: Correct.

At the time, under the *Liquor Control Act* – the liquor control commission was not allowed legally to be involved with cannabis whatsoever. So in other words, as a result, in order to begin the file, government had to create some type of structure. In this case, the numbered company, and the numbered company was represented by two deputy ministers along with the chief executive officer of the PEI Liquor Control Commission.

So when the act is passed, this company will be dissolved and the management corporation will then takeover.

Dr. Bevan-Baker: I'm wondering what the activities of that company were for the time when it was incorporated.

Jamie MacLeod Director: The very things that we initiated negotiations with some of the licensed producers; memorandums of understanding because it's just good faith

documents because at that time, the information that we received, and the other provinces across the country, was that the amount of product that was going to be available, there was going to be a shortage and that was a real concern to get some type of activity under way to ensure that we had product available when it actually became legalized in the province.

That was a big part of the work. Also some of the leg work relative to the actual, ultimate (Indistinct) request for proposals for the four proposals in the retail operations that will be going forward. That was a big part of the work.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: So that corporation would have overseen the licensing for the one Prince Edward Island-based company that was –

Jamie MacLeod Director: No.

Dr. Bevan-Baker: It would not?

Jamie MacLeod Director: No. That's the federal government.

Dr. Bevan-Baker: Federal. So, again, can you tell me what the – you're saying it's what we're talking about here. I can't imagine there was a prohibition on just discussing the legal ramifications and all of the development of this legislation. What were you doing that was problematic because it was related to cannabis?

Jamie MacLeod Director: It was the structure. In order to – (Indistinct) said before, the liquor control commission was not legally allowed to be involved in any way with cannabis.

Dr. Bevan-Baker: Sorry?

Jamie MacLeod Director: We weren't allowed to be involved with cannabis, so government had to create a Crown corporation or some structure to allow the province to begin moving forward on the cannabis file and it was determined that the numbered company would be structured and with that numbered company then we gain the number of sub-files, if you will, towards eventually implementation of a retail model

for PEI, so that included, say: dealing with potential suppliers, signing the memorandums of agreement, discussions with other provinces in general on the entire file, the design of the proposed store's consultations with the municipalities for the issuing of the RFP, the rewarding of the RFP, and of recent RFPs being issued for the renovations of the properties that are being leased.

Dr. Bevan-Baker: Okay.

Chair: Shall it carry? Carried.

Section 23, Contact agreement and arrangement.

Shall it carry. Carried.

Section 24, Bylaws revoked

Shall it carry? Carried.

25. Books, records, etc.

Shall it carry? Carried.

26. Transfer investing of property

Shall it carry? Carried.

27. Legal proceedings

Shall it carry? Carried.

28. Protection from liability

Shall it carry? Carried.

29. Indemnity

Shall it carry? Carried.

30. Transmission of title to personal property

Shall it carry? Carried.

31. Financial Administration Act

Shall it carry? Carried.

32. Liquor Control Act.

Shall it carry? Carried.

33. Commencement

Shall it carry? Carried.

We move to schedule 3 on page 35. *An Act to Amend the Highway Traffic Act (No. 2)*.

Can we bring on another stranger please?
Granted.

Mr. Myers: Straight from the Sherwood Motel.

Graham Miner Director: Thank you.
Thank you, honourable member.

Ms. Compton: It's never going away. Get used to it. Never.

Chair: Do you have any questions on this section, hon. member?

Mr. MacEwen: We're okay just to bring up the section and ask it, rather than go through (Indistinct)

Chair: I just don't want to go back and forth, and back and forth, that's all.

Mr. MacEwen: Okay. (Indistinct)

Chair: It's easier to get it finished if you don't mind.

Okay. Can you identify yourself and your title, please?

Graham Miner Director: Graham Miner, Director of Highway Safety.

Chair: Great. Thank you.

Section 1, shall it carry? Carried.

Section 2?

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

It's to do with the blood drug concentration and with alcohol, of course, there are very clear and strict rules about what the blood alcohol level will be and when the blood alcohol level is there, you are, indeed, impaired. When it comes to THC, the – let me finish that first. In a few hours after you have drunk alcohol, the next morning, you can drive and you're fine. When it comes to

THC, you're impaired for a certain amount of time, but unlike alcohol, it does not flush out of your system as quickly as that. THC can be present in your blood weeks afterwards and you can show absolutely no signs of impairment whatsoever. To what degree of usefulness is it to measure the blood concentration of THC as it relates to impairment?

Chair: Graham?

Graham Miner Director: For the section, and it's difficult to tell unless you're looking at the *Highway Traffic Act*, but what this section is doing it's basically dealing with an individual who's been convicted of impaired driving under section 253, sub three (a) of the Criminal Code. What it is doing, it's adding that new section to section 255 of the *Highway Traffic Act* that deals with the impoundment of motor vehicles. It created a new section under the Criminal Code where you're being charged and convicted.

What we had to do is take that portion and move it down to the *Highway Traffic Act* where all the other convictions are for impaired driving and add this one in. That's been added to the section that deals with the impoundment of motor vehicles. There's a section that deals with the impoundment of motor vehicles from 30 days up to six months and depending on the seriousness of the conviction under the Criminal Code, which is the purpose of this one, it's to fit in and identify the timeline for the impoundment. I know that doesn't directly answer your question, but that is based on being convicted under the Criminal Code for impaired driving because of the combination of drugs and alcohol.

Dr. Bevan-Baker: I appreciate your answer, Graham. Maybe you could, just for the record, explain how, given the limitations of usefulness of the blood level of THC, a field sobriety test and where that comes in and what the process will be for officers who do suspect an impairment related to cannabis.

Graham Miner Director: To the point of the criminal offence, what could occur is an officer has stopped a vehicle believing that that driver is impaired and believing that they may be impaired by drug or alcohol, maybe a combination of both, and the

process will start with a number of tests. It could start with the standard field sobriety test where a person fails that test, they may also give the person an alert because they notice the presence of alcohol. It could be that it's a low level of alcohol, but there's an impairment that's occurring maybe because of combination with a drug – the person is falling down, they're not passing the test and then they'd move them to the next level of going to a drug recognition expert. If they're failing at that level, there's a possibility they may be asking for a blood draw to get a sample to check for impairment.

In the Criminal Code, it has always been an offence to drive impaired. In fact, by drug, as far as back as maybe 1910 or 1911 and it's always been part of process that when a person is charged for impaired driving under the Criminal Code, they're generally charged with two things. One is they'll be charged with driving while impaired and they may be charged with exceeding point zero eight, or refusal of a breathalyzer.

So what can occur in court is, if the person is convicted of exceeding point zero eight or refusal, the other charge is then dropped. Or they may be charged for impaired driving, which could be all drug, it could be a combination of other things, and then the other charge is dropped because they run consecutively. I hope I'm answering your question.

Dr. Bevan-Baker: Yes.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: This is all very new and hasn't even happened in Canada yet, but there are some other jurisdictions where they have a lot of experience with cannabis being a legal product.

Can you tell us what sobriety tests or what tests are used in terms of their highway traffic safety acts, whatever they may be, that have proven to be effective and create safe highways.

Graham Miner Director: Okay. Within the Canadian –

Dr. Bevan-Baker: No, other jurisdictions in Europe, for example, or in some of the states.

Graham Miner Director: Oh, okay. In Europe, where they've had experience in this, they've been using Standard Field Sobriety Tests and they've been using screening devices, for example, if you're talking about cannabis, that measures the nanogram levels within your saliva, whether it be two nanograms, five nanograms, eight nanograms; depending on what those levels becomes the severity of the charge that may be laid.

The current Criminal Code that's going in place is looking at what those possible nanogram levels may be. It's a similar approach that's being used in Australia and for that, they're using like saliva tests to start with to see, maybe, that you're tested roadside with improved screening device, you're looking at five nanograms, which would be a fairly high level. Then, they'll move you to another level to see what the legal impairment might be. It seems, in Canada, this is where the future will be, to move in those directions.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

In this section it talks about blood drug concentration and you're talking about saliva drug concentration. Does it clear out of the saliva more quickly than the blood, or is there a reason why saliva is more useful test?

Graham Miner Director: That's for roadside because it's an easy way to do it. There is a swab that's done. It's put in a device. You just break a chemical over it and then a strip will turn a certain colour. You'll look at and say, oh, that's an opioid; that's a cannabis; maybe that's meth. That's a type of device.

Going back to the section 2, this is dealing with a conviction offence under the Criminal Code, which is matching into the *Highway Traffic Act* for the impoundment of the motor vehicle, is why this is sitting here.

Dr. Bevan-Baker: Sure.

Graham Miner Director: The process that leads you there.

Dr. Bevan-Baker: I'm aware that we're sort of jumping ahead here, but I mean it's all part of the same process.

You mentioned, Graham, there would be a road sobriety test carried out by a police officer, and then, it could go up to a higher level of somebody who has a higher level of —

Graham Miner Director: Training.

Dr. Bevan-Baker: — training or — is any police officer able and qualified to do that road sobriety test?

Graham Miner Director: My understanding is, and it's been a while since I have been there, but the training for any police officer, who goes through an academy deals with sobriety training. Then, there is the training for Standard Field Sobriety Tests, that quite a few officers in Prince Edward Island have received over the years.

For example, a few of the highway safety officers have taken a Standard Field Sobriety Test. As recently as a month or so ago, there was training, again, for a large number of officers with different police forces across PEI. I was aware of that because they had given notice to our division if we wanted to send officers to that training.

Standard Field Sobriety Tests generally will be able to be done by most officers roadside, but then if we're moving to the next level of where we're going into a criminal offence and not just the *Highway Traffic Act*, then you're going to the drug recognition experts, which, I believe, there 10 to 12.

Mr. MacDonald: Ten right now —

Blair Barbour Manager: Ten right now —

Graham Miner Director: Ten —

Mr. MacDonald: — 15 (Indistinct)

Graham Miner Director: — right now that are qualified in the province.

Dr. Bevan-Baker: We talked a little earlier about the limitations of the blood level being a useful measure of impairment. Is that true,

also, for the saliva test when it comes to THC levels?

Can you – could you, for example, a medical user of marijuana, who would, always have a high level of THC in their bloodstream despite the fact that they may be not impaired at all.

Graham Miner Director: Yeah.

Dr. Bevan-Baker: I know there's an exemption for medical users, I'm just using that as an example.

Is there the same problem with the length of time that the THC stays in your bloodstream, or saliva, and the usefulness, in terms, of an impairment?

Graham Miner Director: Not speaking to – my understanding would be is that the Standard Field Sobriety Test and the use of an approved screening device. They will both be used together. They won't live in isolation of the other. You won't necessarily have a screening device that says there is a presence of something, unless you have also done a Standard Field Sobriety Test to show that there's a level of impairment.

This is why, when we come later into this, when we talk about graduated drivers, those under the age of 22 where there is zero tolerance, the exemption for the medical part needs to kick in because there may be presence, but there is no impairment.

For graduated drivers, just like there is for alcohol, right now, there is zero tolerance for alcohol. There will be zero tolerance for cannabis.

Dr. Bevan-Baker: In other jurisdictions where cannabis has become legal, are there any studies regarding the level of impairment or the propensity for impairment before legalization and afterwards?

Graham Miner Director: I followed this quite closely with the legalization in Colorado and also in Washington. I sit on the board of directors of the American association, similar to what we do, and have been doing best practices, lessons learned from them as what occurred when they legalized, and the types of things they were starting to face with levels of impairment

and impairment in drivers and how they were doing their testing.

Of course, based on product and the strength of product, the age of users and so on, the situation is a little bit different in the US and how their laws are set-up in the drawing of blood and warrants and things like that.

We have learned some lessons there, but some of, I think, the best practices are coming out of Europe and Australia in a good understanding of the levels of impairment. Again, that becomes the importance of the Standard Field Sobriety Test because if you're passing those tests, but you're meeting certain marks, then you have to decide where you move to the next level.

There seems to be consensus once you get up to five, eight nanograms that you're in severe levels of impairment.

Dr. Bevan-Baker: The Attorney General brought this up yesterday, actually, that we would be kidding ourselves if we didn't imagine there are people not driving around impaired by cannabis right now.

I'm wondering if we have – if we keep stats on that so that we do have a baseline from which to measure whether there is an increase or decrease or whatever in the future.

Graham Miner Director: We've had a sense of it because legislation was amended in 2012-2013 to deal with drugs under the *Highway Traffic Act* where we had looked Standard Field Sobriety Tests. We have been ahead of this curve for a number of years. Some of the other provinces are looking at us because we had advanced that legislation earlier.

What we have been seeing or, I guess, very quickly what was interesting, when the legislation came out for the first time, there is an interesting story. It goes very quickly with this. Police had been called out on a certain driver a number of times because of – they had been dispatched for what they believed to be an impaired driver. When they intercepted that driver, each time, they somehow believed they were dealing with a skill level of driving and that they weren't properly skilled and they had failed a

number of road tests and so on. They dealt with it that way.

When the legislation had become law in February of 2012, 2013, oddly enough, the first person charged under that section was that driver, when they were dispatched out on another call. On that time, when they did the test, the person had failed the Standard Field Sobriety Test, which was now under the *Highway Traffic Act*. And, it was dealt with by a drug recognition expert from Charlottetown PD. He was convicted of impaired driving. The issue of impairment was his – the person's abuse of another family member's prescription drugs, was what that was. That was, I believe, it was 2012.

We had been looking at that in our short-term suspensions and our impairment numbers. Even though our impairment numbers are going down, down significantly, we did see, I think last year, there were 27 convictions for drug-impaired driving last year.

As a quick example, in 1980 there were 1,570 people convicted of impaired driving on PEI. Last year, there were 229. We have 30,000 more drivers.

Everything is going down. Collisions are going down. Collisions with injuries are going down. Fatalities are going down in these areas. Then, we're moving into the new realm of cannabis and legalization to say, are we going to start going to other – what will happen. We're wondering because the numbers are significant especially in terms of fatalities.

In the 1980s the average fatalities for the decade of the 1980s was to say, 28 a year. For this decade we're around 11.5, as an example, but 30,000 more drivers.

It's the same thing with injury collisions. We were at over 4,000 a year in the 1980s and now we're down around, if you don't mind –

Ms. Biggar: He's got the stats (Indistinct)

Graham Miner Director: Sorry. Just as an example, collisions, 1980, there were 2,849. Last year, there were 1,490. In 1980

collisions with injuries, serious injuries, 708, last year, 385.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Those are very impressive stats. I'm very grateful for whatever it has taken to get us to that point.

Mr. MacDonald: Highways.

Ms. Biggar: Roundabouts.

Dr. Bevan-Baker: Yeah, right –

An Hon. Member: (Indistinct)

Chair: The hour has been called.

Mr. Myers: (Indistinct)

Mr. MacDonald: I couldn't resist.

Chair: Oh, it's tough.

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

Chair: Shall it carry? Carried.

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

Speaker: Shall it carry? Carried.

The hon. Member from Vernon River-Stratford.

Mr. McIsaac: I move, seconded by the hon. Member from Montague-Kilmuir, that this House adjourn until tomorrow, Thursday, May 17th, at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until tomorrow, Thursday, at 2:00 p.m.