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LEGISLATIVE ASSEMBLY  
OF  
PRINCE EDWARD ISLAND

RESPONSES TO QUESTIONS AND ORAL QUESTION PERIOD  
(PRELIMINARY PROCEEDINGS)

FOR

FRIDAY, 25 MAY 2018



Responses to Questions Taken As Notice

Questions by Members

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

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

As work continues on the renovations to the Three Oaks high school in Summerside, so do the concerns about the health and safety impacts the project is having on students and staff.

**Health symptoms related to project at TOSH**

Question to the education minister: How many students thus far have reported health symptoms related to this ongoing project?

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

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

Yes, this is a project that has been ongoing. Actually, the students at Three Oaks, I believe this is their last full week of school so I'm sure they're looking forward to their summertime. They've worked extra hard over the year to make up that time in each of the days between September and now.

We have been working diligently, together with the Department of Transportation, Infrastructure and Energy to ensure that the students that are there see the least disruption in their day-to-day program as possible.

The principal, Jeff Clow meets with the construction crew everyday to ensure that things run as smoothly as they possibly can.

We are keeping a close eye on that, Mr. Speaker.

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

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

According to students and parents from TOSH, at least 25 students to date, and counting, have reported experiencing a range of health issues during the construction. Some students, who also graduated during the construction period, have also experienced ongoing health issues.

Many of the students have a higher than normal absenteeism running as high as 30 days, 30 school days per semester.

Question to the education minister: Does having current and former Three Oaks students report health issues from this construction trouble you?

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

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

As I indicated anytime that we have a construction project like this that's underway at the same time as school is in progress, obviously, there is a great deal of care and attention that's paid to the construction process, and to the students' schooling.

We would certainly acknowledge that there are students that would have greater reactions than other to air quality amongst other things. Working with the Public Schools Branch and principal Clow there have been great steps taken to ensure that the students are as comfortable as possible, including offering to have them make alternative arrangements such as go to other schools if they so desired, Mr. Speaker.

Thank you very much.

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

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

Some of the common health issues being reported by students include; fatigue; chest pain; shortness of breath; cough; headaches and migraines; dizziness; poor concentration; lack of energy.

I met with a group of concerned parents just last week, and from parents directly with

regards to their children. One boy has missed six weeks of school. One girl has missed four weeks of school. One girl has missed 30 days since Christmas. Another girl suffers from chest pains, fatigue, shortness of breath, poor concentration, headaches. There is another girl, who suffers from fatigue. This list goes on and on.

### **Serious health issues re: Public Schools Branch**

Question to the minister of education: These are very serious health issues. Why do they not seem to be concern to you or the Public Schools Branch that you oversee?

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

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

I will assure you that the health and safety of Island students, including those at Three Oaks is of great concern to us. I will indicate that a number of steps have been taken to ensure that our Island students, particularly at Three Oaks, do have the greatest opportunity to have great health through this project.

In connection with parents and with staff at the Public Schools Branch, we've added a number of different testing mechanisms, which are undertaken at regular intervals to ensure air quality safety at Three Oaks school.

Hoarding walls are ensured on a regular basis to be in place and to be airtight. Every day, as I indicated, principal Clow meets with the construction crew. They make an effort to ensure that students are not being educated immediately adjacent to construction particularly where it might be noisy or where dust might be created.

Every effort is being made, but we do recognize that this is a \$23 million construction project that's being undertaken at the same time as school is going on. Though, extreme efforts are being made to ensure that the two don't overlap to the greatest extent possible, there is still minimal interruptions that do occur and we acknowledge that and have taken steps to try and help students through it.

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

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

The minister mentioned some of the measures that they've taken to protect and secure the students and the staff at that school. He also mentioned some of the temporary walls that are put up to block off construction.

In fact, one female student was in a hallway when a temporary construction wall fell on her and actually fractured her knee. I don't know how something like that could happen if the procedures were put in place correctly. Now, this girl's parents are considering litigation against this government.

As troubling and concerning as the health issues are, many of these students have also experienced lower academic performance and higher anxiety and stress. To further document these physical and mental health issues, government is being asked, they're being asked to send a survey to all students and staff.

### **Government refusal to parents and students re: survey**

Question to the minister of education: Why is government refusing to address this simple request from students and parents, and actually conduct a survey?

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

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

We, being the Public Schools Branch, the construction committee, the principal of the school have had regular meetings with parents and staff. Through that process, concerns have been heard; extra security has been added to ensure that folks are not going into construction areas.

I will say here: we do not have any reports of any fractures that have been – occurred as a result of any particular results. We wouldn't speak to any specific incidents in relation to students in any event, but I do

want to indicate that that kind of a thing has not happened.

And, I should say that through all of the air quality testing that's been done through professional services, all of the results have come back as being positive and meeting Health Canada standards through the month of April.

Thank you.

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

**Leader of the Opposition:** Mr. Speaker, government refusing this simple request to help address the health concerns isn't instilling confidence in the students or the staff.

They want answers. They don't just want a deflection.

#### **Chief public health officer investigate health issues at TOSH**

Question to the minister of education: Will you have the chief public health officer investigate these environmental health issues and interview all students and staff at TOSH?

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

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

What I will say is that workers compensation has been present through the course of planning in terms of what we might do. They have actually consulted with; it's my understanding, different government departments that would give advice as to what testing might be done. We're doing all of that testing.

In fact, at the direction/concern of parents, we added an additional test. All of that testing has come back fine. What I will say here is we are open to any input as to what might be done. I think there has been a very good track record of doing things that have been suggested as potentially being of assistance in this situation. We will continue to do that kind of a thing, Mr. Speaker.

Thank you.

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

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

Six weeks ago, I asked for air quality, water and other environmental testing results for the Three Oaks renovation project to be publicly released.

#### **Testing results for Three Oaks for tabling**

Question to the transportation minister: Do you have that information with you to table today?

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

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

As was just mentioned by the minister of education, the air test for April has certainly come back clear in regard to Canada health standards.

I don't have that with me, but I'll certainly go back to the department and see if that's available.

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

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

It shouldn't take six weeks for this to be done unless you're foot dragging for a reason. I'm not the only one asking. Concerned parents at TOSH have been asking for these results, as well.

#### **Testing results shared with parents of TOSH**

Question to the transportation minister: How many environmental test results has your department shared with concerned parents of TOSH?

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

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

All results have been shared with the principal of the school. They have, in turn, sent messages out, I believe, from what I understand, through the school and the team

that is working with our construction team, to parents.

There is ongoing testing. Those fall within the regulations of Canada – Health Canada. We have put extra air quality and exhaust systems in place.

In regard to the recent tests that just came back this week, I certainly will go back and find out if that's where that's at.

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

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

Your department did provide one test result to concerned TOSH parents: a copy of the March 28<sup>th</sup> asbestos (Indistinct) air monitoring report was given to parents in April.

Question to the transportation minister: We're almost two years into the TOSH project now. Why did you only give one day's test results to concerned parents?

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

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

As I just noted, the results that came back from April have been shared with the Public Schools Branch, the school staff and principal and they, in turn, are free to put that information out to parents.

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

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

The one day of test results you gave concerned parents says nothing about mould issues.

### Testing of mould at TOSH

Question to the transportation minister: Why are you refusing to test for mould and share the results with the concerned parents asking for this to be done?

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

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

Any testing, as I noted, has been released to the Public Schools Branch, the school principal and staff and they, in turn, are in communication with the parents.

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

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

Well, I'm looking at concerned parents in the crowd shaking their heads, so that's obviously not the case. The one day of test results you gave concerned parents wasn't for the entire school; I believe it was for the cafeteria area.

### Test results from cafeteria area

Question to the transportation minister: Does one day's test results from one section of the school give a clear picture of the environmental health issues plaguing dozens of TOSH students?

**Mr. Fox:** That's right.

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

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

I do want to clarify on this point that following the health concerns expressed by students, parents, and staff at TOSH, TIE, and representatives from the school's joint health and safety committee, and an occupational health and safety officer from the Public Schools Branch, and the environmental consultant reviewed and agreed upon five locations within the school for additional testing, which occurred between April 16<sup>th</sup> and 18<sup>th</sup>.

These areas were occupied by staff and students at the time and each were tested for particulate levels, carbon dioxide, carbon monoxide, and total volatile organic compounds.

On May 8<sup>th</sup> that testing came back and all that testing was within satisfactory levels according to Health Canada.

Thank you very much, Mr. Speaker.

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

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

You gave concerned parents only one day of test results for only one area of the school taken on March 28<sup>th</sup>. Students have been experiencing environmental health issues for months for areas all over the school, like the Leader of the Opposition noted.

### **Publicly release of all test results from TOSH**

Question to the transportation minister: When will you clear the air and publically release all the environmental test results from the Three Oaks project?

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

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

I'll add to that by saying that round about the first part of April, perhaps a little bit before that, more students began to come forward and indicate that they were experiencing health concerns related to their school environment. It was at that time that, together with parents, staff at the Public Schools Branch, staff at the school, worker's compensation, the environmental consultants that were there; a testing program was determined and put into place. That was done in collaboration with all of those groups and the testing was looked at – and as I said before, ideas were determined as to what might work in terms of what should be tested for.

A program went forward with regular meetings between the parent groups and the school staff and the results, as they came back, were released to those groups.

Thank you, Mr. Speaker.

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

**Mr. Fox:** Thanks, Mr. Speaker.

Government first announced the Three Oaks renovation during the last provincial election at a cost of \$15 million.

### **Cost of renovations to TOSH doubled**

Question to the minister of transportation: Now the renovations are expected to cost more than \$23 million. How did this project go over budget by 50% in less than two years?

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

**Ms. Biggar:** Mr. Speaker, this is not a construction project, it's a reconstruction from the outside in of a completely renovation – a reconstruction of that particular school. In the climate that we're in with construction, certainly the costs that were estimated during the initial construction –

**Mr. Myers:** It's not a construction project. You said. I don't know. Don't confuse me.

**Ms. Biggar:** It doesn't take much.

[Laughter]

To continue – we're on a tear here on PEI with construction right across PEI. The costs that were associated – any costs, extra costs – are associated with the demand on the trades that are working in all fields, but in particular, with the Three Oaks project and that is a factor in why things cost more these days.

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

**Mr. Fox:** Mr. Speaker, let's be clear: What we have here is a health disaster. This project was supposed to be done by this fall; now we're talking about 2019.

### **Completion date for TOSH project**

How far behind schedule, minister, is this \$23 million project? What's the new completion date?

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

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

To my knowledge, this project is actually not behind schedule; in fact, it's trending right on schedule. That is exactly why

school was accelerated throughout the course of this year and they actually have it right down to the percentage in terms of where they plan to be when they were to start the first of June and where they hope to get to over the course of this summer.

We're talking about going from roughly 40% to the mid-60s over the course of this summer. From that point on, they have roughly a year worth of construction to go to have the school finished on time – as far as I'm aware, Mr. Speaker. That's been the plan since the renovation project started.

Thank you.

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

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

Let's talk about asbestos and duct work.

#### **Disposal of hazard materials/asbestos**

Question to the transportation minister: Where does construction material with hazard materials like asbestos get disposed at?

**Mr. Myers:** Good question.

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

**Ms. Biggar:** Mr. Speaker, thank you.

I want to note, also, that this project is on schedule.

**Mr. Myers:** You didn't want to answer when he asked the question just now, but that's okay. We understand.

**Ms. Biggar:** In regard –

**Mr. Myers:** You didn't know. He gave it to you. Now you know the answer.

**Speaker:** Carry on, minister.

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

Somebody else seems to know more answers. They're welcome to answer.

In regard to this particular question: Anything that is determined to have any particles of asbestos in it is bagged and put together and it is taken to the waste watch site and stored there until it can be disposed of.

**Mr. R. Brown:** Great.

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

**Mr. Fox:** Well, thank you, Mr. Speaker.

The one item not checked off was for documentation of asbestos – was the manifest of construction waste materials transferred to off-site for disposal.

#### **Waste materials inventoried when removed off-site**

Question to the minister: Why aren't the construction waste materials removed off-site being inventoried given the presence of asbestos, mould, and other hazardous materials?

**Mr. Myers:** Good question.

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

**Ms. Biggar:** Mr. Speaker, again, I want to reiterate. Anything that is deemed to have any particles of asbestos – of anything that would be of hazardous particles in it are bagged and are disposed of and stored, at the moment, at the Island waste watch site. They are not taken to any other site. They are strictly monitored and adhered to protocol for disposing of any hazardous materials. It's bagged again. It's deposited at the Island waste watch site.

**Mr. R. Brown:** Good.

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

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

Government has previously cited the high cost of asbestos removal from the school. Residents of the Kinsman Road in Miscouche have noted an increase in heavy truck traffic dumping construction materials on an empty lot with marshland areas

nearby. I'm going to table these photographs later.

Question to the minister: Why would construction materials from Three Oaks reno be ended up on an empty lot in Miscouche?

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

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

I know that particular area. Anything to do with anything that is disposed of, again, that has any kind of hazardous materials in it is bagged. It's not allowed to be transported to any other site other than the site that identified – anything hazardous is bagged and transported to the Island waste watch site.

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

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

The nearest licensed construction demolition site would be the IWMC facility in Wellington.

### **Hazardous waste dumped in Miscouche**

Question to the minister: Can you confirm that hazardous material of any type construction waste from the Three Oaks reno aren't being illegally dumped in Miscouche to cut cost overruns?

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

**Ms. Biggar:** Mr. Speaker, again, I will explain to the member over there –

**Mr. MacKay:** (Indistinct)

**Ms. Biggar:** – anything identified that has any particles of anything hazardous in it –

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

**Ms. Biggar:** – are bagged and are and have been transported to the Island waste watch site in Wellington –

**Mr. Myers:** It hasn't been identified.

**Ms. Biggar:** It has been identified and it is being transported there.

**Mr. Myers:** (Indistinct)

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

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

Yesterday during debate on bill 38, the Minister of Justice and Public Safety and the Attorney General was asked repeatedly about whether he has sought a legal opinion on the constitutionality of his legislation.

In response, he suggested that if my colleague from Charlottetown-Parkdale had concerns, she should bring forward her own legal opinion. I found that response entirely inappropriate and disparaging.

### **Duty to provide legal advice on government bills**

A question to the Premier: Whose duty is it to provide legal advice on government bills? Is it opposition's? Or is it the Attorney General's?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, up until about 8:15 last night, we were treated to quite a long monologue that included legal advice or legal opinions, so it may indeed be that the third party has some, and if they have, I'm sure it will come out now that we are in debate. I'm sure that's where we will also have an opportunity to have good, full discussion, which did start at 8:15 last night. I was very proud of what took place after that, and that will be an opportunity to consider any issues that people have regarding the constitutional issues.

Thank you, Mr. Speaker.

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

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

Well, my understanding is that it is indeed the Attorney General who has a special

responsibility to ensure that Cabinet actions are legally and constitutionally valid.

This bill, bill 38, infringes on the freedom of expression of Islanders quite substantially and similar provisions have been struck down in other Canadian court decisions, some of which I tabled earlier this week.

### **Confidence in Attorney General**

A question to the Premier: In light of the Attorney General's failure to secure a legal opinion, do you have confidence in his professional competence?

**Mr. Myers:** As a lawyer or as a Cabinet minister?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, we started in committee, finally, at 8:15 last night. There were some very important exchanges that took place there and I have to say, as a member of this Legislature, and I said earlier, I was proud of what took place in terms of the caliber of the debate, the earnestness, the contentiousness of the questions that were raised, the introduction and the responses of the Attorney General as the sponsor of this bill.

I have full confidence in the bill and in the Attorney General, and in this Legislature, which was fairly widely disparaged, I might say, by the Leader of the Third Party, to do our work in committee and to give full consideration to the bill that is before us. I look forward to the continuation of that debate.

Thank you, Mr. Speaker.

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

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

Far from disparaging this House, I'm trying to protect the integrity of it.

Given that the Attorney General is refusing to do his job, and the Premier appears unwilling to compel him to do so, it would be irresponsible for any member of this House to pass this bill.

### **Lack of legal opinion on bill**

A question to the Premier: How can you expect members of this House to support this potentially unconstitutional bill without a legal opinion on its constitutionality?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, as I said, this bill is brought forward with the intention to permit and to provide the whole structure and terms for Prince Edward Islanders to provide a clear expression of the will of the people on an important question that has been before us for getting on for three years, and that is exactly what we are now engaged in in this Legislature, and that, I fully expect, will include an opportunity to respond to the issues that are being raised here.

I don't think anyone to date has failed in doing their duty, and I'm glad to say that this matter is before the House on the floor where it will be the subject to full and robust and conscientious consideration.

Thank you, Mr. Speaker.

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

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

My question today is actually for the minister of education. He's having a busy day here today.

It has to do with the latest round of assessment results we received, and I know for many years we've had lots of pundits going on about our assessments and why we use them. I know we had some really good results this time, but just if I was to use the analogy that perhaps, Premier, any profession in this province, and I'll pick the one of my own in agriculture, or yours of your own, Mr. Speaker, in the fishery, in agriculture we do assessments on a monthly basis for our dairy for milk recording. That's a type of assessment. We do classifications twice a year on our cattle, which is an assessment. We do samples on our feed, stuff that we are feeding to our cattle on a regular basis. All of those assessments are

used to help us produce our milk and produce it the most efficiently as possible.

I know in the lobster industry that you're a professional in, we have a lobster monitoring program that has actually made our stocks now very stable and we need all of those assessments.

#### **Investment in educational assessments**

I'll just ask the minister of education how the information from the educational assessments is used, and do you really feel those investments are worth the investment – those assessments are worth the investment?

**Speaker:** The hon. Minister of Education, Early Learning and Culture; 40 seconds.

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

We do feel that a great assessment program is well worth the investment. That starts with teachers in the classrooms assessing their students every day. It goes on to a great provincial assessment program to tell us how well those students are doing on a province-wide basis, one compared to the other directly.

We know how students are doing at key stages of their learning, and that enables our department to be accountable for student outcomes and performance within the education system. Without those assessments, we would not know how well our students are doing and where our resources should be allocated.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Vernon River-Stratford, your first supplementary.

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

I might use another analogy as well. In our industry, we use a lot of soil sampling. We could drive by the fields and have a look at the crop and say: You know what? Maybe it needs a little more phosphorous. Maybe it needs a little more potash. We haven't put enough manure on it, or what exactly is the problem? We really don't know, but we can get a lot of different ideas.

Actually, what we do is we sample the soil. We take it to the experts at the lab. They come back and tell us: You know what? For this crop you're growing here, actually you need more lime. But, on a drive by, we may not be able to know that.

In the department of education, I know with Elizabeth Costa at the helm there, they do great work with these assessments. Again, we take those results to the experts.

#### **Use of assessment results to improve**

My question to the minister is: Has the department used the results in the past to help our students improve?

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

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

The short answer to that is yes, and the longer answer is about 10 years ago we didn't have any idea how well Prince Edward Island students were doing. When we first did find out, the end result was not that well.

This year, we have announced outstanding PCAP results where we're now number one in the country in terms of our reading expectations. We're right up there in terms of math and science, and that's through major investments in literacy as a result of our provincial assessment results, and that work has been achieved through Atlantic Provinces' work, in creating standards in reading and writing achievement, trained literacy coaches, and new language arts resources and PD, Mr. Speaker.

Thank you very much.

**Speaker:** The hon. Member from Vernon River-Stratford, your second supplementary.

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

I could use all kinds of different analogies. Pretty near every profession across the province uses assessments to improve the direction they're going.

#### **Use of educational assessment results**

Just as an example; a question to the hon. minister: How are the schools on Prince Edward Island using these results?

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

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

We have fantastic staff on Prince Edward Island, which starts with our teachers. We have great coaches, as well. They have done a number of great things. With our principals, they have created school literacy goals. That helps to drive a top-down approach to this.

Our school-based initiatives targeted a number of different things. Examples of that would be an oral language program at Elm Street that supports our youngest students that have not developed language skills yet. It helps them to do that.

The foundations program at Montague Consolidated and Glen Stewart helps kindergarten students with sound, touch, sight and movement. And progress monitoring, we've spoken a lot about in this Chamber, lately. That helps to understand where students see gaps, and helps the teachers understand what to do to fill those gaps.

Thank you, Mr. Speaker.

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

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

My question is also the Minister of Education, Early Learning and Culture.

Minister, recently there have been a number of immigrant students register for schools in western PEI. The schools are told, after speaking with students services that there may be more students registering as a result of the government's immigration plan, which I welcome. This is good news, as it is in contrast to what was happening this time a little over a year ago.

**Future immigrant students in western PEI**

Minister: Does your department have any projections for the number of immigrant students that may register for schools in the west in the near future?

**Mr. Myers:** (Indistinct) get them move into a hotel (Indistinct) 600 (Indistinct)

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

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

Yes, we have been tracking this. Janet Perry-Payne, who works with these groups has been out around. She has confirmed that there are seven new registrations in the past month. There may well be more coming in the coming weeks or months.

She's been around to Kildare seafoods; Royal Star; South Shore and Trout River speaking with employers and looking at the work visas that these individuals might have and trying to determine whether that will allow them to bring their families with them or not.

We're really trying to get an on-the-ground level, in terms of who might be and who they might have with them.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Tignish-Palmer Road, your first supplementary.

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

In speaking with the schools, they are thrilled with this, but they're concerned; thrilled with for the increase in enrollment and what it will do for rural development, but concerned about staffing in their schools and whether or not the potential registration of these students will result in not meeting the staffing needs for next year.

Minister, as we know, allocations will be determined soon. Schools are wondering what would happen if the enrollment numbers of immigrant students rise drastically over the summer.

**Staff to accommodate increase in enrollment**

My question is: Will there be teachers and staff available to accommodate a sudden rise in enrollment?

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

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

It's great to hear that these communities are thrilled. I'd heard a story this week, actually, about Francis Morrissey, who was regretting not having purchased a tuxedo and having renting them, as we had walked six different individuals down the wedding aisle –

**Mr. R. Brown:** Not for himself.

**Mr. J. Brown:** – and it is thrilling to see your community growing like that.

The answer to the hon. member's question is: yes. We have 25 new EAL positions to be allocated for unexpected EAL needs such as these. These resources will be allocated by the Public Schools Branch and French Language School Board over the coming weeks.

We would expect there would be some availability if there's student increase that are unprojected heading into the fall.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Tignish-Palmer Road, your second supplementary.

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

I think the minister did answer my question with this. I'll ask him just to elaborate a little bit more on this.

It is quite possible that some of these students that come here may not have English as their first language.

### **School resources for immigrant students**

I just wanted to know what resources may be available for these students for school, and also within the community.

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

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

This is a great question. As I indicated, we do have an intake process for new immigrant students. We're actually working on improvements to that that will hopefully ramp any students without great English capabilities up over the summer, which will also be new.

We have had EAL itinerant teachers in Alberton elementary and M. E. Callaghan just this week. They've already been at O'Leary elementary. Also this week, we had our EAL teacher support specialist to go to Alberton elementary and M. E. Callaghan to meet with teachers and administration and help them prepare for newcomer students. She plans to return up there.

We feel like we're doing a lot. It's certainly a lot more than we had been doing in the past. We will continue to focus on our immigrant communities and see our rural communities and urban communities build in Prince Edward Island and we're proud of that in our education system.

Thank you.

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

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

The Member from Borden-Kinkora has introduced Bill No. 104, *Public Intervener Act*, to establish someone, who intervenes in IRAC regulatory proceedings.

### **Public interest represented in regulatory proceedings**

Question to the minister of justice: Do you support the idea of having the public interest represented in regulatory proceedings?

**Speaker:** The hon. Minister of Justice and Public Safety.

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

I'll make note, in advance, of my obligation to walk a bit of a line, here. IRAC actually falls under my department in education, only because it's an omnibus appeal body and it's

seen that it would be arms-length, particularly from education.

IRAC is an omnibus appeal body. They regulate a number of different things in this province. They are arms-length –

**Mr. Fox:** Do you support it?

**Mr. J. Brown:** – from government.

They do have a capacity to do that work. We are seeing some of that work go on right now in the amalgamation process.

Thank you, Mr. Speaker.

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

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

The Premier actually brought up the *Municipal Government Act* whenever the *Public Intervener Act* was in committee on this floor.

The bill sponsor told the Premier the MGA was not included because he believed people would clearly have a voice and a chance to intervene as part of the process.

#### **Submitting objections to IRAC re: amalgamation**

Question to the Premier: Will all persons, who formally submitted objections against amalgamation to IRAC, be given a chance to actually intervene and present their concerns in front of the commission?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, this very matter is currently before IRAC. The IRAC has been established with the authority, as the minister has just said for a number of areas including *Municipal Government Act*.

I've got full confidence that IRAC will deal with this matter. It's certainly not my place to be standing here in the House in the middle of a matter that is actively under consideration by IRAC, saying anything to indicate how I think they should handle it.

Thank you, Mr. Speaker.

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

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

It's your bill. You're the reason why we're down in this rabbit hole. You're the reason that everybody's upset.

#### **Submitted objections to IRAC presented publicly**

Question to the Premier: Will you publicly commit to allowing all Islanders, who followed your legislation and submitted objections to IRAC to present their objections publicly?

**Mr. Fox:** Yes.

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, the objections have been filed with IRAC. The matter is in the hands of IRAC. That's where it should stay. That's exactly under the legislation that creates IRAC –

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

**Premier MacLauchlan:** – the *Municipal Government Act*, which is not a bill; it's law.

I expect that all of the parties – all of the parties will have an opportunity to have their case dealt with according to law.

Thank you, Mr. Speaker.

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

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

It's sad when the opposition knows the bill better than the Premier, who authored it because it's the minister himself can call the public hearing. The minister can actually call a public hearing.

In the case of Three River, the Towns of Georgetown and Montague filed municipal objections, and when they filed objections they required a mediator to be put in place, and then possibly a public hearing if that is unresolved.

#### **Islanders re: IRAC table for mediation**

Question to the Premier: Will individual unincorporated Islanders also be given a seat at the table for IRAC's mediation?

**Mr. Fox:** Yes.

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

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

I thank the member for the question.

According to the legislation, a mediator will be appointed because objections were raised to the amalgamation process and I think that mediator will work, not only with the municipalities, but also with the unincorporated areas and with the people that have filed objections.

Thank you.

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

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

So the legislation under the new municipality act appears to have two levels of citizenry: one if you're in a municipality and one if you're not in a municipality. In the case of the proposed amalgamations, municipalities and their residents are welcome at the table for the IRAC mediations and unincorporated Islanders are not.

### **Creating two classes of Islanders**

Question to the Premier: Why has your amalgamation act, that was supported by the Green Party, allowed to create two classes of Islanders?

**Mr. Fox:** Yes.

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

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

As I said earlier, now that objections have been filed with IRAC, the legislation mandates that a mediator be appointed. That mediator will work with all individuals involved in the process down there and I

expect that the mediator will work with the people in the unincorporated areas.

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

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

Unfortunately this is no longer about amalgamation; it's about an arrogant government who mandated a process that deliberately silences the most effective people in those areas. It's deliberate discrimination by this government against those Islanders who reside in unincorporated areas.

### **Unincorporated areas to turn to court or human rights**

Question to the Premier: Will these Islanders be forced to turn to the courts or human rights in order to overturn your undemocratic government's legislation and have your government's arrogance reigned in so that all Islanders get treated on a fair and even playing field?

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

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

I thank the member for his question.

The act clearly states that it is in the hands of IRAC and public meetings may be held. I would assume that IRAC will be holding public meetings because of the number of people that have objected with this and the mediator will work with everybody involved. We're not setting up two classes of citizens.

**Mr. Myers:** (Indistinct)

**Mr. R. Brown:** The member himself has said that people filed objections. A number of people in the unincorporated areas file objections. If it was discriminatory, they would have not been allowed to file those and municipalities would have been only able to file.

**Mr. Myers:** (Indistinct) mediator though.

**Mr. R. Brown:** Therefore, there was no discrimination here. They have filed their

objections – a number of them – I understand today, 1,500. These people will be listened to.

Thank you.

[End of Question Period]