

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Good afternoon, everyone, and guests in the gallery. Welcome, colleagues, for our third week of the fall sitting and those watching from home.

I'd make a special welcome to Claire Byrne, and joining us in the gallery, her father, Joe. Claire is taking part in the global affairs masters program first cohort at UPEI and we've got a great program and exciting prospects to head off to Europe for the – I guess they call it winter in Europe too, don't they, Claire? Winter semester.

This is the first day, or yesterday was the first day, of the Purple Ribbon Campaign against violence and we're wearing the purple ribbons in the House today and I see some members have gotten coordinated with coats or ties or shirts, quite a little fashion show. It's, of course, to take to heart the point which is to prevent violence against women and the theme for this year's campaign, Time to Step Up.

On Saturday, there was a number of us in Tyne Valley for the opening of the Stewart Memorial Home and it was a great day to be there and the families were there; the staff were there; the community was there; the auxiliary that's supporting the good work that's being done there when the residents move in on December 5th, and indoors and out. They've got a beautiful place.

The comments have been made from time to time about the number of beds being the same. I can assure you that the service and the amenities and the comfort that the residents enjoy has been upgraded many times over with that new manor.

Today is Giving Tuesday, the sixth time we've celebrated it here in this province. Last week I had a visit from 10-year-old Sam Webster, and an opportunity to sign a declaration, or a proclamation, for Giving

Tuesday. Sam is a grade five student at Stratford Elementary and he himself is very familiar with giving back to Prince Edward Island charities, and especially to the Queen Elizabeth Hospital.

We're off to, as I say, our third week and we're making some real headway here and I look forward to that being the case again this week.

Thank you again, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

It's certainly an honour for me to rise here in the Legislative Assembly today as well and to bring greetings on behalf of the official opposition and to recognize those individuals that have joined us here in the gallery today. It's great to see such a wonderful turnout.

I'd also like to say hello to anyone that might be tuning in via EastLink or the Internet.

As the Premier alluded to as well, this is the start of the Purple Ribbon Campaign and I'm very proud to wear my purple ribbon to show that I support this initiative for the prevention of violence against women.

I'd like to send out my warm regards to an individual that's actually retiring tomorrow. I just found this out over the weekend, actually yesterday – at Beach Grove home. It's the recreation coordinator, Marilyn van der Maar. She's an amazing individual. She does yeoman's work with the seniors at Beach Grove, and I know from personal experience – I never realized my mother was a painter until she was connected with Marilyn and Marilyn brought this out in her. I just wish Marilyn all the best in her retirement and I know she's moving to Ontario to spend time with family up there, so best wishes to Marilyn and you will be missed.

Thank you very much, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

It's a pleasure to be back in the House – nice to see all my colleagues again, and welcome to everybody, all the guests in the gallery today.

I attended some lovely events over the weekend: the Victorian Christmas Market downtown here on Queen Street was just delightful. A little chilly on Friday night, but Saturday was much better. Also, the Etsy Market in the Murphy Centre across the road – wonderful event, lots of local producers, artisans and craftspeople selling their wares; some beautiful opportunities to buy Christmas things.

On Sunday, I attended a beautiful concert in the Victoria Playhouse – Laura Smith, who's now in her 60's, I believe, but my goodness she hasn't lost any of her vigour, any of the strength in the voice and the way she connected with the audience that day was very special.

I want to give particular shout out to Chris Corrigan, great guitarist here on PEI, of course. Chris stepped in almost literally at the last minute; the day before the person who was going to be with Laura cancelled and Chris stepped in and did a fantastic job with almost, certainly, no rehearsal. It was just one of the loveliest concerts I've been to. So thank you to Laura, and also to Pat Smith and Emily Smith and Jonathan Smith – not related I believe – but all the people there at Victoria Playhouse.

I want to send out a special welcome to all the women who are with us today to commemorate the International Day for the Elimination of Violence Against Women. I know many of you are here from the PEI Advisory Council on the Status of Women; Ellen Mullally from CLIA; Sigrid Rolfe from the PEI Rape and Sexual Assault Centre; and the Women's Network, and many other organizations. It's lovely to see you here today.

Thank you, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

I, too, would like to invite everybody here today and congratulations on the Blue Ribbon campaign. It's a wonderful campaign.

I'd also like to welcome Joe Byrne and his lovely daughter there, who are at the proceedings here today.

I'd also like to give a shout out to Barb Burke. Barb religiously watches our sessions here every day, and she's keenly interested in what's going on here. We appreciate everybody that looks in and takes an interest in our Legislature.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Mr. Speaker.

It's always an honour and a pleasure to rise in the Legislature and today I'd like welcome everyone that's here today.

All those that are watching at home, and in particular, I'd like to welcome the McNearney family from Brudenell. David and his wife, Kathleen, are here with their daughter, Ellen, who is a tremendous athlete. I will be having a lot more to say about them later on.

Thank you, Mr. Speaker.

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

Mr. Palmer: Thank you, Mr. Speaker.

I didn't know I was on the list, but I'll take advantage of it while I can.

I would like to say a shout out to the Summerside Dolphin Swim Club who are headed to Montreal this weekend. I know they're going on the train tomorrow evening through the night. Look forward to some great results.

Thank you, Mr. Speaker.

Speaker: When you wave to me, hon. member, I didn't expect that you were leaving.

The hon. Member from Charlottetown-Lewis Point.

Ms. Casey: Good afternoon, Mr. Speaker.

I, too, would like to rise to welcome all of those present in the gallery today. I'd like to, in particular, to say hello to all those watching from Charlottetown-Lewis Point. I always appreciate their wisdom and their advice.

The reason I'm on my feet today, is I would like the House to join me in offering congratulations to our Clerk, Charles McKay, who, at the last Rotary Youth Parliament received a prestigious award from Rotary. He was awarded a Paul Harris Fellow, which is very, very rare for somebody outside of Rotary.

So hon. members join me in congratulating our Clerk on this prestigious award.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I'd like to welcome everyone watching from District 18 Rustico-Emerald, especially all of the constituents who've contacted me advocating for long-term solutions like preventative healthcare solutions on the Island, like Stephanie Arnold.

Also, I wanted to give a shout out to Monica Jollimore who won the snowmobile association elimination draw this weekend.

The member from Kensington signed me up for it to be the impartial person drawing the tickets so there was 200 tickets, 199 of which I drew that meant they were unsuccessful – so it was great for my political career.

Statements by Members

Speaker: Member from Montague-Kilmuir.

Ellen MacNearney-Special Olympics

Mr. Roach: Thank you, Mr. Speaker.

Again, it is an honour to rise. Today I rise in the house to send congratulations to a constituent of mine, Ellen MacNearney who has been named Special Olympic Canada's 2018 Female Athlete of the Year.

Some Hon. Members: Hear, hear!

Mr. Roach: We are very fortunate to have Ellen and her parent David and Kathleen in the Legislature today.

Ellen has been an athlete with Special Olympics Canada for 10 years, competing in swimming, cross country skiing and many other events.

Ellen is a natural athlete, one who exemplifies the term 'multi-sport athlete.'

At the last two provincial games she has come home with a whopping 12 gold medals.

This will be Ellen's second time being named female athlete of the year, she received the award back in 2013 after competing in the 2013 Special Olympics World Winter Games in Pyeongchang.

Ellen is not only a great ambassador for Prince Edward Island, but her accomplishments tell us she's a great ambassador for all of Canada.

We will continue to watch your career closely to see what you're going to accomplish next. I am confident I can speak for every member in this Legislature to say: we are rooting for you, as you keep developing as an athlete.

Hard work pays off.

I ask the House to join me in congratulating Ellen MacNearney on her accomplishments and her recognition as Special Olympic Canada's Female Athlete of the Year.

Thank you, Mr. Speaker.

[Applause]

Speaker: The hon. Leader of the Opposition.

Cameron Beach of Canadian Tire Accessible Park

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

In October, PEI's first fully accessible playground opened to the public in Victoria Park. Cameron Beach of Stratford is the owner/dealer of the Canadian Tire store here in Charlottetown.

The playground built through Canadian Tire's Jumpstart Program is only one of four the national charity funded in Canada this year. It features traditional play components modified for children of all abilities.

Some of these modifications include, double wide ramps for easier wheelchair access, modified seesaws for those with limited upper body strength and roller slides for those who wear hearing devices.

Canadian Tire spent close to \$1 million to build the 9,000 sq. foot playground as part of the national corporations Inclusive Playground Project initiative.

The benefits of accessible and inclusive playgrounds far outweigh the costs.

These environments, not only provide recreation for children with disabilities, but can also help their non-disabled peers learn to understand differences.

With inclusion becoming more prevalent across the country, it is crucial for both children and adults to become more accessible for everyone. Inclusive and accessible spaces benefit the society at large.

Accessible play equipment not only helps children with disabilities socialize and make new friends, it also allows them to stay active.

This is of special importance to children with disabilities who are often unintentionally left on the sidelines in school and in their communities.

I fully believe this playground will be of great benefit to all Island children and their families by allowing kids to play without barriers.

In closing, I would personally like to thank Mr. Cameron Beach, his family, the Canadian Tire Corporation and all of his

staff, for making this successful park a reality.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Parkdale.

Construction Repairs in Parkdale

Ms. Bell: Thank you, Mr. Speaker.

For months, residents in my district and neighbourhood have been putting up with some unusual construction activity. Normally, we would be happy to see streets being repaired and potholes filled but this time it's different, and it has been an ongoing topic of discussion with constituents through the summer and into the fall. Streets in the area are a maze of large blue pipes connecting to outer service fire hydrants with smaller blue hoses connecting to every house. There are traffic pylons and piles of equipment everywhere you look.

The temporary pipes were installed from MacKay Dr. to Belvedere Ave. earlier this summer on the premise that this would be a less intrusive, more cost effective way to address urgent water pipe repairs without digging up roads. Now, it is the end of November, and the repair work has only really just begun.

Ongoing issues of water testing results and the contractor's capacity to do the work have delayed the project by months.

At the recent public meeting I attended, the city water and sewer utilities indicated it will now be Christmas before repairs are complete. The city water and sewer utility is asking residents to keep their taps running continuously to prevent their pipes from freezing. This is an incredible waste of water and a shocking approach considering the measures the city and the province have been implementing for water conservation and management.

Residents are dealing with not only with freezing pipes, but inadequate water pressure. Many are unable to run a washing machine or take a hot shower. The residents of Parkdale are water metered and so are

also concerned their bills for service – it is simply unacceptable.

Additionally, there are genuine safety concerns as sidewalks cannot be properly cleared and so are no longer accessible. I call upon the province to work with the City of Charlottetown to ensure this work is of highest priority, and I have formally requested that all affected residents have their water bills waved for the last quarter of 2018, or so long as the work is ongoing.

Thank you, Mr. Speaker.

Responses to Questions Taken as Notice

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

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

On Friday, the hon. Leader of the Opposition was asking me about the time to travel from Stratford –

Mr. Myers: Yes, yes (Indistinct)

Mr. J. Brown: – into Birchwood School. I often go out to my parents place for dinner on Sunday evening; I took the opportunity while I was out there –

Mr. MacEwen: You spend your weekend working on this?

Mr. Myers: (Indistinct)

Mr. J. Brown: – to go up to Glen Stewart School. I reset the trip calculator when I left the driveway of Glen Stewart School; went in, I caught the first red light at Stratford Esso, waited there for about 40 seconds, across the bridge, caught the tail end of the second red light, and then I followed the rest of the map that I tabled here on Friday and I –

Mr. Myers: (Indistinct)

Mr. J. Brown: – pulled up in front of the school – four minutes and 28 seconds.

Some Hon. Members: (Indistinct)

Mr. Myers: Hallelujah!

Some Hon. Members: Hear, hear!

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

Some Hon. Members: (Indistinct)

An Hon. Member: No speeding ticket?

Mr. J. Brown: No speeding ticket.

An Hon. Member: (Indistinct) verify that.

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker.

This is a longer saga.

Some Hon. Members: [Laughter]

Premier MacLauchlan: In response to questions from the Member from Belfast-Murray River the week before last, I indicated that I would review correspondence with the federal Minister of Environment and Climate Change and the Premier of Nova Scotia and table any documents that had not been tabled last spring. There were some tabled a series of correspondence January through May.

I wrote on July 6th the follow up to minister McKenna and Premier McNeil, had responses from them on August 7th and August 16th, respectively. I wrote again yesterday to the hon. Catherine McKenna, reiterating and I might say, reaffirming our desire and our specific request that any review of the Northern Pulp project be conducted and led by the federal government.

I'll table these letters during the tabling of documents.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: Thank you, Premier.

Questions by Members

Speaker: The hon. Leader of the Opposition.

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

This week we learned that the province has budgeted \$6 million for renovations to Province House to accommodate the eventual return of this Legislature to the historic building.

Budget re: renovations to Province House

My first question is to the transportation minister. Minister: Who did your department consult with when preparing this budget?

Some Hon. Members: Hear, hear!

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

Ms. Biggar: Thank you, Mr. Speaker.

As part of our capital budget, we submit our expected requirements to the finance department. We did submit an interim report on the parliamentary precinct master plan to the Legislative Assembly, on November 2nd.

Speaker: The hon. Leader of the Official Opposition.

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

It's actually the legislative management committee that oversees the operation of the Legislature and its all party representation on it.

Question to the transportation minister: Why wasn't the legislative management committee consulted before drawing up the six million dollar budget?

Some Hon. Members: Hear, hear!

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

Ms. Biggar: Mr. Speaker.

When capital budget is being prepared, it's not the normal practice of departments to consult with the Legislative Assembly, however, I will say that we did offer to go to legislative management committee to offer a briefing on the interim report and that we leave that open to come in any time the

legislative management committee wishes us to come.

Speaker: Thank you, minister.

The hon. Leader of the Opposition.

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

Consultation with MLAs re: budget plans

Media reports indicated that some MLAs have been consulted prior to these budget plans being drawn up. Question to the minister of transportation: Which MLAs were consulted?

Mr. Myers: Good question.

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

Ms. Biggar: Thank you, Mr. Speaker.

We reviewed the taping of that particular interview, and unfortunately there was a misquote by the media –

Some Hon. Members: Oh!

Mr. Myers: (Indistinct)

Mr. LaVie: (Indistinct)

Ms. Biggar: – in regards to comments made by a member of my department. Again, it's not general practice for our department or any department to consult with the Legislative Assembly on our department capital budget.

Mr. Myers: Well there you go folks.

Mr. LaVie: There you have it.

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

Mr. Myers: Thank you, Mr. Speaker.

I got carried away listening to those answers that I forgot I was up next.

Losing 140 jobs at DME is a big blow to our economy, especially when so many of those

jobs involve high-skilled trades – high paying skill trade jobs.

DME in receivership

Question to the minister of economic development: When did you first become aware that this company was in distress?

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

Mr. Palmer: Thank you, Mr. Speaker.

Let me start by saying that our utmost concern is with the staff, and the workers there. We really want to make sure that we can do everything we can to support them at this difficult time. To answer the member across the way, I first learned of this over the weekend.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

So clearly government had some advance knowledge because they issued a statement in the middle of the night, prior to DME even issuing a statement.

Government discussions with DME

Question to the minister: What discussions did your department have with the company about trying to avoid this terrible turn of events?

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

Mr. Palmer: Mr. Speaker, again, we're very concerned with the workers in this situation and we have been reaching out to the workers in the full strength of my department and the Department of Workforce and Advanced Learning are engaged in this file and we're doing everything we can to help the affected workers.

Thank you, Mr. Speaker.

Mr. R. Brown: Great.

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

Mr. Myers: Thank you, Mr. Speaker.

I'm just going to slow my questions down a little because the minister seems to not be able to understand what I'm asking him. A company was clearly in distress, and I'm asking you – did you have an opportunity to do something about it? If you did, why didn't you? And if you didn't, why didn't you?

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

Mr. Palmer: Mr. Speaker, we are engaged in this file, through my department and through the Minister of Workforce and Advanced Learning. We're there to help the employees, we're there to do what we can to support Islanders in this very difficult time; and we're going to play our role to make sure that we can do everything – everything – that we can do to support these folks through this.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

So employees need jobs and probably the easiest way to help them would be to ensure that they had a job. This loss is a significant blow to our economy and to skilled trade's people here on Prince Edward Island. DME was a major exporter out of this province – one of our largest exporters out of this province – selling its products around the globe.

Assistance to DME workers

Question to the minister: Did you or your department discuss any assistance at all with this department or any bailout package to this company when you found out that they were in distress?

Some Hon. Members: Hear, hear!

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

Mr. Palmer: Mr. Speaker, we are here to support organizations that need it right across PEI and if there are organizations, if there are companies that need our support, we are open to it.

In this situation, if there are companies that are interested in making an investment in this company we are happy to help with that are we are happy to help the workers the best we can.

We've even reached out to a number of other companies across PEI that can use folks with these particular skills because we know that people in PEI have a great work ethic and we're reaching out to a number of companies to find out who's looking for supports like this for the workers that we have here in PEI.

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

Mr. Myers: Thank you, Mr. Speaker.

So this is a major loss to our economy, the minister here doesn't seem to understand because he's giving me the identical answer four times in a row.

I want to know what, if any, involvement this company has. The Premier over here only talks about GDP everywhere he goes. Do you think that losing a major exporting company isn't going to affect the GDP here on Prince Edward Island?

It's completely unacceptable that the minister's not better prepared to answer the questions.

I'm going to give him one more chance.

Government opportunity to help local companies

Did you have an opportunity to help this company and if you did, why didn't you – and if you didn't, why wasn't your department apprised enough of this file that you weren't out there on their steps saying: What can we do to help keep this great business open here on Prince Edward Island?

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

Mr. Palmer: Thank you, Mr. Speaker.

We, again, will continue to support all of the workers that are affected by this and we're not going to make a political show out of this which my friends across the aisle seem to be wanting to do today.

What we are doing is – this is a very difficult situation for the workers and we're there to help them, we're trying to find all solutions that can possibly be found and it's very early days for this but we're certainly doing a lot of work between my department and the Department of Workforce and Advanced Learning to make sure that we can be there to support people when they need support the most.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

I'm not sure why the minister over there would interpret me caring about an Island company as being a political show. It's funny that in his very answer he talked about if somebody needs them, they'll be there to help. You just watched a local grown company crumble into the ground yesterday and didn't even lift a single finger.

Last night the government issued a media statement confirming DME was in receivership.

Government statement on private business

Question to the minister: Why would government issue a statement like this about a private business here on Prince Edward Island before the company itself had even made the news public?

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

Mr. Palmer: Thank you, Mr. Speaker.

The papers were filed yesterday at noon so it was public information and we are there to make sure the employees are supported and it is very important to us to make sure that at this difficult time of year, that these

employees can get the supports that they need and that we can help every way we can to ensure that these employees can find a new job or there's somebody that can take over the business.

We're open to all options and we're there to support in any way we can.

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

Mr. Myers: Thank you, Mr. Speaker.

So I hear the minister saying now that there's a big mess, he's going to be there to support.

I've asked him several times in this House today why he wasn't there to support a local company when he knew they were going into receivership.

He said he was very engaged in the file, well if he was very engaged in the file, he knew that this was coming.

Government opportunity to help local companies (further)

Question to the minister: Where were you before these employees needed help when you could've helped a local company on Prince Edward Island stay afloat?

Mr. Fox: That's right.

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

Mr. Palmer: We became aware of this situation over the weekend, we weren't currently in any discussions with the company but we have been very active in the file all weekend and coming into this week and we're looking at all options.

We're there to provide support and the company knows we're there for support for their employees and anything we can do to help with either an acquisition by somebody coming in to buy the company or to help those employees find new work – we're there to do that.

It's early days and we're in discovery to find out what's the best approach.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

So, one only has to pause and wonder if Kevin Murphy had called on the weekend, if his company would have fallen yesterday. If Tim Banks would have called on the weekend and said they were in trouble, if his company would have fallen yesterday. If Mill River would have called on the weekend and said they were in trouble, if they would have fallen yesterday.

It's funny that some people can walk into this government and get money to buy anything or to do anything –

Mr. Roach: Great supporters.

Mr. Myers: Great supports, you're right. The minister from Montague has it right, they've got to be Liberal supporters and that's a terrible thing.

Question to the minister: Where were you on the weekend when you had an opportunity to help this company?

Was it because it wasn't Kevin Murphy calling that you couldn't put the money up?

Mr. Roach: (Indistinct)

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

Mr. Palmer: It's these kinds of antics that we're really disappointed with here on this side of the House.

This is very important, we have workers out there that are at risk of losing their job and we're here to –

Mr. LaVie: At risk?

Mr. Palmer: – support them and we're going to do that.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Currently winter weather has created havoc for farmers trying to harvest their crop.

Fall potato crops still in ground

Question to the Minister of Agriculture and Fisheries: Approximately how many of the fall potato crop is still estimated to be in the ground?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Thank you, Mr. Speaker.

It certainly has been a very challenging year for harvest here on Prince Edward Island. Especially for our particular potato crop, there certainly have been other crops that have been impacted but the information that we've gotten back from the agents out in the field, our crop insurance agencies – there's approximately about 6,000 acres that haven't been harvested yet.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Again, to the Minister of Agriculture and Fisheries. Potatoes are the largest fall crop but they aren't the only crop being harvested this time of year.

Harvesting other fall crops

Question to the minister: Are there any other fall crops which still have a significant amount of harvest yet to come in?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Yes, as the hon. member mentioned, there's certainly different crops and commodities out there that are under the crop insurance program and there's others that aren't under crop insurance, but in particular soy bean harvest is nearly rounding up and also the corn harvest.

There is some hope that those crops could be harvested at some point and time.

I'm also aware that there's a brussel sprout crop – it was on CBC not too long ago, that has not been harvested yet.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

With the weather being what it is much of the harvest fall will likely be lost requiring claims on crop insurance where available.

Crop insurance claims

Question to the Minister of Agriculture and Fisheries: Could the minister outline what the process is for farmers to make crop insurance claims?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: That's a very good question, Mr. Speaker.

Actually, we do have a very thorough and extensive crop insurance program here on Prince Edward Island. So when a particular farmer registers and put his crop under the crop insurance program in the spring of the year they are monitored throughout their planting, throughout the growth of the year by our crop insurance agents – we have about 29 crop insurance agents in the province.

Once again, once the crop has been harvested or a claim has been filed, then at that particular time the crop insurance agent will go out and monitor and confirm that indemnity or loss and then would make a payout within 30 days.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Crop insurance is available to farmers with different levels of coverage.

Determining of crop insurance rates

Question to the Minister of Agriculture and Fisheries: How are these rates for crop insurance compensation determined?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, when a particular commodity goes under crop insurance, those commodities would lobby our department to determine what the particular indemnities that might be covered. They would also determine what the potential coverage could be, so we do offer various opportunities for coverage to farmers out there.

Some with coverage can be like a low or medium, high coverage for their particular yield; it also could be the same for the price of that particular commodity.

We would then look at going through a process to determine whether that would be confirmed of what that price point would be.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

I have heard concerns from farmers that they feel that the rates for crop insurance are artificially low; the thinking goes that large processors are urging government to keep rates low to force farmers to press on with their harvest in poor conditions.

Question to the agriculture minister: Are crop insurance rates subject to outside influences?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: As you're well aware, the hon. member, you're well aware that crop insurance is a three-party system here. The provincial government is a component of this, the federal government, as well as the commodities themselves and the groups in particular.

Once again, they do have choices in particular price points on each particular commodity. I know in particular the potato industry we're certainly – they have choices to go up, I think, it's nine, 10 or 11 cents a pound.

Once again, we will be looking at those rates as we move forward into the next crop season.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Payout of crop insurance in 2017-2018

Question to the agriculture minister: How much was paid out in crop insurance last year?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: When it comes to crop insurance, once again, just to reiterate too, we also have a crop insurance board that also takes those particular requests. They're also an appeal board to deal with any of the claimants if they're not satisfied with the amount of payout on a particular crop and the indemnities that they have coverage under.

When it comes to – I'm not sure of the exact of last year's, but I can tell you this House on – as of November 22nd, the province of PEI, through the crop insurance board, has paid out about \$11 million in indemnities to farmers.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

That \$11 million, is that this year or last year?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: That would be this year.

So, for this crop season, as of November 22nd, we've paid out \$11 million to farmers across Prince Edward Island for a variety of crops. I know blueberries, there was a payout on that, and there have obviously been payouts already in the potato industry.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Question to the agricultural minister: What did you pay for table stock that's still in the ground?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: When there's a particular claim that comes in, once again, we would look at the policy that the particular farmer would have. So if a table stock producer had a low-medium or a high yield return that would be one of the payout triggers. The other would be the price point, which it could be like I said nine, 10 or 11 cents a pound depending on what the policy that they have.

Also, when a particular farmer decides that they do not want to harvest their crop or were not able to harvest their crop, the payout would be 75% of the claim and they do not have to harvest the crop.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

We know from the Public Accounts that there's \$40 million surplus in crop insurance – dues paid, like counted against the provinces bottom line. We also know that more erratic weather is becoming more common due to the impacts of climate change.

Restructuring of crop insurance due to climate change

Question to the agriculture minister: Has the province looked at creating a special fund for restructuring the crop insurance program to better offset losses to producers from climate change?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: The hon. member is correct, that certainly in March 31st in the statements there was a \$40 million surplus within the department, that crop insurance account. I might emphasize that the crop insurance account is separate from the provincial government account. The

province and the department agriculture, our responsibility is to backstop that account.

We also are in the situation where we buy insurance or reinsurance on indemnities that occur that go over a certain amount. So, once again, if that account goes to over – \$39 million is withdrawn from that particular account, anything above that would be covered through reinsurance and we would put a claim into our reinsurer on that particular case.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

Yesterday, as my colleague mentioned, we heard the shocking news that DME's Island operations have gone into receivership, directly affecting at least 140 workers in PEI. The entire DME group is actually made up of 400 employees across three manufacturing facilities in PEI, as well as in BC and South Carolina.

They include: Diversified Metal Engineering Limited and General Partner Incorporated, DME Brewing Solutions, NSI Newland Systems in BC and South Carolina, Advanced Extraction Systems – AESI in PEI, and Atlantic Systems Manufacturing Ltd. Food Processing.

Impact of companies in receivership

Question for the Minister of Economic Development and Tourism: Which PEI companies in this group are in receivership, and how are the other operating companies in the group impacted?

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

Mr. Palmer: Thank you, Mr. Speaker.

This is, as I said, it's serious and we're there to support all of the workers that are impacted by this. The papers were filed yesterday at noontime, and we're working to get a better understanding of that. We're working with the receiver, as well, so that we can understand the full scope of the impact that is here on PEI, and we're also looking forward to working with the

receiver to help as many of these workers as we can.

Thank you, Mr. Speaker.

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

Ms. Bell: Thank you, Mr. Speaker.

Well the companies based in BC and South Carolina were not impacted, neither is Advanced Extraction Systems Incorporated included in the receivership order here in PEI. This company, AESI, was recognized only a few days ago with the Greater Charlottetown Area Chamber of Commerce President's Excellence Award as an Emerging Exporting Business and received \$300,000 in funding from ACOA earlier this year. Its systems, however, are manufactured by DME.

How will this receivership affect those AESI staff, contracts, commitments, and future growth?

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

Mr. Palmer: Thank you, Mr. Speaker.

We continue to work with the receiver to get an understanding of what the impacts could be. We're still in early days, and there could be opportunity for other people to come in and buy that company. There could be opportunities for others to fulfill the work orders that were there.

I know that my department has been reaching out to a number of people to see how we can make those things come to fruition that we can do the best that we can, and we want to make sure that through this process that all Island orders are being honoured.

Thank you.

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

Ms. Bell: 140 jobs lost today in PEI has a per capita economic impact seven times

greater than the recent General Motors losses in Ontario.

What is the PEI government going to do to mitigate the impact on our economy?

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

Mr. Palmer: Thank you, Mr. Speaker.

It is early days, but we take this very seriously. We do understand the impact, we understand that this company was an exporter, had quite a volume of work that was leaving PEI with new money coming back in here.

So we are going to do what we can do to help. If there's other organizations that are interested in acquisition and as we already know there are a number of companies across PEI that are interested in the workforce. So, we're there to help.

Speaker: The hon. Leader of the Third Party.

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

Recent revelations about sexual abuse of students in a private school in Ontario have shocked many people and led to questions about the degree of oversight of private schools, not only there, but operating here in Prince Edward Island.

Under the United Nations Convention on the Rights of the Child, jurisdictions like PEI are responsible to and I quote: "take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse".

Protection for religious schools on PEI

A question to the Minister of Family and Human Services: Are you comfortable that Prince Edward Island is taking all appropriate measures to ensure that young people in religious schools here on PEI are being offered these protections by your government?

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

Ms. Mundy: Thank you, Mr. Speaker.

Protecting the rights of children is everyone's responsibility, and I can assure you that it is this government's top priority.

Buddhists from around the world send their children to Prince Edward Island to study at the monastery, and we have – my department, has a protocol with the monastery that understands and respects the rights of the World Health Organization, Mr. Speaker.

Thank you.

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

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

The UN, of course.

I want to be clear that as the minister and I discussed earlier this fall, I have no evidence of wrongdoing. I'm simply trying to ensure that our province is providing the degree of oversight that is mandated by the UN convention.

Question to the same minister: What level of monitoring in terms of frequency and exhaustiveness is going on regarding schools recently established by religious communities here on Prince Edward Island?

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

Ms. Mundy: Thank you, Mr. Speaker.

Again, I can assure the hon. member that this is something that we do take very, very seriously between myself and the department of education. To date, there have been numerous meetings and numerous visits, not only by myself, but from department staff and we are working collaboratively with the Moonlight Society to ensure that those children that have come many miles away to study and to learn, not only the Buddhist culture, but also Island culture, are protected and safe.

Thank you, Mr. Speaker.

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

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

I understand that some of the children attending the Moonlight International Academy monk school, and who are as young as 10, do not go home between semesters and live on Prince Edward Island all year round.

Educating of administrators re: rights of children in Canada

To the same minister: Has the department taken any steps to sensitize and educate administrators in these organizations on the rights of children in Canada, including their right to contact parents?

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

Ms. Mundy: Thank you, Mr. Speaker.

Again, I want to assure this House that safety – children's safety is this government's top priority and as of – in 2017 my department engaged with training with the Moonlight society, on not only cultural practices, but Island traditions as well and they are very aware of the *Child Protection Act* here on Prince Edward Island and we work very closely to ensure that the children that are there are safe.

Speaker: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Mr. Speaker.

Today my question has to do with the Kings County mental health clinic.

As you know, I currently have a motion before the House on the traumatic events that have happened in my district, so my question is to the Minister of Health and Wellness.

Mental health hub in Montague

With the new capital investments into mental health, will one of these community hubs be in Montague?

Speaker: The hon. Minister of Health and Wellness.

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

The \$100 million capital investment announced last week is the most significant investment ever in mental health and addictions on Prince Edward Island.

Mr. LaVie: Be careful.

Mr. Mitchell: This will enable us as a province to better serve Islanders where and when they need the services the most.

Part of that announcement, as well, was government committing to four mental health hubs across the province. Obviously there will be one in Charlottetown. There will be one in Summerside. There will be one in the west and there will be one in the east of the Island and I would certainly anticipate that Montague would be a full consideration for one of those hubs in the east end of the Island, Mr. Speaker.

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

Mr. Roach: Thank you, Mr. Speaker.

Minister, mental health affects all ages. We hear a lot about student well-being teams which are doing fantastic work in the Montague family of schools, but mental health knows no age limits.

Availability of mental health resources for seniors in Montague

I'm wondering what mental health resources are available to our seniors and in particular, for seniors in Montague area.

Speaker: The hon. Minister of Health and Wellness.

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

Our seniors' mental health resource teams serve older adults, the older population of our community all across Prince Edward Island and they're not immune to mental health situations. When you grow older they

could have complex emotional issues. They could have functional or behavioural problems as well.

We want to work very closely with seniors, either at home, in community care facilities or long-term care facilities right across the province. That includes (Indistinct) from health professionals such as RNs, LPNs, psychiatrists and we continue to work with Islanders all across PEI.

Last year we were able to open up clinics for seniors in Kings County, in both Souris and Montague.

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

Mr. Roach: Thank you, Mr. Speaker.

Minister, over the past year we know you've been establishing mental health walk-in clinics.

Permanent walk-in clinic in Montague

Is there a plan to establish a permanent walk-in clinic for these residents in Montague, Kings County?

Mr. LaVie: (Indistinct) Souris.

Speaker: The hon. Minister of Health and Wellness.

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

These mental health walk-in clinics have been extremely successful all across the province. Last year alone we had over 600 Islanders visit these clinics and we're seeing great success.

We have them now in Charlottetown, Summerside, Lennox Island and one in the west, I believe, and part of the new (Indistinct) program that we are doing, we will be identifying other areas. As those details and dates come out, I will bring them forward to the floor of the Legislature.

But certainly, Kings County will have what they need in that area, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

My question is to the Minister of Agriculture and Fisheries.

Trained fisheries officers

Minister, fisheries officers play a vital role in protecting our fishery. Do we have an adequate number of well-equipped and trained fisheries officers to protect this valuable resource?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Thank you, Mr. Speaker.

That's a really good question in regards to the Department Fisheries and Oceans is responsible for enforcement of the *Fisheries Act* here in Prince Edward Island, as well as it is anywhere in Canada, for that matter.

Currently, we have 22 fisheries officers that are providing that enforcement across the province. I might note that in 1990 that was 36.

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

Mr. Dumville: Thank you, Mr. Speaker.

Minister, do we have less fisheries officers as a percentage portion of the industry compared to other provinces?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Yes, Mr. Speaker.

Actually, that's a good question as well because I've actually had conversations with our minister – parliamentary assistant to the minister of fisheries and oceans and when I do the comparisons of the Province of Prince Edward Island, we have actually 1,275 core fishers and 920 non-core fishers. When you compare that to the Gulf Region of New Brunswick, they have 1,058 core fishers and 1,039 non-core fishers, and in comparable we have about a third of the

fisheries officers to protect that industry, Mr. Speaker.

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

Safety of fishing industry

Mr. Dumville: Minister, I realize you have to deal with your federal counterparts, but are you taking steps with your federal counterparts to ensure our industry is safe and with the same level of protection that is (Indistinct) to the other provinces?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, we are very fortunate here in Prince Edward Island to have a parliamentary secretariat to fisheries, to minister Wilkinson here – the hon. MP Sean Casey, and I had a meeting with him recently and went over a number of the particular issues.

Mr. LaVie: Sean who?

Mr. Henderson: I know we had questions here around the dredging of our harbours as well as – this was actually my number one issue that I brought up to the minister to make sure that they understand that we are not being treated fairly here when it comes to the protection of our shellfish industry.

The fact that we have such a large volume of core fishers, non-core fishers, as well in the complication of shellfish leasing, that's a lot for our fisheries officers to do and I'm hoping that will be addressed in the near future, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

We submitted a written question last summer for a list of government checks on high-capacity wells and other commercial water extraction, and it took the CLE minister 11 weeks to respond.

We found out there were 244 inspections on holding ponds, rivers, water courses and

wells conducted in roughly 18 months in PEI.

Oversight and scrutiny of commercial water users

Question for the minister: Minister, are you holding all commercial water users to the same level of oversight and scrutiny?

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

Mr. R. Brown: Yes, Mr. Speaker.

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, farmers were subjected to 212 of the 244 inspections carried out by government on this list.

Question for the minister: Minister, why are individual farmers facing higher scrutiny than large corporations?

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

Mr. R. Brown: Mr. Speaker, the water issue here on Prince Edward Island is one of the biggest issues facing Prince Edward Island in terms of its population. Islanders expect us to monitor our water systems and monitor our water tables here on Prince Edward Island to ensure that a high quality and a high volume of water is available to all users on Prince Edward Island.

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, 17 industrial high capacity wells of Cavendish Farms and their processing plants extract to combine 1, 270 imperial gallons per minute 12 months a year; they were not among the 244 inspections carried out by this government.

Public policy on water usage

Question to the minister: Minister, why is this government working with Cavendish Farms to formulate public policy and water

usage, while not holding them to the same standards as the farmers?

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

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

Another allegation this week that we are secretly working with Cavendish Farms behind-the-scenes.

I can tell Islanders right now, all Islanders are treated equally when it comes to the protection of water here on Prince Edward Island. We know that it is our major resource. Islanders want clean, clear, and available water and my department will ensure that they have that constantly.

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Only six processing inspections out of the 244 for commercial users were conducted by this government in the time frame of our question.

Our ground water is too important for this government not to take action and show leadership.

Monitoring of all commercial water users

Question for the minister: Minister, why does it appear that the research monitoring and oversight of all commercial water users is not a priority for this government?

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

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

We passed the first ever *Water Act* here on Prince Edward Island. The former minister spent a number of hours on the table, discussing the *Water Act*; the former member was all across Prince Edward Island and had, I would say, dozens and dozens of meetings with dozens and dozens of organizations. We have a great piece of legislation, one of the best, I would say, in

Canada and North America, and possibly the world.

We are in the process of doing regulations; we will be consulting with the industry. I am meeting with the federation of agriculture to go over a number of issues, and that is one of the issues we will be going over with

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I'm glad the minister brought that up because the *Water Act* was passed in fall 2017, and our leader called for an all-party committee to review the regulations and up them together –

Mr. MacEwen: Good idea.

Mr. Trivers: – and in May of this year, I asked the minister, I said: When are the regulations going to be released to the public for review? And he said that they were going to be spent to committee so that they can be reviewed at committee.

So, here we are. A year after the *Water Act* had been passed, he says they are stilling working on the regulations, he says they are still going to go to the public.

***Water Act* regulations to be reviewed by committee/public**

I would like to know if he's going to send these regulations to the public for review and/or the committee before the next election.

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

Mr. R. Brown: Mr. Speaker.

A couple of months from now, he'll probably be complaining that there too many meetings on this. We have the regulations, we are just finalizing them. They will be going to the committee – an all-party committee – made of legislative members here.

So, his request for an all-party committee, they will be going to the environment committee for review. They are being finalized now; they will be going to public consultations. The committee will have full review of the regulations before anything is passed at Executive Council.

I can assure the member that, I can assure the member of the public because again like I said: water is the most important issue here on Prince Edward Island, and no government will fool around with the water on Prince Edward Island, especially this government.

Thank you very much.

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

Mr. Trivers: Thank you, Mr. Speaker.

The fact still remains that it has been over a year since the *Water Act* passed. We still don't have any regulations. And, we find out that of 244 inspections that were done, none were done of 17 high-capacity wells that are being run by large corporations.

High-capacity industrial wells not inspected

So, my question to the minister is, again: Minister, why were none of this 17 industrial high capacity wells inspected?

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

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

Up till 2010, extraction permits weren't – or, monitoring wasn't issued here on Prince Edward Island, or permits weren't given to high-capacity wells, in terms of municipalities. I was the minister that first introduced it, the City of Charlottetown was the first one to be given a permit for high-capacity wells, and there is tons of monitoring going on.

We are assuring Islanders that there will be a quantity of water available –

An Hon. Member: (Indistinct)

Mr. R. Brown: – it will be best quality water –

Mr. Trivers: It's your report.

Mr. R. Brown: – and there will be an abundance of water.

This government is committed to it, this government committed to protecting Islanders, especially when it comes to the quantity and quality of water they have in their homes.

Thank you.

Some Hon. Members: Hear, hear!

Statements by Ministers

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

Violence Against Women Prevention Grants

Ms. Biggar: Thank you, Mr. Speaker.

This past Sunday, on the 25th of November, individuals and organizations across the world recognized the scale and nature of the violence faced by women around the world. This is known as the International Day for the Elimination of Violence Against Women, a day designated by the United Nations in 1993.

Some of the statistics that the United Nations has compiled are nothing short of alarming: one in three women and girls experience physical or sexual violence in their lifetime; one in two women killed worldwide were killed by their partners or family in 2012; while one out of 20 men were killed under similar circumstances. These are only a few examples of the disproportionate amount of violence women face in society.

As Minister Responsible for the Status of Women, and as a MLA, a woman, as a person – I believe we must all take action against this.

One of these actions is what Members of this Legislative Assembly are wearing today, the purple ribbon.

Every year, the PEI Advisory Council on the Status of Women organizes this campaign to raise awareness on the violence against women; which began 27 years ago, the campaign, to remember the 14 women murdered at *l'Ecole Polytechnique* in Montreal.

I'd like to acknowledge Jane Ledwell and Yvonne Deagle from the council, with us today, for all the tremendous work the organization does in supporting the women of our province.

This year, the theme of the Purple Ribbon Campaign is: Time to Step Up. Be ready to prevent violence against women. In support of this theme, the Interministerial Women's Secretariat is providing funding to community organizations again this year through the violence against women prevention grants.

Four organizations received funding for projects to help Island women feel safe from the threat of violence, and I would like to recognize members from each these organizations here today in the gallery: Samantha Lewis; Geraldine Jadis; Geraldine Dijulio; Stephanie Stranger and Marlene Thomas from the Aboriginal Women's Association; Ellen Mullaly from the Community Legal Information Association; Sigrid Rolfe from PEI Rape and Sexual Assault Centre; and Jillian Kilfoil, Pam Atkinson, and Andrea Surich from the Women's Network of PEI. Thank you for being with us.

The Aboriginal Women's Association will receive \$25,400 for a project called Finding Our Way through Prevention and Knowledge. This project will raise awareness about violence against women while providing women safe environments as they are given information about accessible programming, services and cultural knowledge sessions.

The Community Legal Information Association will receive \$11,950. Their project will use a train-the-trainer model to engage and educate newcomers to Canada about their rights and responsibilities regarding family law within the emerging linguistic communities of PEI.

The PEI Sexual Assault and Rape Centre will receive \$4,500 for a research project to support adult survivors of sexual assault.

The Women's Network PEI will receive \$8,150 for a project called #ItStopsHere: Preventing street harassment and violence in PEI for women, gender diverse Islanders.

These innovative projects will enhance awareness, education, and action towards preventing violence against women in Prince Edward Island.

I'm proud of the work that we have all achieved working together so far, but we have much more to do to build a future where women are free of fear and acts of violence and where everyone can live in a healthy and safe society.

Welcome to everyone here and thank you for all your work and your passionate time.

Thank you.

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

Ms. Compton: Thank you, Mr. Speaker.

I'm pleased to rise today as well to recognize the International Day for the Elimination of Violence against Women.

I thank the minister for those announcements, I'm sure every one of the stakeholders in this room are very pleased with that and I'll say, there's always more need.

So, maybe we need to have more of these days and you can make an announcement every time we have a day, but I do appreciate all the work that you do.

I think the date is actually based on the murder of the Mirabal sisters in the Dominican Republic.

I think the dictator there at the time had them assassinated for their political activism, so we, as Canadians, should be very proud of our freedom here.

We all know that part of the problem is that although we talk about a day, it's often

covered up by the fact that we're wearing a ribbon but what does it really represent.

I just encourage everyone to reach out to the stakeholders that are here today and I want to thank them again for the work and I'd like to see everyone wear the purple ribbon.

Thank you very much.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

Violence against women and girls is one of the most widespread, persistent and devastating human rights violations in our world today.

The more that we speak about it, the more that it will remove from a space of silence and stigma and shame and into a space where we can prevent and address.

It's really exciting to hear projects announced and I'm sure that those projects are going to be something that really changes the space here for us.

Projects like this can have an impact far beyond the dollars that are allocated and I know with all of these organizations, having worked with them in one way or another over the years, that you will do incredible work.

I'd also like to point out that today is Giving Tuesday, a day where we can remember how much we can do by our gifts, particularly those gifts of funding and support and would really strongly recommend those who aren't able to make project-based funding, to remember the family violence prevention services in PEI – specifically those provided by Anderson House who provide shelter for over 100 women and children every year.

They have a needs list that comes out every month that includes things like, toilet paper and shampoo. You can find their list on the website every month. If you have the capacity to do so, that's a way you can give anytime of the month, whether or not we're wearing a purple ribbon.

So thank you for these announcements today minister and may I remind you that every day is a giving day.

Speaker: The hon. Minister of Health and Wellness.

Capital Investment for Mental Health and Addictions

Mr. Mitchell: Thank you, Mr. Speaker.

Our government has put forward a capital budget which includes the most significant investment ever into Mental Health and Addictions for this province, \$100 million dollars over the next five years.

We have heard from many Islanders over the past few years about their successes and their struggles with mental health. As a government we've been listening and we are taking action.

Over the past year there has been a team of experts looking at master programming for mental health and addictions services in the province. They have examined what essential services are required to have a mental health campus that meets the needs of all Islanders.

Dr. Heather Keizer and Verna Ryan, our Chiefs for Mental Health and Addictions, lead that work. They brought in an experienced consultant and together they talked with clinicians, frontline staff, social workers, councilors, RNs, therapists, and various experts to gather information.

They also looked at other jurisdictions related to best practices and most importantly, they met with Islanders with real lived experience. Through this process, they gave us a roadmap for what we need.

We heard that replacing Hillsborough Hospital was essential, but we need to do more. That is where our new budget investments come in.

We increased our capital investment to \$100 million over the next five years for mental health. This will enable us to better serve Islanders, providing care when and where they most need it.

There are a lot of elements to this plan.

We will enhance community mental health centres, we will create e-health resources and establish a dedicated ER for mental health with an acute stabilization unit.

Currently, we have community or hospital care. With this new plan we will add housing and supportive resources, like transitional housing, structural housing, residential services and adult day programming.

Now that we have a picture of what we need, the next step is determining how we achieve it – what the actual blueprints for these capital investments should look like

Health PEI will soon be issuing an RFP for phase two of this work. That is when we talk with the architects, the planners, the communities.

Phase two will be a multi-year project to design and build an advanced, modern mental health and addictions system – based on best practices and one that is sustainable well into the future.

This is a huge project – one that requires the proper time to plan, to design and to execute.

I am excited about this plan as we move forward to the next phase and we'll ensure the public is engaged and kept well informed on our project timelines and decisions.

Thank you.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker.

It is wonderful to hear of this announcement, we've heard about it a year ago and it's coming in today and I do know that these processes take a long time to happen.

You won't hear any complaint about new infrastructure from this side of the House; it's been well sought after, well required for some time.

We do have to point out, as the minister well knows, that that infrastructure will only be

as good as the health professionals that fill it.

That's going to be a big part of it.

We know recruitment is tough; we've talked about that in the House a ton of times. I hate to keep going back to scope of practice, but even in our mental health professions, the scope of practice needs to be looked at, what kind of professionals that we can bring in, perhaps there's new teaching hospitals out there that are coming up with new positions. All that kind of thing has to be incorporated into this.

Don't get me wrong, we're very excited this is happening, we're excited that there's an additional investment going into it, but at the end of the day, it's the staff down at the Richmond Centre that know they can't help that extra person today – or it's the mental health workers that can only deal with the class one and two clients, versus the three's and four's and at the end of the day, those are the people that we need to help.

I know this campus, this whole system, that's the goal is to have better situations for people with mental health issues to go into, but the key is the health professionals to fill it and I hope that is a large part of this process and we're really looking forward to it.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

Like the hon. member who preceded me, this is a great announcement, \$100 million for mental health; 100 million plus.

Unfortunately, we have a tendency in government, generally, and I think health is no exception to this, to talk more about the inputs and not outcomes and of course this money is incredibly important, it's very necessary and it's very welcomed; \$100 million plus is an enormous investment and something here on Prince Edward Island that we all know, is a priority.

So when it comes to mental health, again, while this money is absolutely necessary and

welcome, equally if not more important, is that we are confident that however we spend this money, that we're doing it in the most efficient and effective way to achieve the outcomes that we want here on PEI.

When it comes to mental health, those outcomes are a general population that enjoys good mental health; people who are calm, who are confident, who are content.

I said in the House, I think it was last week, that life is difficult and life is complicated and that none of us can avoid the stresses and the challenges that come with everyday living. The question is: what can government do to help alleviate these stresses and these challenges or, at the very least, not contribute to them?

So thanks again for the announcement of money, minister. That's so important, but I'd like to see us move from a predominantly reactive interceptive model of mental health care, of dealing predominantly with mental health crises as individuals experience them here on Prince Edward Island. I'd like to see us move to a predominantly proactive preventive model where government, in all of its policies – health and all policies – and its spending priorities does all that it can to build a society here on Prince Edward Island that promotes wellness, including, of course, mental well-being.

Thank you very much, Mr. Speaker.

Speaker: The hon. Minister of Finance.

Climate Leadership

Mr. MacDonald: Thank you, Mr. Speaker.

Islanders are innovative, hard-working and committed to climate leadership. When it comes to a climate change plan, ours has always been a made-in-PEI fit to meet climate change targets without additional financial burden for Islanders. I am pleased that we will be able to meet our climate change targets and not cost Islanders anything more; in fact, Islanders will continue to save through our incentives.

Islanders are saving money while turning to more environmentally-friendly forms of energy.

Here are some examples: Islanders have saved \$10 million with the 10% rebate on electricity. Islanders are also saving on firewood, pellets and propane through the provincial rebate of point of sale credit. Over 2,400 Islanders have participated in the rebate program on things like heat pumps, valued at over \$1.5 million. Efficiency programs have reduced CO₂ emissions by 35,000 tonnes and saved 1.5 million litres of home heating fuel annually.

Energy efficiency keeps money in the pockets of Islanders, reduces our environmental impact and creates job opportunities for local industry professions. Participation in energy efficiency rebate programs has increased by over 300% in the last year.

Since 2008, efficiencyPEI has been helping Islanders reduce their day to day energy use – more than \$8 million in grants to over 10,000 residential clients, free weatherization service to 4,300 low-income homes, and over 500 businesses have been helped to reduce their energy consumption.

These actions, along with the determination of Islanders to increase efficiency, have resulted in the 41% reduction in heating oil use on PEI since 2003. This alone represents approximately \$83 million in savings to Islanders per year at current fuel prices.

Together with the federal government, we have committed to a two-year agreement to meet our climate change targets by offering Islanders more affordable ways to reduce their energy consumption.

I am very pleased that federal government has accepted our 10% rebate program for low emitting heat sources called the Clean Energy Price Incentive as an equivalent measure to putting a price on heating oil.

As a result, home heating fuels will be exempt from any price on carbon. This will save Islanders \$38.7 million directly. Other plans would have seen Islanders pay more to heat their homes, which is unacceptable.

While the federal government requires an incremental price on gasoline and diesel, our government is committed to minimizing the impact on Islanders and will ensure that this is revenue neutral. We'll have further details

later this week on how every cent will be returned to Islanders.

Each year we will have the Auditor General review these funds and confirm all revenue has been returned to Islanders.

The carbon price will exclude marked-fuel used by farmers and fishers in their operations.

Government is working with Islanders and the transportation industry to develop innovative, sustainable transportation solutions that will also reduce emissions.

We are pleased that our plan will meet our climate change targets without placing an additional financial burden on Islanders.

Thank you.

Some Hon. Members: (Indistinct)

Mr. Myers: Here comes the truth.

Mr. LaVie: Here's the truth coming.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Well thank you, Mr. Speaker.

Indeed, there are some good things in what the minister is saying there; for example, the idea of removing the provincial portion of the HST off of electricity.

Mr. MacEwen: That's a good idea.

Mr. Trivers: That's a fantastic idea. You know whose platform that was in? That was in the Progressive's Conservative platform last election.

An Hon. Member: No.

Mr. Myers: Yes, it was. Yes, it was.

Mr. J. Brown: (Indistinct) bradtrivers.com.

Mr. Trivers: We worked – thank goodness that we were able to work on this minister of energy, to get her to make that change.

Ms. Biggar: You're welcome.

Mr. Trivers: The other thing is, it's kind of ironic because the Climate Change Action Plan from this government actually reduces the target that they're decrease GHD emissions by. The previous one, they were going to try and reduce by point 7 megatonnes, now it's only point 63 megatonnes – 17% less. That is not leadership on climate change.

The other thing I wanted to talk about is how important the energy mix really is to reducing greenhouse gases and climate change, and it is. This government is doing some good things – we mentioned the HST that great PC plan that you guys are implementing, that's fine. You also talk about giving rebates to move the heat pumps, which is a good thing and in getting off of heating oil.

The problem is, the electricity is being produced from dirty sources.

Some Hon. Members: No, no, no.

Ms. Biggar: (Indistinct)

Mr. Trivers: We need to focus on locally produced clean energy here on Prince Edward Island, and that's the PC solution. That's what we said.

Mr. LaVie: You won't listen. You weren't listening.

Mr. R. Brown: You're going with solar panels. That'd be great.

Mr. Trivers: It was really interesting, because what we found out was that, you know, the minister of energy stood up and said – I think it was an op-ad actually, Mr. Speaker, to *The Guardian*.

An Hon. Member: Hope that's in Hansard.

Mr. Trivers: That she said: don't worry, the carbon tax we're bringing in will not impact electricity prices.

Mr. R. Brown: That's right. She said that. She's right.

Mr. Trivers: So I dug into that, and I found out that the reason for that is because dirty electricity produced in New Brunswick is

being exempted from the carbon tax in New Brunswick by the federal government.

Mr. LaVie: Ooh.

Mr. Trivers: New Brunswick Power's Belledune Generating Station burns a combination of coal and petroleum coke and Trudeau just gave Belledune an exemption to produce 800 tonnes of GHDs for free.

Of course, the minister knows that. She sits at those tables.

Mr. LaVie: I told you the truth was coming out.

Ms. Biggar: Is that the collusion you talked about?

Mr. Trivers: So the minister is misleading Islanders.

Some Hon. Members: Ooh.

Mr. Trivers: That's an allowed word – she's saying to us: don't worry look at us, we're making sure we don't have to pay any extra costs of electricity because of our carbon tax. The reason is there is no carbon tax on the electricity or very, very little in New Brunswick.

I can't emphasize enough how important locally-produced clean energy is on this Island. I think the energy portfolio is extremely important; in fact, I would like to see it moved out from under this minister into – maybe even into a separate standalone – maybe communities, land and environment would be a fantastic spot to put that.

Some Hon. Members: No!

Mr. Trivers: Someone who can really dig in and focus on that, because I really think this minister's plate is full with transportation and infrastructure.

Mr. Myers: A new government; a new government.

Mr. LaVie: A new government, maybe.

Mr. Trivers: The final point I wanted to make, Mr. Speaker, because I know I'm running out time here is –

Mr. MacEwen: No, keep going.

Mr. R. Brown: Put a new battery in him.

Mr. Trivers: The reason that Prince Edward Island is in such a fantastic position when it comes to our greenhouse gas emissions right now, is because of the great work that previous governments have done.

Ms. Biggar: The gas (Indistinct) Pat Binns.

Mr. Trivers: I can go back – and this is actually in the climate change document that was released by this government – you back to 1981, it's been the Progressive Conservative government that's been taking action since then – premier Lee and it even goes back before that.

So we've done things like an Atlantic wind test site, district heating systems, implemented west watch –

Ms. Biggar: West watch?

Mr. Trivers: Our climate change action plan put in 2001 was the one with the higher bar on it. The energy framework for renewable energy strategy, the transit was started by Tory governments, and the wind farm began operations, as well.

An Hon. Member: No.

Mr. Trivers: Yes it did, back in 2005. It's in your document. It's in your document.

Then, what we seen from this government, is we're not seeing action, we're seeing talk and talk and more talk. They want to go out, they want to form more committees and partnerships, and sign agreements and things, but when it comes to actually where the rubber meets the road, we've heard some announcements, but we've really seen very little in action.

That's what I throw out there today. I want to see focus on energy. I want to see that energy portfolio move to someone who can really focus on it, and I want to see us work so that we're not using dirty electricity and we continue to move away from oil.

Thank you, Mr. Speaker.

Some Hon. Members: (Indistinct)

Speaker: Hon. member, before I move onto anybody else, last week I asked all members in this Legislature – and that would include you, hon. member –

An Hon. Member: Oh.

Speaker: – to not – and to refrain from using the word 'misleading'. You used the word 'misleading' and I want you to withdraw it.

Mr. Trivers: Well thank you, Mr. Speaker.

Apologizes for that, I was a little confused on the misleading part, so thank you for clarifying that; I will withdraw that.

Mr. LaVie: Some use it and some don't.

An Hon. Member: Some are allowed to use it.

Mr. LaVie: Some are allowed to use and some are (Indistinct)

Premier MacLauchlan: (Indistinct)

Mr. Myers: Wish you guys weren't so angry over there.

Mr. LaVie: Truth hurts (Indistinct)

Speaker: Before I go to the hon. Leader of the Third Party for his response, the responses to statements are supposed to be of an equal amount of time by the official opposition. Just –

An Hon. Member: (Indistinct)

Some Hon. Members: [Laughter].

Speaker: – just slightly, hon. member.

Mr. Myers: It's dark out already.

Speaker: Yeah, it's equal amount by the opposition, and 50% by – and your (Indistinct)

I'll call on the hon. Leader of the Third Party, for response.

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

I forgot what the minister said now.

Some Hon. Members: [Laughter]

Mr. Trivers: You heard the important part of it.

Some Hon. Members: (Indistinct)

Dr. Bevan-Baker: Mr. Speaker, I thought before I stood up today that I knew what leadership was. I thought it had something to do with motivating and inspiring people to act together towards a common goal – that's what I thought leadership was and I suppose there are many working definitions of leadership, and today, I guess, I learned a new today.

Apparently, climate leadership involves subsidizing the continued use of fossil fuels – that's what I learned. I learned that people who claim to be climate leaders are subsidizing the continued use of fossil fuels here on Prince Edward Island.

Scientists tell us that climate change is real and that we are causing it. The solution is to stop digging up fossil fuels out of the ground and setting fire to them.

Economists tell us that the most effective, the most cost-effective, the most efficient way to reduce emissions is by using market forces. But, we have to do a lot more than that.

There was a lot of talk in the previous two statements about electricity use, and that's incredibly important, of course. How we heat our homes is a significant part of the energy budget that we have here on Prince Edward Island, but it's a third of our transportation budget – a third. And if we are going to tackle this properly, we have to develop an integrated system that uses clean energy everywhere we live and work; whether that be in our homes, in our transportation systems, in our public buildings – everywhere.

PEI is Canada's most vulnerable province when it comes to climate change. We're vulnerable to sea level rise, we're vulnerable to the increasing storm activities, and as we found out this year in our agricultural community, to the changeable weather patterns that give us rain when we don't want it and don't give us rain when we need it.

Our economy is heavily dependent on agriculture, on fisheries and on tourism – and all of those sectors in their own way, is incredibly dependant on a stable climate. So, we have every reason in the world to be true climate leaders here on Prince Edward Island; which is why this government's timid, half-hearted approach rings so terribly hollow to me.

What has claimed to be climate leadership is in reality, a cold and calculated abandonment of future Islanders, and a world that is pleading for meaningful action, for true leadership, for vision and for inspiration.

Ms. Biggar: More tax.

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

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

Energy Efficiency

Mr. Palmer: Thank you, Mr. Speaker.

Our government continues to take concrete steps toward reducing our collective carbon footprint and getting more money into the pockets of Islanders.

Today, I am pleasure to announce that we are rolling out another support to help them improve energy efficiency in their homes.

Mr. LaVie: (Indistinct) the election?

Mr. Palmer: Through Finance PEI, our government is making \$7.5 million available for loans to improve energy efficiency.

Some Hon. Members: Hear, hear!

An Hon. Member: Does that mean reduce oil?

Mr. Palmer: Qualified applicants can receive up to \$10,000 in financing at 5% interest towards upgrades like insulation and energy and efficient heating equipment, including heat pumps.

The program will be administered by efficiencyPEI with the support from Finance PEI's lending services.

Our government is serious about the environment. We must take steps to reduce our carbon use and reduce greenhouse gas emissions for our children, and all Islanders. We may be a small jurisdiction, but we must do our part and lead by example.

This new financing, combined with a variety of energy efficiency rebates available through efficiencyPEI, give Islanders opportunity to reduce home heating and electric costs, and keep more money in their pockets.

To meet our climate goals, we need to take a government-wide approach. In my department, we support a variety of Island companies like Aspin Kemp and Frontier Power Systems who are doing innovative work to reduce energy consumption across a variety of industries, and develop clean power solutions for remote communities. We have supported dozens of Island businesses who have installed new, more efficient equipment to reduce power use and cost.

And now, we are making low interest financing and rebates available to help Islanders reduce their energy consumption at home. This is an excellent way to support our climate goals and I encourage all Islanders to visit www.energycpe.ca to get more information on how they might take advantage of these supports.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

It sounds like the election is on the horizon for sure. Government is trying to make – day after day making announcements on –

Mr. J. Brown: You have been saying that for a year and a half.

Mr. Myers: – how they're going to spend the tax payer's money. Except in this case, it really doesn't make a great deal of sense what they're doing. It makes for a great announcement, but I'm sure that the details are less than thrilling. Up to 10% is what you're allowed – \$10,000 is the most you can get back, which would be 10% of a

project at 5% interest. I'm not sure who you're competing with, but I'm sure that there are lots of opportunities better than that.

If you've got an introductory offer for a credit card down at the Royal Bank, you'd get it at 3%. You guys should be able to do way better than that if you're actually trying to help people. You're not a bank; you need to be told this over and over again. If you have a grant, that it's going to help people – help them. If you're going to lend the money and compete with the banks – I just don't understand what you're doing.

People do need help here on Prince Edward Island; I'm not sure who can access this program. It might show your completely lack of understanding and it goes back to what I said last week, is that Islanders deserve a government that understands how to govern during good times. And you guys clearly aren't, because all your doing is firing money around with little or no thought, as to who it's going to help or how it's going to help.

Mr. J. Brown: (Indistinct)

Mr. Myers: There is a great opportunity here to help people become energy efficient here on Prince Edward Island, but it's not by the programs that you guys are doing.

Mr. J. Brown: (Indistinct)

Mr. LaVie: Can't hear you.

Mr. Myers: We heard last week from the member from Rustico over here that the wait to get your money back for rebates on home energy grants now is months and months and months and months for low income Islanders.

Ms. Biggar: No.

Mr. Myers: Yeah, it actually is, because my Facebook messenger is full of people who are waiting for over three months to get –

Ms. Biggar: (Indistinct)

Mr. Myers: – and then at the same time –

Ms. Biggar: Direct payment.

Mr. Myers: – at the same time, I'd love to see the geographic breakdown –

Ms. Biggar: Direct payment.

Mr. Myers: – of where all of that money is going –

Ms. Biggar: Direct payments.

Mr. Myers: – because the stories that I'm hearing on the ground –

Mr. MacEwen: Uh oh.

Mr. Myers: – the stories that I'm hearing on the ground says right now, that you guys are completely mishandling that file –

An Hon. Member: Oh no.

Mr. Myers: – completely mishandling that file.

Mr. LaVie: The truth hurts.

Mr. Myers: That's something that we're going to bring back here –

Ms. Biggar: Direct deposit.

Mr. Myers: – to Question Period later this week.

Mr. LaVie: It hurts.

Mr. Myers: I don't want to spoil the surprise for everyone who is going to watch later in Question Period.

Mr. MacEwen: Too late.

Mr. Myers: I think that this government had an opportunity with the booming economy to do something good for Islanders and every time they take a turn, they take the wrong turn. It shows they are out of touch, it shows they don't understand Islanders, it shows they don't understand the need out there and it shows they don't know how to govern during good times.

You know what? I can't wait until this House has a government that knows how to do that.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

While we await the details of the program, which isn't currently on the website, we know that for Islanders dealing with Finance PEI is often an additional challenge and potentially an additional barrier for them being able to access, in this case, financial assistance.

So, qualified applicants unfortunately can often mean that unfortunately, you don't qualify.

Would like to really see that there is some flexibility, as we've asked for in previous programs like the Down Payment Assistance Program and other ones that are a bit more flexible about eligibility, about caps, on income and about what is acceptable in terms of terms.

Without that information, we're not really able comment on whether this is going to actually address the need, which is that, sort of, mid-to-low-income Islander who does not have the cash to make the investment, which this program should address.

Unfortunately, layering in additional levels of programs does not necessarily make anything easier for people to access, so a simple, clear approach to be able to provide supports directly to the Islanders who need it most rather than add another layer of application, wait, as we've heard from my colleagues and I echo those comments, and paperwork would not necessarily be one that many Islanders may necessarily get excited about.

I'm looking forward to seeing some more details and then we can comment further at that time.

Thank you, Mr. Speaker.

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, by leave of the House, I beg leave to table correspondence regarding Northern Pulp and environmental assessment dated July 6th, 2018, August 7th, 2018, August 16th, 2018,

and November 26th, 2018, and I move, seconded by the Honourable Member from Montague-Kilmuir, that the said documents be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, by leave of the House, I beg leave to table questions to the Department of Transportation, Infrastructure and Energy regarding Voluntary IDs and I move, seconded by the Honourable Member from Morell-Mermaid, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Third Party.

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

Mr. Speaker, by leave of the House, I beg leave to table a background document on Third Party's Bill No. 126, *Government Advertising Standards Act* and I move, seconded by the Honourable Member from Charlottetown-Parkdale, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

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

Ms. Casey: Thank you, Mr. Speaker.

I move, seconded by the Leader of the Third Party and on behalf of the Standing Committee on Legislative Management, that a unanimous report of the committee recommending that Mr. Joey Jeffrey of Charlottetown be appointed Clerk of the Legislative Assembly, be it received and do lie on the Table.

To clarify, debate on this report follows the motion for adoption, which will take place pursuant to the rules tomorrow.

Speaker: Shall it carry? Carried.

Ms. Casey: Mr. Speaker, I move, seconded by the hon. Leader of the Third Party and on behalf of the Standing Committee on Legislative Management, that a unanimous report of the committee recommending that Mr. Gerard Mitchell be appointed referendum commissioner, be received and do lie on the Table.

To clarify, debate on this report follows the motion for adoption, which will take place pursuant to the rules tomorrow.

Speaker: Shall it carry? Carried.

The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Mr. Speaker.

As Chair of the Standing Committee on Infrastructure and Energy, I beg leave to introduce the report of the said committee on its committee activities and I move, seconded by the hon. Member from Charlottetown-Lewis Point, that the same be now received and do lie on the Table.

Pursuant to Rule 110 (5) of the Rules of the Legislative Assembly, I will be moving the motion for adoption of the report tomorrow, Wednesday, November 28th.

Speaker: Shall it carry? Carried.

Introduction of Government Bills

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Mr. Speaker, I beg leave to introduce a bill to be intitled *Climate Leadership Act*, and I move, seconded by the hon. Minister of Health and Wellness, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *Climate Leadership Act*, Bill No. 62, read a first time.

Speaker: The hon. Minister of Finance, just a brief explanation, please.

Mr. MacDonald: Mr. Speaker, we're committed to protecting the environment for future generations and that's with dealing with this act.

Thank you.

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Workforce and Advanced Learning

Mr. Gallant: Thank you, Mr. Speaker.

I move, seconded by the hon. Member from Tignish-Palmer Road, that the 19th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 19, *An Act to Amend the Environmental Protection Act*, Bill No. 60, ordered for second reading.

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

Mr. Gallant: Thank you, Mr. Speaker.

I move, seconded by the Honourable Member from Tignish-Palmer Road, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Environmental Protection Act*, Bill No. 60, read a second time.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the Honourable Member from Tignish-Palmer Road, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-Lewis Point, if you wouldn't mind coming and chairing this bill.

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

Dr. Bevan-Baker: An overview please.

Chair: Thank you.

Permission to bring a stranger to the floor?

An Hon. Member: Granted.

Chair: We'll allow him to come to the floor and get set up and introduced.

Good afternoon, could you introduce yourself and your title for the record.

Greg Wilson: Greg Wilson, Manager with the Environmental Land Management section of the Department of Communities, Land and Environment.

Chair: Welcome to the table, minister would you give us an overview of the bill?

Mr. R. Brown: This act will allow us to create environmental assessment regulations which will beneficially affect a wide variety of sectors and groups, including the general public, environmental consultants, energy and industry sectors, First Nations and provincial government departments.

The proposed regulations will make it easier for all proponents to have a greater certainty in how the assessment process applies to their projects and how long the overall review will take before regulatory decision is made.

Once a substantial draft is prepared – regulations – consultations will begin with stakeholder groups through face to face meetings and solicit comments after posting the draft on the department website.

Right now, environmental assessments are done basically by policy and I have policy documents right now I'll pass out for you right now how it's done. I'll table them Madam Chair and they can be passed out to the groups.

We did a revised revision of those guidelines in January of 2010 and there was to be another update of the environmental assessment guidelines this year.

I made the decision that instead of just putting it in guidelines, it would be better to put it in regulations, therefore, those

regulations would be available online to everyone and it would lay out the rules very specifically in terms of it.

I think it ups our game in environmental protection in terms of putting it in regulation under the authority of the *Environmental Protection Act*, which then would allow the public more confidence in the processes that are occurring, especially when it comes to the protection of the environment.

I look forward to the discussions and the debate on the bill.

Chair: Hon. members did you want me to go through it clause by clause or section by section? What's your wish?

Are there any questions?

Leader of the Third Party.

Dr. Bevan-Baker: Thanks, to answer your question, from my corner of the room section by section is fine but I don't want to speak for everybody here.

Chair: So section by section?

All right, before I open the floor for questions, I'll read the first section and then I'll open questions to that particular section.

1. Clause 1(p) of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 is repealed and the following substituted:

(p) "undertaking" includes any enterprise, activity, project structure or work that will or may

(i) have an effect on any unique, rare or endangered feature of the environment,

(ii) substantially utilize any provincial resource and in so doing pre-empt the use or potential use of that resource for any other purpose,

(iii) cause the discharge of any contaminants or create by-products or residual or waste products which require handling and disposal in a manner that is not regulated by any other Act or regulation,

(iv) cause widespread public concern because of potential environmental changes,

(v) involve a new technology that is concerned with resource utilization and that may induce significant environmental change, or

(vi) have a significant effect on the environment or necessitate further development which will or may have a significant effect on the environment;

Shall the section carry?

We have a question from the Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Hi Greg, nice to see you.

In Section 1(3) in the original act the old definition used the terms "emission or discharge," but I see in this – I shouldn't say the old act but in the –

Greg Wilson: *Environmental Protection Act*

Dr. Bevan-Baker: Yeah exactly. The new expanded one only uses the word "discharge", not "emissions or discharge" and I'm wondering if that new definition is more restrictive or why you chose to remove the word "emissions."

Greg Wilson: We thought that we didn't make it anymore – we wanted to make it more clear to people as far as emissions go. A discharge or emission can be viewed as the same term (Indistinct) cases or whatever. One could be served as air quality; one could be served as emission to the water. A discharge could also be served that same way, so we didn't think there was any harm in making that change.

Dr. Bevan-Baker: So just for clarity, Greg, you felt that one of those words was (Indistinct) and you chose to get rid of "emissions" and leave "discharge" in there, but it doesn't restrict the power of the act in any way not to have that word in there?

Greg Wilson: It does not.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

In subsection (iv), this subsection adds the word “widespread”, before the word “widespread” wasn’t in there, just if it caused public concern it would be – I’m wondering firstly, could you define what “widespread” is? Are you talking geographically here, or a number of people or what’s the parameters of that and also why you chose to add that word.

Greg Wilson: We wanted to make sure that when a public concern is brought, it’s not brought by one small tiny party that could affect an entire debate on this topic.

We wanted to make sure that if something is wrong and it’s coming from a larger sector, we want to make sure that that’s looked at as opposed to one small voice – that’ll be looked at, a small voice, don’t count me wrong, that will be adhered to, but we want to make sure that environmental assessment is a big tool.

We only want to use it when there’s a very high concern from a large group of people and that’s why we chose to do it that way.

Chair: Leader of the Third Party.

Ms. Biggar: So I take it from that Greg, when we’re talking about widespread it’s not a geographical, not necessarily – this could be a localized problem that causes a great deal of concern for a large number of people and it would still be captured by that definition.

Greg Wilson: That’s right.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: That clause also removed the language around perceived or potential affects and I’m wondering why you also took those out.

Greg Wilson: Based on what we’ve seen in environmental assessment over the last decade or so, we haven’t had a lot of concern based on that wording of “perceived,” mostly it is a factor or isn’t.

Some people have a large definition of what they perceived to be an issue, but once the factors are out and people can understand what the project is about, that usually falls away.

We want to stick to – it’s either: this is the problem; it’s very specific here it is, not that it could be the problem.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Just to follow up on that Greg, clearly you have to base any investigation (Indistinct) on evidence and so you’re saying that something that may have been perceived as an issue initially, if there was evidence to back that perception up, it would go forward – but if it’s nothing more than a perception without any evidence to back it up, it would not justify an assessment, is that what I hear you saying.

Chair: Hon. members if I could ask for your help, I’m having a hard time hearing the question; I don’t mind you taking your conversations outside of the room.

Thank you.

Greg Wilson: I’m sorry if you could just repeat that again.

Dr. Bevan-Baker: Yes, sure.

So it removes the language around perceived or potential affects. My question was: I think I put it this way that: assessments are done based on evidence, there needs to be a clear thread here.

You’re saying that if somebody comes forward – well, actually no, perceived is gone now. I’m wondering whether somebody comes forward with a perceived concern, which may actually be borne out in evidence but they may not have that at that point – whether you would still at least start the process of an assessment.

Mr. R. Brown: I guess what we’re saying there is, if a person comes along and says: you know, I think is an environmental issue and it’s an environmental concern, the department would go out and investigate the concern and see if there’s potential environmental impacts to it. If the department feels that there isn’t potential environmental – if there’s no strict evidence to the environmental impacts and the person is still perceiving: well I think there is. Well, we would proceed if there is evidence based.

Dr. Bevan-Baker: Thank you, I'm good for that section.

Chair: Leader of the Opposition.

Leader of the Opposition: So my question would be around the first part, with regards to “undertaking: includes any enterprise, activity, project, structure or work that will or may”

(iii) subsection three, “cause the discharge of any contaminants or create by-products or residual or waste products which require handling and disposal in a manner that is not regulated by any other Act or regulation”.

So, my concern would be – actually, today when I was coming back from Stratford to the Legislative Assembly I drove up Water Street and there was a construction project that has just begun. Traffic was moving slowly because there were lots of cars around, but the immense odour of petroleum product or a contaminant of some type was overpowering – literally overpowering – and my windows were up.

Now, I witnessed where they have an excavator and they're excavating the soil of that site and piling it up. It looks like there's old railway ties. I mean the soil is literally black. It's obviously a contaminated site.

My concern, of course, is that it's going to be loaded into dump trucks, tandem trucks or what have you, and trucked to a site that would look after treating or storing this contaminated soil. But with the weather patterns we're having over the next couple of days and rain and snow, there's going to be obviously leakage come out of those trucks as it's driving down the roads next to the Hillsborough River.

I guess, just I want to bring that to your attention so that your department can check that out, because it's very concerning to me that we might have contaminants going in – not only on the streets and into the storm drains, but also into the Hillsborough River.

Mr. R. Brown: No, I thank you very much.

I, too, drive by the site and I grew up in that area of the city, and I can tell you it was a former railroad yard. In the days gone by

railways – people would change their oil and just drop it on the ground.

There are probably a lot of issues in that site right now, so they would have had to get environmental permits in order to dig there, but especially now that they are in the process of digging.

I know in the past that the old Texaco tank farm – when that was decommissioned the property was left for over two years, and it would be tilled basically every day. There was an excavator down there to allow the hydrocarbons to be burnt off in the sun.

But I thank you for your concern there and advice, and we'll be onsite if we're not already on site.

Thank you.

Leader of the Opposition: Yes, thank you.

Chair: Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

My question that has to deal with, of course, the section 1, and whether undertaking would include a number of items. First off, would you consider the bottling of water an undertaking by these definitions? For commercial bottling?

Mr. R. Brown: Yeah, that would be under the *Water Act*, and I think regulations are being done on the extraction – well, no, they are being done. That would be done under the *Water Act*.

Chair: Rustico-Emerald.

Mr. Trivers: So I guess my question is: What in this legislation precludes something like that or fracking or high-capacity wells or holding ponds or any of those things being covered by the *Environmental Protection Act*, as well as the *Water Act*?

Mr. R. Brown: The *Environmental Protection Act* gives the minister a tremendous amount of power when it comes to the protection of the environment, and I take that job extremely seriously.

If I was faced with a complaint or with an observation by a member of the public, I can

assure you that would be looked into, and it would be either under these regulations that we'd ask for a permit to be done, or we would use the power of the *Water Act* in terms of extraction of water.

Chair: Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

So I hear a lot about holding ponds that are being filled from multiple low-capacity wells or regular sized wells, and I was wondering if this legislation would allow you to basically regulate or shut down that practice if you so choose.

Mr. R. Brown: The *Environmental Protection Act* allows that authority.

Mr. Trivers: Thank you, Chair.

Chair: Shall the section carry? Carried.

2. (1) Subsection 9(1) of the Act is repealed and the following substituted:

9. Undertakings

(1) No person shall initiate any undertaking unless that person first files in the form and manner required by the Department, a written proposal with the Department and obtains from the Minister written approval to proceed with the proposed undertaking, in accordance with the regulations.

(2) Subsection 9(2) of the Act is amended

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

(a.1) refer the proposal to a review committee in accordance with the regulations;

(a.2) classify the undertaking in accordance with the regulations;

(a.3) require that person to register the undertaking in accordance with the regulations;

(b) in clause (b), by the addition of the words "in accordance with the regulations" after the words "environmental impact statement"; and

(c) in clause (c), by the addition of the words "in accordance with the regulations" after the words "provide opportunity for comment".

(3) Subsection 9(3) of the Act is amended by the deletion of the words "have such content as" and the substitution of the words "be prepared and have such content as required by the regulations and as". (4) Subsection 9(3.2) of the Act is amended by the addition of the words ", including fees" after the words "required by the regulations".

The hon. Member from Rustico-Emerald

Mr. Trivers: Right now if a person wants to make a holding pond, do they have to file a written proposal with the department?

Mr. R. Brown: No.

Chair: Rustico-Emerald.

Mr. Trivers: When this legislation is passed, will that mean they do have to for holding ponds?

Mr. R. Brown: No, that would go under the *Water Act*, but it could be done under the Section 2. If it's an environmental issue that we think it's going to affect the environment, you know, that could be filed under this.

Chair: Rustico-Emerald.

Mr. Trivers: So would that also apply to cases where maybe there is no holding pond, but they're pumping water out of one well and distributing it across multiple parcel IDs or property IDs using piping systems?

I mean we see that, you know, where they're actually drilling places so they can put pipes under roads, and really take water from multiple low-capacity wells and distribute that water to multiple fields sometimes within a several kilometer radius.

I was wondering, again, just I wanted you to confirm, if that's something that you could at least require a written proposal for and that you would have to approve before they could proceed, after this legislation is in place.

Mr. R. Brown: The *Water Act* is basically a major *Environmental Protection Act*, you can call it. It's the rules and regulations around the protection of our water. Section 2 of the *Water Act* makes it quite clear.

In the past, we've declared that water is a public domain. Meaning that the public owns the water, and that's an important section that's put in the *Water Act*. As a result of that section being passed in this Legislature declaring water as a public resource that gives the government powers to regulate how water is extracted and used in terms of that.

So under that section – under the *Water Act* – will be the protection of water because it's in public domain. So therefore those regulations will handle those situations.

Chair: Rustico-Emerald.

Mr. Trivers: Until the *Water Act* regulations are in place, and in Question Period we talked about it's taken quite a while for that to happen, and there haven't been any public consultations as of yet that I'm aware of.

Mr. R. Brown: No.

Mr. Trivers: Until those are in place, do you have any plans to regulate holding ponds and the distribution of water across multiple properties and under roads and things like that for irrigation purposes for example, or any other purpose for that matter?

Mr. R. Brown: I know the holding ponds are a concern to the public and we've been hearing those concerns, especially through yourself and other members. I can assure the public that we are out there monitoring these ponds, like making sure where they are, identifying them.

Are there rules and regulations around them yet? No, there isn't. We will consider that – putting regulations around those, but they're going to be handled under the *Water Act*. We'd prefer that, but I guess it's going to take a while to get the regulations in place for the *Environmental Protection Act*, too, so we could consider it under that too.

And again, when we take the *Water Act* regulations to committee that's a thing that the committee could discuss with us in terms of the requirements and the needs to do full assessments around the ponds.

Chair: Thank you.

Member from Borden-Kinkora, do you have a question on section two?

Mr. Fox: Yes.

Chair: Thank you.

Mr. Fox: To continue on your question there minister or your statement on holding ponds – is there any consideration in making the planning of trees or vegetation around these ponds being considered?

Mr. R. Brown: Not at the moment, but that's another thing, that's a good idea. I'll take it under consideration and we do have a climate change – one of our climate change requirements is that forestry, we would plant, I think 100,000 more trees or 200,000 more trees that we're in the process of growing right now.

I'll bring it back to the department of forestry. We have a great director there and Kate MacQuarrie – I'll take it back and ask her advice on that and bring it back to you on it.

Mr. Fox: Chair.

Chair: Member from Borden-Kinkora.

Mr. R. Brown: It's a good idea.

Mr. Fox: I've done some reading in that area and what I've been learning is that with the planting, or course, of trees around the ponds then it cuts down on the evaporation from wind.

So, I'll leave that with you.

Mr. R. Brown: And that's a good idea because a lot of ponds – you'll see in the Southern states, where they have big holding ponds or big ponds with water for utilities – is that they fill the top of the pond with plastic balls and these are big, big lakes in order to avoid evaporation. I'm not going to

propose that, the trees would be a better idea.

Mr. Fox: Thank you.

Chair: Thank you.

Mr. R. Brown: Both for the environment and for the elimination of plastics.

Mr. Fox: There you go.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

So, I'm just interested in what subsection nine (3.2) changes by the addition of those words "including fees"?

Greg Wilson: For section four – right now, there is an environmental assessment fee reg to allow for fees for environmental assessment. We're going to get rid of that regulation and put the fees in with this new regulation under the environmental assessment group. So, we get rid of a whole set of regulations.

Dr. Bevan-Baker: Okay, got it.

Thank you.

Chair: Shall the section carry? Carried.

3. The Act is amended by addition of the following after section 9.1:

9.2 Decision not to issue approval for proposed undertaking

(1) Where the Minister is of the opinion that a proposed undertaking should not proceed because it is not in the public interest having regard to the purpose of this Act, the Minister may, at any time, with the approval of the Lieutenant Governor in Council, decide that no approval shall be issued in respect of the proposed undertaking, if notice is given to the proponent, together with reasons.

(2) Considerations

When deciding, pursuant to subsection (1), whether a proposed undertaking should not proceed, the Minister and the Lieutenant Governor in Council shall take into

consideration such matters as whether the proposed undertaking contravenes a policy of the Government or the Department, whether the location of the proposed undertaking is unacceptable and whether possible effects that may result from the undertaking are unacceptable.

Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

So, my first question is, I'm wondering why the minister has to go through Cabinet before rejecting a proposal – get the approval of Cabinet – why can't the department take that responsibility and have that accountability themselves?

Mr. R. Brown: It's probably because of, you know, if the person wants a judicial review of the decision or legal ramifications of it, it then becomes a Government of Prince Edward Island issue, just not a ministerial issue.

I can assure you, that it brings it right back to the minister, he or she would have to propose to the Lieutenant Governor in Counsel in order to get approval to make that – to enforce, this section of the legislation.

I can tell you right now, environmental projects across this country – the demand is there now for a social license from proponents of projects that will affect our environment; I think by making it to the Lieutenant Governor in Counsel and that will an order, so it will be made public. That will farther allow the public to know what's going on in terms of environmental protection.

Thank you.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

So 9.2, Considerations part two, that lists the minimum criteria that the minister and the Cabinet have to consider before they reject an undertaking, and two of those criteria are location and the possible effects.

They either have to be deemed to be acceptable or unacceptable, and to me, those

seem like sort of – this is obviously the core of the piece of legislation, and they seem to me to be sort of rather vague words. So, I'm wondering how you're going to determine whether something is acceptable or unacceptable?

Mr. R. Brown: Through evidence-based.

The proponent would bring the proposal forward, the proposal would be written up similar to what it is now, it would be posted on the website. I can tell you anything that's going to be posted on the website will have a public input and public consultations –

Dr. Bevan-Baker: Okay.

Mr. R. Brown: – there will be evidence presented on both sides, I hope. The department would provide evidence on both sides of the issue and if that evidence appears that evidence is unacceptable to the environment, that's the way we'll take it. We will take it as evidence-based.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thanks.

You just mentioned there about public consultation, but I noticed that in para two there in considerations, it doesn't even mention the public, despite the fact that public concern is specifically cited in the definition of what an "undertaking" is.

So, I'm wondering why that's the case, that the public concern is not even mentioned in that paragraph.

Greg Wilson: As far as when this section was put in, it was more or less – because right now we're just using guidelines and all it has for the minister is that he can either approve it, he can deny it, or he can send it back for more information. We want to broaden that power to make sure that it was spelled out how this denial was supposed to be done and the information has to be provided to the proponent when that denial comes.

This is not taking away in any shape or means from the public consultation that will go on, this is just strictly regulation power trying to spell that out a little bit more for people to understand it.

Dr. Bevan-Baker: Okay.

Greg Wilson: So, it has nothing to do with taking away public consultation or their input – not at all.

Dr. Bevan-Baker: Thanks Greg, I appreciate that explanation. I'm good with that section.

Chair: Shall this section carry? Carried.

4

Subsection 25(1) of the Act is amended

(a) in subclause (c)(i), by the addition of the words "the imposition of requirements, terms or conditions on an applicant for any such authorization and the alteration of or requirement for compliance with such requirements, terms and conditions," after the words "an authorization,";

(b) in subclause (d)(i), by the addition of the words "approval," after the words "an application for a license, permit,";

(c) by the addition of the following after clause (m.3):

(m.4) respecting undertakings, including regulations respecting approvals required for undertakings, dividing undertakings into different classes and making different regulations with respect to different classes and delegating decisions to and conferring discretion on the Minister with respect to undertakings;

(d) in clause (cc), by the addition of the words "and further clarifying words, phrases or terms that are defined in this Act" after the words "not defined in this Act".

Shall this section carry? Carried.

5

Subsection 32(7) of the Act is repealed and the following substituted:

Limitation period

(7) Proceedings with respect to an offence under this Act or the regulations may be instituted at any time within

(a) three years after the time when the act or omission that is alleged to constitute the offence occurred; or

(b) where the Minister completes a certificate described in subsection (7.1), three years after the date on which the Minister learned of the act or omission referred to in clause (a).

Minister's certificate

(7.1) A certificate of the Minister certifying the date referred to in clause (7)(b) is admissible in evidence in any legal proceeding or prosecution under this Act or the regulations, without proof of the signature or official character of the person appearing to have signed the certificate, and, in the absence of any evidence to the contrary, is proof of that date.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks, Chair.

It's more a comment than a question.

I'm pleased to see that the statute of limitations has been moved from two to three years, and I guess there is a question, I'm wondering why you chose to do that. Have there been any instances where it's past two years and something has come up and you've thought: Oh, geez, it should be longer?

Greg Wilson: We have run into a few instances where we found something after the fact or whatever and we were looking to try and do something about that, but the statute had passed or whatever, that time had passed, so we weren't able to follow up on that as we would like. But this is also part of you're seeing this in other legislation as well where they're making this across the board, so they're trying to move to that and be – everything's the same as the other legislation that we have where we were lengthening out that time.

Mr. R. Brown: I'd have to say, also, that with the watershed groups across Prince Edward Island, in the recent years, they are great eyes on the environment out there, and they see any violations and things that are being done that shouldn't be done and they contact our department, so it's great that we

have these groups all across Prince Edward Island keeping an eye on our environment and we work closely with the watershed groups in order to make sure that we have the best environment on Prince Edward Island.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: I absolutely agree with everything you just said there, minister.

So, Greg, you mentioned that you have run across a couple of situations where the statute of limitations has passed, so you were handcuffed there.

Does three years, is that sufficient or should – you talked about consistency across legislation as well and I wasn't quite sure if you meant other legislation in PEI or legislation of this kind in other provinces.

Greg Wilson: Yeah, we figure that three years should be sufficient if whatever has happened – or three years after the fact, a lot of either – a lot of things have gone on so we can't trace back to who actually did it or what has happened, we'd have to use a ministerial order in order to get any kind of environmental damage fixed.

This is more trying to get back to – to find that person, to prosecute that person that may have done that illegal act. And we are trying to – we're looking, I believe, this is coming in the *Water Act* as well where they're looking into three years for that.

Dr. Bevan-Baker: I'm fine.

Thank you, Chair.

Chair: Shall the section carry? Carried.

Section 6

Commencement

This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

Shall the section carry? Carried.

Shall the bill carry? Carried.

Mr. R. Brown: I want to thank the members of the Legislature here for the approval of this bill because it's important and I know each and every one of us come to this Legislature with the protection of the environment being a high priority.

Thank you.

I move the title.

Chair: *An Act to Amend the Environmental Protection Act.*

Shall it carry? Carried.

Mr. R. Brown: I move the enacting clause.

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

Shall it carry? Carried.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Environmental Protection Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Workforce and Advanced Learning.

Mr. Gallant: Mr. Speaker, I move, seconded by the hon. Member from Montague-Kilmuir, that the 8th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant (Doiron): Order No. 8, *Justice of the Peace Act*, Bill No. 50, ordered for second reading.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the Honourable Member from Montague-Kilmuir, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *Justice of the Peace Act*, Bill No. 50, read a second time.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the Honourable Member from Montague-Kilmuir, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The Member from Vernon River-Stratford.

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

Leader of the Opposition: Can we start with an overview, Chair?

Chair: An overview? For sure.

Mr. J. Brown: Can I bring two strangers?

Chair: Okay to bring two strangers on?

Leader of the Opposition: Certainly.

Chair: Could you folks introduce yourselves and your titles, please?

Blair Barbour: Blair Barbour, Manager of Policy Planning and FPT relations at the Department of Justice and Public Safety.

Clare Henderson: Clare Henderson, Director of Family Law and Court Services with the Department of Justice and Public Safety.

Chair: Do you want to give your overview, minister, please?

Mr. J. Brown: Sure, Chair.

This bill provides a comprehensive regulatory framework for the appointment, remuneration, jurisdiction and function of the justice of the peace. It also sets out a detailed complaints process respecting justices of the peace and the process to be used to review the conduct of fitness of a justice of the peace.

Chair: Is that it?

Mr. J. Brown: That's it.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: No, I have no question.

Chair: You have no questions?

Mr. Fox: No.

Ms. Biggar: Carry the bill.

Dr. Bevan-Baker: I have a question, Chair.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks.

So this act replaces the amendments of the *Provincial Court Act* that we just passed recent – I think it was 2017 and they were never proclaimed. So I'm wondering if you could let us know why those amendments were not proclaimed.

Clare Henderson: Through the review of the legislation from an operational perspective, when we went to implement and develop regulations for that regime, it was discovered that upon review that it was felt that a more comprehensive legislative process was required to address the constitutional issues that the previous amendments were trying to address. And in attempting to forward a more constitutionally-robust regime, this was the approach that was felt to be more robust.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: So I take it from that, Clare, what you're saying is the previous bill was inadequate in some respects and you felt you needed to replace it? Am I paraphrasing fairly?

There were opportunities to take more comprehensive steps.

Dr. Bevan-Baker: Okay.

Thanks, Chair.

Ms. Biggar: Carry the bill.

Mr. Roach: Carry the bill.

Mr. Fox: Chair?

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: I do have one amendment to section 16 to Bill No. 50 and I do have copies for –

Some Hon. Members: (Indistinct)

Chair: Section 16?

Mr. Fox: Section 16.

So in consultation with the minister and the deputy minister, and basically running parallel with Bill 110, I have an amendment in regards to section 16 adding a sub para five, a sub para six, a sub para seven to the bill.

Chair: Do you have a seconder for that?

Mr. Fox: Yeah, seconded by the hon. Member from Kensington-Malpeque.

Chair: You want to speak to the amendment while they're passing it around?

Mr. Fox: So this motion amends section 16 of Bill No. 50 by adding three new subsections:

The proposed subsection 16(5) requires a chief judge to establish and implement a continued education plan for a judicial justice of the peace;

the proposed 16(6) sets out the goals of continued education for judicial justice of the peace; and

the proposed subsection 16(7) provides for the chief judge to direct the failure of the judicial justice of the peace to comply with

the continued education plan constitutes misconduct.

Chair: Does everyone have a copy there yet?

Ms. Biggar: (Indistinct)

Chair: So are there any questions on the amendment?

Minister.

Mr. J. Brown: Thank you, Chair.

I do acknowledge that the hon. Member from Borden-Kinkora and I have discussed this amendment previously. It is an amendment in Bill No. 110 that's currently there. He has indicated that he is working on some amendments to that bill.

So what I would propose for the information sake of this Chamber is that we – when we get to a point that members are satisfied with the level of debate that we've had here, and then in particular in relation to the amendment, that we come out of committee and move forward and once he gets his amendments on, on Bill No. 110, we would deal with them and then deal with this afterwards.

But I wanted to say that we are aware of the amendments that are there, and, you know, overall we are – we'll say supportive of the direction that we're heading in relation to Bill No. 110, although we do – there is a bit of a caveat which I'll explain further to that when we get to that bill, and I thank the member for his work with our department to move forward to the point that we have.

Chair: No other questions on that at this time?

Mr. Fox: I will – Chair?

Chair: Borden-Kinkora.

Mr. Fox: I will thank the minister and the deputy and staff of his department, and also Legislative Counsel for working together on both Bill No. 50 and 110, and it is appreciated.

Chair: Mr. Minister.

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

Chair: Shall it carry? Carried.

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

Speaker: Shall it carry? Carried.

The hon. Minister of Workforce and Advanced Learning.

Mr. Gallant: Mr. Speaker, I move, seconded by the hon. Member from Charlottetown-Lewis Point, that the 18th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 18, *An Act to Amend the Judicature Act*, Bill No. 55, ordered for second reading.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the hon. Member from Charlottetown-Lewis Point, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *An Act to Amend the Judicature Act*, Bill No. 55, read a second time.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the hon. Member from Charlottetown-Lewis Point, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

I will once again call on 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 intitled *An Act to Amend the Judicature Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Ms. Biggar: Overview.

Chair: Overview?

Do you want to bring anybody on?

Mr. J. Brown: Yeah, Chair, if I could bring on –

Chair: Okay to bring on a stranger or two?

Some Hon. Members: (Indistinct)

Chair: Great.

Would you folks like to introduce yourself and your title, please?

Blair Barbour: Blair Barbour, Manager of Policy, Planning and FPT Relations at the Department of Justice and Public Safety.

Clare Henderson: Clare Henderson, Director, Family Law and Court Services, Department of Justice and Public Safety.

Chair: Thank you very much.

Minister, an overview?

Mr. J. Brown: Yeah, Chair, if I might just take a minute, too, to embarrass Clare a little bit, Clare actually got married over the weekend.

Some Hon. Members: (Indistinct)

[Applause]

Mr. Myers: Some honeymoon!

Some Hon. Members: (Indistinct)

Mr. J. Brown: And actually, she –

Some Hon. Members: (Indistinct)

Mr. J. Brown: She was here on Thursday night and she had a dinner lined up –

Ms. Biggar: Slave driver you are.

Mr. J. Brown: – for a bunch of family members and friends, and they surprised their crowd and got married at that dinner and so, congratulations.

Some Hon. Members: (Indistinct)

Mr. Fox: I think you should (Indistinct)

Some Hon. Members: [Laughter]

Mr. J. Brown: By a judge of the Supreme Court, actually.

An Hon. Member: Oh!

Chair: Awesome.

Clare Henderson: Thank you.

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

Mr. Chair, this bill amends section 33.1 of the *Judicature Act* to clarify and enhance the functions of the Children's Lawyer. In particular this amending act provides that the Children's Lawyer can conduct an inquiry as Legal Counsel or as litigation guardian in a proceeding in respect of all matters concerning custody of, or access to, a child. And, that the Children's Lawyer can initiate proceedings on behalf of a child where the Children's Lawyer is of the opinion that the legal rights of the child with respect to custody or access are in jeopardy.

Chair: Are there any questions or comments on this bill?

Some Hon. Members: Carry the bill.

Mr. Roach: Carry the bill.

Ms. Biggar: Carry the bill.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks.

I'm just interested in what the terminology – "litigation guardian" comes up here, and I know that the official guardian also has standing and they have the authority to act

as the litigation guardian. So I'm wondering in what situations – who has authority in what situations is what I'm asking.

Mr. J. Brown: I think Clare would answer.

Clare Henderson: Sure. The official guardian generally acts as litigation guardian in circumstances where it's in civil litigation proceedings where there's financial settlement or capacity issues for the person participating in civil litigation.

This legislation contemplates that the Children's Lawyer would be appointed as litigation guardian in custody and access matters where the children are of an age where they would be unable to give instructions to counsel and it would permit the Children's Lawyer to act as litigation guardian and protect their best legal interests during the proceeding in those circumstances.

It contemplates that notwithstanding the sections in the *Judicature Act* that relate to the official guardian, the office of the Children's Lawyer would act as litigation guardian in custody and access matters.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

I don't know if anybody else has questions, but section 2 is my next series of questions. Can we move to that?

Chair: Go ahead.

Dr. Bevan-Baker: Okay.

Section 2(c), section 33.1 sub (8-1) of the original act, subsections (i) through (j) are new and (m) is the former (i); and these additions, they set out specific powers. Is that a response to difficulties that the Children's Lawyer has had, that she may have encountered doing her job?

Clare Henderson: Operationally, when the Children's Lawyer's office was created after the *Judicature Act* was amended, operationally we discovered that through the work that she was doing, much of what was being done, there were opportunities where separate interventions were required, and so she would receive referrals to the Children's

Lawyer's office and it may not be a circumstance wherein, it would require her to act as counsel on behalf of the child. There may not be a particular legal issue that would be at issue, but rather there were concerns that could be more properly dealt with by either mediator, a family court counsellor, et cetera, as set out.

So this amendment contemplates allowing her through the referral process to direct resources to help children in circumstances that they may otherwise not be able to have those resources directed. It also allows her to focus on doing the investigations and intervening in court in matters where there are particular legal issues.

You'll note that the amendment contemplates these referrals happening through the inquiry process, or after she has decided to intervene. So it broadens the scope of her being able to provide resources for children, and also allows her to focus on the intervening in circumstances where she can more directly help children.

Chair: Leader of the Third Party, you okay?

Dr. Bevan-Baker: No, no, I have some more questions.

Clearly all of these amendments, which I'm in full support of by the way, it's going to expand the job of the Children's Lawyer. Is the office sufficiently staffed currently, and does Catherine have enough scope and capacity to deal with these extra things that she's been asked to do?

Clare Henderson: I can advise that Cathy Chaisson, who is the Children's Lawyer presently, is a very busy woman. She's put thousands of kilometres on her car going tip to tip, helping and meeting with Island children.

We are constantly reviewing the operational demands and the needs of the department. The government is committed to helping Island children. It is something that we are presently, always reviewing.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

So I'm going to go to section three now, which is section 10.1 of the original act, and it talks about the consequences when someone fails to comply with a court order or to provide information to the lawyer.

So what exactly is the meaning of, and I quote, "an adverse inference"? I think I know, but I just like to hear it from you.

Clare Henderson: It means that, for example, if the Children's Lawyer refers a matter to a mediator or a family court counsellor and the parent in the particular circumstance refuses to comply, or if the parent asks for evidence or documentation from a parent or any party, the judge can actually conclude in the negative.

So, if the Children's Lawyer, for example, asks for copies proving that the child has been properly enrolled in an extracurricular activity or to see a counsellor, and the parent is saying yes it's done, but they're refusing to provide evidentiary support of that, this expressly permits the judge to draw an adverse inference and conclude that the child is not properly enrolled.

Dr. Bevan-Baker: Again, that makes sense.

Thank you for that perfect explanation.

Chair: Leader of the Third Party, can I take one more from you and then I'm going to go (Indistinct).

Dr. Bevan-Baker: Absolutely, sure.

Can I ask you, just to follow on from that Clare: Have there been any instances where somebody has failed to comply with a court order to provide that sort of information in the past, of course?

Clare Henderson: Not that I am specifically aware, however in the process of considering the amendment, we reviewed best practices from other jurisdictions and information about things that had been litigated in other jurisdictions and as the government is committed to forwarding modern, best practice legislation, we included that out of an abundance of caution.

Dr. Bevan-Baker: Okay, I appreciate that,

Thank you.

Chair: I'll take a question from the Premier.

Premier MacLauchlan: Thank you, Chair.

My question was about the, I'll call it, workload or another way of saying it, the response to the establishment of the office of the Children's Lawyer, and appreciate the comment that you made Clare about the scale and what we're seeing here, scope of the work.

I wonder if you might say a further word about how the Children's Lawyer is – I'll say fitting in with or I don't mean that she wouldn't fit in with – but how does this add to the overall team that's able to deal with the issues that are involved in protecting children's legal rights?

Clare Henderson: Well the Children's Lawyer actively works with the family court counsellor's office in the division. She works collaboratively with the alternative dispute resolution coordinator, she meets regularly with the various resources to assist children in the province, she has very active ties with the counselling resources, including Catholic Family Services, and the Triple P Parenting program; the Positive Parenting from Two Homes Program that's offered through the Family Law Centre.

She has appeared at case management conferences, she is active in – I believe the number is presently 39 active files that are before the court. She's done over 100 investigations of matters that were referred to her office, and since the founding of the office in June of 2017, has been involved in files that involved 127 children.

It's important to note when considering these numbers, that every single file that the Children's Lawyer is involved with, are the highest conflict custody and access files in the court. So these are complex files with complex case management needs, and she is actively working to support and help Island children every day.

I've heard directly from members of the judiciary, directly from members of child protection of the impact that the work and her services are having in the province. She is helping children every day, and this

government is very proud of the work that Cathy Chaisson is doing and continues to do every day.

You will very rarely find her in her office because she's meeting with kids. She's driving to Tignish, she's driving to Souris, she's driving everywhere to meet with kids and try and help them. It's inspiring.

Premier MacLauchlan: Thank you.

Chair: Thank you.

Montague-Kilmuir.

Mr. Roach: Thank you, Chair.

My question was actually in section three, 10(1), and the Leader of the Third Party pretty much asked exactly what I had intended to ask, so I'll withdraw.

Chair: Okay.

Leader of the Third Party, do you have more questions?

Dr. Bevan-Baker: Not on that section, but other sections I have.

Thank you.

Section four, it's the *Health Information Act*, and it gives the lawyer precedence along with FOIPP. I'm wondering whether that was an oversight in the original amendments or whether it's an issue that you've encountered since then that you realize: oh we need to make this available.

Blair Barbour: I can deal with that. I can't say for certain, at the time when the act was amended that the *Health Information Act* was enforced. I don't have that information handy.

Certainly when we reviewed the act and we thought about the information that the Children's Lawyer might want or need to have access to, health information and the custody of health practitioners was one of those items that we thought should be addressed and that's what this amendment goes to.

Chair: Leader of the Third Party.

Dr. Bevan-Baker: Thanks, Blair.

I think my final question it's on section 16, protects the identity of a person who's made a request to the lawyer. So, again, was that an oversight or is this the original amendments or is that a response to an issue which has come up since?

Clare Henderson: It's a little bit of – it's more of a response to issues that arose. We wanted to entrench in the legislation the protection for the identity, because of the high conflict nature of the files.

The Children's Lawyer, as a lawyer, is subject to solicitor-client privilege and all that implies, but we wanted to ensure that it was fundamentally clear that individuals who are coming forward to raise concerns that may warrant the involvement of the office of the Children's Lawyer are protected in terms of confidentiality. During the process of discussing (Indistinct) best practices through the legislative amendment, that was the consideration that was taken when developing that particular amendment.

Dr. Bevan-Baker: Appreciate that.

Chair: Further questions or comments on the bill?

Mr. Roach: Carry the bill.

Chair: Shall the bill carry? Carried.

Mr. J. Brown: Chair, I move the title.

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

Shall it carry? Carried.

Mr. J. Brown: I move the enacting clause.

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

Shall it carry? Carried.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Judicature Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Workforce and Advanced Learning.

Mr. Gallant: Mr. Speaker, I move, seconded by the hon. Member from Vernon River-Stratford, that the 17th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 17, *An Act to Amend to the Personal Property Security Act*, Bill No. 59, ordered for second reading.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the Honourable Member from Vernon River-Stratford, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *An Act to Amend to the Personal Property Security Act*, Bill No. 59, read a second time.

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

Mr. Gallant: Mr. Speaker, I move, seconded by the Honourable Member from Vernon River-Stratford, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The hon. Member from 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 Amend the Personal Property Security Act*.

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

Chair: An overview?

Mr. J. Brown: Yeah, might as well I guess, Chair.

Chair: Can we bring a stranger on the floor?

Leader of the Opposition: Granted.

Chair: Great, thank you.

Blair, will you re-introduce yourself and your title, please?

Blair Barbour: Blair Barbour, Manager of Policy Planning and FPT relations at the Department of Justice and Public Safety.

Chair: An overview, minister?

Mr. J. Brown: Sure, Chair.

This bill amends section 71.1 sub section five of the *Personal Property Security Act* to correct a fee reference so that it aligns with the corresponding reference in subsection 50.1 subsection three of the *Registry Act*.

Chair: Questions?

The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Chair.

I only have one question. We're taking out the words '\$50'. So, what is the applicable fee under section 50.1 (iii) of the *Registry Act*?

Mr. J. Brown: So \$77.25 is the fee that was set, but this is to set it so that it – and that was the fee that has been set up to be used, but this is to set it there so that every time it's changed we don't have to go back and change the legislation.

Do you know what I'm saying?

Mr. Roach: Thank you.

Carry the bill.

Chair: Shall the bill carry? Carried.

Mr. J. Brown: I move the title.

Chair: *An Act to Amend the Personal Property Security Act.*

Shall it carry? Carried.

Mr. J. Brown: I move the enacting clause.

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

Shall it carry? Carried.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Amend the Personal Property Security Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

Mr. Gallant: Call the hour.

Speaker: The hour has been called.

This House will recess until 7:00 p.m. this evening.

The Legislature adjourned until 7:00 p.m.

Speaker: You may be seated.

Motions Other Than Government

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

Ms. Casey: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Election Expenses Act No. 2* and I move, seconded by the Honourable Member from Vernon River-Stratford, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Election Expenses Act (No. 2)*, Bill No. 129, read a first time.

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

Ms. Casey: Thank you, Mr. Speaker.

I'm bringing this forward on behalf of the Legislative Management Committee and it is about anonymous donations.

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Do you know what page it's on, I'm so sorry.

Speaker: Oh, okay.

Dr. Bevan-Baker: Apologizes, Mr. Speaker.

Thank you very much.

Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Election Act* and I move, seconded by the Honourable Member from Charlottetown-Parkdale, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *Act to Amend the Election Act*, Bill No. 128, read a first time.

Speaker: Hon. Leader, a brief explanation please.

Dr. Bevan-Baker: Certainly.

This act encompasses a couple of the recommendations made by the Chief Electoral Officer and his report from 2017.

Recognition of Guests (II)

Speaker: I'll give way to the hon. Premier for recognition.

Premier MacLauchlan: Thank you, Mr. Speaker.

I recognize several guests in the gallery: Peter Rukavina; Terri MacAdam, who is the director of the Student Services at the school board; Gord McNeilly; and (Indistinct), and Peter Rukavina's with us in a number of capacities with (Indistinct) parents committed and community activist and he has certainly been a great help to us in his work among others, on the Learning Partner's Advisory Council.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: Thank you, Premier.

Orders Other Than Government

The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you.

Mr. Speaker, I move, seconded by the hon. Member from Borden-Kinkora, that the 38th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 38, *Autism Secretariat Act*, Bill No. 127, ordered for second reading.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you.

Mr. Speaker, I move, seconded by the hon. Member from Borden-Kinkora, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *Autism Secretariat Act*, Bill No. 127, read a second time.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Mr. Speaker, I move, seconded by the Honourable Member from Borden-Kinkora, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill

Speaker: Shall it carry? Carried.

I will now call on the hon. Member from Rustico-Emerald, if he wouldn't mind coming and chairing this bill.

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

Leader of the Opposition: Chair, could we start with an overview?

Chair: Go ahead.

Mr. MacEwen: Can we invite a stranger to the floor?

Chair: Yes.

Mr. MacEwen: I'd like to invite Peter Rukavina to the floor.

Chair: Is it alright, if he invites –

Some Hon. Members: Granted.

Chair: Okay, permission granted.

Okay, so now you can go ahead with your overview.

Mr. MacEwen: Thank you, Chair; thank you, everybody.

Please bear with me as I'm acutely aware that I've been asking questions on bills for three and a half years, so of them quite good, some of them probably pestering, so I understand that the shoe is on the other foot now –

Some Hon. Members: [Laughter]

Mr. MacEwen: – so, please bear with me.

Chair, if I may, in the election –

Chair: And I was thinking I would get the stranger to say hello and introduce himself.

Peter Rukavina: My name is Peter Rukavina and I'm a parent.

Chair: Great to have you here, thank you.

Leader of the Opposition: Chair, he didn't say hello.

Chair: Continue, member.

Mr. MacEwen: In the election of 2015, I knocked on hundreds of doors, as most of you have and many memorable, some forgettable, a lot of quick conversations, a lot of long conversations. But, there's a few that move me to the core, and those are the ones that you don't forget, I know everybody here has had them.

One of the kindest people you'd never know answered one door, and I remember the sincere, but a questioning look, I got at the door. She wondered if I should take a few minutes of her very full, caring, never stopping day to once again tell her story – tell her concerns to someone that might take it all in. I know she was wondering if it ever would sink in, or if action ever would be taken.

I remember being told about renos in her home that might never be finished because two excited little boys might rip it up. I remember me getting to meet each of the family members, especially the boys – one son bounding into my lap as I sat in the couch, touching me all over, getting to know me and very, very excitable. His smile was giant once he got comfortable and I remember thinking that the energy he gave off and wanting to be part of our conversation, they were fun interruptions; I remember thinking: this is every conversation in this house, every family, every day of the week. This mom and the father were so kind and patient and explained everything to me I needed to know about all kinds of intellectual disorders that day.

No other home had the impact on me that that home had – I shouldn't say that, there was a few like that. There are lots of good MLAs in here that have asked lots of questions. We've all pushed for changes for those with autism and all special needs. You've all – I've seen you invite advocates in here, experts, lobby groups to present to standing committees and to all of our caucuses. I want to keep that momentum going.

Mr. MacEwen: Basically, I wanted a bill that gives direct responsibility and accountability for autism spectrum-related programs and services to a member of Executive Council, similar to the way that a member of Executive Council takes on responsibility for other portfolios.

As you are all fully aware, there's many, many great people inside and outside of government that are already informally coordinating services and doing a very, very good job; but I feel coordination and responsibility can be improved, and I hope that this would formalize the informal process that already exists.

The PEI autism action group in 2009 said the department-based, service-based silos that are entrenched cannot be penetrated by the good will and intent of the participants alone, because each department or service applies very different approaches to autism spectrum disorder supports and services. There's been a lot of good things happen and I think we need to keep going with that.

Some quick comments I want to make: I've talked to members of the PEI autism society, members of the Stars for Life foundation, nonprofit support services, individual parents and families, EAs – educational assistants, teachers and provincial government employees, to name a few. We've looked at models and commissions and reports all across Canada, World Health Assembly, England, Scotland, Ireland, Malta, Wales, Connecticut, Pennsylvania and many more.

One question I get a lot – that we all get a lot, and I'm sure all of you have thought about – is why not so-and-so secretary or could we expand the bill to include other intellectual disorders? It's one I've asked myself and I'll paraphrase from a couple of advocates that I put the question to, one of which is with us here today – and thank you, Peter.

It's important that we recognize all conditions and disabilities that can have profound effects on individuals and their families and that we could always do better to provide integrated services in all regards. Saying that autism needs special, focused attention does not mean that other conditions are unimportant or second class. It simply

means that autism needs special, focused attention.

To be broad with inclusiveness could lead to the diluting of the intent, and to allow inaction excuses – well, maybe if we do it for one group, we've got to do it all over the group. I think we need to start with one group in particular.

Does that mean we shouldn't also work to support Islanders with special needs? All other Islanders with special needs? No. But it points out the importance of viewing autism as being so prevalent, all-pervading and misunderstood, as to require that we take especially concerted action that will make a real, immediate difference in a substantial community of Islanders.

Chair, if you're okay with that, I'd like to ask Peter to say a few words as well. He's much more versed in this lobby effort than I'll ever be. If that's okay?

Chair: If it pleases the committee, go right ahead.

Peter Rukavina: Thank you, Mr. Chair.

Thank you, hon. members, for the opportunity to contribute to this debate. It is an honour to be able to shed some light on the needs and aspirations of Islanders with autism and the challenges faced by their support networks and to speak to the utility of establishing cabinet-level responsibility for autism.

I am here because I'm the father of Oliver, a young adult on the autism spectrum. I'm mindful that I see autism primarily through Oliver's experience, and I'm also mindful that I am not on the autism spectrum myself, and therefore I cannot speak for people who are. As a technologist, however, I understand a thing or two about how systems work, about the importance of leadership and coordination, about how the bureaucracy works and sometimes doesn't work, and it's those experiences as well as my 18 years of parenting that I bring to bear this evening.

A few days ago, I consulted with Carolyn Bateman, chair of Stars for Life. Have I got it right, I asked Carolyn about the remarks I bring you now. After some encouraging

words, Carolyn wanted to make sure that I accurately reflected the unique struggles of living with autism: difficulties getting a diagnosis; sleep deprivation; meltdowns; problems with making friends; problems with dating and relationships; lack of safe, supported housing options; problems getting and keeping a job; and her list went on. Those are all real concerns. I witness many of them every day, as do families across the Island.

But with all due respect to Carolyn, that is not what I will focus on in my comments tonight. I want to focus, at least to begin, with what we're doing right. I want to mention Dr. Peter Noonan, who was there in the delivery room when Oliver was born, who helped coax him to life, who saw him every six months until he turned 18, who referred him to the IWK for an autism diagnosis and later referred us to the Strongest Families program to help us with anxiety; the preschool special needs team that helped Oliver with psychological supports and occupational therapy before he entered public school; the staff at Holland College Child Development Centre where Oliver went to daycare and kindergarten, who made sure that despite tight funding that he had an educational assistant; teachers, resource staff, EA's and administrators at Prince Street, Birchwood and Colonel Gray schools who have done everything in their means to help Oliver learn and participate in school life; of Taylor and Lauren and Drake and Johannes and Derrick and Lindsay, who, over the years school age autism funding has allowed us to hire as community aides to support Oliver after school and in the community; of Barb, Oliver's disability support case worker who's helped us arrange for respite care and summer programming.

I mention these people and these supports because I want to make it clear that we have not been in this alone. This is a caring Island, an Island that understands that people on the spectrum need support, an Island that has lightened Oliver's load and helped us be better parents to him. We are thankful.

But here's the thing: All of this is done almost entirely without coordination or integration. As the MLA beside me said, the Autism Action Group wrote in its 2009

report, "...the department-based, or service-based silos are entrenched, and cannot be penetrated by the good will and intent of the [Autism Action Group] participants alone because each department or service applies very different approaches to ASD supports and services."

And that is certainly our experience as Oliver's parents.

I mention school-age autism funding. For example, this program administered by the department of education provides us with funding to hire community aides to work with Oliver after school and through the summer. Oliver also receives disability support funding from the Department of Family and Human Services. That program overlaps with, but is not quite the same, as school age autism funding as completely separate staff, eligibility criteria and forms to fill out.

We've received school-age autism funding since Oliver's diagnosis, but disability support funding only for the last couple of years. Why? Because we didn't know it existed. Somehow, from the autism diagnosis at the IWK, three years of public school, and regular appointments at the QEH and all the while receiving school-age autism funding, everyone assumed that we knew about the disability support program; but we didn't.

No matter which provincial department the funding comes from, families who wish to hire someone to work with their child must register as employers with Canada Revenue Agency and thus must make monthly payroll remittances, create T4s and records of employment. Raising a child on the autism spectrum can be a complicated, exhausting endeavour. To juggle two funding programs with two different parts of the bureaucracy and to additionally deal with a federal department is more than many families can take on. And so supports that could be incredibly helpful go unused. We can do better than that.

The department of education has a guide to early years autism services on its website, last updated in 2012, the introduction to which reads: "This guide will focus specifically on services for young children with autism provided through the

Department of Education and Early Childhood Development (DEECD). For more detailed information about programs and services available through other Departments, please see www.gov.pe.ca/departments.

Not only does that webpage no longer exist, but the 'there may be others in government who can help, good luck' message is not helpful to the parent looking for support. I think we can do better than that, too.

In 2014, when we were working with the English Language School Board to make arrangements for Oliver's autism assistance dog Ethan to join him in school every day, a school board official told us that educational assistants are in schools to allow students to survive, not to thrive. While I admired their candour for admitting this, those words haven't left me since I heard them. We surely must be able to do better than that.

When I told Oliver that I was coming here tonight, I asked him if he would consider watching the live stream online and his quick reply was: "Of course I will, this is an historic milestone –like when women were recognized as persons."

Oliver's wise words allow me to highlight another important aspect of this bill. In laying out the object and purposes of the bill, the emphasis not only is on facilitating and coordinating services and programs for people with autism, but also to heighten awareness of the needs and aspirations of people with autism. Aspirations. That's a word we don't hear often when we're speaking about people with autism; and yet people with autism, like everyone else, have dreams and plans for their lives, things they want to do, people they want to become.

When Oliver spoke of tonight's historic milestone, he was, I believe, proud to live on an Island that was willing to say to people like him: You exist.

But as I began, I am not here primarily to make an emotional appeal to you. I do not need to convince you that autism exists, that people with autism are important and valued Islanders, that parenting someone with autism can be both wrenchingly difficult and unimaginably wonderful, often in the same day. I do not need to tell you that autism is

unique and complex enough that it demands targeted, specific support. I do not need to convince you that government has a role to play in supporting autistic Islanders. The supports in place already make it clear that that is understood; but I do need to convince you that what we are lacking is determined, coordinated leadership: leadership that can transcend departmental boundaries and focus instead on the needs and aspirations that the bill speaks to; leadership that can seek to weave together our patchwork of programs and services into a cohesive, supportive framework.

The hon. Marion Reid, former Lieutenant Governor and member of this Assembly, once gave me a very valuable piece of advice: When you want government to do something better, she told me, come up with a plan for how it can be done. Don't just say you need to make things better. Say: here's how you can make things better.

There is at present, not a single act or regulation in Prince Edward Island that mentions the word autism. I think it's time that changed.

I think this bill sets out a reasonable way for that to happen, a reasonable way to make things better: It's not the: wake up jerks and do something about autism act, it's the: we're on the right track, but it's time to take a bird's eye view and work together on this act.

I sincerely believe that the leadership and coordination that would logically follow can take the good works and good will that already exists and build on them.

I believe that having someone around the Cabinet table, looking at things through what the hon. Premier might term: an autism lens, would allow us to ensure that we build a truly autism-friendly Island – an Island that allows our autistic brothers and sisters to thrive.

Thank you.

Some Hon. Members: Hear, hear!

Chair: Thank you, Peter.

Mr. MacEwen: Chair, if I could just follow up quickly.

So we want to be clear that many good things are happening within government and we just want to be better. So for Declan and Jordan and Donovan and Owen and Oliver and Jarrod and Whitney and the hundreds more, we do bring this act before the Legislature.

I have been working with Executive Counsel and many ministers on this to prepare, after first reading, to prepare it for second reading so I do have amendments that basically create the Prince Edward Island autism coordinating committee that would consist of relevant deputy ministers designated by the Lieutenant Governor in Council and reporting to a relevant minister designated by the Lieutenant Governor in Council as well.

We're happy to take questions of course now, but at some point, I'd like to table those amendments as well.

Chair: Would you like to move the amendment now?

Mr. MacEwen: I think we could take questions first.

Chair: I do have a list that's been forming.

Member from Charlottetown-Lewis Point.

Mr. MacEwen: If the Committee of the Whole preferred it to pass this is out immediately, I'm okay with that.

Chair: It might be best to start the process while we take questions.

Ms. Casey: Yeah let's do that.

Chair: We need to move an amendment though first of all.

So you can move an amendment to your own bill, I think.

Chair: If you table the amendments and we can pass them out and then –

Mr. MacEwen: I have individual amendments from Legislative Counsel; I also have a one page summary of all of the amendments too, would it be agreeable of the Committee of the Whole if I passed out the one page summary to all members and

then perhaps gave a detailed version to the House leaders? Is that okay by everybody?

Some Hon. Members: Sure.

An Hon. Member: Just pass them all out.

Chair: That sounds like the committee's in agreement so go ahead.

Working together.

So, I think there are a couple of questions before we move right into it and I'll turn the floor over to the member from Charlottetown-Lewis Point.

Ms. Casey: Thank you, Mr. Chair.

It's no secret to everybody in this House and those in previous houses that I've been an advocate for autism and in particular, the Starts for Life foundation which has a home in Charlottetown-Lewis Point, as a matter of fact, it's right in my neighborhood.

When I saw that this bill was coming to the floor and I spoke to the Member from Morell-Mermaid, I was thrilled to see this bill come to the floor.

Mr. Rukavina, thank you for your eloquent presentation and Oliver is lucky to have you as his dad.

I do know that there is lots of work going on in the province with regard to autism spectrum disorder and I mentioned the Stars for Life foundation is located in Charlottetown-Lewis Point.

The Stars for Life Foundation is committed to creating quality of life for young people with ASD. They help individuals succeed with their post-secondary education, self-care, independent life skills, self advocacy, mental and emotional well-being, along with fun recreational activities.

Because one in 59 and it's more prevalent in boys to be diagnosed with ASD, Stars for Life is bursting at the seams.

The conversations I've had over the years and the questions I've asked in the House about autism spectrum disorder, seems to be – there's lots of programs going on and I think this bill is perfect for bringing it to a

collaborative approach where we do have a minister responsible and it makes my heart warm when I have announced that I'm going to be leaving this House after this mandate and that now finally we have a collaborative effort of this whole House, I think, to make sure that we do better and as Mr. Rukavina said: we can do better and we are a caring place.

I'd like to thank all those who are working in the departments, the various departments, for their work and their responsibilities for autism spectrum disorder. I really feel that giving the responsibilities to a minister as a lead will make sure that we do better.

As Mr. Rukavina said: we have determined, coordinated leadership. I feel so strongly about this that I recognize that Gordon McNeilly is in the gallery tonight and Gord, I'm passing the torch to you, to make sure and promise me that Stars for Life Foundation will be at the top of your list for your priorities.

I know Stars for Life has become a valued resource for teachers and families, especially all of those families whose kids have aged out of the school system, rely on Stars for Life.

For those who are listening out there, thank you Carolyn Bateman and your team and volunteers at Stars for Life Foundation. Carolyn, I think, we're finally getting somewhere after all of these years and I would like to thank all of those who will support this bill and I am very very pleased to support this bill and thank you for bringing it to the floor.

Thank you.

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

Ms. Biggar: Thank you, Mr. Chair.

I'm very pleased to see this and just welcome, first of all, Peter, to the floor and for your perspective as a parent and your work that you've done on behalf of this as well.

In my former life I was a community inclusion worker for adults with disabilities and then I moved into the school system

working with children with autism and I am now a grandparent of a grandson with autism and ADHD.

I think from my perspective from my work and my experience, personally – because we talked here about how there's other diagnoses and I think we see multiple diagnoses along with the autism, which are very difficult to balance.

We've been very lucky as a family that the daycare that our grandson is at since age one, has had consistency in offering – he just got diagnosed this year I should clarify – but we've been very lucky. But I do know as families that I've worked with personally in my community as an EA, that it is very important to have that support there and know where to go because we all, as MLAs, get the call of: where can I go for help.

Sometimes, that parent that person supporting the individual with the autism don't have the time to do all that research, so I think that this kind of coordinated approach within government, within multiple departments, and ensuring that we do work together on this, is very important and something, certainly, that I support wholeheartedly.

So thank you members –

Chair: Did you want to respond member or –

Ms. Biggar: – for working together on this.

Chair: – I can move on to the next one.

Mr. MacEwen: Just quickly and you're bang on.

You say there's a lot of good work being done and I think it's important that, if there's a federal funding announcement, or if there's some kind of program, that we talked about kids with autism and once they get through the school system, what happens? I think the member from Charlottetown mentioned as well.

I think it's important to have a minister that always has it in the back of her or his mind that, as the Premier might put it: autism lens.

I think about the home care announcement and all ministers are like: wow we could really tap into that too to make this happen.

I think if we had someone that has that top of mind – it's on everybody's mind – but if it was top in mind as a minister responsible, we could potentially make those things happen.

Chair: Minister of Transportation, Infrastructure and Energy and Minister Responsible for the Status of Women.

Ms. Biggar: Just to follow up on that, as Minister Responsible for the Status of Women, it is always at the top of my agenda to ensure that the other departments are working towards making a difference like we have with the recent announcements for more supports for the rape and sexual assault centre, a lot of the things we've been working on together here in the Legislature.

I think it is important to have it under one minister's mandate, but not just responsible – it has to be interdepartmental where this is. I know as well, working in the high school system, that transition from school to work is another stressful time for families, and I know having workforce and advanced learning involved in this – I know many young people who have taken the program at UPEI and some of the programs that are there or college, but it's very key that we keep that in mind too, so that they can have a successful transition into the world of work, and be able to continue on with supports to be successful.

So thank you.

Mr. MacEwen: Thank you, minister.

Chair: The hon. Premier.

Premier MacLauchlan: Thanks, Chair.

Let me first say good evening to Oliver. I'm sure he's going to stay tuned in until this is done, and I've had a number of conversations with him about public affairs, and he's a very astute observer, and doesn't miss much.

To the mover or to you, Member from Morell-Mermaid, as the proponent here, and to in particular, the Minister of Family and

Human Services, I appreciate the further collaboration in the proposed amendment, which I believe will put this on the firmest-possible foundation in terms of the collaboration that is called for: the coordinated effort; the ability for parents, families, people on the autism spectrum, to navigate the system; and to acknowledge that – while this is coming to the floor in the form of a bill, this is something that we found in other areas of government.

To pick four – through a more interdepartmental approach and collaborative approach in housing, we're seeing some array and coordination of initiatives. The one that really stood out when this pattern started was the work that was done in child protection among the deputies' committee that then led to the bridge program and other initiatives, and indeed we heard about the Children's Lawyer here this afternoon.

I doubt if we would have gotten as many of the pieces moving and moving together on the legalization of cannabis as were indeed moving without a strong coordinating committee.

We've had one on the economy, et cetera.

This is an area where there are significant resources, substantial commitment in terms of professional talent throughout the public service. The point that's being made and made eloquently about the need for coordination and smoother navigation and ultimately, the more effective delivery of the services when they're needed and in a way, when they can be the most help.

From my knowledge, listening to colleagues on both sides of the House and people in the community, early diagnosis is probably the piece that we might most hope will come as a result of this greater coordination, the work of this committee with the minister assigned to ensure that there's a report and a regular reporting through to this Assembly, and effectively, the community. So I'm certainly very pleased about this, and believe that we will see some good results from it.

Mr. MacEwen: Thank you, Premier.

Peter Rukavina: Mr. Chair, can I respond briefly?

Chair: Go ahead there, Peter.

Peter Rukavina: Thank you all for your comments.

I did want to point out one additional part of the bill which I think is important, which is we spent a lot of time and I think rightfully so, talking about how we can better support Islanders with autism, but I think I've come to see autism, although it's very clearly rooted as an individual condition, it's also a family condition and it's a community condition.

I think we all, as family members and as community members, need open our hearts and our communities to full citizenship for Islanders with autism and that means not necessarily only changing the bureaucracy and the programs and services and their coordination, but it also means changing ourselves and changing our hearts, and changing the way that we reach out to people with autism and the way that we support them and their families. There is language in the bill, I think, to that effect and I was very happy to see that.

Chair: Thank you.

The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Chair.

I just want to start by saying thank you to the hon. Member from Morell-Mermaid for bringing this very important bill forward; and of course to you as well, Peter, for coming in.

I also want to say hello to Oliver and Ethan as well. I'm sure Ethan is equally interested in what's happening here this evening.

To echo the sentiments from the hon. Member from Charlottetown-Lewis Point; yes, she has been a tremendous activist, in particular for Stars for Life. I've witnessed that for the last close to eight years that I've been in this House and she indicated again here this evening that she is not reoffering, but, there's many advocates in this House that are continued – that will continue to

take this cause forward, and as I have over the last number of years as well, there's been certainly a lot of eye-opening experiences that I've seen.

As the mover of this bill has said, going door to door during an election and meeting people and talking to them – I remember one particular conversation I had, and this was a very professional career-orientated father and mother team, both chartered accountants at the time, and I knocked on the door and the father came to the door first and I was chatting with him. We had a great conversation, and in short order he said: You know what? I think you need to talk to my daughter. She has a particular issue I think that she would like to speak with you about.

So she come up from the basement office, and we proceeded to have a great conversation, and her issue was the lack of support for her son who is on the autism spectrum disorder scale. And we had a great conversation, and again, it was extremely educational for me, but what I found very discouraging was – and again, remember, this individual's a CA, so she's used to working in finance and doing tax returns and so on and so forth, but when I asked her if she accesses the grant for autism services, she didn't have a clue what I was talking about. I found it extremely troubling that she would have a son in grade three and she wouldn't have any idea that there was support, financial support, there in the form of a \$6,600 grant.

The next day I brought back the forms and dropped them off and said: This is how you go about it. But I mean, we've had great comments here tonight and a great introduction, and first-hand knowledge about the challenges that a family experiences going through trying to find supports and advocating for your child, which is paramount.

I sit back, and I look at it and I go: Okay, well you know what? We always talk about silos, and that's one of the biggest things, one of the biggest issues, that we have that are so easy to fix. I look at this, and we have three particular silos in this area: We have health care; we have education; and we have family and human services. I think with the introduction of this bill and the passing of this bill, we will once and for all break down

those silos so that the families can once and for all have one place to go to get all the answers.

I remember just back a short few years ago when CRA, I believe it was, brought in changes, where if you were accessing the \$6,600 grant for therapists and so on to assist with your child, the changes were going to be that you actually had to set up your own de facto small business and start recording and paying through a payroll system and reporting back to the CRA and withholding taxes and the whole nine yards.

Some of the individuals I was dealing with at the time; a beautiful, beautiful woman by the name of Carol Wonnacott – I'll never forget the conversations that we had and the discussions that we had, but the frustration that she had because of the changes that were coming and she just couldn't grasp how she was going to go able to deal with the added stress and the added pressure with what she was already dealing with on a daily basis with with what was happening in her family unit.

We attended several public meetings, at church hall down here in Charlottetown. The staff did come from the government department to try to explain the changes and how it was going to roll out, but again, there was just that overlapping fear and frustration and anxiety coupled with what they were having to deal with on a daily basis. So, I'm very, very happy that that this bill is coming forward this evening.

I suspect that we'll have unanimous support for this, but I mean there are many other things that we need to discuss at some point in time with regards to the grant monies and what they can and cannot be used for. I don't know. I haven't looked lately, but at one point one of the greatest frustrations was you couldn't use the funds from the grant to cover music therapy, which in a lot of cases, individual families that have paid for it on their own, it's been so beneficial to the child. I can't understand why to this day we don't allow music therapy, and Peter Mutch of Catholic Family Services Bureau is probably the most knowledgeable person here on PEI with regards to that type of therapy.

There many things like that that we have to address and discuss, and I think that by having a particular minister responsible for this and a deputy minister or liaisons within a department, I think we can finally get there and take a lot of this frustration and anxiety away and make things better for everyone.

So thank you again for bringing this forward.

Chair: The hon. Member from Morell-Mermaid, sponsor of the bill.

Mr. MacEwen: Thank you, Chair.

Just quickly, thank you, leader.

You mentioned a lot of things. But in my discussions about the bill, I know the Minister of Family and Human Services had mentioned a whole lot of things that are going on behind the scenes to try and coordinate some of those issues that we all hear about, and I think that bringing this bill to the floor and the amendments and if we can get it passed, will help coordinate those things that are happening.

You mentioned three departments, and I know that the Minister of Workforce and Advanced Learning is involved and needs to be involved too, for that after-school part.

The last thing I wanted to mention too, is you talked about the people that are so full in their own lives. We all know someone that just doesn't have the chance to advocate or to go and learn about those types of programs because they're all inundated with serious situations at home, and those are the ones that we all bring their stories here to the Legislature.

So, thank you.

Chair: Peter Rukavina.

Peter Rukavina: Thank you for your comments.

I think it's important that we – and I think this would be the intent of the bill – is that, although – obviously we would primarily focus on the attention paid currently by the departments of education and family and human services and health, that it be something that really – the effect of autism

on any given individual can manifest in different ways, and in ways that may involve transportation; may involve the design of airports; may involve the need to get to work. Just to pull some examples.

So the fact that this is something that would enter into, again, through that autism lens, perhaps all discussions in one way or another. I would like to hope that this is something that members of Executive Council would keep in mind no matter what they're talking about, even if it's not specifically an autism program or service.

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

Ms. Mundy: Thank you, Chair.

Thank you, Peter, and the Member from Morell-Mermaid.

I want to say hi to Oliver, as well. I enjoy his newsletters that he publishes frequently.

For someone who has had a lot to say on this subject over the last three years, and even more so after the last three days, I'm surprisingly at a loss for words this evening.

My family is an example of what happens when we don't have coordinated services. My son was a late diagnosis at the age of 20, but I can say right now that we're on a road to recovery and there is a silver lining. So this is something that has been close to my heart for quite some time now.

I am very happy this evening to see that through action as well as an openness with all the ideas here tonight that we are indeed fostering an inclusive society where all Islanders, including those with autism – especially those with autism – can contribute and thrive to their fullest ability.

We do have departments that have already work, as mentioned; family and human services, education, health and wellness, and workforce and advanced learning all have roles in providing those supports and services. We also have a potential of working together, not only within government but with our community partners. We have some fantastic community partners out there, but I do agree that we need a more formalized

collaboration across these services which will also help with navigation services for Islanders and families with autism.

As I said family and human services, we have been at work, and it started with the transformation of the AccessAbility Supports program which was formally the Disability Support Program. We are in the process right now of hiring community connectors, as well. Those community connectors' role will be to enhance the community capacity and navigation across government as well as our community partners, and to work with families on resolutions to common issues that might not be so common to them.

Also, I wanted to mention the partnership that we currently have with UPEI. Family and human services is taking the lead on collaborative case management certification for all our program staff. This is also something that we feel we need to extend to other governments departments, as well as community partner staff. I guess, the goal for this is to have enhanced collaboration and, again, navigation for people with all disabilities and families.

So I could spend probably an hour talking this evening, but as I said I'm surprisingly at a loss for words. I do thank all members of the House for their openness, and for allowing government to formalize this process. I think going forward persons with autism and their families will see a brighter future. I thank you.

Mr. MacEwen: Thank you, minister.

Chair: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Chair.

I'd just like to make several comments in regard to this bill this evening.

First of all to the mover, thank you very much for a collaborative method. This amendment and the way it's explained indicates quite clearly that you've given this a considerable amount of work, and a considerable amount of collaboration with others who have talked to you about various things over the last number of days.

Mr. Rukavina, I certainly appreciate that you are the expert on the floor with the mover of the bill tonight – obviously your experience, your life experience, your family experience. I've spoke to you often and heard you speak often about your son, Oliver, and the challenges that you've found.

I think the ultimate goal of this bill is to have a dedicated point person who will be the person that is responsible for delivering results, I guess, in its most simplistic terms. But also the same person will be responsible for being that coordinator or that quarterback with the community with other services, with education systems, whatever the need is be.

I sat in a standing committee there not that long ago and mentioned about the social deputy's office would be the right place, and that is the right place and it's the right method to have interweaving departments of government all focusing in the right direction. But I firmly believe that you need the point person, this will accomplish that and will bring autism and autism awareness and autism efficiencies to the forefront.

I thank you both for initially bringing this in, and making the necessary amendments to make it the best it can be, and for your collaboration on this whole bill over the last number of days.

So thank you very much to the both of you for that.

Mr. MacEwen: Thank you, minister.

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

Mr. J. Brown: Thank you, Chair.

I'd like to thank the hon. member and Peter, as well, for bringing this forward and of course, Peter for your advocacy overall. I know there was a piece related to the home and school that you were involved in, and as was mentioned earlier it certainly can be a struggle when you have the additional work placed upon you to advocate on top of everything else. You've done a lot of that over the course of the last number of years. Certainly, I think the community is better off for that. So thank you very much for that.

I'd like to also thank as well our staff. I see Terri here tonight, who's with the Public Schools Branch and who would deal with this on a day-in-day-out basis. But particularly the staff in each of the departments: family and human services; health; workforce and advanced learning; and our department have been working on this with the hon. member to kind of – as we've indicated, there can be some silos within government and there can also be some peculiar pieces that can really hamstring you if you don't do them right.

So I'd like to really thank everybody that was involved for working together to get this done. I think it's very important that we do this right from the outset if we're going to do it, and it's great to be able to work together to get to that end.

I think it it's also kind of important to note that we are committed to doing this work. We are committed to providing a continuum of integrated services. We are working more, I think across departments and have recognized, particularly with things like the student well-being team, the achievements that we can arrive at when we start to do that better and how that can really make lives better in Prince Edward Island.

I think it's really a credit to the different folks, and I've mentioned Terri earlier. Terri would oversee, not just for autism, but really any special needs students within the Public Schools Branch the coordination of efforts to ensure the best delivery of education to them, and then you overlay that with their health needs, with different needs that families may have, with needs as they progress through life.

It is easy to see how you can run into situations where there are cracks. So your point's well taken, and we certainly appreciate the people that are here to do this and recognize in it – the student well-being teams have again, been a great example of this, that we're fortunate on Prince Edward Island that we do have people – we are so tight-knit, we have people who put their shoulder to the wheel and they really can do a lot because of that close, personal connection that we might not see in other places with the same resources.

I know in our department, responsibility for autism services lies within three groups in our own department. We have our early childhood division; we have our educational authorities, which are actually two separate subgroups, and then the department itself. We know that early interventions are important. We currently have 63 pre-school children receiving IBI, 30 kindergarten children receiving IKS, and the more we have been able to get out in front of that, the more we start to see results. That is certainly important as children progress through the education system and through their life's trajectory that they have the greatest opportunity to develop their skills and to function at the highest possible level for them.

We're happy to be seeing progress being made; I guess you might say, in that regard. I think a focus on this area is something that is important as we move forward. We have had some great announcements in recent years, which I think have helped to fill those gaps a little bit. Again, having a dedicated, I'm going to say, group to help realize where those gaps are, is also important. We would hope that that progress will continue going along and it's something, certainly, that we've been cognizant of trying to make progress in over the time since I've been here.

We have – like the intensive kindergarten support program includes direct support to kindergarten students and consultative support to their family and teachers. That was mentioned, I think, earlier; the importance that it's really not just an individual-focused piece, it's a everybody that interacts with these children that need to have some level of help or training to understand what the issues are. It's great to see that mentality starting to develop. We have early years autism specialists that are helping farther that; they are designing individual learning programs, monitoring children's progress, and adjusting the program to best suit children's needs. We've made investments in those positions in the last budget and over the last few years.

One of the sad realities we face is that we keep feeling as though we are catching up, and then the number of diagnosed children grows continually. It's hard to keep on top of, but we are committed to working

towards that. Just to that point, autism services are now provided to 422 school aged children in the Public Schools Branch and the French Language School Board, and that's out of about slightly over 20,000 students. I think the hon. member had mentioned some of the statistics there.

There is a report that was done, and I'm struggling – I think it's called the NASS Report; it's an abbreviation for it. But, it coordination with – I'm going to say Health Canada, but I could be off on it; Peter probably remembers exactly who did it – just in the last year, and we've coordinated over the next five years to deliver a statistical analysis of, basically, autism and its impacts.

We are looking at roughly 1.7% of our population of children today on Prince Edward Island, which is the second highest in the country, being diagnosed with ASD; a much high percentage, I think it's 2.9% in males and 0.6% in females. There are anomalies there that are tough to figure out, I guess you might say. But, the more we can do to try to figure that out and the more work that can be done, probably the better off we'll all be, as well.

I think it's important, too, to indicate that whether it be autism or whether it be separate or included speech and language issues, or OT issues, or ADD or ADHD, or whatever it might be, we have a large number of needs in our day-to-day in the education system. The more we can do to support all of the individuals, we think the better we are. And the more inclusive we can be, we think the better we are. That is one thing we are very proud of here on Prince Edward Island. I think having this holistic approach helps that, and it helps us to recognize folks that suffer with ASD as people, as you have indicated, and it helps our family and friends and everybody else to recognize how we can feel that way towards them, as well. I think all of this is all great stuff, and it all helps us to do more and to do better – to be more supportive, I guess you might say.

Chair: The bill's sponsor would like to interject.

Mr. MacEwen: (Indistinct).

Chair: Sorry. Continue, minister.

Mr. J. Brown: Yeah, so, the basic point of all of this is to say that we're working everyday to do more and more not just for autistic children, but for all children with needs, for all children – period – that we encounter in our system. We're working to do more to collaborate with our other partners to do the best that we possibly can, and we think that's very important and we think we've made tremendous strides in a short period of time recently doing that.

We thank you, particularly, Peter, for the extra push with this particular piece and we are excited to see where this can lead us as we work together.

I would say to everybody, we're not done yet. We need to keep the focus on. Just because we have a particular individual or a particular group, it's still all work, we still need to ensure that the focus is there and that we know everyday what our job is.

So, thanks very much, and thank you for cooperating and moving the amendments in the way that you have.

Chair: I'm going to go to the sponsor of the bill, and then to Mr. Rukavina.

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

I'm glad you brought up Terri MacAdam. Being from the same neck of the woods originally, I know all about her hard work and I appreciate her being here this evening, as well.

I don't take lightly at all, when I roll a snowball and a whole lot of things have to happen within government, putting this bill forward. I appreciate you recognizing all of that work, but it really makes the point, doesn't it? You know, there is no doubt that we had four departments working very hard for the last few days to try and come together with these amendments and working together; no doubt they are doing things behind the scenes, anyway, but it's another example of if you've got somebody coordinating it, we can make good things happen.

I think the amendments that are being put forward are the result of that. So, I just wanted to say that.

Chair: Peter Rukavina.

Peter Rukavina: Thank you, minister, for your good words.

I did want to make the point that there is an unintended, perhaps, bonus from moving in this direction, which is that education and public schooling and activities that happen in the early years that work well for young people with autism, often work well for all students. And so by focusing on the particular needs of people with autism, I think we also improve public education for everyone.

The other point I would like to make is that it's possible when we – I mean, you made reference, for example, to the increasing prevalence in autism, especially here in Prince Edward Island – I think we have to make special efforts, as a community, to while we recognize that is the case, and we take steps to try and address that and grow and evolve our systems to help support those individuals.

I think we also have to be sensitive to the fact that we don't want to do anything in our language to make individuals with autism feel like they are part of a plague that is covering the land. And not to suggest that you were doing that in any way, but I believe that it's – we want to make sure that people with autism realize that they are full Islanders in all respects and that, in fact, that there's nothing broken with them. There's as much broken with the rest of us as there is with people with autism. So I think language is important in that regard.

Thank you for your points.

Chair: Thank you, Peter.

We have six people on the list and I'm going to go next to the hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Chair.

Thank you, hon. member, for bringing this forward. Thank you, Peter, for coming in and sharing your story.

When you started talking, I started thinking about a family up in Borden who have a young man who is autistic and he has a farm. They have a young boy that's raising cattle and horses and very productive. It was really heartwarming to watch this young man take so much pride in what he was doing and how it also spread joy into the family is what I noticed. I was really impressed by that.

I think we are seeing a different chapter that's starting and I think it's oppositions and government are working together for good practice and good measures. I'll commend the Public Accounts committee for discussions we've had on working more together. That sort of streamed over into infrastructure and energy. Then we have – I've been working very closely with the minister of justice and the deputy on Bill No. 150 and Bill No. 110. Now we have another example of this bill (Indistinct) worked very closely with all of the stakeholders and government again. I think that's a very positive sign that I like to see.

Hon. member, thank you very much.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Chair.

I will be brief as well.

I guess rather than repeat everything that was said by many others, I'm just going to focus on a couple things. First of all, I think it's great to see the collaboration that's taking place on the floor of this Legislature here this evening.

But, I certainly want to acknowledge the public servants and all those inside this Chamber, as well as all of those people that are outside this Chamber, that have lobbied and championed this over the years. I'm extremely happy to see this on the floor.

Mr. Rukavina, I want to thank you for all of your comments, but the one that you made that kind of stood out for me a little bit was when you made the comment about the fact that you and your wife had to – or you and your spouse had to at some point go and get some help with anxiety. That struck me that there's so many people that are affected in

different ways: brothers; sisters; moms; and dads; grandparents.

I know my family; we first became aware of autism some 34-35 years ago just through family that we knew. And of course my son had – he went all through school with Adam since 1990. I think when you say Adam; I think everyone knows who I'm talking about.

So when you talked about going and getting a bit of help with the anxiety, it struck me that the sooner we can get the bulk of the information out to families as soon as possible after the diagnosis takes place, that that may go a long way to helping families and help reduce the anxiety. I'm not going say it's going to get rid of it or take it away, but it may go a long way to help with preventing the anxiety or helping with it, and certainly many other issues that I'm sure fall with that along with financial, for sure.

I would want to encourage when we get this more in collaboration with the departments that are involved, that we're going look at something like that because I think that could go a really long way as the child would progress through the various stages right up to adulthood.

I'm just going to leave it there, but I want to thank everyone for their great comments and for the work that you've done to help bring this to Islanders, and with your own personal experience.

So thank you for that.

Chair: Peter Rukavina.

Peter Rukavina: We had a particularly challenging entry into grade 10 for Oliver.

As other members have pointed out, transitions are often a struggle for people on the spectrum. And this was a particularly challenging year for Oliver, and there were days when I would drop him off at Colonel Gray and tears would be coming down my face on the way home. It was stressful for us as a family as well.

I remembered when Oliver had been diagnosed at the IWK that the psychologist who diagnosed us, or diagnosed Oliver, said: If you ever need anything, give me a call. So

I thought: I'm going to give her a call now. So we had a chat over the phone and one of the questions she asked me was: Well, have you reach out to the mental health system? And I'm ashamed to say that my first response to that was: There's a mental health system? My second response was: We don't have a mental health problem in our family; it's just there's anxiety. And as I listed out the symptoms I realized: Oh, I'm describing a mental health challenge.

So fortunately, she was able to connect us with a program available to all Islanders in this situation called Strongest Families that I'd referenced earlier. And that really was a program focused on Oliver, but involved us as a family of three. It was a weekly telephone call with a trained councillor in Halifax. I would say that I learned as much or more of that from that experience as Oliver did and used those techniques that we all learned there together as a family to this day in positive ways. It made me a better person, certainly.

So, I appreciate your comments in that regard because they're very true.

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

Mr. McIsaac: Thank you very much, Chair.

I want to thank Peter for bringing this forward as well and working with the proposer of the bill and further collaboration that's gone together with the other departments to get this where it is today. I think it's absolutely terrific.

I got the note, Peter, when I was minister of education and the present minister of education said a lot of what I wanted to say. So I'm not going to repeat that, I will tell a few little stories because I think when I had the portfolio, this file was by far the toughest to actually deal with.

I had a couple of ladies in my – a couple of moms in my office, and they were discussing the \$6,600 grant and one was actually pushing for part of her money to go to the other lady because it was kind of a flat grant and one lady – depending on where the child is in the spectrum, they need a lot more supports and such. That's the way they were pushing for that.

It really brings things home when you have people like yourself and people with parents who have autism speaking to you about that. I had a son that worked in Alberta. He worked for a year or so with two children with autism before he finished his education degree. So it really brought a lot of that home.

Another interesting thing, too; a young lady – a beautiful young lady at Vernon River school – and the beauty of Vernon River is they go from now K-9 and they didn't have as many transitions going from kindergarten and then you go to a different school and stuff. But anyway, at graduation day, all the other students when they were handing out the awards for top student in math and top athlete and all that sort of thing, the students themselves had gotten together and decided to give an award to Jewell as a special classmate of theirs for the nine years they were there.

But she again, it really brings home where she had the problem with transition is when all of a sudden the EA changed, you know? And it was just unbelievable the stress and stuff that it put on the parents and put on her. It's just, like, a person, the EA was part of her; going through the system and then if an EA retired or they got transferred or something like that, it throws everything off kilter again.

But, it was a really tough file. I'm really glad to see this. I love to see the groups coming together. I think, too, as well that every department was working their hardest is on this, but we needed a coordinated approach and I like that here. I like that there's going to be a committee to do that and a designated minister.

But what I really like is the fact of reporting back to the Legislative Assembly at least once a year, so we can hear and discuss and see what changes we may need to make to make this even better down the road.

So congrats to both of you and all who worked on bringing this forward.

Thank you.

Peter Rukavina: Thank you.

Chair: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Chair.

I would also like to take the time and thank the hon. Member from Morell-Mermaid and Peter himself for coming to the floor.

I know there are three excited families in my district that are certainly – this is going to be good news for them. I got to experience some of their obstacles, I guess, since I was elected three years ago and it was a learning curve for me. I really got to learn quite a bit from these three families with their children suffering from autism and some of the challenges. I know this is going to help their households out for sure.

I'll never forget my first experience of really knowing anything about autism. I was 23 years old and I often tell this story. It's when I first got into real estate. It was one of my very first listings. I was only in real estate for about six months. I listed this house in Kensington and I remember two small boys there. The little fellow, he was only about three years old and a happy young fellow. He was always excited to see you when you walked through the door. He couldn't really say a whole lot. But one thing he did that I never, ever forgot – his father, we were sitting at the kitchen table and his father looked at him and said: Why don't you show Matt where our house is at? And I watched this little fellow go over to his desk where the computer desk was, pull out the chair, sat on the chair, turned on the computer, got onto my website at three-years-old and found his house.

I remember leaving there and I was in awe, and I told that story hundreds and hundreds of times of a three-year-old child who could get on there and find his house, and I was just amazed how brilliant that young man was.

That was my first experience with autism and my last story – good news story – when I first got elected and was meeting some of these families and they were telling me some of the hurdles they were struggling with. This one young fellow, he was looking for work. He just finished high school and looking for work. He was really struggling to find anything. So I asked him what some

of his interests were and he said he would love to be a welder. So I was fortunate enough to find a welder in our district that just needed some part-time work and whatever. And three years later, that young fellow is still there and to this day, he's one of the best welders that fellow has.

It took time to get there, but he was willing to help this young fellow out and to give him the time and to this day, he said he's one of the best welders he's got. That's a good news story there as well.

Thank you for bringing this bill forward, and I certainly support it.

Peter Rukavina: Thank you.

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

Mr. R. Brown: Thank you.

I want to thank the members and the collaboration of what's going on here tonight on this very important issue.

I remember attending a human rights commission hearing on parents looking for supports and a number of parents with the commission meeting with autistic children. And it was pretty heart-wrenching, the outpouring of love and affection the parents had for the children and the total commitment of the parents towards the children. It got to a point where the parents were even blaming themselves, saying: Maybe it's something I did. I couldn't spend much more time in the hearing so I had to leave.

But, I'm fortunate to live in the district and live close to Peter. I've seen Oliver through the years. I've seen you taking him through the snow banks as a baby and as a young person. I've seen you walking him to Prince Street each and every day. I've seen you crossing the walk on Longworth Avenue to Birchwood. And I can say in all honesty and affection, Oliver is a full person as anyone else in this House tonight, because Oliver is a great person. When he got his dog, it was fantastic. I know you were just an example of all the parents because I've known a lot of parents in this situation.

The commitment and the dedication is awesome, and Oliver wouldn't be the person he is today if it wasn't for you.

I do have one request maybe, as the Chairman, in section five, cooperation, it mentions a number of organizations – agencies, crown corporations, professionals. I think we also should be consulting the autism society.

I don't want to see it as just a bureaucratic thing within government. I think that we have to get out to the people that experience it each and every day to have their input into policy making within government.

You need people that are experiencing it each and every day. No offense, but some people that are studying this stuff, you don't really know it until you have to do it; and I think to recognize the great work of the autism society, we should include that in the bill if you want.

Thank you very much.

Chair: The sponsor of the bill.

Mr. MacEwen: Yeah. Thank you, Chair; and thank you, minister.

You couldn't be more right, minister. We do have nonprofit organizations in there but the groups like the autism society, the Stars for Life, Inclusions East, QCRS; all these people need to be involved as nonprofits. I would hope that this committee, they'll be the first ones they go to.

Thank you.

Chair: Peter Rukavina.

Peter Rukavina: I couldn't agree with you more. I'm biased in this regard. I'm a member of the autism society myself. I would like to hope that, again, as another unintended side effect of this approach taken by government, that that would engender more cooperation among the regionally focused nonprofit organizations working either specifically with autism or people with intellectual disabilities.

I know we have taken at Stars for Life and at the autism society a habit of meeting together; but I think we've almost worked to

echo the silos in the nonprofit sectors that we also need to confront. So I think the mention of nonprofit organizations in the bill would be timely.

Chair: All right. Going to the Minister of Finance next, but just before we do, just so all members are aware, not meaning to limit debate in any way, at 8:30 we are switching over from this bill. So if we're on track to have any sort of vote tonight, just be aware of the time.

All right, the hon. Minister of Finance.

Mr. MacDonald: I'll forego my comments if we want to continue to move a little quicker.

Some Hon. Members: (Indistinct)

Mr. MacDonald: I think Peter knows how I feel.

Chair: I did have also the hon. Minister of Workforce and Advanced Learning.

Mr. Gallant: I can do the same as well, but I just would like to say thanks to everyone for their collaboration on this. This really goes in the saying it takes a community to raise a child. This is a true testament to that and I want to thank everybody in all the departments for working together and thank the member for bringing this forward and Peter and also the Minister of Family and Human Services for all their collaboration.

Thank you.

Ms. Casey: Carry the bill.

Chair: I do have the hon. Leader of the Third Party on the list as well.

Do you want to make –

Dr. Bevan-Baker: Thank you, Chair.

No, I too shall forego my remarks except to say thank you to the mover of the bill –

Chair: Great.

Dr. Bevan-Baker: – and for Peter (Indistinct) –

Chair: And the hon. Minister of Transportation, Infrastructure and Energy –

Ms. Biggar: One quick comment.

Chair: – you said you wanted one quick question, or comment.

Ms. Biggar: If I may, yeah. In regard to involving other people, don't forget the person we're talking about is the person with autism – whenever possible, to involve them.

Chair: Okay. Thank you, minister.

So what I'd like to suggest is I believe the amendments are really all centered around the same sort of thing. Maybe the sponsor of the bill, would you mind giving – I would like to suggest the committee get at overview of the amendments. Is there anyone opposed to that?

Some Hon. Members: No. Sure. (Indistinct)

Chair: All right. Are you okay with that, Member?

Mr. MacEwen: I am, yeah.

Chair: Okay, go ahead.

Mr. MacEwen: The first amendment changes the name of the bill from *Autism Secretariat Act* to the *Autism Coordination Act*. The second amendment changes the term – section 127 is deleted and the following would be substituted that the committee means the Prince Edward Island autism coordinating committee established under section 2 and the deputy minister means the deputy minister appointed by the *Public Departments Act*.

In section two, section two deletes Bill No. 127 and substitutes a new section two which establishes the Prince Edward Island autism coordinating committee. In section three, we would delete the word 'secretariat' and substitute the word 'committee'. In section four, we would set out the duties of said committee. So you're seeing a trend, ministers. Instead of the secretariat, we would have this working committee of deputy ministers and others that still have direct accountability towards the minister.

Premier MacLauchlan: (Indistinct) I'd like to point out sub (e) which is (Indistinct)

Chair: Are you in –

Mr. MacEwen: What amendment is that, Premier?

Premier MacLauchlan: Section four, but it's the sub (e) in (Indistinct) –

Chair: We're on that. It's House amendment section four, section 1(e) which is listed between (c) and (d)?

Premier MacLauchlan: (Indistinct)

Mr. MacEwen: Thank you, Premier.

I do want to point that out.

Thank you.

So this is an addition to section 4, is to collaborate with other governments and with community-based organizations on the development and delivery of policies and programs respecting people with autism spectrum disorders; and also in (f), the addition of to deliver programs and navigation supports which is what many of you spoke of here this evening. I should have been using this sheet all along.

In section five, again changing out 'secretariat' for 'committee'; in section five, the same type of thing, changing out 'secretariat' for 'subcommittees' or 'committee'; and section seven, again with committees, in section 7(2) the tabling or filing of an annual report, we're changing it to read 'the relevant minister designated by Lieutenant Governor in Council under section two shall table the committee's annual report.' Section eight again just replaces 'secretariat' with 'committee'.

I believe that's hopefully a decent summary of all of the amendments.

Chair: If it pleases the committee, I can ask for questions on the amendments as a whole or we can call for the question?

Ms. Biggar: (Indistinct)

Mr. R. Brown: I move that we adopt all amendments.

Chair: All in favour that all amendments be adopted?

Some Hon. Members: Aye.

Chair: All against?

Mr. MacEwen: I have to move the amendments.

Chair: Oh, pardon me.

I think we already had a mover of the amendments here.

Mr. MacEwen: Okay.

Chair: All right, so the amendments have been adopted.

Some Hon. Members: Carry the bill.

Chair: All in favour, say 'aye'.

Some Hon. Members: Aye!

Chair: All against?

It is unanimous.

[Applause]

Mr. MacEwen: I move the title.

Chair: *Autism Coordination Act.*

Shall it carry? Carried.

Mr. MacEwen: I move the enacting clause.

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

Shall it carry? Carried.

Mr. MacEwen: Mr. Chair, I move the Speaker take the chair and that the Chair report the bill agreed to with amendment.

Chair: Shall it carry? Carried.

Very efficient.

Mr. Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *Autism*

Coordination Act, I beg leave to report that the committee has gone through the said bill and has agreed to same with amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

Ms. Casey: Good work, everyone. That's good.

Speaker: I will now call on the hon. Member from Charlottetown-Parkdale.

Ms. Bell: Mr. Speaker, I call that Order No. 37 be now called.

Speaker: Shall it carry? Carried.

Clerk: Order No. 37, *Government Advertising Standards Act (No. 2)*, Bill No. 126, ordered for second reading.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Mr. Speaker, I request that this House do now resolve itself into a Committee of the Whole House to take into consideration said bill.

Speaker: Second reading, hon. Member from Charlottetown-Parkdale.

Ms. Bell: I will do that first then (Indistinct) have to find it.

Speaker: Just that the bill be now read a second time.

Ms. Bell: I request that the bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *Government Advertising Standards Act (No. 2)*, Bill No. 126, read a second time.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Mr. Speaker, I move that this House do now resolve itself into a Committee of the Whole House to take into consideration said bill.

Speaker: Shall it carry? Carried.

Ms. Bell: Got there eventually.

Mr. LaVie: (Indistinct)

Speaker: Hon. Leader, you're going to chair?

Dr. Bevan-Baker: Yes, (Indistinct) –

Speaker: Are you –

Dr. Bevan-Baker: No, fine.

Ms. Bell: Who's chairing, am I chairing?

Mr. Dumville: Peter can chair.

Dr. Bevan-Baker: Deputy Speaker if she's willing to chair?

Speaker: Okay, I will now call on the hon. Member from Charlottetown-Lewis Point if you wouldn't mind coming and chairing this bill.

Chair (Casey): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Government Advertising Standards Act (No. 2)*. Is it the pleasure of the committee that the bill now be read clause by clause?

An Hon. Member: No.

Chair: Thank you.

Permission to bring a stranger to the floor?

An Hon. Member: Granted.

Chair: We'll allow him to come onto the floor and be introduced before we open the floor.

Good evening, could you introduce yourself and your title for the record.

Nathan Hood: I'm Nathan Hood; I'm the Communications and Policy Coordinator with the Office of the Third Party.

Chair: Welcome to the floor Nathan Hood.

Leader, would you care to give an overview of the bill?

Dr. Bevan-Baker: Certainly, Chair.

Thank you.

Currently government spends hundreds of thousands of dollars every year on advertising and we want to ensure that the public funds that are used for that advertising are being spent appropriately.

Currently, there are no parameters regarding government advertising on Prince Edward Island and our bill establishes those guidelines to ensure that when it comes to government advertising, public funds are spent appropriately.

Chair: Hon. members is it the pleasure of the committee that the bill now be read clause by clause.

Ms. Biggar: Yes.

Chair: Okay.

So, hon. members as usual I'll read the section then I'll open questions to that particular section.

1. Definitions

In this Act,

(a) "Auditor General" means the officer of the Legislative Assembly appointed under section 3 of the *Audit Act* R.S.P.E.I. 1988, Cap. A-24;

(b) "government advertising" means the use of public money for the production and dissemination of material to the public which promotes activities, programs or initiatives of a government office;

Hon. member, if you could hold the question until the end of the section as requested, thanks.

(c) "government office" means a department, the Executive Council Office, the Office of the Premier or a reporting entity listed in Schedule B to the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9;

(d) "head of office" means the member of the Executive Council charged with the administration of a government office and, in the case of a reporting entity listed in Schedule B to the *Financial Administration*

Act, includes a person designated under section 2 to act as the head of that reporting entity for the purposes of this Act;

(e) "item", with respect to government advertising, means a reviewable advertisement, reviewable printed matter or a reviewable message, as the case may be;

(f) "public money" means public money as that term is defined in the *Financial Administration Act*.

I have question on section one from the Member from Borden-Kinkora.

Mr. Fox: Thank you, Chair.

Hon. member, can you explain in some more detail the government advertising definition?

Dr. Bevan-Baker: Sure.

Perhaps hon. member, if you go to section four which deals with advertising standards we can look at the first section of 4(1) which talks about the allowable or the forms of government advertising that would be deemed to be appropriate.

I can read through them if you wish –

Chair: We can wait until we get to that section –

Dr. Bevan-Baker: Yeah sure, but that gives a pretty succinct and complete description of what appropriate government advertising is.

Chair: Member from Borden-Kinkora.

Mr. Fox: So would there be an example – could you give an example of something that would contravene that section four under the definition of government advertising?

Dr. Bevan-Baker: Yeah well again, all of the other sections of the advertising standards sub four deal with things that would contravene that.

Things such as, it should not be partisan, it should not have a logo of an identified party; again they're all listed there.

So there's a section saying: this is okay – and another section saying: if the ad contains one or more of these, then it's not okay.

Chair: Member from Borden-Kinkora.

Mr. Fox: So, I'm playing devil's advocate here.

If the government wanted to advertise something say, in *The Journal Pioneer* or whatever and they used the colour blue, which is normally associated with the Conservative Party or they use the colour Green, would that be against the act?

Dr. Bevan-Baker: That's a great question and actually there's a very specific section of the bill which I can't bring to mind right now, where it does deal with colour and indeed yes, if the colour is prominent, that would be problematic.

Unless, for example you were doing a press release in front of the Northumberland Strait, which on a sunny day would be blue, that wouldn't be an issue. But if the ad itself was clearly coloured blue, then that would be an issue.

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

Ms. Biggar: Thank you, actually just following up on that.

When you look at the provincial government – PEI government logo, it's Island green. So you're saying the logo would not be able to have a colour?

Dr. Bevan-Baker: No. It would be –

Ms. Biggar: You're saying: no it can't have a colour or no that's not what you're saying.

Dr. Bevan-Baker: Yeah sure I'll let you answer that.

Nathan Hood: So, no, we would be able to use the logo that we've designed.

What the section is trying to get at would be things that have no relevance to say the colour of the governing party, but the governing party has decided to use that

colour for any significant manner for their advertisement.

We do have exception for things that are associated with that colour.

Let's say the Liberal government decides to do a blood donation strategy and the colour is red, well we associate red with blood or if the PC's had done an advertising on an ocean strategy let's say, well ocean's be associated with blue, so therefore that would be accepted under the legislation.

Chair: Minister of Transportation, Infrastructure and Energy.

Ms. Biggar: Thank you.

I'd like to get a little more clarification around this, as minister of transportation and everything else –

[Laughter]

Ms. Biggar: – as I meant it to be.

[Laughter]

Chair: Order!

The Minister of Transportation (Indistinct) –

Ms. Biggar: Infrastructure – Oh thank you.

I guess I'd like some clarification because I, as minister, work closely with many organizations that we work in partnership with, such as MADD, such as other organizations to promote safety but we are a partner in that advertising. I am often am on the radio doing promotional safety advertising – you know, public service announcements whatever – on behalf of the Department of Transportation, Energy and Infrastructure and Status of Women, but I guess, is this preventing anything to do with that?

Dr. Bevan-Baker: The short answer to that is no.

Chair: Minister of Transportation, Infrastructure and Energy.

Ms. Biggar: So further to that, my department puts out a lot of tenders for a lot of different areas, whether it's a piece of

land for sale, or a tender for a bridge or a tender for the Trans-Canada Highway project or whatever it may be. Our government logo is on it; our department logo is on it.

So I'm just getting some clarification on where that leaves us as a department needing – because we can't put everything, you know, do we not advertise anything is what I'm trying to get at?

Dr. Bevan-Baker: I think it's important that I– haven't explained clearly enough that this sort of legislation exists in other provinces as well. Most provinces either have this legislation or legislation like this enacted or on the table.

It is not to prevent government from advertising; in fact, the 300-odd thousand dollars that government spends annually on advertising would continue to be spent. This is just to ensure that that money is spent in an appropriate way that does not boost the party of the government in power, rather just informs Islanders of the services that are available and the other things – inform them of their rights and responsibilities and various other things.

Nathan Hood: Minister, if I may?

Section four, subsection six, there's an exception and it reads: "This section does not apply with respect to a notice to the public that is required by law, an advertisement about an urgent matter affecting public health or safety, a job advertisement or an advertisement about the provision of goods or services to a government office." Which I think would cover some of the concerns that you had about the operations of your department.

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

Ms. Biggar: Thank you.

As a minister of energy being responsible for efficiency PEI, we do and are engaged in a lot of promotion of the services and programs that, you know, the government of PEI are providing, are making available for Islanders.

I guess I'm just seeking, again, whether or not you would view that as something that should be not be advertised as something that the government of PEI are offering to Islanders.

Dr. Bevan-Baker: I point you, minister, to, again, section four, subsection one, part one: "to inform persons of current or proposed government policies, programs or services available to them". Absolutely all right that none of that would be affected by this legislation whatsoever.

Chair: the hon. Minister of Transportation, Infrastructure and Energy.

Ms. Biggar: So perhaps you could be more clear then on what it is you're objecting to in terms of advertising.

Dr. Bevan-Baker: I want to make it clear; I'm not objecting to anything, I'm just trying to set with this bill some perimeters, some rules, and some guidelines as to what would constitute reasonable and appropriate use of public funds to inform Islanders of the work of government. That's an entirely appropriate thing to do. Again, the \$300,000-odd dollars that is spent currently, the vast majority of that is spent entirely appropriately.

What we're trying to do is prevent those public funds, taxpayers' dollars being used to promote the party which is in power, rather than disseminate information about public services and programs.

Chair: The j Minister of Transportation, Infrastructure and Energy.

Dr. Bevan-Baker: That's fine. That's all for now.

Chair: Shall that section carry?

Sorry, Premier.

Premier MacLauchlan: I did have a question. It is about the scope of advertising as a term or what it covers of course as we all know that the whole landscape is changing. In terms of dollars expended, we've seen about 12% reduction in what we call advertising expenses over a five year period. I'm sure there are various factors

related to that, and some people might say we don't do enough.

There's lots of ways in which you have come in in the morning and say could we have the public more engaged about this or about that or make sure in some ways the discussion that we just had with autism I don't think advertising is going to fix it, but you're constantly in government asking yourself and asked on the street: Do we know about this or have we had sufficient mobilization about other things?

One of the programs stands out in the recent period is the Be Aware, and Get Your Share. Ultimately, I think it was going around and working with volunteers, working community organizations that got the best or the most response.

Then go back to my question I'm reading one b, which is not exactly a definition section, at least in terms of advertising. Section three goes further in that direction, but it says it includes but is not limited to.

Then I'm curious if there are examples that could be given of something that's not advertising. How might we understand the line between something that's advertising and something that's not advertising?

Dr. Bevan-Baker: First of all, let me say I'm really delighted that you brought up Be Aware, and Get Your Share, because that's one of the examples that we have talked about in the office of being an absolutely perfect example of what good government advertising should look like.

Again, I think the definition of advertising is as clear as any of the other pieces of legislation which deals with this and other jurisdictions. We drew on, I think, the legislation from three different provinces in putting this together, and tried to take the best bits of each of them. There were certainly – There was variation in the definition of advertisement, in fact variation in all aspects of the bills, but I think there will be always be –

One thing we haven't talked about here – Premier I am getting to answering your question – is that the individual or the body that makes the decision on whether a piece of advertising is appropriate in our bill is the

Auditor General's office. There will always be a little bit of grey area there, and I absolutely admit that – that it will be at the discretion of the individual to do that. That's consistent with other bills in other jurisdictions.

We can make the definition of advertising as tight and as clear as we can, but there will always be areas where the discretion of the objective body – in our case the Auditor General's office – will be brought into play.

Chair: The hon. Premier.

Premier MacLauchlan: Yeah, so one area where we have seen an expanded effort is the website. There's a reference in section three, (b) two: advertising on the Internet. In a sense, you might say everything that's on the website is advertising or at least could be – might be complained about or might be drawn to the attention of somebody with that concern.

Would you suggest that the entire website would be open to the, I'll say, lens or the standards of this bill?

Nathan Hood: This is really for third parties that you would go to and advertise in. So the website is obviously a medium you guys' own, it's not what we contemplated when we were drafting the legislation.

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

Ms. Biggar: I guess I would like some further clarification under three and I know the Premier had mentioned advertising under the Internet, but around (c) brochures, signs –

Chair: Sorry, hon. member, we're not there yet. Could you hold that question?

Ms. Biggar: Okay, sure.

Chair: Do you have any others with regard to section one?

Ms. Biggar: Not specific.

Chair: I have the Minister of Education, Early Learning and Culture, has a question.

Mr. J. Brown: Thanks, Madam Chair.

This might actually tie – So I'm in the definition of government advertising and the word material is really the dissemination of material and it underlined that word material, which is not defined in there.

I'm wondering where the definition 'government advertising' came from, I guess, and where the definition of 'material' would kind of get its ground in this legislation.

Nathan Hood: I think 'material' is probably similar to the definition of 'item' that we have in there, which is a piece of advertising that's reviewable. One thing that there is, I believe, at the end of the act, section 12(d); there is a provision there, where in the regulations, we are able to define terms that might be used in the act, but we haven't defined in the act. If that was something that government felt needed further clarification, that's one way you could clarify that.

Chair: Thank you, Nathan.

Hon. member's, we've reached our allotted time for this bill. I'm going to ask the leader to read.

Dr. Bevan-Baker: Madam 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.

Thanks.

Dr. Bevan-Baker: Thanks so much.

Chair: Mr. Speaker, as Chair of a Committee of the Whole House having under consideration a bill to be intituled, *Government Advertising Standards Act (No. 2)*, 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: Mr. Speaker, I move, seconded by the hon. Member from

Montague-Kilmuir, that Motion No. 74 be recalled.

Speaker: Shall it carry? Carried.

Okay, so we're in Motion No. 74 and I do believe, a list of –

Speaker: Hon. Premier.

Premier MacLauchlan: I'll let someone else go.

Speaker: Okay, the hon. Minister of Education, Early Learning and Culture, you can speak to this motion.

Mr. J. Brown: Okay, thank you, Mr. Speaker.

I want to, as well, recognize the extraordinary staff in our schools who provide invaluable support to Prince Edward Islanders in times of need. Our education authorities have excellent protocols in place. They know that when a tragic event occurs, they have to act quickly and appropriately. In a matter of hours, student services staff are reaching out to schools to help with communications, and they are putting a crisis response team in place at those schools.

The team may include: a counseling consultant, a psychologist, a student services director, members of the student well-being team or other staff, depending on the situation. The team is there to support the principal, help teachers communicate with students, ensure there are substitutes available, and that more supports are brought in, if necessary; to support students and staff who are struggling, identify people at risk, and refer them to other services and supports. In addition, they are providing extra support, such as organizing food, or giving parents advice on how to talk with their children about death. Through these efforts, people are able to come together to grieve and draw support from each other.

I had the opportunity to observe the incredible work of these staff, when we were dealing with the student deaths in Montague in the spring and in Bluefield and Belfast this fall. In each case, staff and student services teams from Public Schools Branch responded quickly and followed a process

that supported teachers, as well as students. Student's services staff were there to brief teachers, offer statements to read in classrooms, and take over classes when necessary. They remained onsite as long as schools needed support.

When these crises occur, it takes president over any other student services activities. We are extremely fortunate to have these very caring and committed employees there for us when families and communities are grieving. These staff help people get through difficult times, and receive important supports that will enable them to cope much better later on.

I think it's worth noting that through these times, the staff that I spoke of a moment ago, are often as close to, or part of, the communities that they are dealing with, as the families, as the friends, as anybody that's there and involved. It really, I think, provides a large extra support, but it takes a lot of self awareness and a lot of ability to marshal the strength to go through that.

I think it's important that we recognize that and the effort that it takes when those individuals are called upon to be able to pull themselves together and to go into, what's often a very difficult situation and to be supportive of their community members, even in times where those individuals are struggling themselves.

We can only imagine what that could often be like. We've probably each had situations in our own lives, where we've been very thankful to have had that kind of support; I know I have had numerous situations in my life where I've encountered unfortunate and untimely death of friends. We are fortunate to live in a place like Prince Edward Island, where we are small and where we do have very community-minded people that are there.

As the hon. Minister of Workforce and Advanced Learning said: it takes a village to raise a child. And we do often see that, particularly, in our schools systems, where in an unfortunate event, we do see all of the staff that comes to bear on these groups and we're fortunate to have them.

So with that, I thank you, Mr. Speaker, for allowing me to speak to this motion and

obviously, we're very supportive, and we certainly are behind all of our community – minded folks.

Thank you.

Speaker: Are there any other members that would like to speak to this motion?

If not, I will go back to the mover of the motion, the hon. Member from Montague-Kilmuir to close debate on the motion.

Mr. Roach: Thank you, Mr. Speaker.

Certainly, I think this was an extremely worthwhile motion, a very important motion to bring here to this Legislature. I want to thank the seconder of the motion, and I want to thank each and every member of this Assembly who got up and spoke so well. I think we only need to look at events with our neighbours across the Strait over the last weekend to see why this is so important and why we need to support all of those people who support our communities.

So with that, I will close any debate on this motion.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: Hon. members, are you ready for the question?

Some Hon. Members: Question.

Speaker: All those voting in favour of this motion, signify by saying 'aye'.

Some Hon. Members: Aye!

Speaker: All those not supporting the motion, signify by saying 'nay'.

The motion is carried hon. members, and it is anonymous.

Hon. members, the hour has been called.

I call on the hon. Minister of Workforce and Advanced Learning.

Mr. Gallant: Thank you, Mr. Speaker.

I move, seconded by the hon. Member from Vernon River-Stratford, that this House adjourn until Wednesday, November 28th, at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until, Wednesday, November 28th, at 2:00 p.m.